



**INTERNATIONAL TRADE COMMISSION**

**[Investigation Nos. TA-131-042 and TPA-105-002]**

**North American Free Trade Agreement: Advice on the Probable Economic Effect of**

**Providing Duty-free Treatment for Currently Dutiable Imports**

**Institution of Investigation and Scheduling of Hearing**

**AGENCY:** United States International Trade Commission.

**ACTION:** Notice of investigation and scheduling of a public hearing.

**SUMMARY:** Following receipt on May 18, 2017, of a request from the United States Trade Representative (USTR), the Commission instituted Investigation Nos. TA-131-042 and TPA-105-002, *North American Free Trade Agreement: Advice on the Probable Economic Effect of Providing Duty-free Treatment for Currently Dutiable Imports*

**DATES:**

June 7, 2017: Deadline for filing requests to appear at the public hearing.

June 13, 2017: Deadline for filing prehearing briefs and statements.

June 20, 2017: Public hearing.

June 26, 2017: Deadline for filing post-hearing briefs and submissions.

June 26, 2017: Deadline for filing all other written statements.

August 16, 2017: Transmittal of Commission report to the USTR.

**ADDRESSES:** All Commission offices, including the Commission's hearing rooms, are located in the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions should be addressed to the Secretary, U.S. 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://edis.usitc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Project Leader Jessica Pugliese

(202-205-3064 or [jessica.pugliese@usitc.gov](mailto:jessica.pugliese@usitc.gov)) or Deputy Project Leader Diana Friedman

(202-205-3433 or [diana.friedman@usitc.gov](mailto:diana.friedman@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](mailto:william.gearhart@usitc.gov)). The

media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or

[margaret.olaughlin@usitc.gov](mailto: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 website

(<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 letter of May 18, 2017, the USTR requested that the Commission provide

certain advice under section 131 of the Trade Act of 1974 (19 U.S.C. 2151) and an assessment

under section 105 (a)(2)(B)(i)(III) of the Bipartisan Congressional Trade Priorities and

Accountability Act of 2015 with respect to the effects of providing duty-free treatment for imports

of products from Canada and Mexico.

More specifically, the USTR, under authority delegated by the President and pursuant to section

131 of the Trade Act of 1974, requested that the Commission provide a report containing its advice

as to the probable economic effect of providing duty-free treatment for imports of currently dutiable products from Canada and Mexico on (i) industries in the United States producing like or directly competitive products, and (ii) consumers. The USTR asked that the Commission's analysis consider each article in chapters 1 through 97 of the *Harmonized Tariff Schedule of the United States* (HTS) for which tariffs will remain, taking into account implementation of U.S. commitments in the World Trade Organization. The USTR asked that the advice be based on the HTS in effect during 2017 and trade data for 2016.

In addition, the USTR requested that the Commission prepare an assessment, as described in section 105(a)(2)(B)(i)(III) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, of the probable economic effects of eliminating tariffs on imports from Canada and Mexico of any agricultural products currently still subject to U.S. tariffs under the North American Free Trade Agreement and described in the list attached to the USTR's request letter on (i) industries in the United States producing the products concerned, and (ii) the U.S. economy as a whole. The USTR's request letter and list of agricultural products are posted on the Commission's website at <https://www.usitc.gov>.

As requested, the Commission will provide its report to the USTR by August 16, 2017. The USTR indicated that those sections of the Commission's report that relate to the advice and assessment of probable economic effects will be classified. The USTR also indicated that he considers the Commission's report to be an interagency memorandum that will contain pre-decisional advice and be subject to the deliberative process privilege.

*Public Hearing:* A public hearing in connection with this investigation will be held at the U.S. International Trade Commission Building, 500 E Street SW, Washington, DC, beginning at 9:30 a.m. on June 20, 2017. Requests to appear at the public hearing should be filed with the Secretary no later than 5:15 p.m., June 7, 2017, in accordance with the requirements in the “Submissions” section below. All prehearing briefs and statements should be filed not later than 5:15 p.m., June 13, 2017, and all post-hearing briefs and statements should be filed not later than 5:15 p.m., June 26, 2017. For further information, call 202-205-2000.

*Written Submissions:* In lieu of or in addition to participating in the hearing, interested parties are invited to file written submissions concerning this investigation. All written submissions should be addressed to the Secretary, and should be received not later than 5:15 p.m., June 26, 2017. All written submissions must conform to 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 paragraphs 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 to 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 (a) for cybersecurity purposes or (b) in monitoring user activity on U.S. government classified networks. The Commission will not otherwise disclose any confidential business information in a way that would reveal the operations of the firm supplying the information.

*Summaries of Written Submissions:* Persons wishing to have a summary of their position included in the report should include a summary with their written submission. The summaries will be published in an appendix to the report. The summary may not exceed 500 words, should be in MS Word format or a format that can be easily converted to MS Word, 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. The Commission will list 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.

Lisa Barton

Secretary to the Commission

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