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NOTIFICATION TO ADD THE REPUBLIC OF GEORGIA TO THE LIST OF COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP)

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

NOTIFICATION OF HIS INTENTION TO ADD THE REPUBLIC OF GEORGIA TO THE LIST OF BENEFICIARY DEVELOPING COUNTRIES UNDER THE GENERALIZED SYSTEM OF PREFERENCES (GSP), PURSUANT TO PUB. L. 104–188, SEC. 1952(a) (110 STAT. 1917)



JULY 10, 2001.—Referred to the Committee on Ways and Means and ordered to be printed

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THE WHITE HOUSE,
Washington, June 29, 2001.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 502(f) of the Trade Act of 1974, as amended (the "Act"), I am writing to notify you of my intent to add the Republic of Georgia to the list of beneficiary developing countries under the Generalized System of Preferences (GSP). The GSP program offers duty-free access to the U.S. market for a wide range of products from beneficiary developing countries.

I have considered the criteria set forth in sections 501 and 502 of the Act and have determined that it is appropriate to extend GSP benefits to Georgia.

Sincerely,

GEORGE W. BUSH.

TO MODIFY DUTY-FREE TREATMENT UNDER THE GENERALIZED SYSTEM OF PREFERENCES

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. Sections 501 and 502 of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2461 and 2462), authorize the President to designate countries as beneficiary developing countries for purposes of the Generalized System of Preferences (GSP).

2. Section 503(c)(2)(A) of the 1974 Act (19 U.S.C. 2463(c)(2)(A)) provides that beneficiary developing countries, except least-developed beneficiary developing countries or beneficiary sub-Saharan African countries, are subject to competitive need limitations on the preferential treatment afforded under the GSP to eligible articles.

3. Section 503(c)(2)(C) of the 1974 Act (19 U.S.C. 2463(c)(2)(C)) provides that 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) during the preceding calendar year.

4. Section 503(c)(2)(F) of the 1974 Act (19 U.S.C. 2463(c)(2)(F)) provides that the President may disregard the competitive need limitation provided in section 503(c)(2)(A)(i)(II) (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 an amount set forth in section 503(c)(2)(F)(ii) (19 U.S.C. 2463(c)(2)(F)(ii)).

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

6. Pursuant to sections 501 and 502 of the 1974 Act, and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate Georgia as a beneficiary developing country for purposes of the GSP.

7. Pursuant to section 503(c)(2)(A) of the 1974 Act, I have determined that certain beneficiary countries should no longer receive preferential tariff treatment under the GSP with respect to certain eligible articles imported in quantities that exceed the applicable competitive need limitation.

8. 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). For certain articles, I have decided that the effective date of the redesignation shall be determined by the United States Trade Representative (USTR).

9. 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. For certain articles, I have decided that the effective date of the waiver shall be determined by the USTR.

10. Pursuant to section 503(d) of the 1974 Act, I have determined that the competitive need limitations of section 503(c)(2)(A) should be waived with respect to certain eligible articles from a beneficiary developing country. 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), that such waivers are in the national economic interest of the United States. I have decided that the effective date of the waivers shall be determined by the USTR.

11. Section 604 of the 1974 Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (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, GEORGE W. BUSH, President of the United States of America, acting under the authority vested in me by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, and title V and section 604 of the 1974 Act, do proclaim that:

(1) In order to reflect in the HTS the addition of Georgia as a beneficiary developing country under the GSP, general note 4(a) to the HTS is modified as provided in section A(1) of Annex I to this proclamation.

(2) In order to provide that one or more countries that have not been treated as beneficiary developing countries with respect to one or more eligible articles should be redesignated as beneficiary developing countries with respect to such article or articles for purposes of the GSP, and in order to provide that one or more countries should no longer 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 A(2) of Annex I and paragraph (1) of Annex III to this proclamation.

(3)(a) In order to provide preferential tariff treatment under the GSP to a beneficiary developing country that has been excluded from the benefits of the GSP for certain eligible articles, the Rates of Duty 1—Special subcolumn for each of the HTS subheadings enumerated in section A(3)(a) of Annex I and paragraph (2) of Annex III to this proclamation is modified as provided in such section and paragraph.

(b) In order to provide that one or more countries should not be treated as beneficiary developing countries with respect to certain eligible articles for purposes of the GSP, the Rates of Duty 1-Special subcolumn for each of the HTS subheadings enumerated in section A(3)(b) of Annex I to this proclamation is modified as provided in such section.

(4) A waiver of the application of section 503(c)(2)(A)(i)(II) of the 1974 Act shall apply to the eligible articles in the HTS subheadings and to the beneficiary developing countries listed in section B of Annex I to this proclamation.

(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 country 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 made by Annex I to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2001.

(b) The action taken in paragraph (5) of this proclamation shall be effective on the date of signature of this proclamation.

(c) The modifications made by Annex III to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after a date to be announced in the *Federal Register* by the USTR.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of June, in the year of our Lord two thousand one, and of the Independence of the United States of America the two hundred and twenty-fifth.

GEORGE W. BUSH.

Annex I

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after July 1, 2001.

Section A. Modifications to the Harmonized Tariff Schedule of the United States (HTS).

(1). General note 4(a) to the HTS is modified by adding "Georgia", in alphabetical order, to the list of independent countries.

(2). General note 4(d) to the HTS is modified by:

(a). deleting the following provisions and the country set out opposite such provision:

0802.50.20 Turkey	7904.00.00 South Africa
2516.90.00 South Africa	9614.20.60 Turkey

(b). deleting the country set out opposite the following subheadings:

2840.11.00 Turkey
2840.19.00 Turkey

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

0708.20.10 Peru	4012.90.45 Sri Lanka
0710.80.65 Guatemala	4601.10.00 India
0713.40.20 India	7604.10.50 Russia
1806.10.34 Colombia	8414.51.00 Thailand
2207.10.30 Barbados	8419.50.10 Malta
2305.00.00 Argentina	8419.60.10 Malta
2306.30.00 Ukraine	

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

0805.90.00 Jamaica	2933.39.23 Guatemala
1701.11.05 Colombia	5904.92.00 India
2804.29.00 Ukraine	7113.19.29 Turkey
2909.19.14 Brazil	
2924.21.16 Brazil	7403.11.00 Kazakhstan;
2928.00.10 Colombia	Russia

(3). Each enumerated article's preferential tariff treatment under the Generalized System of Preferences (GSP) in the HTS is modified as provided in this section.

(a). 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.:

0802.50.20	7904.00.00
2516.90.00	9614.20.60

(b). 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:

0708.20.10	1806.10.34	2306.30.00	7604.10.50	8419.60.10
0710.80.65	2207.10.30	4012.90.45	8414.51.00	
0713.40.20	2305.00.00	4601.10.00	8419.50.10	

Annex I (con.)
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Section B. HTS subheadings and countries for which the competitive need limitation provided in section 503(c)(2)(A)(i)(II) of the 1974 Act is waived.

0305.20.20	Russia	2840.11.00	Turkey	4602.10.23	Philippines
0410.00.00	Indonesia	2840.19.00	Turkey	5208.31.20	India
0712.90.70	Egypt	2841.61.00	Czech Republic	5208.32.10	India
0802.50.20	Turkey	2841.90.20	Kazakhstan	5208.41.20	India
0802.50.40	Turkey	2909.50.40	Indonesia	5208.42.10	India
0813.30.00	Chile	2912.13.00	Czech Republic	5209.31.30	India
0813.40.10	Thailand	2917.19.10	Hungary	5209.41.30	India
0904.20.76	India	2918.21.10	Brazil	5607.30.20	Philippines
1102.30.00	Thailand	2918.90.35	Romania	5702.39.10	India
1301.90.40	Brazil	2929.10.30	Poland	5702.99.20	India
1604.15.00	Chile	2931.00.25	Brazil	7113.20.25	India
1605.90.10	Thailand	2933.40.08	Hungary	7202.21.10	Macedonia, Former Yugoslav Republic of
1702.90.35	Brazil	2933.59.10	Hungary		
1901.20.02	Turkey	2938.10.00	Brazil		
2002.90.40	Morocco	3801.10.10	Brazil	7202.99.10	Brazil
2008.99.28	Turkey	4106.20.60	India	7403.12.00	Russia
2008.99.35	Thailand	4202.22.35	Philippines	8112.91.50	Chile
2008.99.45	Philippines	4202.29.20	Philippines	8112.99.00	Chile
2103.90.74	Croatia	4302.20.60	Brazil	8528.12.80	Thailand
2603.00.00	Philippines	4412.13.25	Brazil	9303.30.40	Czech Republic
2811.29.50	Brazil	4412.14.25	Brazil	9614.20.60	Turkey
2819.10.00	Kazakhstan	4412.99.45	Brazil		

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

HTS Subheading	Country
7113.19.25	India
7113.19.29	India
7113.19.50	India
7418.19.10	India
9405.50.30	India

Annex III

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

Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after a date to be announced in the *Federal Register* by the United States Trade Representative, the following modifications to the HTS shall take effect.

(1). General note 4(d) to the HTS is modified by:

(a). deleting the following provisions and the country set out opposite such provision:

0708.90.15 India	5209.51.30 India
0713.90.60 India	5307.20.00 India
0713.90.80 India	5702.39.10 India
0802.31.00 India	5702.49.15 India
0904.20.76 India	5702.99.20 India
0910.10.40 India	5904.91.00 India
1006.30.10 India	6302.99.10 India
1403.90.40 India	6814.90.00 India
2001.90.45 India	7113.19.25 India
2101.20.32 India	7113.20.21 India
2516.22.00 India	7113.20.25 India
3920.63.20 India	7113.20.29 India
3920.93.00 India	7418.19.10 India
4104.39.20 India	8540.12.10 India
4106.19.20 India	8606.30.00 India
5007.90.30 India	9405.50.30 India

(b). deleting the country set out opposite the following subheadings:

1701.11.05 India	4106.19.30 India
1701.91.05 India	4106.20.30 India
1806.10.65 India	4106.20.60 India
4104.39.50 India	7113.19.29 India
4106.12.00 India	7113.19.50 India

(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.

0708.90.15	1403.90.40	4106.19.20	5904.91.00	7418.19.10
0713.90.60	2001.90.45	5007.90.30	6302.99.10	8540.12.10
0713.90.80	2101.20.32	5209.51.30	6814.90.00	8606.30.00
0802.31.00	2516.22.00	5307.20.00	7113.19.25	9405.50.30
0904.20.76	3920.63.20	5702.39.10	7113.20.21	
0910.10.40	3920.93.00	5702.49.15	7113.20.25	
1006.30.10	4104.39.20	5702.99.20	7113.20.29	

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