

restrictions in U.S. law or for products offered for sale to the U.S. Government. This final determination concerns the country of origin of certain surgical and isolation gowns. As an importer of this merchandise, Global Resources International, Inc., is a party-at-interest within the meaning of 19 CFR 177.23(a) and is entitled to request this final determination.

#### FACTS:

The surgical and isolation gowns at issue were the subject of New York Ruling Letter (NY) N283263, dated March 7, 2017, which determined that these gowns are classified in subheading 6210.10.50, Harmonized Tariff Schedule of the United States (HTSUS). Samples of each type of gown were submitted to CBP and are described in NY N283263 as follows:

The submitted sample, isolation gown, is constructed from 96% spunbonded polypropylene nonwoven fabric and 4% cotton knit fabric. The gown has a full back opening, long sleeves and a tie at the waist in the front of the gown that extends around the waist to fasten at the back. The garment will be used in the medical industry.

The submitted sample, surgical gown, is constructed from 100% spunbonded polypropylene nonwoven fabric. The surgical gown has a hook and loop closure at the neck, long sleeves with knit cuffs and a full back opening. There is also a tie at the waist in the front of the gown that extends around the waist to fasten at the back. The garment will be used in the medical industry.

Based on information from your initial ruling request, dated December 2, 2016, your supplemental submission, dated January 30, 2017, NY N283263, and responses via email to our questions, the manufacturing process is as follows:

- Rolled nonwoven fabric from China, Vietnam, or India is shipped to the Dominican Republic.
  - All other components including thread and cotton fabric for the cuffs will be manufactured in the Dominican Republic.
- In the Dominican Republic:*
- The nonwoven fabric is laid on a cutting table and cut to specification using a cutting template.
  - Components are cut from the fabric—body, left arm, right arm, ties.
  - Arms are ultra-sonically welded to the body fabric or sewn.
  - In the case of the isolation gowns, the knit cuffs are sewn to the arms.
  - The gowns are folded, packaged and shipped to the United States.

#### ISSUE:

What is the country of origin of the surgical and isolation gowns described herein for purposes of U.S. Government procurement?

#### LAW AND ANALYSIS:

Pursuant to Subpart B of Part 177, 19 CFR 177.21 *et seq.*, which implements Title III, Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–2518), CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purpose of granting waivers of certain “Buy American”

restrictions in U.S. law or practice for products offered for sale to the U.S. Government.

The rule of origin set forth in 19 U.S.C. 2518(4)(B) states:

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 CFR 177.22(a) defining “country of origin” in identical terms.

In rendering advisory rulings and final determinations for purposes of U.S. Government procurement, CBP applies the provisions of Subpart B of Part 177 consistent with the Federal Procurement Regulations. See 19 CFR 177.21. In this regard, CBP recognizes that the Federal Procurement Regulations restrict the U.S. Government’s purchase of products to U.S.-made or designated country end products for acquisitions subject to the TAA. See 48 CFR 25.403(c)(1).

With regard to the articles at issue, your request involves determining whether the articles are products of the Dominican Republic. The Federal Acquisition Regulations define “designated country” as including a Free Trade Agreement (FTA) country, and includes the Dominican Republic in the list of FTA countries. Further, the regulations define “Free Trade Agreement country end product” to mean, in relevant part, an article that:

- (1) Is wholly the growth, product, or manufacture of a Free Trade Agreement (FTA) country; or
  - (2) In the case of an article that consists in whole or in part of materials from another country, has been substantially transformed in an FTA country into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed. . . .
- See 48 CFR 25.003.

As the articles at issue are not wholly the growth, product, or manufacture of the Dominican Republic, the substantial transformation standard as set forth in 19 U.S.C. 2518(4)(B) applies. As the articles at issue are textile products, the rules of origin for textile products for purposes of the customs laws and the administration of quantitative restrictions apply.

In NY N283263, it was determined that the surgical and isolation gowns are classified in subheading 6210.10.50, HTSUS, and are not wholly obtained or produced in the Dominican Republic, their origin cannot be determined by application of 19 CFR 102.21(c)(1), *i.e.*, wholly obtained or produced rule, and resort must be made to 19 CFR 102.21(c)(2), which provides that the origin of a good is the country “in which each foreign material incorporated in that good underwent an applicable change in tariff classification, and/or met any other requirement, specified for the good in

paragraph (e) of [102.21].” Section 102.21(e) provides, in pertinent part, for goods classifiable in heading 6210:

(1) If the good consists of two or more component parts, a change to an assembled good of heading 6210 through 6212 from unassembled components, provided that the change is the result of the good being wholly assembled in a single country, territory, or insular possession.

\* \* \* \* \*

The nonwoven fabric is cut in the Dominican Republic into component parts, *i.e.*, the body, left arm, right arm and ties. These components are wholly assembled in the Dominican Republic into finished gowns. In the case of the isolation gowns, another component, *i.e.*, the rib knit cuffs, are included in the assembly process. As the gowns are wholly assembled in the Dominican Republic, pursuant to 19 CFR 102.21(c)(2), the country of origin of the gowns is the Dominican Republic for U.S. Government procurement purposes.

#### HOLDING:

Based on the facts and analysis set forth above, for U.S. Government procurement purposes, the country of origin of the surgical and isolation gowns at issue is the Dominican Republic.

Notice of this final determination will be given in the **Federal Register**, as required by 19 CFR 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days after publication of the **Federal Register** notice referenced above, seek judicial review of this final determination before the Court of International Trade.

Sincerely,

Alice A. Kipel, Executive Director  
Regulations and Rulings  
Office of Trade

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## DEPARTMENT OF HOMELAND SECURITY

### U.S. Customs and Border Protection

[Docket No. USCBP–2017–0016]

#### Request for Applicants for Appointment to the Commercial Customs Operations Advisory Committee (COAC)

**AGENCY:** U.S. Customs and Border Protection, Department of Homeland Security (DHS).

**ACTION:** Committee management; request for applicants for appointment to the COAC.

**SUMMARY:** U.S. Customs and Border Protection (CBP) is requesting that individuals who are interested in

serving on the Commercial Customs Operations Advisory Committee (COAC) apply for appointment. COAC provides advice and makes recommendations to the Secretaries of the Department of the Treasury (Treasury) and Department of Homeland Security (DHS) on all matters involving the commercial operations of CBP and related functions.

**DATES:** Applications for membership should be submitted to CBP at the address below on or before July 24, 2017.

**ADDRESSES:** If you wish to apply for membership, your application should be submitted by one of the following means:

- *Email:* [Traderelations@dhs.gov](mailto:Traderelations@dhs.gov)
- *Fax:* 202-325-4290
- *Mail:* Ms. Florence Constant-

Gibson, International Trade Liaison, Office of Trade Relations, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229.

**FOR FURTHER INFORMATION CONTACT:** Ms. Florence Constant-Gibson, International Trade Liaison, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Room 3.5A, Washington, DC 20229. Email: [florence.v.constant-gibson.cbp.dhs.gov](mailto:florence.v.constant-gibson.cbp.dhs.gov); telephone 202-344-1440; facsimile 202-325-4290.

**SUPPLEMENTARY INFORMATION:** The Trade Facilitation and Trade Enforcement Act of 2015 re-established the COAC. The COAC is an advisory committee established in accordance with the provisions of the *Federal Advisory Committee Act*, 5 U.S.C. Appendix. The COAC shall advise the Secretaries of the Treasury and DHS on the commercial operations of CBP and related Treasury and DHS functions. In accordance with Section 109 of the Trade Facilitation and Trade Enforcement Act, the COAC shall:

(1) Advise the Secretaries of the Treasury and DHS on all matters involving the commercial operations of CBP, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of CBP;

(2) provide recommendations to the Secretaries of the Treasury and DHS on improvements to the commercial operations of CBP;

(3) collaborate in developing the agenda for COAC meetings; and

(4) perform such other functions relating to the commercial operations of CBP as prescribed by law or as the Secretaries of the Treasury and DHS jointly direct.

#### Balanced Membership Plans

The COAC consists of 20 members who are selected from representatives of the trade or transportation community served by CBP or others who are

directly affected by CBP commercial operations and related functions. The members shall represent the interests of individuals and firms affected by the commercial operations of CBP, and without regard to political affiliation. The members will be appointed by the Secretaries of the Treasury and DHS from candidates recommended by the Commissioner of CBP. In addition, members will represent major regions of the country.

#### COAC Meetings

The COAC meets at least once each quarter, although additional meetings may be scheduled. Generally, every other meeting of the COAC may be held outside of Washington, DC, usually at a CBP port of entry. The members are not reimbursed for travel or per diem.

#### COAC Membership

Membership on the COAC is personal to the appointee and a member may not send an alternate to represent him or her at a COAC meeting. Appointees will serve a one to three year term of office that will be concurrent with the duration of the charter. Regular attendance is essential; a member who is absent for two consecutive meetings, or does not participate in the committee's work, may be recommended for replacement on the COAC.

Members who are currently serving on the COAC are eligible to re-apply for membership provided that they are not in their second consecutive term and that they have met the attendance requirements. A new application letter (see **ADDRESSES** above) is required, but it may incorporate by reference materials previously filed (please attach courtesy copies). Members will not be considered Special Government Employees and will not be paid compensation by the Federal Government for their representative services with respect to the COAC.

*Application for COAC Appointment:* Any interested person wishing to serve on the COAC must provide the following:

- Statement of interest and reasons for application;
- Complete professional resume;
- Home address and telephone number;
- Work address, telephone number, and email address;
- Statement of the industry you represent; and
- Statement agreeing to submit to pre-appointment background and tax checks (mandatory).

However, a national security clearance is not required for the

position. DHS does not discriminate on the basis of race, color, religion, sex, national origin, sexual orientation, gender identity, marital status, disability and genetic information, age, membership in an employee organization, or other non-merit factor. DHS strives to achieve a widely diverse candidate pool for all of its recruitment actions.

Dated: June 2, 2017.

**Kevin K. McAleenan,**  
*Acting Commissioner.*

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## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

[LLNVC02000 L14400000.ER0000; 241A; MO#4500105455]

#### Notice of Temporary Closures of Public Land in Washoe County, Nevada

**AGENCY:** Bureau of Land Management, Interior.

**ACTION:** Notice.

**SUMMARY:** As authorized under the provisions of the Federal Land Policy and Management Act of 1976, certain public land near Stead, Nevada, will be temporarily closed to all public use to provide for public safety during the 2017 Reno Air Racing Association Pylon Racing Seminar and the Reno National Championship Air Races.

**DATES:** Temporary closure periods are June 7 through June 10, 2017, and September 9 through September 17, 2017.

**FOR FURTHER INFORMATION CONTACT:** Bryant Smith, Field Manager, Sierra Front Field Office, (775) 885-6000, email: [b6smith@blm.gov](mailto:b6smith@blm.gov). Persons who use a telecommunications device for the deaf (TDD) may call the Federal Relay Service (FRS) at 1-800-877-8339 to contact the above individual during normal business hours. The FRS is available 24 hours a day, 7 days a week, to leave a message or question with the above individual. You will receive a reply during normal business hours.

**SUPPLEMENTARY INFORMATION:** As authorized under the provisions of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1701 *et seq.*, and pursuant to 43 CFR 8364.1, the lands described below will be temporarily closed to all public use, including pedestrian use and vehicles, to provide for public safety during the 2017 Reno Air Racing Association Pylon Racing