that the Commission's definition of CBI and BPI may overly restrict use of such information. The Commission requests comment concerning the practical effects of the proposed revision in circumstances where some but not all firms request that their trend data be kept confidential.

The Commission is additionally proposing to revise the procedure in §201.6(f) for filing and handling appeals from approval by the Secretary of requests for confidential treatment. Section 201.6(f) as currently in effect requires that an appeal must comply with certain rules applicable to requests under the Freedom of Information Act (FOIA). This connection with the FOIA rules creates an unnecessary step, inasmuch as the Secretary has already acted upon the matter. The proposed amendment to § 201.6(f) would establish a procedure for appeals from approvals of requests for confidential treatment that essentially parallels the procedure now specified in §201.6(e) for appeals from denials of such requests.

Another proposed revision to section 201.6 would use the term "nondisclosable confidential business information" to describe BPI not subject to disclosure under APO pursuant to section 777(c)(1)(A) of the Act. Corresponding revisions to § 207.7(a)(1), (f)(2), and (g) would clarify the procedure for submitting such information.

Another proposed change to § 207.7 relates to the proposed amendment to §201.11 discussed above. Section 207.7(a)(2) currently states that, when an APO application has been approved with respect to applicants representing an interested party, additional applicants representing that party may file applications after the deadline for entries of appearance but no later than five days before the deadline for filing posthearing briefs in the investigation, or before the deadline for filing briefs in a preliminary investigation. The purpose of the five day deadline(s) is to finalize service lists before interested parties must file and serve their briefs. Accordingly, the proposed amendment to §207.7(a)(2) indicates that APO applications for additional applicants must also be filed no later than five days before the deadline for filing issues briefs pursuant to proposed rule §207.20(c)(3). Additionally, §207.7(b)(2) and (b)(4) will be amended to refer to "the preliminary phase of an investigation" in lieu of "preliminary investigation."

"24-Hour" Rule

Section 207.3

The Commission is proposing to amend the "24-hour" rule governing final bracketing of BPI, to clarify absolutely that the only changes that may be made in the 24-hour BPI version of documents are changes in bracketing and deletion of BPI. Any other changes, including typographical changes, are not allowed unless the Commission grants an extension of time to file an amended document pursuant to rule § 201.14(b)(2). In several instances, parties have made changes other than those affecting bracketing and deletion of BPI in the briefs filed under this rule, in some instances triggering an investigation into whether there was a violation of the 24-hour rule. The proposed amended language to § 207.3(c) is intended to obviate similar misinterpretations of the rule. An additional amendment is proposed to § 207.3(b) to revise a cross-reference to a renumbered regulation.

Opportunity for Nonparty Participation

Section 207.9

The URAA added a new section 777(h) to the Act, which requires the Commission to provide an opportunity for industrial users of subject merchandise, and, if the merchandise is sold at the retail level, representative consumer organizations, to submit relevant information concerning material injury by reason of subject imports. The Commission is proposing to add a new § 207.9 to the Commission rules to implement the requirement of section 777(h) that industrial users and consumer organizations be provided an opportunity to participate in Commission antidumping and countervailing duty investigations. Proposed § 207.9, like section 777(h), does not, however, confer interested party status on industrial users and consumer organizations. Unless such entities qualify as interested parties under section 771(9) of the Act, they do not have the rights that the Act and the Commission rules afford to interested parties.

Other Conforming Changes

Sections 207.1, 207.2, 207.8, and 207.40

In its January 3, 1995, notice of interim rulemaking, the Commission made amendments to §§ 207.1, 207.2(e), 207.8, 207.10, 207.11, and 207.40 to conform these provisions with the URAA. The only one of these amendments which was the subject of comment was the amendment to section 207.8, which states that the Commission may use "facts otherwise available" whenever any party or any other person fails to respond adequately to a subpoena or refuses or is unable to produce information in a timely manner and in the form required, or otherwise significantly impedes an investigation. Pro Trade suggested the Commission amend the regulation to limit the instances in which the Commission would use "facts otherwise available." The Commission believes, however, that the interim regulation conforms to the statute as drafted.

Accordingly, the Commission proposes issuance in final form of §§ 207.1, 207.2(e), 207.8, and 207.40, as these provisions were amended in the January 3, 1995, notice of interim rulemaking. As discussed above, the Commission has proposed further amendments to sections 207.10 and 207.11.

In the January 3, 1995, notice of interim rulemaking, the Commission additionally promulgated a new § 207.46 for investigations under section 753 of the Act. Several comments concerning this interim rule address matters which also implicate the type of procedures the Commission should establish for "sunset" reviews under section 751(c) of the Act. The instant rulemaking has focused primarily on implementing changes to procedures in final Commission antidumping and countervailing duty investigations required by the URAA, and the Commission is not prepared to address the question of "sunset" reviews at this time. Consequently, the Commission is not proposing in the instant rulemaking proceeding to issue § 207.46 in final form. Section 207.46 will remain in effect as an interim rule.

Comments

The Commission solicits comments on the proposed amendments to its part 201 and 207 rules, as well as the proposed changes to its internal procedures concerning antidumping and countervailing duty investigations described above. Such comments should be filed within 75 days of publication of this notice in the Federal Register.

The Commission also solicits comments on several proposed changes to its procedures in antidumping and countervailing duty investigations that it is contemplating which do not require, and are not related to, changes in the Commission's rules. The Commission is particularly interested in commenters' views concerning whether the proposals serve the objectives of: (1) promoting transparency; (2) promoting consistent, well-supported and legally