

# Presidential Documents

**Title 3—****Proclamation 7206 of June 30, 1999****The President****To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes****By the President of the United States of America****A Proclamation**

1. Pursuant to section 502 of the Trade Act of 1974, as amended (the “1974 Act”) (19 U.S.C. 2462), the President may designate countries as beneficiary developing countries and least-developed beneficiary developing countries for purposes of the Generalized System of Preferences (GSP).

2. Pursuant to section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries, are subject to competitive need limitations on the preferential treatment afforded under the GSP to eligible articles.

3. Pursuant to section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)), a country that is no longer treated as a beneficiary developing country with respect to an eligible article may be redesignated as a beneficiary developing country with respect to such article if imports of such article from such country did not exceed the competitive need limitations in section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) during the preceding calendar year.

4. Pursuant to section 503(c)(2)(F) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)), the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)(i)(II)) with respect to any eligible article from any beneficiary developing country if the aggregate appraised value of the imports of such article into the United States during the preceding calendar year does not exceed the applicable amount set forth in section 503(c)(2)(F)(ii) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)(ii)).

5. Pursuant to section 503(d) of the 1974 Act (19 U.S.C. 2463(d)), the President may waive the application of the competitive need limitations in section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) with respect to any eligible article of any beneficiary developing country if certain conditions are met.

6. Section 507(2) of the 1974 Act (19 U.S.C. 2467(2)) provides that in the case of an association of countries which is a free trade area or customs union, or which is contributing to comprehensive regional economic integration among its members through appropriate means, including, but not limited to, the reduction of duties, the President may provide that all members of such association other than members which are barred from designation under section 502(b) of the 1974 Act (19 U.S.C. 2462(b)) shall be treated as one country for purposes of title V of the 1974 Act.

7. Pursuant to section 502 of the 1974 Act, and having taken account of the eligibility criteria set forth therein, I have determined that Gabon and Mongolia should be designated as beneficiary developing countries for purposes of the GSP. Further, I have determined that the names of two previously designated beneficiary developing countries should be modified.

8. Pursuant to section 502 of the 1974 Act, and having taken account of the eligibility criteria set forth therein, I have determined that the suspension pursuant to Proclamation 6575 of June 25, 1993, of preferential treatment for Mauritania as a least-developed beneficiary developing country under the GSP should be ended.

9. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that certain beneficiary developing countries should not receive preferential tariff treatment under the GSP with respect to certain eligible articles imported in quantities that exceed the applicable competitive need limitation.

10. Pursuant to section 503(c)(2)(C) of the 1974 Act, I have determined that certain countries should be redesignated as beneficiary developing countries with respect to certain eligible articles that previously had been imported in quantities exceeding the competitive need limitations of section 503(c)(2)(A) of the 1974 Act.

11. Pursuant to section 503(c)(2)(F) of the 1974 Act, I have determined that the competitive need limitation provided in section 503(c)(2)(A)(i)(II) should be waived with respect to certain eligible articles from certain beneficiary developing countries.

12. Pursuant to section 503(d) of the 1974 Act, I have determined that the competitive need limitations of section 503(c)(2)(A) of the 1974 Act should be waived with respect to certain eligible articles from certain beneficiary developing countries. I have received the advice of the International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waivers, and I have determined, based on that advice and on the considerations described in sections 501 and 502(c) of the 1974 Act, that such waivers are in the national economic interest of the United States.

13. Pursuant to section 507(2) of the 1974 Act, I have determined that Cambodia should be added to the list of countries identified in general note 4(a) of the Harmonized Tariff Schedule of the United States (HTS) as members of the Association of South East Asian Nations (ASEAN) that shall be treated as one country for purposes of title V of the 1974 Act.

14. Section 604 of the 1974 Act (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, and of other acts affecting import treatment, and actions thereunder, including the removal, modification, continuance, or imposition of any rate of duty or other import restriction.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to title V and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide for the designation of Gabon and Mongolia as beneficiary developing countries under the GSP, and to modify the names of two previously designated beneficiary developing countries, general note 4(a) to the HTS is modified as provided in sections A(1), A(2) and A(3) of Annex I to this proclamation and general note 4(b) to the HTS is modified as provided in section B of Annex I to this proclamation.

(2) In order to provide for the addition of Cambodia to the list of members of ASEAN that shall be treated as one country for purposes of title V of the 1974 Act, general note 4(a) to the HTS is modified as provided in section A(4) of Annex I to this proclamation.

(3) In order to provide for the restoration of preferential treatment for Mauritania as a least-developed beneficiary developing country under the GSP, general note 4(a) to the HTS is modified as provided in section C(1) of Annex I to this proclamation and general note 4(b) to the HTS is modified as provided in section C(2) of Annex I to this proclamation.

(4) In order to provide that certain countries that have not been treated as beneficiary developing countries with respect to one or more eligible articles should be designated as beneficiary developing countries with respect to such article or articles for purposes of the GSP, and that certain countries should not be treated as beneficiary developing countries with respect to one or more eligible articles for purposes of the GSP, general note 4(d) to the HTS is modified as provided in section D of Annex I to this proclamation and the Rates of Duty 1-Special subcolumn for the HTS subheadings enumerated in section E of Annex I to this proclamation is modified as provided in such section.

(5) A waiver of the application of section 503(c)(2)(A) of the 1974 Act shall apply to the eligible articles in the HTS subheadings and to the beneficiary developing countries set forth in Annex II to this proclamation.

(6) Any provisions of previous proclamations and Executive orders that are inconsistent with the actions taken in this proclamation are superseded to the extent of such inconsistency.

(7)(a) The modifications to the HTS made by Annex I to this proclamation shall be effective on the dates specified in such annex.

(b) The action taken in Annex II to this proclamation shall be effective on the date of signature of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of June, in the year of our Lord nineteen hundred and ninety-nine, and of the Independence of the United States of America the two hundred and twenty-third.



## Annex I

### Modifications to the Harmonized Tariff Schedule of the United States ("HTS")

#### Section A

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1999, general note 4(a) to the HTS is modified by:

(1) deleting "Congo" from the list entitled "Independent Countries" and inserting "Congo (Brazzaville)" in lieu thereof.

(2) deleting "Zaire" from the list entitled "Independent Countries" and inserting in alphabetical order "Congo (Kinshasa)" in lieu thereof.

(3) adding in alphabetical order "Gabon" and "Mongolia" to the list entitled "Independent Countries".

(4) deleting "Members of the Association of South East Asian Nations (ASEAN) Eligible for GSP except Brunei Darussalam, Malaysia and Singapore" and the countries identified as members thereof from the list entitled "Associations of Countries (treated as one country)" and inserting in lieu thereof the following:

#### "Member Countries of the Association of South East Asian Nations (ASEAN)"

Currently qualifying:

Cambodia  
Indonesia  
Philippines  
Thailand"

#### Section B

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1999, general note 4(b)(i) to the HTS is modified by deleting "Zaire" and inserting in alphabetical order "Congo (Kinshasa)" in lieu thereof.

**Section C**

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after September 1, 1999:

- (1) general note 4(a) to the HTS is modified by adding in alphabetical order "Mauritania" to the list entitled "Independent Countries".
- (2) general note 4(b)(i) to the HTS is modified by adding in alphabetical order "Mauritania".

**Section D**

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1999, general note 4(d) to the Harmonized Tariff Schedule of the United States ("HTS") is modified by:

- (1) deleting the following subheadings and the country set out opposite such subheadings:

1604.15.00 Chile	7403.19.00 Chile
7403.13.00 Chile	8708.39.50 Brazil

- (2) deleting the country set out opposite the following subheadings:

2825.30.00 South Africa  
2841.90.10 South Africa  
2907.29.25 South Africa  
2909.50.40 Indonesia  
3817.10.50 Indonesia  
8531.20.00 Philippines

- (3) adding, in numerical sequence, the following provisions and countries set out opposite them:

0712.90.30 Peru	2008.19.30 Pakistan
0713.33.20 El Salvador	2106.90.52 El Salvador
0713.90.60 India	2607.00.00 Peru
0714.20.10 Dominican Republic	3920.63.20 India
0802.31.00 India	5904.92.00 Guatemala
0805.90.00 Turkey	6814.90.00 India
0904.20.76 India	7113.20.29 India
0910.10.40 India	7114.19.00 Peru
1702.30.22 Argentina	7801.99.30 Dominican Republic
1703.90.50 Poland	8517.19.80 Indonesia
1806.10.22 Colombia	8517.90.24 Costa Rica
1806.20.22 Turkey	8540.12.10 India
2005.10.00 Turkey	

(4) adding, in alphabetical order, the country or countries set out opposite the following subheadings:

0710.29.30 Dominican Republic  
1604.14.50 Colombia  
1701.91.05 India  
1702.90.40 Brazil

3501.90.20 Dominican Republic  
4412.92.50 Guyana  
7115.90.30 Colombia  
7403.12.00 Russia

### Section E

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 1999, each enumerated article's preferential tariff treatment under the Generalized System of Preferences ("GSP") in the HTS is modified as provided in this section.

(1) For the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A\*" and inserting an "A" in lieu thereof.

1604.15.00  
7403.13.00

7403.19.00  
8708.39.50

(2) For the following provisions, the Rates of Duty 1-Special subcolumn is modified by deleting the symbol "A" and inserting an "A\*" in lieu thereof:

0712.90.30	0805.90.00	1806.10.22	2607.00.00	7114.19.00
0713.33.20	0904.20.76	1806.20.22	3920.63.20	7801.99.30
0713.90.60	0910.10.40	2005.10.00	5904.92.00	8517.19.80
0714.20.10	1702.30.22	2008.19.30	6814.90.00	8517.90.24
0802.31.00	1703.90.50	2106.90.52	7113.20.29	8540.12.10

**Annex II****Harmonized Tariff Schedule of the United States ("HTS")  
Subheadings and Countries Granted Waivers of the  
Application of Section 503(c)(2)(A) of the 1974 Act**

<b>HTS</b>	
<b><u>Subheading</u></b>	<b><u>Country</u></b>
2841.70.10	Chile
2916.31.15	Estonia
7403.13.00	Chile
7403.19.00	Chile
7418.19.20	India
8483.10.30	Brazil
8527.39.00	Indonesia
8531.20.00	Philippines
8708.39.50	Brazil

[FR Doc. 99-17145

Filed 7-1-99; 11:31 am]

Billing code 3190-01-C