
Presidential Documents

Title 3—**Proclamation 6813 of July 28, 1995****The President****To Amend the Generalized System of Preferences****By the President of the United States of America****A Proclamation**

1. Pursuant to section 504(c) of the Trade Act of 1974, as amended (“Trade Act”)(19 U.S.C. 2464(c)), beneficiary developing countries are subject to limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP). Pursuant to section 504(c)(3) of the Trade Act, the President may waive the application of section 504(c) of the Trade Act after receiving the advice of the International Trade Commission, determining that the waiver is in the national economic interest of the United States, and publishing such determination in the **Federal Register**. Pursuant to section 504(c)(5) of the Trade Act, 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 limitations in section 504(c)(1) of the Trade Act during the preceding calendar year. Pursuant to section 504(d)(2) of the Trade Act (19 U.S.C. 2464(d)(2)), the President may disregard the limitations provided in section 504(c)(1)(B) of the Trade Act with respect to any eligible article if the appraised value of the total imports of such article into the United States during the preceding calendar year is not in excess of an amount that bears the same ratio to \$5,000,000 as the gross national product of the United States for that calendar year (as determined by the Department of Commerce) bears to the gross national product of the United States for calendar year 1979.

2. Section 502(b)(7) of the Trade Act (19 U.S.C. 2462(b)(7)) provides that a country that has not taken or is not taking steps to afford workers in that country internationally recognized worker rights, as defined in section 502(a)(4) of the Trade Act (19 U.S.C. 2462(a)(4)), is ineligible for designation as a beneficiary developing country for purposes of the GSP. Section 502(c)(7) of the Trade Act (19 U.S.C. 2462(c)(7)) provides that, in determining whether to designate a country as a beneficiary developing country under the GSP, the President shall take into account whether the country has taken or is taking steps to afford internationally recognized worker rights to workers in that country. Section 504 of the Trade Act (19 U.S.C. 2464) authorizes the President to withdraw, suspend, or limit the application of duty-free treatment under the GSP with respect to any country after considering the factors set forth in sections 501 and 502(c) of the Trade Act (19 U.S.C. 2461 and 2462(c)).

3. Pursuant to section 504(c)(3) of the Trade Act, I have determined that it is appropriate to waive the application of section 504(c) of the Trade Act 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 the considerations described in sections 501 and 502(c) of the Trade Act, that such waivers are in the national economic interest of the United States. Pursuant to section 504(c)(5) of the Trade Act, I have determined that a country should be redesignated as a beneficiary developing country with respect to certain eligible articles. Pursuant to section 504(d)(2) of

the Trade Act, I have determined that section 504(c)(1)(B) of the Trade Act should not apply with respect to certain eligible articles.

4. Pursuant to sections 502(b)(7), 502(c)(7), and 504 of the Trade Act, I have determined that Maldives has not taken and is not taking steps to afford internationally recognized worker rights to workers in Maldives. Accordingly, I have determined that it is appropriate to suspend the designation of Maldives as a beneficiary developing country for purposes of the GSP.

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

6. Section 604 of the Trade 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 provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

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, including but not limited to sections 501, 502, 504, and 604 of the Trade Act, do proclaim that:

(1) In order to restore preferential tariff treatment under the GSP to a country that has been excluded from the benefits of the GSP for certain eligible articles, the Rates of Duty 1-Special subcolumn for HTS subheadings 0713.31.40, 1102.30.00, 1103.14.00, 4104.39.20, 7113.11.50, 7113.20.50, 9401.40.00, 9401.61.60, 9401.69.80, 9403.30.80, 9403.40.90, and 9403.50.90 are modified by deleting the symbol "A*" in parentheses, and by inserting the symbol "A" in lieu thereof.

(2) In order to provide that a country that has not been treated as a beneficiary developing country with respect to certain eligible articles should be restored as a beneficiary developing country with respect to such articles for purposes of the GSP, general note 4(d) to the HTS is modified by deleting the following from such note: "0713.31.40 Thailand", "1102.30.00 Thailand", "1103.14.00 Thailand", "4104.39.20 Thailand", "7113.11.50 Thailand", "7113.20.50 Thailand", "9401.40.00 Thailand", "9401.61.60 Thailand", "9401.69.80 Thailand", "9403.30.80 Thailand", "9403.40.90 Thailand", and "9403.50.90 Thailand".

(3)(a) The waivers of the application of section 504(c) of the Trade Act shall apply to imports of eligible articles from Thailand that are provided for in HTS subheadings 6702.90.65, 7113.11.20, 7113.19.50, and 9403.60.80.

(b) In order to restore preferential tariff treatment: (i) the Rates of Duty 1-Special subcolumn for HTS subheadings 6702.90.65, 7113.11.20, and 9403.60.80 are modified by deleting the symbol "A*" in parentheses, and by inserting the symbol "A" in lieu thereof; (ii) general note 4(d) is modified by deleting the following from such note: "6702.90.65 Thailand", "7113.11.20 Thailand", and "9403.60.80 Thailand"; and (iii) general note 4(d) is modified by deleting "Thailand" set out opposite 7113.19.50.

(4) General note 4 to the HTS, listing those countries whose products are eligible for benefits of the GSP, is modified by: (a) deleting "Maldives" from the list of independent countries in general note 4(a), and deleting "Maldives" from the list of least-developed beneficiary developing countries in general note 4(b); and

(b) inserting "Moldova" in alphabetical order in the list of independent countries in general note 4(a).

(5) Any provisions of previous proclamations and Executive orders inconsistent with the provisions of this proclamation are hereby superseded to the extent of such inconsistency.

(6)(a) The modifications to the HTS made by paragraphs (1) and (2) shall be effective July 31, 1995.

(b) The United States Trade Representative shall issue a notice in the **Federal Register** announcing when the modifications to the HTS made by paragraph (3)(b) shall be effective.

(c) The modifications to the HTS made by paragraph (4)(a) shall be effective 60 days after the date of publication of this proclamation in the **Federal Register**.

(d) The modification to the HTS made by paragraph (4)(b) shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.



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