

proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEMKT-2013-23 and should be submitted on or before April 9, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>19</sup>

**Kevin M. O'Neill,**  
*Deputy Secretary.*

[FR Doc. 2013-06251 Filed 3-18-13; 8:45 am]

BILLING CODE 8011-01-P

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## STATES TRADE REPRESENTATIVE

### Determinations Under the African Growth and Opportunity Act

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The United States Trade Representative (USTR) has determined that Cote d'Ivoire has adopted an effective visa system and related procedures to prevent unlawful transshipment of textile and apparel articles and the use of counterfeit documents in connection with the shipment of such articles and has implemented and follows, or is making substantial progress toward implementing and following, the customs procedures required by the African Growth and Opportunity Act (AGOA). Therefore, as specified in this notice, imports of eligible products from Cote d'Ivoire qualify for the textile and apparel benefits provided for under AGOA.

**DATES:** *Effective Date:* March 19, 2013.

**FOR FURTHER INFORMATION CONTACT:** Constance Hamilton, Deputy Assistant United States Trade Representative for African Affairs, Office of the United

States Trade Representative, (202) 395-9514.

**SUPPLEMENTARY INFORMATION:** The AGOA (Title I of the Trade and Development Act of 2000, Public Law 106-200, as amended provides preferential tariff treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries. The textile and apparel trade benefits under AGOA are available to imports of eligible products from countries that the President designates as "beneficiary sub-Saharan African countries," provided that these countries: (1) Have adopted an effective visa system and related procedures to prevent unlawful transshipment of textile and apparel articles and the use of counterfeit documents in connection with shipment of such articles; and (2) have implemented and follow, or are making substantial progress toward implementing and following, certain customs procedures that assist the Customs Service in verifying the origin of the products. In Proclamation 8741 (October 25, 2011), the President designated Cote d'Ivoire as a "beneficiary sub-Saharan Africa country" and proclaimed that, for purposes of section 112(c) of the AGOA, Cote d'Ivoire shall be considered a lesser developed beneficiary sub-Saharan African country.

In Proclamation 7350 (October 2, 2000), the President authorized the USTR to perform the function of determining whether eligible sub-Saharan beneficiary countries have met the two requirements described above. The President directed the USTR to announce any such determinations in the **Federal Register** and to implement them through modifications the Harmonized Tariff Schedule of the United States (HTS). Based on actions that Cote d'Ivoire has taken, I have determined that Cote d'Ivoire has satisfied these two requirements. Accordingly, pursuant to the authority assigned to the USTR in Proclamation 7350, U.S. note 7(a) to subchapter II of chapter 98 of the HTS, and U.S. notes 1 and 2(d) to subchapter XIX of the HTS are modified by inserting "Cote d'Ivoire" in alphabetical sequence in the list of countries. The foregoing modifications to the HTS are effective with respect to articles entered, or withdrawn from warehouse for consumption, on date of publication. Importers claiming preferential tariff treatment under the AGOA for entries of textile and apparel articles should ensure that those entries meet the applicable visa requirements. See Visa Requirements Under the African Growth

and Opportunity Act, 66 FR 7837 (2001).

**Ron Kirk,**

*United States Trade Representative.*

[FR Doc. 2013-06274 Filed 3-18-13; 8:45 am]

BILLING CODE 3190-F3-P

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### 2012 Generalized System of Preferences (GSP) Product Review: Inviting Public Comments on Possible Actions Related to Competitive Need Limitations

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice and solicitation of comments.

**SUMMARY:** This notice announces the availability of full 2012 calendar year import statistics relating to competitive need limitations (CNLs) under the Generalized System of Preferences (GSP) program. The Office of the United States Trade Representative (USTR) will accept public comments submitted by April 12, 2013, regarding: (1) Possible *de minimis* CNL waivers; (2) possible redesignations of articles currently not eligible for GSP benefits because they previously exceeded the CNL thresholds; and (3) potential revocation of CNL waivers.

**FOR FURTHER INFORMATION CONTACT:** Tameka Cooper, GSP Program, Office of the United States Trade Representative, 600 17th Street NW., Room 422, Washington, DC 20508. The telephone number is (202) 395-6971, the fax number is (202) 395-9674, and the email address is [Tameka\\_Cooper@ustr.eop.gov](mailto:Tameka_Cooper@ustr.eop.gov).

**DATES:** Public comments are due by 5:00 p.m., Friday, April 12, 2012.

**SUPPLEMENTARY INFORMATION:**

#### I. Statutory Provisions Related to CNLs

The GSP program provides for the duty-free importation of designated articles when imported from designated beneficiary developing countries (BDCs). The GSP program is authorized by Title V of the Trade Act of 1974 (19 U.S.C. 2461, *et seq.*), as amended ("the 1974 Act").

Section 503(c)(2)(A) of the 1974 Act sets out the two CNLs. When the President determines that a BDC exported to the United States during a calendar year either: (1) A quantity of a GSP-eligible article having a value in excess of the applicable amount for that year (\$155 million for 2012), or (2) a quantity of a GSP-eligible article having

<sup>19</sup> 17 CFR 200.30-3(a)(12).