

than 3 cm in thickness (described in statistical reporting number 8708.29.5060)

(76) Unassembled non-upholstered chairs with metal frames (other than household chairs) with seats and backs having a shell of plastics or wood and measuring at least 48 cm but not more than 61 cm in width (described in statistical reporting number 9401.79.0050)

(77) Floor-standing jewelry armoires of medium density fiberboard panels and wood veneer, with locking mechanism (described in statistical reporting number 9403.60.8081)

(78) Floor-standing jewelry armoires with walnut finish, with locking mechanism, mirrored lid, multiple drawers and compartments, measuring not more than 46.5 cm in length, not more than 35 cm in width and not more than 96 cm in height (described in statistical reporting number 9403.60.8081)

3. by amending the last sentence of the first paragraph of U.S. note 20(e) to subchapter III of chapter 99:

a. by deleting the word “or (13)” and by inserting “(13)” in lieu thereof; and

b. by inserting the phrase “; or (14) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99” after the phrase “U.S. note 20(yy) to subchapter III of chapter 99”.

4. by amending U.S. note 20(f) to subchapter III of chapter 99:

a. by deleting “or (13)” and by inserting “(13)” in lieu thereof; and

b. by inserting the phrase “; or (14) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99” after the phrase “U.S. note 20(yy) to subchapter III of chapter 99”.

5. by amending the first sentence of U.S. note 20(g) to subchapter III of chapter 99:

a. by deleting “or (7)” and by inserting “(7)” in lieu thereof; and

b. by inserting “; or (8) heading 9903.88.48 and U.S. note 20(aaa) to subchapter III of chapter 99” after “U.S. note 20(yy) to subchapter III of chapter 99”.

6. by amending the Article Description of heading 9903.88.03:

a. by deleting “9903.88.45 or” and inserting “9903.88.45,” in lieu thereof; and

b. by inserting “or 9903.88.48,” after “9903.88.46,”.

7. by amending the Article Description of heading 9903.88.04:

a. by deleting “9903.88.40 or” and inserting “9903.88.40,” in lieu thereof; and

b. by inserting “or 9903.88.48,” after “9903.88.46,”.

B. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 24, 2018, subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States (HTSUS) is modified:

a. U.S. note 20(qq)(57) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “weighing 350 g each” and inserting “weighing no less than 350 g and no more than 360 g each” in lieu thereof.

b. U.S. note 20(ss)(22) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “Articulating video monitor wall mounting assemblies of steel and aluminum, each weighing not less than 4 kg but not more than 7 kg” and inserting “Articulating video monitor mounting assemblies of steel and aluminum, each weighing not less than 1.5 kg but not more than 9.5 kg” in lieu thereof.

c. U.S. note 20(vv)(58) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “weighing at least 225 ktex” and inserting “measuring more than 50 ktex” in lieu thereof.

d. U.S. note 20(vv)(59) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “weighing at least 225 ktex” and inserting “measuring more than 50 ktex” in lieu thereof.

e. U.S. note 20(vv)(118) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “input voltage range” and inserting “output voltage range” in lieu thereof.

f. U.S. note 20(xx)(11) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified by deleting “(CAS No. 356–65–7)” and inserting “(CAS No. 35691–65–7)” in lieu thereof.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Product Exclusion Amendments: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of product exclusion amendments.

SUMMARY: On August 20, 2019, at the direction of the President, the U.S. Trade Representative determined to modify the action being taken in the Section 301 investigation of China’s acts, policies, and practices related to technology transfer, intellectual property, and innovation by imposing additional duties of 10 percent *ad valorem* on goods of China with an annual trade value of approximately \$300 billion. The additional duties on products in List 1, which is set out in Annex A of that action, became effective on September 1, 2019. On August 30, 2019, at the direction of the President, the U.S. Trade Representative determined to increase the rate of the additional duty applicable to the tariff subheadings covered by the action announced in the August 20 notice from 10 percent to 15 percent. On January 22, 2020, the U.S. Trade Representative determined to reduce the rate from 15 percent to 7.5 percent. The U.S. Trade Representative initiated a product exclusion process in October 2019, and interested persons have submitted requests for the exclusion of specific products. This notice announces the U.S. Trade Representative’s determination, as specified in the Annex to this notice, to correct technical errors in previously announced exclusions. The U.S. Trade Representative will continue to issue decisions on pending requests on a periodic basis.

DATES: The product exclusions announced in this notice will apply as of September 1, 2019, the effective date of List 1 of the \$300 billion action, and will extend to September 1, 2020.

FOR FURTHER INFORMATION CONTACT: For general questions about this notice, contact Associate General Counsel Philip Butler, Assistant General Counsel Megan Grimball, or Director of Industrial Goods Justin Hoffmann at (202) 395–5725. For specific questions on customs classification or implementation of the product exclusions identified in the Annex to this notice, contact traderemedycbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

A. Background

For background on the proceedings in this investigation, please see prior notices including: 82 FR 40213 (August 24, 2017), 83 FR 14906 (April 6, 2018), 83 FR 28710 (June 20, 2018), 83 FR 33608 (July 17, 2018), 83 FR 38760 (August 7, 2018), 83 FR 40823 (August 16, 2018), 83 FR 47974 (September 21, 2018), 83 FR 49153 (September 28, 2018), 84 FR 20459 (May 9, 2019), 84 FR

43304 (August 20, 2019), 84 FR 45821 (August 30, 2019), 84 FR 57144 (October 24, 2019), 84 FR 69447 (December 18, 2019), 85 FR 3741 (January 22, 2020), 85 FR 13970 (March 10, 2020), 85 FR 15244 (March 17, 2020), 85 FR 17936 (March 31, 2020), and 85 FR 28693 (May 13, 2020).

In a notice published on August 20, 2019, the U.S. Trade Representative, at the direction of the President, announced a determination to modify the action being taken in the Section 301 investigation by imposing an additional 10 percent *ad valorem* duty on products of China with an annual aggregate trade value of approximately \$300 billion. 84 FR 43304 (August 20, 2019) (the August 20 notice). The August 20 notice contains two separate lists of tariff subheadings, with two different effective dates. List 1, which is set out in Annex A of the August 20 notice, was effective on September 1, 2019. List 2, which is set out in Annex C of the August 20 notice, was scheduled to take effect on December 15, 2019.

On August 30, 2019, the U.S. Trade Representative, at the direction of the President, determined to modify the action being taken in the investigation by increasing the rate of additional duty from 10 to 15 percent *ad valorem* on the goods of China specified in Annex A (List 1) and Annex C (List 2) of the August 20 notice. See 84 FR 45821. On October 24, 2019, the U.S. Trade Representative established a process by which U.S. stakeholders could request exclusion of particular products classified within an eight-digit Harmonized Tariff Schedule of the United States (HTSUS) subheading covered by List 1 of the \$300 billion action from the additional duties. See 84 FR 57144 (the October 24 notice). Subsequently, the U.S. Trade Representative announced a determination to suspend until further notice the additional duties on products set out in Annex C (List 2) of the August 20 notice. See 84 FR 69447 (December 18, 2019). The U.S. Trade Representative later determined to further modify the action being taken by reducing the additional duties for the products covered in Annex A of the August 20 notice (List 1) from 15 percent to 7.5 percent. See 85 FR 3741 (January 22, 2020).

Under the October 24 notice, requests for exclusion had to identify the product subject to the request in terms of the physical characteristics that distinguish the product from other products within the relevant 8-digit subheading covered by the \$300 billion action. Requestors also had to provide the 10-digit

subheading of the HTSUS most applicable to the particular product requested for exclusion, and could submit information on the ability of U.S. Customs and Border Protection to administer the requested exclusion. Requestors were asked to provide the quantity and value of the Chinese-origin product that the requestor purchased in the last three years, among other information. With regard to the rationale for the requested exclusion, requests had to address the following factors:

- Whether the particular product is available only from China and specifically whether the particular product and/or a comparable product is available from sources in the United States and/or third countries.
- Whether the imposition of additional duties on the particular product would cause severe economic harm to the requestor or other U.S. interests.
- Whether the particular product is strategically important or related to “Made in China 2025” or other Chinese industrial programs.

The October 24 notice stated that the U.S. Trade Representative would take into account whether an exclusion would undermine the objectives of the Section 301 investigation.

The October 24 notice required submission of requests for exclusion from List 1 of the \$300 billion action no later than January 31, 2020, and noted that the U.S. Trade Representative periodically would announce decisions. In March 2020, the U.S. Trade Representative granted an initial set of exclusion requests. See 85 FR 13970. The U.S. Trade Representative granted additional exclusions in March and May 2020. See 85 FR 15244, 85 FR 17936, and 85 FR 28693. The Office of the United States Trade Representative regularly updates the status of each pending request on the Exclusions Portal at <https://exclusions.ustr.gov/s/docket?docketNumber=USTR-2019-0017>.

B. Technical Amendments to Exclusions

Paragraph A, subparagraph (1)–(2) of the Annex make technical corrections to U.S. note 20(zz)(4) and U.S. note 20(zz)(6), published at 85 FR 28693 (May 13, 2020).

The U.S. Trade Representative will continue to issue determinations on pending requests on a periodic basis.

ANNEX

A. Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on September 1,

2019, U.S. note 20(zz) to subchapter III of chapter 99 of the Harmonized Tariff Schedule of the United States is modified:

1. By deleting “(4) Tumblers or disposable graduated liners for pitchers, of plastics, of a kind used in healthcare facilities (described in statistical reporting number 3924.10.4000)”;
- and
2. by deleting “(6) Manually operated pill or tablet crushers of plastics, presented with attachable pouches of plastics for capturing and storing the resulting powders (described in statistical reporting number 8479.82.0080)”.

Joseph Barloon,

General Counsel, Office of the United States Trade Representative.

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BILLING CODE 3290–F0–P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Notice of Final Federal Agency Actions on Proposed Highway in California

AGENCY: Federal Highway Administration (FHWA), Department of Transportation (DOT).

ACTION: Notice of Limitation on Claims for Judicial Review of Actions by the California Department of Transportation (Caltrans).

SUMMARY: The FHWA, on behalf of Caltrans, is issuing this notice to announce actions taken by Caltrans that are final. The actions relate to a proposed highway project, the State Route 74 Lower Ortega Highway Widening Project within the City of San Juan Capistrano and unincorporated Orange County (12–ORA–74 p.m. 1.0/2.1), in the State of California. Those actions grant licenses, permits, and approvals for the project.

DATES: By this notice, the FHWA, on behalf of Caltrans, is advising the public of final agency actions subject to 23 U.S.C. 139(l)(1). A claim seeking judicial review of the Federal agency actions on the highway project will be barred unless the claim is filed on or before October 26, 2020. If the Federal law that authorizes judicial review of a claim provides a time period of less than 150 days for filing such claim, then that shorter time period still applies.

FOR FURTHER INFORMATION CONTACT: For Caltrans: Smita Deshpande, Senior Environmental Planner, Caltrans-District 12, 1750 East Fourth Street, Suite 100, Santa Ana, California 92705, weekdays 8:00a.m. to 5:00p.m., telephone (657) 328–6151, email smita.desphande@dot.ca.gov. For FHWA, contact David Tedrick at (916)