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Our world—every nation, every people, every individual—can know the blessings of peace and see the light of freedom and justice in the future if we have the courage to build on the hope of the past—the hope upon which the United Nations was built.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Saturday, October 24, 1987, as United Nations Day. I urge all Americans to acquaint themselves with the activities and accomplishments of the United Nations. I have appointed J. Willard Marriott, Jr., to serve as 1987 United States Chairman for United Nations Day, and I welcome the role of the United Nations Association of the United States of America in working with him to celebrate this special day.

IN WITNESS WHEREOF, I have hereunto set my hand this first day of October, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and twelfth.

RONALD REAGAN

Proclamation 5718 of October 2, 1987

Implementation of an Orderly Marketing Agreement on Ammonium Paratungstate and Tungstic Acid

By the President of the United States of America

A Proclamation

1. On June 5, 1987, the United States International Trade Commission (USITC) reported to the President the results of its investigation under section 406 of the Trade Act of 1974 (19 U.S.C. 2436) (the Trade Act) with respect to imports from the People's Republic of China (the PRC) of ammonium paratungstate (APT) and tungstic acid provided for in items 417.40 and 416.40, respectively, of the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202). The USITC determined that market disruption within the meaning of section 406 of the Trade Act exists with respect to imports from the PRC of APT and tungstic acid. To remedy this market disruption, the USITC recommended that, for the next 5 years, the combined volume of imports of APT and tungstic acid from the PRC be limited to the larger of 1.116 million pounds of tungsten content per year or 7.5 percent of U.S. consumption.

2. On August 5, 1987, pursuant to sections 406, 202, and 203 of the Act (19 U.S.C. 2436, 2252, and 2253), and after taking into account the considerations specified in section 202(c) of the Trade Act (19 U.S.C. 2252(c)), I determined to provide import relief for the domestic industry in the form of a negotiated orderly marketing agreement. To this end, I directed the United States Trade Representative (the USTR) to negotiate and conclude an orderly marketing agreement with the PRC and to report the results of such negotiations to me within 50 days.

3. Section 406(b)(2) of the Trade Act (19 U.S.C. 2436(b)(2)) requires that if import relief consists of, or includes, an orderly marketing agreement, then such agreement shall be entered into within 60 days after a presidential determination to provide relief.

4. Pursuant to the authority vested in the President by the Constitution and the statutes of the United States, including section 203(a)(4) of the Trade Act (19 U.S.C. 2253(a)(4)), an agreement for orderly trade was signed on September 28, 1987, between the Government of the United States of America and the Government of the People's Republic of China limiting the export from the PRC, and the import into the United States, of APT and tungstic acid provided for in items 417.40 and 416.40, respectively, of the TSUS.

5. Pursuant to section 203(k)(1) of the Trade Act (19 U.S.C. 2253(k)(1)), I have considered the relation of such action to the international obligations of the United States. Since February 1, 1980, the United States and the PRC have had in effect a bilateral trade agreement under which I have determined, pursuant to section 405 of the Trade Act (19 U.S.C. 2435), a satisfactory balance of concessions has been maintained during the life of such agreement, and for which I reconfirm that actual or foreseeable reductions in U.S. tariffs and nontariff barriers to trade resulting from multilateral negotiations are, and continuously have been, satisfactorily reciprocated by the PRC. The present agreement for orderly trade is within the parameters of the safeguard measures envisioned by the bilateral trade agreement.

6. In accordance with section 203(d)(2) of the Trade Act (19 U.S.C. 2253(d)(2)), I have determined that the level of import relief hereinafter proclaimed permits the importation into the United States of a quantity or value of articles that is not less than the average annual quantity or value of such articles imported into the United States from the PRC in the 1982-1984 period, which I have determined to be the most recent representative period for imports of such articles.

NOW, THEREFORE, I, RONALD REAGAN, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including sections 203, 406, and 604 of the Trade Act (19 U.S.C. 2253, 2436, and 2483), section 332 of the Tariff Act of 1930, and section 301 of title 3, United States Code, do proclaim that—

(1) An orderly marketing agreement was entered into on September 28, 1987, between the Government of the United States of America and the Government of the People's Republic of China, with respect to trade in APT and tungstic acid, effective October 1, 1987. The agreement for orderly trade is to be implemented according to its terms and as directed in this Proclamation, including the Annex thereto.

(2) Subpart A, part 2 of the Appendix to the TSUS is modified as set forth in the Annex of this Proclamation.

(3) The President's authority under section 203(e)(3) of the Trade Act (19 U.S.C. 2253(e)(3)) to determine that the agreement is no longer effective is hereby delegated to the USTR. In the event of such a determination, the USTR shall prepare such **Federal Register** notice as may be appropriate to implement import relief authorized by section 203(e)(3) of the Trade Act.

(4) The USTR shall take such actions and perform such functions for the United States as may be necessary concerning the administration, implementation, modification, amendment or termination of the agreement described in paragraph (1) of this Proclamation, and any action that may be subsequently required to implement paragraph (3) of this Proclamation. In carrying out his responsibilities under this paragraph, the USTR is authorized to direct and delegate to appropriate officials or agencies of the United States, authority to perform any functions necessary for the administration and implementation of the agreement, or in the event he determines the agreement to be no longer effective, such further action as he deems necessary and appropriate consistent with this Proclamation. The USTR is authorized to make any changes in part 2 of the Appendix to the TSUS that may be necessary to carry out the agreement or such other action as may be required should he determine the agreement to be no longer effective. Any such changes in the agreement shall be effective after their publication in the **Federal Register**.

(5) The U.S. Customs Service shall take such actions as the USTR shall determine are necessary to carry out the agreement described in paragraph (1) of this Proclamation, or to implement any import relief implemented pursuant to paragraphs (3) and (4) of this Proclamation, or any modification thereof, with respect to the entry, or withdrawal from warehouse for consumption, into the United States of products covered by such agreement or by such other import relief.

(6) The U.S. Customs Service shall collect and assemble such data as are necessary to monitor compliance with the agreement. Such data shall include import statistics with respect to tungsten oxide, provided for in item 422.42, part 2C, schedule 4 of the TSUSA, as well as data for APT and tungstic acid.

IN WITNESS WHEREOF, I have hereunto set my hand this 2nd day of October, in the year of our Lord nineteen hundred and eighty-seven, and of the Independence of the United States of America the two hundred and twelfth.

RONALD REAGAN

ANNEX

Subpart A, part 2 of the Appendix to the Tariff Schedules of the United States (19 U.S.C. 1202) is modified—

(a) by adding in numerical sequence the following new headnote 11:

"11. *Quantitative limitations on certain tungsten articles.*—The provisions of this headnote apply to items 926.30 through 926.34, inclusive, of this subpart. The limitations imposed are in addition to the duties provided for the restrained articles in schedule 4, part 2B and part 2C, respectively, or in schedule 8, where applicable. The quantitative limitations shall include imports entered, or withdrawn from warehouse for consumption, informal entries, temporary imports under bond, and imports under schedule 8 of the TSUS.

(a) *Definitions.*—For purposes of this subpart—

(i) the term “tungsten articles” means ammonium paratungstate provided for in item 417.40 in schedule 4, part 2C and tungstic acid provided for in item 416.40, schedule 4, part 2B;

(b) *Export certificate.*—Effective January 1, 1988, none of the tungsten articles provided for herein that are exported from the People’s Republic of China (the PRC) shall be entered, or withdrawn from warehouse for consumption, unless such tungsten articles are accompanied by a validated export certificate issued by the competent authority of the Government of the People’s Republic of China;

(c) *Carryover.*—Whenever the specified limit of imports has not been entered during a period, an amount not to exceed 5 percent (except that the United States Trade Representative may by prior determination permit a carryover of greater than 5 percent) of the limit specified in the period in which the shortfall occurred may be entered in the subsequent period.

(d) *Exceeding restraint levels.*—The USTR may by Federal Register notice authorize an increase in the specified limits of imports by not more than 10 percent during any period, except that the USTR may by prior determination permit an increase of greater than 10 percent. If a specified limit of imports is exceeded during a period, there shall be a downward adjustment of the specified limit for the next period in the amount the preceding specified limit was exceeded. To the extent that imports of the tungsten articles provided for herein exceed 1.7 million pounds tungsten content for calendar year 1987, the specified limits for subsequent periods will be reduced according to the following schedule: the 1988 calendar year specified limit shall be reduced by 50 percent of the excess; and the specified limit of 1989 shall each be reduced by 30 percent of the excess; and the specified limit of 1990 shall be reduced by 20 percent of the excess.

(e) *United States International Trade Commission (USITC) surveys.*—The USITC shall conduct annual surveys (pursuant to section 332 of the Tariff Act of 1930) to obtain data on ammonium paratungstate, tungstic acid and tungsten oxide (provided for in item 422.42, part 2C, schedule 4 of the TSUSA) from the producers in the United States by calendar quarter on shipments, profits, capacity and capacity utilization, and annual data on capital expenditures and research and development expenditures; and to obtain data on such products from importers by calendar quarter on prices, orders, and inventories. The initial survey shall cover calendar year 1987 and shall be published by March 31, 1988, and the results of subsequent annual surveys shall be published on March 31 of each year thereafter as long as the agreement is in effect.

(f) *Administration of import limitations.*—Imports accounting for no more than 65 percent of each annual specified limit may be entered in any two consecutive quarters in that year unless authorized by a determination of the USTR.”

(b) by inserting in numerical sequence the following new provisions:

Item	Articles	Specified Limit (in million pounds tungsten content)
	Whenever the respective aggregate quantity of articles, the product of the People’s Republic of China, has been entered in any period specified in any item below (whether, for tariff purposes, in schedule 4 or in schedule 8), no article in such items may be entered during the remainder of such period, except as provided in headnote 11: Tungstic acid provided for in item 416.40, part 2B, schedule 4, and ammonium paratungstate provided for in item 417.40, part 2C, schedule 4:	
926.30	If entered during the period from October 1, 1987, through December 31, 1987, inclusive	0.425
926.31	If entered during the period from January 1, 1988, through December 31, 1988, inclusive	1.81
926.32	If entered during the period from January 1, 1989, through December 31, 1989, inclusive	1.94
926.33	If entered during the period from January 1, 1990, through December 31, 1990, inclusive	2.05
926.34	If entered during the period from January 1, 1991, through September 30, 1991, inclusive	1.50”