

DEPARTMENT OF STATE

[Public Notice 10813]

List of Participating Countries and Entities in the Kimberley Process Certification Scheme, Known as “Participants” for the Purposes of the Clean Diamond Trade Act of 2003 and Section 2 of Executive Order 13312 of July 29, 2003

SUMMARY: The Department of State is updating the list of Participants eligible for trade in rough diamonds under the Act, and their respective Importing and Exporting Authorities, revising the previously published list of April 26, 2017 to reflect the addition of Gabon.

DATES: This notice is effective July 5, 2019.

FOR FURTHER INFORMATION CONTACT:

Pamela Fierst-Walsh, Senior Advisor, Bureau of Economic and Business Affairs, Department of State, (202) 647-6116.

SUPPLEMENTARY INFORMATION: Section 4 of the Clean Diamond Trade Act of 2003, Public Law 108-19 (the “Act”) requires the President to prohibit the importation into, or the exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme (KPCS). Under Section 3(2) of the Act, “controlled through the Kimberley Process Certification Scheme” means an importation from the territory of a Participant or exportation to the territory of a Participant of rough diamonds that is either (i) carried out in accordance with the KPCS, as set forth in regulations promulgated by the President, or (ii) controlled under a system determined by the President to meet substantially the standards, practices, and procedures of the KPCS. The referenced regulations are contained at 31 CFR part 592 (“Rough Diamond Control Regulations”) (68 FR 45777, August 4, 2003).

Section 6(b) of the Act requires the President to publish in the **Federal Register** a list of all Participants, and all Importing and Exporting Authorities of Participants, and to update the list as necessary. Section 2 of Executive Order 13312 of July 29, 2003 delegates this function to the Secretary of State. Section 3(7) of the Act defines “Participant” as a state, customs territory, or regional economic integration organization identified by the Secretary of State. Section 3(3) of the Act defines “Exporting Authority” as one or more entities designated by a Participant from whose territory a shipment of rough diamonds is being

exported as having the authority to validate a Kimberley Process Certificate. Section 3(4) of the Act defines “Importing Authority” as one or more entities designated by a Participant into whose territory a shipment of rough diamonds is imported as having the authority to enforce the laws and regulations of the Participant regarding imports, including the verification of the Kimberley Process Certificate accompanying the shipment.

List of Participants

Pursuant to Sections 3 and 6 of the Act, Section 2 of Executive Order 13312, Department of State Delegations of Authority No. 245-1 (February 13, 2009), and No. 376 (October 31, 2011), I hereby identify the following entities as Participants under section 6(b) of the Act. Included in this List are the Importing and Exporting Authorities for Participants, as required by Section 6(b) of the Act. This List is published solely for the purpose of implementing the mandates cited above and does not reflect or prejudice any other regulation or prohibition that may apply with respect to trading, doing business, or engaging in any other transaction with any of the listed countries or entities. This list revises the previously published list of April 26, 2017 to reflect the addition of Gabon.

Angola—Ministry of Mineral Resources and Petroleum, Ministry of Trade.
 Armenia—Ministry of Economic Development and Investment.
 Australia—Department of Industry, Innovation and Science (Exporting Authority), Department of Home Affairs (Importing Authority).
 Bangladesh—Export Promotion Bureau.
 Belarus—Ministry of Finance—Precious Metals and Gemstones Department.
 Botswana—Ministry of Minerals, Green Technology and Energy Security—Diamond Hub.
 Brazil—Ministry of Mines and Energy—Secretariat of Geology, Mining and Mineral Processing—National Mining Agency.
 Cambodia—Ministry of Commerce.
 Cameroon—Ministry of Mines—National Permanent Secretariat for the Kimberley Process.
 Canada—Ministry of Natural Resources Canada.
 Central African Republic—Ministry of Mines, Energy and Hydraulics.
 China—General Administration of China Customs; in the Hong Kong Special Administrative Region: Trade and Industry Department (Exporting Authority), Customs and Exercise Department (Importing Authority).
 Congo, Democratic Republic of the—Ministry of Mines—The Center of Expertise, Evaluation and Certification of Precious and Semiprecious Mineral Substances.
 Congo, Republic of the—Ministry of Mines and Geology—Bureau of Expertise,

Evaluation and Certification of Precious Mineral Substances.
 Cote D’Ivoire (Ivory Coast)—General Directorate of Customs.
 European Union—European Commission—Foreign Policy Instruments; in Belgium: Federal Public Service of Economy; in the Czech Republic: General Directorate of Customs; in Germany: Main Customs Office (Exporting Authority), General Directorate for Management VI (Importing Authority); in Portugal: Tributary and Customs Authority—Licensing Services Directorate; in Romania: National Authority for Consumer Protection—General Department for Precious Metals, Precious Stones and the Kimberley Process; in the United Kingdom: Foreign and Commonwealth Office—Government Diamond Office.
 Gabon—Permanent Center for the Kimberley Process
 Ghana—Ministry of Lands and Natural Resources—Precious Minerals Marketing Company Limited.
 Guinea—Ministry of Mines and Geology.
 Guyana—Guyana Geology and Mines Commission.
 India—The Gem and Jewellery Export Promotion Council.
 Indonesia—Ministry of Trade—Director General for Foreign Trade.
 Israel—Ministry of Economy and Industry—Office of the Diamond Controller.
 Japan—Ministry of Economy, Trade and Industry—Agency for Natural Resources and Energy Trade and Economic Cooperation Bureau.
 Kazakhstan—Ministry for Investments and Development—Committee for Technical Regulation and Metrology.
 Korea, Republic of (South Korea)—Ministry of Trade, Industry and Energy.
 Laos—Ministry of Industry and Commerce—Department of Import and Export.
 Lebanon—Ministry of Economy and Trade.
 Lesotho—Ministry of Mining—Department of Mines—Diamond Control Office.
 Liberia—Ministry of Lands, Mines and Energy.
 Malaysia—Royal Malaysian Customs Department.
 Mali—Ministry of Mines—Office of Expertise, Evaluation and Certification of Rough Diamonds.
 Mauritius—Ministry of Industry, Commerce and Consumer Protection—Trade Division.
 Mexico—Ministry of Economy—Directorate-General for International Trade in Goods.
 Namibia—Ministry of Mines and Energy—Directorate of Diamond Affairs.
 New Zealand—New Zealand Customs Service.
 Norway—Norwegian Customs Service.
 Panama—National Customs Authority.
 Russia—Ministry of Finance.
 Sierra Leone—National Minerals Agency, National Revenue Authority.
 Singapore—Ministry of Trade and Industry, Singapore Customs.
 South Africa—South African Diamond and Precious Metals Regulator.
 Sri Lanka—National Gem and Jewellery Authority.
 Swaziland—Office of the Commissioner of Mines.

Switzerland—State Secretariat for Economic Affairs.
 Taipei—Ministry of Economic Affairs—Bureau of Foreign Trade—Import/Export Administration Division.
 Tanzania—Ministry of Energy and Minerals—Commissioner for Minerals.
 Thailand—Ministry of Commerce—Department of Foreign Trade.
 Togo—Ministry of Mines and Energy—Head Office of Mines and Geology.
 Turkey—Borsa Istanbul Precious Metals and Diamond Market.
 Ukraine—Ministry of Finance—State Gemmological Centre of Ukraine.
 United Arab Emirates—Dubai Multi Commodities Center Authority—U.A.E. Kimberley Process Office in the Dubai Airport Free Zone.
 United States of America—United States Census Bureau (Exporting Authority), United States Customs and Border Protection (Importing Authority).
 Venezuela—Central Bank of Venezuela (Exporting Authority), National Customs and Tax Administration Integrated Service (Importing Authority).
 Vietnam—Ministry of Industry and Trade—Import Export Management Divisions in Hanoi and Ho Chi Minh City.
 Zimbabwe—Minerals Marketing Corporation of Zimbabwe (Exporting Authority), Zimbabwe Revenue Authority (Importing Authority).

Dated: June 28, 2019.

Manisha Singh,

Assistant Secretary, Bureau of Economic and Business Affairs, Department of State.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR-2019-0003]

Notice of Hearing and Request for Public Comments: Enforcement of U.S. WTO Rights in Large Civil Aircraft Dispute

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of hearing, and request for comments.

SUMMARY: The U.S. Trade Representative is considering the additional list of products in the Annex to this notice, for inclusion on a final list of products to be subject to increased duties in connection with the enforcement of U.S. rights in the World Trade Organization (WTO) dispute against the European Union (EU) and certain EU member States addressed to EU subsidies on large civil aircraft. The interagency Section 301 Committee is seeking public comments and will hold a public hearing in connection with the possible imposition of increased duties

on the products in the Annex to this notice.

DATES: To be assured of consideration, the following schedule applies:

July 24, 2019: Due date for submission of requests to appear at the public hearing and summary of testimony.

August 5, 2019: Due date for submission of written comments.

August 5, 2019: The Section 301 Committee will convene a public hearing in the Main Hearing Room of the U.S. International Trade Commission, 500 E Street SW, Washington DC 20436 beginning at 9:30 a.m.

August 12, 2019: Due date for submission of post-hearing rebuttal comments.

ADDRESSES: You should submit written comments through the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments in sections D and E below. The docket number is USTR-2019-0003. For issues with on-line submissions, please contact the Office of the United States Trade Representative (USTR) Section 301 line at (202) 395-5725.

FOR FURTHER INFORMATION CONTACT: For questions about this investigation including the proposed tariff actions, contact Megan Grimball, Assistant General Counsel, at (202) 395-5725. For questions on customs classification of products identified in the Annex to this notice, contact Traderemedy@chp.dhs.gov.

SUPPLEMENTARY INFORMATION:

A. Proceedings in the Investigation

In a notice published on April 12, 2019 (84 FR 15028), the U.S. Trade Representative announced the initiation of an investigation to enforce U.S. rights in the WTO dispute against the EU and certain EU member States addressed to EU subsidies on large civil aircraft. The April 12 notice, among other things, sought public comment on a preliminary list of EU products (the April 12 list) to be considered for inclusion on a final list of products that would be subject to additional ad valorem duties of up to 100 percent. As announced in the April 12 notice, the Section 301 Committee held a public hearing on May 15-16, 2019, and received testimony from over 40 individuals. Interested persons filed over 600 written submissions, including post-hearing comments.

A number of public comments submitted in response to the April 12 notice requested that the U.S. Trade Representative consider additional

products that were not included in the April 12 list for possible inclusion on the final list of products to be subject to additional duties.

B. Consideration of Additional Products

The U.S. Trade Representative has decided to consider an additional list of products set out in the Annex to this notice, which may be included on a final list of products subject to additional ad valorem duties of up to 100 percent. The additional list takes into account public comments requesting the consideration of additional products not included on the April 12 list.

The additional list in the Annex to this notice contains 89 tariff subheadings. These subheadings are valued at approximately \$4 billion in terms of the estimated import trade value for calendar year 2018. If the U.S. Trade Representative determines to take action in this investigation, a final list of products to be subject to additional duties may be drawn from both this and the April 12 lists. As stated in the April 12 notice, the final list will take into account the report of the WTO Arbitrator on the appropriate level of countermeasures to be authorized by the WTO.

C. Request for Public Comments

USTR invites comments from interested persons with respect to the possible inclusion of products from the additional list in the Annex to this notice on the final list of products subject to additional duties. In particular, USTR invites comments with respect to:

- The specific products in the additional list to be subject to increased duties;
- the level of the increase, if any, in the rate of duty; and
- whether increased duties on particular products on the additional list might have an adverse effect upon U.S. stakeholders, including small businesses and consumers.

D. Hearing Participation

The Section 301 Committee will convene a public hearing in the Main Hearing Room of the U.S. International Trade Commission, 500 E Street SW, Washington DC 20436 beginning at 9:30 a.m. on August 5, 2019. You must submit requests to appear at the hearing by July 24, 2019. The request to appear should include a written version of the testimony you expect to give. Remarks at the hearing may be no longer than five minutes to allow time for questions from the Section 301 Committee.