



United States
International Trade Commission

Probable Economic Effect of Certain Modifications to the U.S.-Chile FTA Rules of Origin

August 2016

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Investigation Number: U.S.-Chile FTA-103-
029

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Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

Probable Economic Effect of Certain Modifications to the U.S.-Chile FTA Rules of Origin

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This report was prepared principally by:

Project Leader

Laura Rodriguez

laura.rodriquez@usitc.gov

Deputy Project Leader

Kimberlie Freund

kimberlie.freund@usitc.gov

Office of Economics

Alan Fox

Content Reviewers

Brian Allen

Jan Summers

Editorial Reviewer

Peg Hausman

Document Preparation and Design

Blair Williams

Statistical Review

Office of Analysis and Review Services

Under the direction of

Dennis Rapkins, Chief

Chemicals and Textiles Division

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Acronyms and Abbreviations

Terms	Definitions
Chile FTA	United States-Chile Free Trade Agreement
FR	<i>Federal Register</i>
HTS	Harmonized Tariff Schedule of the United States
MFN	most favored nation
NTR	normal trade relations (U.S. equivalent of MFN)
ROOs	rules of origin
USITC	United States International Trade Commission
USTR	United States Trade Representative
WTO	World Trade Organization

Preface

This report provides the advice of the U.S. International Trade Commission (Commission) to the President on the probable economic effect of proposed modifications to the rules of origin (ROOs) for certain products in the United States-Chile Free Trade Agreement (Agreement). The advice was requested by the United States Trade Representative (USTR) in a letter received by the Commission on May 24, 2016.¹ In his letter, the USTR noted that U.S. negotiators have recently reached agreement in principle with representatives of the government of Chile on certain modifications to the ROOs in Chapter 3 and Annex 4.1 of the Agreement. He also noted that U.S. legislation implementing the Agreement² authorizes the President, subject to the consultation and layover provisions of section 103(a) of that legislation, to proclaim such modifications. One of the requirements set out in section 103(a) is that the President obtain advice from the Commission.

¹ The request letter is reproduced in appendix A, and the Commission's notice of investigation as published in the *Federal Register* is reproduced in appendix B.

² United States-Chile Free Trade Agreement Implementation Act, 19 U.S.C. 3805.

Executive Summary

Scope and Findings

The United States Trade Representative (USTR) requested advice from the U.S. International Trade Commission (Commission or USITC) on the probable economic effect of certain proposed modifications to the rules of origin (ROOs) of the United States-Chile Free Trade Agreement (Agreement or Chile FTA) on U.S. trade under the Agreement, on total U.S. trade, and on domestic producers of the affected articles. The request covers one proposed modification to the ROOs on certain woven fabrics of artificial filament yarn classified in heading 5408 of the Harmonized Tariff Schedule of the United States. The modification would liberalize the current ROOs by allowing the use of more non-originating rayon filament yarns. The Commission's analysis indicates that the proposed modification would likely have a negligible effect on U.S. imports under the Agreement, total U.S. imports, total U.S. exports, and U.S. production.

Approach

The Commission's probable economic effect analysis estimated changes in U.S. trade and production under the proposed modification to the Chile FTA ROOs. Such an analysis may use one or more of the following codes to indicate the probable economic effect advice:

None: No effect

Negligible: Trade or production value change of less than 6 percent

Significant: Trade or production value change of 6 percent to 15 percent

Substantial: Trade or production value change of more than 15 percent

The Commission's analysis of the probable economic effect used assumptions intended to produce the maximum possible effect. For U.S. imports from Chile and total U.S. imports, the analysis assumed that all U.S. imports not receiving the preferential rate of duty under current Chile FTA ROOs would qualify for the preferential rate under the proposed modification. For the analysis of total U.S. exports, all exports to Chile of goods potentially affected by the proposed modification were assumed to be assessed the MFN rate of duty under the current ROOs and to qualify for the preferential rate of duty under the proposed modification. The effect on U.S. production was based on the expected change in total U.S. trade.

Chapter 1

Introduction

Background and Scope

As requested by the United States Trade Representative (USTR), this report provides advice concerning the probable economic effect of proposed modifications to the rules of origin (ROOs) in Chapter 3 and Annex 4.1 of the United States-Chile Free Trade Agreement (Chile FTA), as reflected in general note 26 of the Harmonized Tariff Schedule of the United States (HTS).³ In his letter, the USTR noted that negotiators had reached an agreement in principle with representatives of the government of Chile on modifications to the FTA ROOs.⁴ The attachment to the letter provides one proposed modification to the Chile FTA ROOs, which covers certain woven fabrics of artificial filament yarn classified in heading 5408 of the HTS. The advice addresses the probable economic effect of the proposed modification on U.S. trade under the Chile FTA, total U.S. trade, and U.S. industries producing the affected articles.

Approach

Overview

The Commission's probable economic effect analysis estimates the changes to U.S. trade and production that would result from the proposed modification to the Chile FTA. Such an analysis may include one or more of the following codes to indicate the probable economic effect of the proposed modification on U.S. imports under the Chile FTA, U.S. total trade, and U.S. production.

None: No effect

Negligible: Trade or production value change of less than 6 percent

Significant: Trade or production change of 6 percent to 15 percent

Substantial: Trade or production change of more than 15 percent

³ The request letter appears in appendix A; the *Federal Register* notice announcing institution of this investigation is in appendix B.

⁴ The USTR noted that Section 202(o)(2)(B)(i) of the United States-Chile Free Trade Agreement Implementation Act (the Act) authorizes the President, subject to the consultation and layover requirements of section 103(a) of the Act, to proclaim such modifications to the rules of origin as are necessary to implement an agreement with Chile pursuant to Article 3.20.5 of the Agreement. One of the requirements set out in section 103(a) is that the President obtain advice regarding the proposed action from the U.S. International Trade Commission.

The general process used in the analysis consisted of several steps. First, the proposed rule was compared with the current rule to determine if any substantive change in applying the Chile FTA ROOs would likely occur for the products covered by the rule. The Commission analysis found that the proposed modification would substantively change the rules under which products qualify for the Chile FTA preferential rate of duty.

Second, the rates of duty were analyzed for the tariff lines covered by the proposed rule. The analysis found that the proposed rule includes tariff lines with non-zero normal trade relations/most-favored-nation (NTR/MFN) rates of duty in the United States and Chile.

Third, the proposed rule was examined to determine if it would liberalize or restrict eligibility for the Chile FTA preferential rate of duty. If a proposed rule is liberalizing, it would potentially increase the amount of goods that qualify for the preferential rate of duty (for example, by allowing more non-originating content), and U.S. imports and exports of these goods could potentially increase. The analysis indicates that the proposed modification would be liberalizing compared to the existing Chile FTA ROOs for covered goods of the affected heading.

Estimating the Effect on Imports

Predicting exactly how much liberalization would result from a proposed modification is difficult, so this analysis is based on those assumptions that would produce the maximum effect. That is, in assessing the modification's probable economic effect on U.S. imports from Chile and on total U.S. imports, the Commission assumed that the modification would allow all imports of goods potentially affected by the proposed modification from Chile to receive the Chile FTA preferential rate of duty. Specifically, the Commission assumed that all U.S. imports of such goods from Chile currently imported at NTR rates of duty would qualify for duty-free treatment under the proposed modification, and that all imports that currently receive duty-free treatment under the Chile FTA would continue to do so. The Commission's analysis indicates that the proposed modification would have a negligible effect on U.S. imports under the Chile FTA and on total U.S. imports.

Estimating the Effect on Exports

To estimate the effect on total U.S. exports, the analysis used assumptions intended to produce the maximum possible effect. In 2015, the United States did not export the subject goods to Chile, so 2014 export data were used, reflecting the last recorded exports to Chile under the applicable HTS heading. The analysis also assumed that all U.S. exports to Chile entered at the MFN rate of duty under the current ROOs, and that the proposed modification would allow all U.S. exports to Chile to receive the preferential rate of duty. Even with these assumptions intended to produce the maximum effect, the Commission's analysis indicates that the proposed modification would have a negligible effect on total U.S. exports, in part because Chile is a very small market for U.S. exports. It was not possible to analyze the likely change in U.S. exports to Chile under the Agreement that would result from any proposed modification because the share of U.S. exports that qualified for the preferential rate of duty is not identifiable in the export data as it is for imports.

Estimating the Effect on U.S. Industry

The effect of the proposed modification on U.S. industry was assessed based on the combined change in total U.S. imports and exports. The effect on production was estimated to be negligible for the proposed modification because the effect on total U.S. trade was negligible.

Information Sources

The Commission used multiple data and information sources to prepare its advice. The proposed rules are from the USTR request letter.⁵ The existing rules are from general note 26 of the HTS.⁶ The NTR or column 1-general tariff rates cited in the effect statements were taken from the HTS. The MFN tariff rates⁷ for Chile are from the World Trade Organization (WTO) Tariff Download Facility database.⁸ Trade data for 2015 were used in the analysis, unless otherwise specified. U.S. import and export data are U.S. Department of Commerce data from the Commission's Interactive Tariff and Trade DataWeb database.⁹ In addition, the Commission sought information and views from interested parties through a *Federal Register* notice announcing this investigation and by contacting industry representatives.¹⁰ The Commission did not receive any submissions providing information or views on the proposed modification.

⁵ Appendix A. The rules appear in the report exactly as they appear in the letter.

⁶ Available at <https://hts.usitc.gov/current>.

⁷ The normal trade relations (NTR) duty rates are commonly called most-favored-nation (MFN) rates in other countries.

⁸ Available at <http://tariffdata.wto.org/TariffList.aspx>.

⁹ USITC DataWeb/USDOC (accessed June–July 2016).

¹⁰ Appendix B has the *Federal Register* notice.

Chapter 2

Advice on the Probable Economic Effect of Certain Modifications to the Chile FTA Rules of Origin

This chapter provides the Commission’s advice for the proposed modification to the United States-Chile Free Trade Agreement (Chile FTA) rules of origin (ROOs). The proposed modification is presented in table 2.1. The first column of the table lists the Harmonized Tariff Schedule of the United States (HTS) heading that is affected by the proposed modification. The rule currently in effect is presented in the second column.¹¹ The proposed modification is presented in the third column.¹² The fourth column provides a summary of the Commission’s probable economic effect advice. The proposed modification and its probable economic effect are described in greater detail in the section that follows the table. Trade data for products covered by the proposed modification are in appendix C.

¹¹ As provided in general note 26.

¹² The proposed modification appears exactly as it does in the request letter.

Certain Fabrics of Rayon Filament Yarn (Chapter 54)

Table 2.1: Certain fabrics of rayon filament yarn

HTS heading no.	Existing rule	Proposed modification	Probable effect advice
54.08	A change to heading 5408 from any other chapter, except from headings 5106 through 5110, 5205 through 5206 or 5509 through 5510.	<p>5408.10–5408.21: A change to heading 54.08 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06 or 55.09 through 55.10.</p> <p>5408.22–5408.23: A change to subheading 5408.22 through 5408.23 from any other heading, except from heading 51.06 through 51.10, 52.05 through 52.06, or 54.01 through 54.02, subheading 5403.33 through 5403.39 or 5403.42 through 5403.49, or heading 54.04 through 54.07 or 55.09 through 55.10.</p> <p>5408.24–5408.34: A change to heading 54.08 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06 or 55.09 through 55.10.</p>	<p>U.S. trade under Chile FTA: Imports: Negligible</p> <p>U.S. total trade: Imports: Negligible Exports: Negligible</p> <p>U.S. production: Negligible</p>

Modification

The current Chile FTA rule allows woven fabrics of artificial filament yarns (including rayon yarns) classified in heading 5408 to receive the preferential duty treatment only (1) if they are made with originating artificial filament yarns (or with originating cotton, wool/fine animal hair, or other manmade filament yarns) and (2) if all other non-originating inputs are classified in other tariff chapters.

The proposed modification would create a separate rule for fabrics classified in subheadings 5408.22–5408.23. The modification would be liberalizing because it would allow covered dyed and yarn-dyed woven fabrics to be eligible for preferential duty treatment under the Chile FTA

Chapter 2: Advice on the Probable Economic Effect of Certain Modifications to the Chile FTA Rules of Origin

even if they are made of non-originating rayon filament¹³ yarns. However, even for those fabrics classified in subheadings 5408.22–5408.23, the rule would still require non-rayon artificial filament yarns (e.g., cellulose acetate) or any other manmade fiber filament yarns to be originating in order to qualify for the FTA preferences. Moreover, the existing rule’s criteria would remain the same for fabrics classified in HTS subheadings 5408.10–5408.21 and 5408.24–5408.34, even though new individual ROOs would be established for these two groups of HTS provisions.¹⁴

Effect

The proposed modification would likely have a negligible effect on U.S. imports under the Chile FTA and on total U.S. imports. In 2015, 74 percent of U.S. imports from Chile under subheadings 5408.22–5408.23 qualified for the preferential rate of duty under current Chile FTA provisions. The trade-weighted average tariff rate on U.S. imports from Chile was less than 0.5 percent ad valorem for goods covered by the proposed modification. U.S. imports from Chile accounted for less than 0.7 percent of total U.S. imports of these goods in 2015.

The effect of the proposed modification on total U.S. exports would also likely be negligible. The United States did not export the subject fabrics of rayon yarns to Chile in 2015; in 2014, U.S. exports of these goods represented less than 1 percent of total U.S. exports of such goods. Chile imposes a 6 percent ad valorem MFN rate of duty on its imports under subheadings 5408.22 and 5408.23.¹⁵

The effect on U.S. production would likely be negligible because the net effect on total U.S. trade in the subject fabrics is expected to be negligible. In addition, U.S. industry sources indicated there is no domestic production of rayon yarns used in the subject fabrics; therefore, there would be no effect on U.S. producers of the subject yarns.¹⁶

¹³ Rayon filament yarn is a type of artificial filament yarn.

¹⁴ Woven fabrics of artificial filament yarns in these HTS subheadings would still have to be made from originating artificial filament yarn to receive preferential duty treatment.

¹⁵ WTO, Tariff Download Facility database (accessed June 22, 2016).

¹⁶ Industry representative, Fiber Economics Bureau Division, American Fiber Manufacturers Association, email message to USITC staff, June 20, 2016.

Bibliography

U.S. International Trade Commission (USITC) Interactive Tariff and Trade DataWeb (DataWeb)/U.S. Department of Commerce (USDOC). <https://dataweb.usitc.gov> (accessed June–July 2016).

World Trade Organization (WTO). Tariff Download Facility database. <http://tariffdata.wto.org/TariffList.aspx> (accessed June 22, 2016).

Appendix A

Request Letter

RECEIVED
MAY 24 2016
OFFICE OF THE SECRETARY
U.S. INTL. TRADE COMMISSION

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

DOCKET
NUMBER
3151

Office of the
Secretary
Int'l Trade Commission

MAY 20 2016

The Honorable Meredith Broadbent
Chairman
United States International Trade Commission
500 E Street, SW
Washington, DC 20436

Dear Chairman Broadbent:

Chapter 3 and Annex 4.1 of the United States – Chile Free Trade Agreement (FTA) set out rules of origin for textiles and apparel for applying the tariff provisions of the FTA. These rules are reflected in General Note 26 of the Harmonized Tariff Schedule of the United States (HTS).

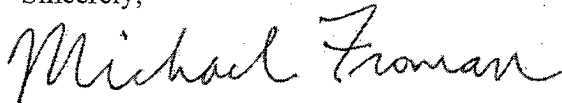
Section 202(o)(2)(B)(i) of the United States – Chile Free Trade Agreement Implementation Act (the Act) authorizes the President, subject to the consultation and layover requirements of section 103(a) of the Act, to proclaim such modifications to the rules of origin as are necessary to implement an agreement with Chile pursuant to Article 3.20.5 of the Agreement. One of the requirements set out in section 103(a) is that the President obtain advice regarding the proposed action from the U.S. International Trade Commission.

Our negotiators have recently reached agreement in principle with representatives of the government of Chile on modifications to the FTA rules of origin. These modifications are reflected in the enclosure. They are the result of determinations that U.S. and Chilean producers are unable to produce rayon filament yarns in commercial quantities in a timely manner.

Under authority delegated by the President, and pursuant to section 103(a) of the Act, I request that the Commission provide advice on the probable economic effect of the modifications reflected in the enclosed proposal on U.S. trade under the FTA, total U.S. trade, and on domestic producers of the affected articles. I request that the Commission provide this advice at the earliest possible date, but not later than three months from the date of delivery of this request. The Commission should issue, as soon as possible thereafter, a public version of its report with any business confidential information deleted.

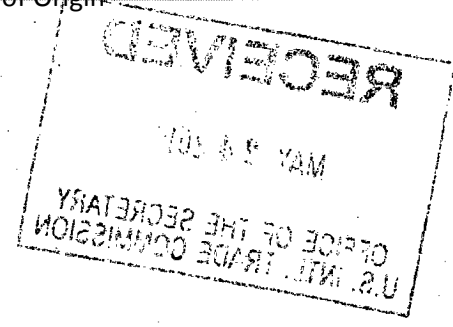
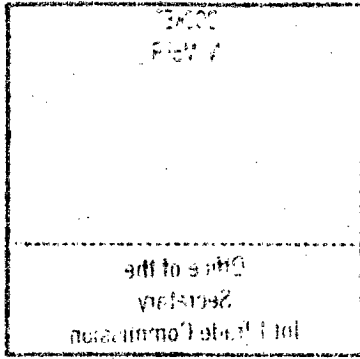
The Commission's assistance in this matter is greatly appreciated.

Sincerely,



Ambassador Michael B. G. Froman

Enclosure



Enclosure

Proposed Amendment to Annex 4.1

United States – Chile FTA

(proposed change shown in underlining)

Subheading 5408.22-5408.23

Current rules

54.08 A change to heading 54.08 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06 or 55.09 through 55.10.

Proposed Amendment

Modify the heading 54.08 with the following (underlined):

5408.10 – 5408.21: A change to heading 54.08 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06 or 55.09 through 55.10.

5408.22 - 5408.23: A change to subheading 5408.22 through 5408.23 from any other heading, except from heading 51.06 through 51.10, 52.05 through 52.06, or 54.01 through 54.02, subheading 5403.33 through 5403.39 or 5403.42 through 5403.49, or heading 54.04 through 54.07 or 55.09 through 55.10

5408.24 – 5408.34: A change to heading 54.08 from any other chapter, except from heading 51.06 through 51.10, 52.05 through 52.06 or 55.09 through 55.10.

Appendix B

Federal Register Notice

elevations within any sub-basin will not be increased until the necessary impact mitigation is in place.

Alternative D, with the option to raise existing low-lying fairways a minimum of two feet above proposed inundation levels, has been identified as the NPS Preferred Alternative. This alternative best fulfills the restoration objectives of the project while mitigating adverse impacts to developed properties.

In response to agency and public comment, several aspects of the alternatives have been updated in chapter 2 of the FEIS. Key updates include adding a tide control structure at the Pole Dike Creek Road and refining options for preventing tidal flow impacts to High Toss Road. Also, design details have progressed on other key project components, including the proposed new Chequessett Neck Road dike and Mill Creek dikes. Relevant updates have been added to the alternatives description, including information about staging area locations and canoe/kayak access. Updates have also been made to key parts of Chapters 3 and 4, including a revised vegetation analysis that allows improved estimates of impacts to special status species habitat, updated information about newly-listed federal species (Northern Long-eared Bat and Red Knot), and dismissal of changes to FEMA flood insurance maps.

Authority: 42 U.S.C. 4321 *et seq.*

Dated: June 2, 2016.

Michael A. Caldwell,

*Regional Director, National Park Service,
Northeast Region.*

[FR Doc. 2016-14570 Filed 6-20-16; 8:45 am]

BILLING CODE 4310-WV-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. U.S.-Chile FTA-103-029]

Probable Economic Effect of Certain Modifications to the U.S.-Chile FTA Rules of Origin

AGENCY: United States International Trade Commission.

ACTION: Institution of investigation and notice of opportunity to provide written comments.

SUMMARY: Following receipt on May 24, 2016, of a request from the U.S. Trade Representative (USTR), under authority delegated by the President and pursuant to section 103(a) of the United States-Chile Free Trade Agreement Implementation Act (the Act) (19 U.S.C. 3805 note), the Commission instituted investigation No. U.S.-Chile FTA-103-

029, *Probable Economic Effect of Certain Modifications to the U.S.-Chile FTA Rules of Origin.*

DATES: July 11, 2016: Deadline for filing written submissions.

August 24, 2016: Transmittal of Commission report to USTR.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW., Washington, DC. All written submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW., Washington, DC 20436. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://www.usitc.gov/secretary/edis.htm>.

FOR FURTHER INFORMATION CONTACT: Project leader Laura Rodriguez (202-205-3499 or laura.rodriguez@usitc.gov) for information specific to this investigation. 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 Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.olaughlin@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 Internet server (<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.

SUPPLEMENTARY INFORMATION:

Background: In his request letter (received May 24, 2016), the USTR stated that U.S. negotiators have recently reached agreement in principle with representatives of the government of Chile on modifications to the FTA rules of origin. He said that the proposed modifications are the result of determinations that U.S. and Chilean producers are unable to produce rayon filament yarns in commercial quantities in a timely manner. The USTR noted that section 202(o)(2)(B)(i) of the Act authorizes the President, subject to the consultation and layover requirements of section 103(a) of the Act, to proclaim such modifications to the rules of origin provisions as are necessary to implement an agreement with Chile pursuant to Article 3.20.5 of the Agreement. He noted that one of the

requirements set out in section 103(a) of the Act is that the President obtain advice regarding the proposed action from the U.S. International Trade Commission.

In the request letter, the USTR asked that the Commission provide advice on the probable economic effect of the modifications on U.S. trade under the FTA, total U.S. trade, and on domestic producers of the affected articles. He asked that the Commission provide its advice at the earliest possible date but not later than three months of receipt of the request. He also asked that the Commission issue, as soon as possible thereafter, a public version of its report with any confidential business information deleted. The products identified in the proposal are certain woven fabrics of artificial filament yarn provided for in subheadings 5408.22-5408.23 of the U.S. Harmonized Tariff Schedule. The request letter and the proposed modification are available on the Commission's Web site at https://www.usitc.gov/research_and_analysis/what_we_are_working_on.htm. As requested, the Commission will provide its advice to USTR by August 24, 2016.

Written Submissions: No public hearing is planned. However, interested parties are invited to file written submissions. All written submissions should be addressed to the Secretary, and should be received not later than 5:15 p.m., July 11, 2016. All written submissions must conform with the provisions of section 201.8 of the Commission's Rules of Practice and Procedure (19 CFR 201.8). Section 201.8 and the Commission's *Handbook on Filing Procedures* require that interested parties file documents *electronically* on or before the filing deadline and submit eight (8) true paper copies by 12:00 p.m. eastern time on the next business day. In the event that confidential treatment of a document is requested, interested parties must file, at the same time as the eight paper copies, at least four (4) additional true paper copies in which the confidential information must be deleted (see the following paragraph for further information regarding confidential business information). Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202-205-1802).

Confidential Business Information: Any submissions that contain confidential business information must also conform with 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.

The Commission may include some or all of the confidential business information submitted in the course of this investigation in the report it sends to the USTR. Additionally, 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 manner that would reveal the operations of the firm supplying the information.

Summaries of Written Submissions: The Commission intends to publish summaries of the positions of interested persons in an appendix to its report. Persons wishing to have a summary of their position included in the appendix should include a summary with their written submission. The summary may not exceed 500 words, should be in MSWord format or a format that can be easily converted to MSWord, 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. In the appendix the Commission will identify 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.

Issued: June 16, 2016.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2016-14618 Filed 6-20-16; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-966]

Certain Silicon-on-Insulator Wafers; Commission Determination Not To Review an Initial Determination Granting an Unopposed Motion for Termination of the Investigation Based on Withdrawal of the Complaint; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination (“ID”) (Order No. 16) granting an unopposed motion to terminate the investigation in whole based on complainant’s withdrawal of the complaint.

FOR FURTHER INFORMATION CONTACT:

Lucy Grace D. Noyola, Office of the General Counsel, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-3438. Copies of non-confidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission’s electronic docket (EDIS) at <http://edis.usitc.gov>. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on September 24, 2015, based on a complaint filed by Silicon Genesis Corp. of San Jose, California (“Complainant”). 80 FR 57641 (Sept. 24, 2015). The complaint, as amended, alleges violations of section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, in the importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain silicon-on-insulator wafers by reason of infringement of certain claims of U.S. Patent Nos. 5,985,742; 6,180,496; 6,294,814; 6,790,747; 7,811,901; 6,013,563 (“the ‘563 patent”); 6,162,705 (“the ‘705 patent”); and 6,103,599 (“the

’599 patent”). *Id.* The notice of investigation names as a respondent Soitec S.A., Parc Technologique des Fontaines de Bernin, France (“Respondent”). *Id.* The Office of Unfair Import Investigations (“OUII”) also was named as a party to the investigation. *Id.* Subsequently, the investigation was partially terminated as to several patent claims, leaving only asserted claim 1 of the ‘563 patent; claim 1 of the ‘705 patent; and claims 1 and 15 of the ‘599 patent remaining in the investigation. *See* Notice (Feb. 25, 2016) (determining not to review Order No. 7 (Jan. 22, 2016)); Notice (Mar. 1, 2016) (determining not to review Order No. 8 (Feb. 2, 2016)); Notice (May 4, 2016) (determining not to review Order No. 12 (Apr. 5, 2016)); Notice (May 31, 2016) (determining not to review Order No. 14 (May 5, 2016)).

On May 18, 2016, Complainant filed an unopposed motion to terminate the investigation in whole based on its withdrawal of the complaint. On May 20, 2016, OUII filed a response, supporting the motion.

On May 20, 2016, the presiding administrative law judge (“ALJ”) issued an ID (Order No. 16) granting the motion. The ALJ found no extraordinary circumstances preventing termination of the investigation and further found that termination was in the public interest. No petitions for review of the ID were filed.

The Commission has determined not to review the subject ID.

The authority for the Commission’s determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in Part 210 of the Commission’s Rules of Practice and Procedure (19 CFR part 210).

By order of the Commission.

Issued: June 15, 2016.

Lisa R. Barton,

Secretary to the Commission.

[FR Doc. 2016-14593 Filed 6-20-16; 8:45 am]

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INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-941]

Certain Graphics Processing Chips, Systems on a Chip, and Products Containing the Same; Commission Determination To Grant a Joint Motion To Terminate the Investigation on the Basis of a Settlement Agreement; Termination of the Investigation

AGENCY: U.S. International Trade Commission.

Appendix C

Trade Data

Table C.1: U.S. imports for consumption and U.S. domestic exports of subject goods, 2015

Proposed modification (HTS chapter or line no.)	U.S. imports from Chile (1,000 \$)	Trade-weighted average tariff on U.S. imports from Chile (%)	U.S. imports from the world (1,000 \$)	Chile's share of U.S. imports (%)	U.S. exports to Chile ^a (1,000 \$)	U.S. exports to the world (1,000 \$)	Chile's share of U.S. exports (%)
Certain fabrics of rayon filament yarn (5408.22–5408.23)	164	0.2	24,467	0.7	0	1.735	0

Source: Compiled from official statistics of the U.S. Department of Commerce (USDOC) (accessed June 21, 2016).

^a U.S. exports of the subject goods to Chile totaled \$14,430 in 2014; Chile's share of U.S. exports of the subject goods was less than 1 percent in 2014.

