

108TH CONGRESS
1ST SESSION

H. R. 3496

To extend trade benefits to certain tents imported into the United States.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2003

Mr. BLUNT introduced the following bill; which was referred to the Committee
on Ways and Means

A BILL

To extend trade benefits to certain tents imported into the
United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. DUTY-FREE TREATMENT FOR TENTS FROM**
4 **CERTAIN MIDDLE EASTERN COUNTRIES.**

5 Notwithstanding any other provision of law, the
6 President shall provide duty-free treatment for any article
7 classified under Harmonized Tariff Schedule heading
8 6306.22.90 from the beneficiary countries eligible for des-
9 ignation under section 2 of this Act.

1 **SEC. 2. DESIGNATION OF ELIGIBLE COUNTRIES.**

2 (a) IN GENERAL.—The President shall designate any
3 country listed in subsection (c) as a beneficiary country.
4 After one year of enactment of this Act, the President
5 shall conduct a review to determine if a basis exists for
6 the withdrawal of duty-free treatment, taking into consid-
7 eration whether or not each beneficiary country—

8 (1) has established, or is making continual
9 progress toward establishing—

10 (A) a market-based economy that protects
11 private property rights, incorporates an open
12 rules-based trading system, and minimizes gov-
13 ernment interference in the economy through
14 measures such as price controls, subsidies, and
15 government ownership of economic assets;

16 (B) the rule of law and the right to due
17 process, a fair trial, and equal protection under
18 the law;

19 (C) political pluralism, a climate free of
20 political intimidation and restrictions on peace-
21 ful political activity, and democratic elections
22 that meet international standards of fairness,
23 transparency, and participation;

24 (D) the elimination of barriers to United
25 States trade and investment, including by—

1 (i) providing national treatment and
2 measures to create an environment condu-
3 cive to domestic and foreign investment;

4 (ii) protecting intellectual property;
5 and

6 (iii) resolving bilateral trade and in-
7 vestment disputes;

8 (E) economic policies that reduce poverty,
9 increase the availability of health care and edu-
10 cational opportunities, expand physical infra-
11 structure, promote the development of private
12 enterprise, and encourage the formation of cap-
13 ital markets through micro-credit or other pro-
14 grams;

15 (F) a system to combat corruption and
16 bribery, such as signing and implementing the
17 OECD Convention on Combating Bribery of
18 Foreign Public Officials in International Busi-
19 ness Transactions;

20 (G) protection of internationally recognized
21 worker rights, including the right of association,
22 the right to organize and bargain collectively, a
23 prohibition on the use of any form of forced or
24 compulsory labor, a minimum age for the em-

1 ployment of children, and acceptable conditions
2 of work; and

3 (H) policies that provide a high level of en-
4 vironmental protection;

5 (2) does not engage in activities that undermine
6 United States national security or foreign policy in-
7 terests, and supports a peaceful resolution of the
8 Israeli-Palestinian conflict;

9 (3) is a signatory of the United Nations Dec-
10 laration of Human Rights, does not engage in gross
11 violations of internationally recognized human
12 rights, and is making continuing and verifiable
13 progress on the protection of internationally recog-
14 nized human rights, including freedom of speech and
15 press, freedom of peaceful assembly and association,
16 and freedom of religion;

17 (4) is not listed by the United States Depart-
18 ment of State as a state sponsor of terrorism and
19 cooperates fully in international efforts to combat
20 terrorism;

21 (5) does not participate in the primary, sec-
22 ondary, or tertiary economic boycott of Israel; and

23 (6) otherwise meets the eligibility criteria set
24 forth in section 502(b)(2) of the Trade Act of 1974

1 (19 U.S.C. 2462(b)(2)), other than section
2 502(b)(2)(B).

3 (b) CONTINUING COMPLIANCE.—If the President de-
4 termines that a designated beneficiary country no longer
5 meets the requirements described in subsection (a), the
6 President shall terminate the designation of the country
7 made pursuant to subsection (a) and inform Congress of
8 the President’s determination and the reasons therefor.

9 (c) COUNTRIES ELIGIBLE FOR DESIGNATION.—In
10 designating countries as beneficiary countries under this
11 Act, the President shall consider only the following coun-
12 tries of the greater Middle East or their successor political
13 entities:

- 14 (1) Afghanistan.
- 15 (2) Algeria.
- 16 (3) Azerbaijan.
- 17 (4) Bahrain.
- 18 (5) Bangladesh.
- 19 (6) Egypt.
- 20 (7) Iraq.
- 21 (8) Kuwait.
- 22 (9) Lebanon.
- 23 (10) Morocco.
- 24 (11) Oman.
- 25 (12) Pakistan.

1 (13) Qatar.

2 (14) Saudi Arabia.

3 (15) Tunisia.

4 (16) Turkey.

5 (17) United Arab Emirates.

6 (18) Yemen.

7 (d) THE PALESTINIAN AUTHORITY.—The President
8 is also authorized to designate the Palestinian Authority
9 or its successor political entity as a beneficiary political
10 entity which, if so designated, shall be accorded benefits
11 under this Act as if it were a beneficiary country, if the
12 President determines that the Palestinian Authority—

13 (1) satisfies the conditions of subsection (a) (1)
14 and (2);

15 (2) does not participate in acts of terrorism,
16 and takes active measure to combat terrorism;

17 (3) cooperates fully in international efforts to
18 combat terrorism;

19 (4) does not engage in gross violations of inter-
20 nationally recognized human rights, and is making
21 continuing and verifiable progress on the protection
22 of internationally recognized human rights, including
23 freedom of speech and the press, freedom of peaceful
24 assembly and association, and freedom of religion;
25 and

1 (5) accepts Israel's right to exist in peace with-
2 in secure borders.

3 **SEC. 3. RULE OF ORIGIN.**

4 (a) GENERAL RULE.—The duty-free treatment pro-
5 vided under this Act shall apply to any article which is
6 the growth, product, or manufacture of 1 or more bene-
7 ficiary countries if—

8 (1) that article is imported directly from a ben-
9 eficiary country into the customs territory of the
10 United States; and

11 (2) the sum of—

12 (A) the cost or value of the materials pro-
13 duced in 1 or more beneficiary countries, plus

14 (B) the direct cost of processing operations
15 performed in such beneficiary country or coun-
16 tries,

17 is not less than 35 percent of the appraised value of
18 such article at the time it is entered.

19 For purposes of determining the percentage referred
20 to in subparagraph (2), if the cost or value of materials
21 produced in the customs territory of the United States is
22 included with respect to an article to which this paragraph
23 applies, an amount not to exceed 15 percent of the ap-
24 praised value of the article at the time it is entered that
25 is attributed to such U.S. cost or value may be applied

- 1 toward determining the percentage referred to in subpara-
- 2 graph (2).

