

Federal Register

Vol. 82, No. 125

Friday, June 30, 2017

Presidential Documents

Title 3—

Proclamation 9625 of June 29, 2017

The President

To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes

By the President of the United States of America

A Proclamation

1. Pursuant to sections 501 and 503(a)(1)(A) of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2461 and 2463(a)(1)(A)), the President may, after receiving the advice of the United States International Trade Commission (the “Commission”), designate certain articles as eligible for preferential tariff treatment under the Generalized System of Preferences (GSP) when they are imported from designated beneficiary developing countries.
2. Pursuant to sections 501, 503(a)(1)(A), and 503(b)(5) of the 1974 Act (19 U.S.C. 2463(b)(5)), and having received advice from the Commission in accordance with section 503(e) of the 1974 Act (19 U.S.C. 2463(e)), I have determined to designate certain articles as eligible articles when they are imported from beneficiary developing countries.
3. Pursuant to section 503(c)(1) of the 1974 Act (19 U.S.C. 2463(c)(1)), the President may withdraw, suspend, or limit application of the duty-free treatment accorded to specified articles under the GSP when imported from designated beneficiary developing countries.
4. Pursuant to section 503(c)(1) of the 1974 Act, and having considered the factors set forth in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2462(c)), I have determined to withdraw the application of duty-free treatment accorded to a certain article.
5. Section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) subjects beneficiary developing countries, except those designated as least-developed beneficiary developing countries or beneficiary sub-Saharan African countries as provided in section 503(c)(2)(D) of the 1974 Act (19 U.S.C. 2463(c)(2)(D)), to competitive need limitations on the preferential treatment afforded to eligible articles under the GSP.
6. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that in 2016 certain beneficiary developing countries exported eligible articles in quantities exceeding the applicable competitive need limitations. I hereby terminate the duty-free treatment for such articles from such beneficiary developing countries.
7. Section 503(c)(2)(F)(i) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(i)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article from any beneficiary developing country if the aggregate appraised value of the imports of any such article into the United States during the preceding calendar year does not exceed the amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).
8. Pursuant to section 503(c)(2)(F)(i) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act should be disregarded with respect to certain eligible articles from certain beneficiary developing countries.

9. Section 503(d)(1) of the 1974 Act (19 U.S.C. 2463(d)(1)) provides that the President may waive the application of the competitive need limitations in section 503(c)(2) of the 1974 Act (19 U.S.C. 2463(c)(2)) with respect to any eligible article from any beneficiary developing country if certain conditions are met.

10. Pursuant to section 503(d)(1) of the 1974 Act, I have received the advice of the Commission on whether any industry in the United States is likely to be adversely affected by such waivers of the competitive need limitations provided in section 503(c)(2) of the 1974 Act. I have determined, based on that advice and the considerations described in sections 501 and 502(c) of the 1974 Act, and having given great weight to the considerations in section 503(d)(2) of the 1974 Act (19 U.S.C. 2463(d)(2)), that such waivers are in the national economic interest of the United States. Accordingly, I have determined that the competitive need limitations of section 503(c)(2) of the 1974 Act should be waived with respect to a certain eligible article from a certain beneficiary developing country.

11. Presidential Proclamation 8997 of June 27, 2013, suspended Bangladesh's designation as a beneficiary developing country for the purposes of the GSP. Presidential Proclamation 9333 of September 30, 2015, terminated Venezuela's designation as a beneficiary developing country for the purposes of the GSP. These proclamations made corresponding modifications to general note 4 of the Harmonized Tariff Schedule of the United States (HTS). Those modifications included technical errors, and I have determined that modifications to the HTS are necessary to correct them.

12. Presidential Proclamation 9466 of June 30, 2016, implemented the World Trade Organization Declaration on the Expansion of Trade in Information Technology Products (the "Declaration") and, pursuant to section 111(b) of the Uruguay Round Agreements Act (19 U.S.C. 3521(b)), modified the HTS to include the schedule of duty reductions necessary to carry out the Declaration. Those modifications included technical errors, and I have determined that modifications to the HTS are necessary to correct them.

13. Presidential Proclamation 8097 of December 29, 2006, implemented modifications to the HTS, pursuant to section 1206(a) of the Omnibus Trade and Competitiveness Act of 1988 (the "1988 Act") (19 U.S.C. 3006(a)), to include changes to the schedule considered necessary or appropriate by the Commission to accomplish the purposes of section 1205(a) of the 1988 Act (19 U.S.C. 3005(a)). Those modifications to the HTS were set out in Publication 3898 of the Commission, entitled "Modifications to the Harmonized Tariff Schedule of the United States under Section 1206 of the Omnibus Trade and Competitiveness Act of 1988," which was incorporated by reference into Presidential Proclamation 8097. Annex I to that publication included a technical error, and I have determined that a modification to the HTS is necessary to correct it.

14. Presidential Proclamation 9549 of December 1, 2016, implemented modifications to the HTS, pursuant to section 1206(a) of the 1988 Act, to include changes to the schedule considered necessary or appropriate by the Commission to accomplish the purposes of section 1205(a) of the 1988 Act. Those modifications to the HTS were set out in Publication 4653 of the Commission, entitled "Modifications to the Harmonized Tariff Schedule of the United States under Section 1206 of the Omnibus Trade and Competitiveness Act of 1988 and for Other Purposes," which was incorporated by reference into Presidential Proclamation 9549. Annex I to that publication included technical errors, and I have determined that modifications to the HTS are necessary to correct them.

15. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other Acts affecting import treatment, and actions thereunder, including removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including title V and section 604 of the 1974 Act, do proclaim that:

(1) In order to designate certain articles as eligible articles when imported from a beneficiary developing country for purposes of the GSP, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings is modified as set forth in section A of Annex I to this proclamation.

(2) In order to provide that one or more countries should no longer be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings and general note 4(d) to the HTS are modified as set forth in sections B, C, and D of Annex I to this proclamation.

(3) The competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act is disregarded with respect to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in Annex II to this proclamation, effective July 1, 2017.

(4) A waiver of the application of section 503(c)(2) of the 1974 Act shall apply to the article in the HTS subheading and to the beneficiary developing country set forth in Annex III to this proclamation, effective July 1, 2017.

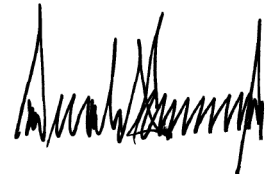
(5) In order to make technical corrections necessary to reflect the suspension of benefits under the GSP with respect to Bangladesh and the termination of benefits under the GSP with respect to Venezuela, the HTS is modified as set forth in Annex IV to this proclamation.

(6) In order to make technical corrections necessary to provide the intended tariff treatment to goods covered by the Declaration in accordance with Presidential Proclamation 9466 of June 30, 2016, and to certain goods as recommended in Publications 3898 and 4653 of the Commission, the HTS is modified as set forth in Annex V.

(7) The modifications to the HTS set forth in Annexes I, IV, and V to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates set forth in the relevant sections of Annexes I, IV, and V.

(8) Any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of June, in the year of our Lord two thousand seventeen, and of the Independence of the United States of America the two hundred and forty-first.



ANNEX I**MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES**Section A.

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2017, the Harmonized Tariff Schedule of the United States (HTS) is modified for the following subheadings:

For each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A+" and inserting the symbol "A" in lieu thereof:

1104.19.90
2915.90.18
3301.13.00
3809.93.50
3912.20.00
4202.11.00
4202.12.21
4202.12.40
4202.12.81
4202.21.60
4202.21.90
4202.22.15
4202.22.45
4202.22.81
4202.31.60
4202.32.40
4202.32.80
4202.32.93
4202.32.99
4202.91.90
4202.92.15
4202.92.20
4202.92.31
4202.92.39
4202.92.45
4202.92.91
4202.92.97
4202.99.90

Section B.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after July 1, 2017, the HTS is modified as provided herein, with the language in tabular format inserted in the HTS columns entitled "Heading/Subheading", "Article Description", "Rates of Duty 1-General", "Rates of Duty 1-Special", and "Rates of Duty 2", respectively.

Subheading 2922.49.40 is deleted and the following new provisions are inserted in lieu thereof:

[2922	:Oxygen-function...]				
[Amino-acids,. . .]	:	:	:	:
[2922.49	: Other:]	:	:	:	:
:	Other:]	:	:	:	:
:	"Amino-acids:	:	:	:	:
2922.49.43	Glycine (Aminoacetic acid):.....	:4.2%	:	:Free (AU,BH,	:25%
:		:	:	: CA,CL,CO,D,E,	:
:		:	:	: IL,JO,KR,MA,MX,	:
:		:	:	: OM,P,PA,PE,SG)	:
2922.49.49	Other amino acids.....	:4.2%	:	:Free (A,AU,BH,	:25%"
:		:	:	: CA,CL,CO,D,E,	:
:		:	:	: IL,JO,K,KR,MA,	:
:		:	:	: MX,OM,P,PA,	:
:		:	:	: PE,SG)	:

Section C.

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2017, general note 4(d) to the HTS is modified by adding, in numerical sequence, the following subheading numbers and the countries set out opposite such subheading numbers:

2933.99.22	India
6801.00.00	Turkey

Section D. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2017, the HTS is modified as provided in this section.

For each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting the symbol "A*" in lieu thereof:

2933.99.22
6801.00.00

ANNEX II

**HTS Subheadings and Countries for Which the Competitive Need
Limitation Provided in Section 503(c)(2)(A)(i)(II) Is Disregarded**

0405.20.80	India	2912.49.10	India
0410.00.00	Indonesia	2913.00.50	India
0603.13.00	Thailand	2914.22.20	India
0710.80.50	Turkey	2914.31.00	Brazil
0711.40.00	India	2914.40.10	Brazil
0713.34.40	Belize	2916.39.12	India
0713.60.10	India	2921.42.21	India
0713.60.60	India	2921.49.32	India
0714.50.60	Ecuador	2922.29.26	India
0802.31.00	Moldova	2922.50.19	India
0802.52.00	Turkey	2924.29.36	India
0802.80.10	India	2924.29.43	India
0810.60.00	Thailand	2926.10.00	Brazil
0813.40.10	Thailand	2930.90.30	India
0813.40.80	Thailand	2932.20.25	India
1103.19.14	India	2932.99.08	India
1601.00.40	Brazil	2933.99.06	India
1604.19.81	Philippines	2935.00.06	India
1605.58.55	Indonesia	3802.90.10	Brazil
1701.91.10	Brazil	3808.50.10	India
2001.90.45	India	3808.93.20	India
2004.90.10	Ecuador	3824.90.31	Brazil
2005.80.00	Thailand	3824.90.32	Brazil
2006.00.70	Thailand	3920.94.00	India
2008.99.50	Thailand	4101.90.35	India
2306.50.00	Papua New Guinea	4101.90.50	Brazil
2401.10.95	Brazil	4104.11.30	India
2516.20.20	India	4106.21.90	India
2813.90.50	India	4106.22.00	Pakistan
2827.39.25	India	4107.11.40	India
2827.39.45	India	4107.11.60	Turkey
2828.10.00	India	4107.12.40	India
2831.90.00	India	4107.19.40	India
2833.29.40	Turkey	4107.91.40	India
2834.10.10	India	4107.92.40	India
2840.11.00	Turkey	4107.99.40	India
2841.61.00	India	4107.99.80	Brazil
2841.70.50	India	4202.22.35	India
2844.30.10	India	4302.20.60	Brazil
2904.10.08	India	4601.22.40	Indonesia
2905.19.10	Brazil	4602.19.23	Philippines
2905.49.10	India	5208.41.20	India
2906.19.30	Brazil	5209.41.30	India
2907.12.00	India	5607.90.35	Philippines
2907.15.10	India	5702.92.10	India
2907.29.25	India	7113.20.25	India
2909.11.00	India	8112.19.00	Kazakhstan
2909.30.10	India	8516.90.85	Turkey
2910.10.00	India	9205.90.14	India
2910.20.00	Brazil	9614.00.26	Egypt

ANNEX III

HTS Subheadings and Countries Granted a Waiver of the Application of Section 503(c)(2)(A) of the 1974 Act

4409.10.05 Brazil

ANNEX IV

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2017, general note 4(d) to HTS is modified by removing, in numerical sequence, the following subheading numbers and the countries set out opposite such subheading numbers:

0306.33.20 Venezuela
0306.93.20 Venezuela

Section B. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2017, the HTS is modified as provided in this section.

For each of the following subheadings, the rates of Duty 1-Special subcolumn is modified by deleting the symbol "A*" and inserting the symbol "A" in lieu thereof:

0306.33.20
0306.93.20

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after September 3, 2013 general note 4(a) is modified to remove Bangladesh as a currently qualifying member country of the South Asian Association for Regional Cooperation (SAARC)

ANNEX V

Section A. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after July 1, 2016, subheading 8529.90.95 is hereby modified by inserting, in the Rates of Duty 1-Special subcolumn of column 1 in the parenthetical expression following the "Free" rate of duty, the symbol "C,".

Section B. Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2007, note 9(b)ii to Chapter 85 is modified by deleting "of" and by inserting in lieu thereof "or" to read as follows: "Hybrid integrated circuits in which passive elements (resistors, capacitors, inductances, etc.), obtained by thin- or thick-film technology, and active elements (diodes, transistors, monolithic integrated circuits, etc.), obtained by semiconductor technology, are combined to all intents and purposes indivisibly, by interconnections or interconnecting cables, on a single insulating substrate (glass, ceramic, etc.). These circuits may also include discrete components;".

Section C. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2016, general note 4(d) to the HTS is modified by removing, in numerical sequence, the following subheading number and the country set out opposite such subheading numbers:

8528.71.10 India

Section D. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2017, general note 4(d) to the HTS is modified by

1. adding, in numerical sequence, the following subheading number and the country set out opposite such subheading number:

2202.99.36 Philippines

2. removing, in numerical sequence, the following subheading number and the country set out opposite such subheading number:

2202.90.36 Philippines