

105th Congress, 1st Session - - - - - House Document 105-66

INTENTION TO WITHDRAW BENEFITS FOR 50 PERCENT
OF ARGENTINA'S EXPORTS UNDER THE GENERAL-
IZED SYSTEM OF PREFERENCES PROGRAM

MESSAGE

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

HIS DETERMINATION THAT ARGENTINA FAILS TO PROVIDE ADE-
QUATE AND EFFECTIVE MEANS UNDER ITS LAWS FOR FOREIGN
NATIONALS TO SECURE, TO EXERCISE, AND TO ENFORCE EX-
CLUSIVE RIGHTS IN INTELLECTUAL PROPERTY, AND NOTIFICA-
TION THAT HE INTENDS TO WITHDRAW BENEFITS FOR 50 PER-
CENT OF ARGENTINA'S EXPORTS UNDER THE GSP PROGRAM,
PURSUANT TO 19 U.S.C. 2462(a)



APRIL 15, 1997.—Message and accompanying papers referred to the
Committee on Ways and Means and ordered to be printed

U.S. GOVERNMENT PRINTING OFFICE

39-011

WASHINGTON : 1997

To the Congress of the United States:

The Generalized System of Preferences (GSP) program offers duty-free treatment to specified products that are imported from designated developing countries. The program is authorized by title V of the Trade Act of 1974, as amended.

Pursuant to title V, I have determined that Argentina fails to provide adequate and effective means under its laws for foreign nationals to secure, to exercise, and to enforce exclusive rights in intellectual property. As a result, I have determined to withdraw benefits for 50 percent (approximately \$260 million) of Argentina's exports under the GSP program. The products subject to removal include chemicals, certain metals and metal products, a variety of manufactured products, and several agricultural items (raw cane sugar, garlic, fish, milk protein concentrates, and anchovies).

This notice is submitted in accordance with the requirements of title V of the Trade Act of 1974.

WILLIAM J. CLINTON.

THE WHITE HOUSE, *April 11, 1997.*

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

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

1. Sections 502(d)(1) and 503(c)(1) of the Trade Act of 1974, as amended by Public Law 104–188; 110 Stat. 1755, 1920, 1922 (“the 1974 Act”) (19 U.S.C. 2462(d)(1) and 2463(c)(1)), provide that the President may withdraw, suspend, or limit the application of the duty-free treatment accorded under the Generalized System of Preferences (GSP) with respect to any country and any article upon consideration of the factors set forth in sections 501 and 502(c) of the 1974 Act (19 U.S.C. 2461 and 2462(c)). Pursuant to sections 502(d)(1) and 503(c)(1) of the 1974 Act and having considered the factors set forth in sections 501 and 502(c) of such Act, including, in particular, section 502(c)(5) (19 U.S.C. 2464(c)(5)) on the extent to which a designated beneficiary developing country is providing adequate and effective protection of intellectual property rights, I have determined that it is appropriate to suspend the duty-free treatment accorded under the GSP to certain eligible articles that are the product of Argentina, as provided in the Annex to this proclamation.

2. Section 604 of the 1974 Act, as amended (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, 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 502(d)(1), 503(c)(1), and 604 of the 1974 Act, do proclaim that:

(1) In order to provide that Argentina should no longer be treated as a beneficiary developing country with respect to certain eligible articles for purposes of the GSP, the HTS is modified as provided in the Annex to this proclamation.

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

(3) The modifications made by this proclamation shall be effective with respect to articles both: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 30 days after the date of publication of this proclamation in the *Federal Register*.

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

WILLIAM J. CLINTON.

ANNEX

MODIFICATIONS OF TARIFF TREATMENT UNDER
THE GENERALIZED SYSTEM OF PREFERENCES FOR
CERTAIN GOODS THE PRODUCT OF ARGENTINA

Effective with respect to articles both (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after the date which is 30 days after the date of publication of this proclamation in the Federal Register, the Harmonized Tariff Schedule of the United States ("HTS") is modified as set forth below:

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

(a) inserting in numerical sequence the following HTS subheadings and the country set out opposite such subheadings:

0303.77.00	Argentina	7901.12.50	Argentina
0404.90.10	Argentina	8207.20.00	Argentina
0703.20.00	Argentina	8409.91.99	Argentina
3901.90.90	Argentina	8413.91.90	Argentina
3902.10.00	Argentina	8422.30.90	Argentina
3902.20.50	Argentina	8431.49.10	Argentina
3902.90.00	Argentina	8471.49.37	Argentina
3903.90.50	Argentina	8471.60.57	Argentina
3904.40.00	Argentina	8477.51.00	Argentina
3906.10.00	Argentina	8479.20.00	Argentina
3906.90.50	Argentina	8480.30.00	Argentina
3907.30.00	Argentina	8481.30.20	Argentina
3907.60.00	Argentina	8481.80.30	Argentina
3907.99.00	Argentina	8481.80.90	Argentina
3909.10.00	Argentina	8481.90.30	Argentina
3909.50.50	Argentina	8503.00.65	Argentina
3913.90.20	Argentina	8524.31.00	Argentina
3921.90.50	Argentina	8524.32.00	Argentina
3923.90.00	Argentina	8524.52.10	Argentina
4201.00.60	Argentina	8524.60.00	Argentina
4303.10.00	Argentina	8524.91.00	Argentina
4303.90.00	Argentina	8524.99.40	Argentina
4410.11.00	Argentina	8536.90.00	Argentina
4410.19.00	Argentina	8538.90.80	Argentina
4802.52.10	Argentina	8708.60.80	Argentina
7007.11.00	Argentina	8708.70.60	Argentina
7114.11.60	Argentina	8708.99.80	Argentina
7308.90.95	Argentina	8716.90.50	Argentina
7315.90.00	Argentina	9003.90.00	Argentina
7409.11.50	Argentina	9018.90.10	Argentina
7409.21.00	Argentina	9113.10.00	Argentina
7419.99.50	Argentina	9113.20.60	Argentina
7901.11.00	Argentina	9403.20.00	Argentina
		9403.50.90	Argentina

(b) inserting in alphabetical sequence the country set out opposite the following HTS subheadings:

1604.16.10	Argentina	2849.10.00	Argentina
1701.11.10	Argentina	2850.00.50	Argentina
2805.40.00	Argentina	2902.11.00	Argentina
2813.90.50	Argentina	2905.12.00	Argentina
2832.30.10	Argentina	2905.13.00	Argentina
2839.90.00	Argentina	2905.22.50	Argentina
2841.30.00	Argentina	2906.14.00	Argentina
2841.50.00	Argentina	2914.12.00	Argentina
2843.30.00	Argentina	2914.13.00	Argentina

ANNEX (cont.)

(1) (b) (cont.)

2915.70.00	Argentina	3305.90.00	Argentina
2917.14.50	Argentina	3307.20.00	Argentina
2918.21.50	Argentina	3307.49.00	Argentina
2918.22.10	Argentina	3401.11.10	Argentina
2918.22.50	Argentina	3504.00.50	Argentina
2929.10.15	Argentina	3506.99.00	Argentina
2932.99.90	Argentina	3701.10.00	Argentina
2933.40.30	Argentina	3702.10.00	Argentina
2933.90.55	Argentina	3706.10.30	Argentina
3209.90.00	Argentina	3707.90.32	Argentina
3301.19.10	Argentina	3822.00.50	Argentina
3301.90.10	Argentina	4011.10.10	Argentina
3302.10.10	Argentina	4411.11.00	Argentina
3302.10.20	Argentina	6910.90.00	Argentina
3302.90.10	Argentina	7202.21.50	Argentina
3303.00.30	Argentina	7202.30.00	Argentina
3304.20.00	Argentina	8409.91.50	Argentina
3304.99.50	Argentina	8409.99.91	Argentina
3305.10.00	Argentina	9403.60.80	Argentina

(2) For the following HTS subheadings, in the Rates of Duty 1-Special subcolumn, delete the symbol "A" and insert an "A*" in lieu thereof:

0303.77.00	4410.19.00	8481.80.90
0404.90.10	4802.52.10	8481.90.30
0703.20.00	7007.11.00	8503.00.65
3901.90.90	7114.11.60	8524.31.00
3902.10.00	7308.90.95	8524.32.00
3902.20.50	7315.90.00	8524.52.10
3902.90.00	7409.11.50	8524.60.00
3903.90.50	7409.21.00	8524.91.00
3904.40.00	7419.99.50	8524.99.40
3906.10.00	7901.11.00	8536.90.00
3906.90.50	7901.12.50	8538.90.80
3907.30.00	8207.20.00	8708.60.80
3907.60.00	8409.91.99	8708.70.60
3907.99.00	8413.91.90	8708.99.80
3909.10.00	8422.30.90	8716.90.50
3909.50.50	8431.49.10	9003.90.00
3913.90.20	8471.49.37	9018.90.10
3921.90.50	8471.60.57	9113.10.00
3923.90.00	8477.51.00	9113.20.60
4201.00.60	8479.20.00	9403.20.00
4303.10.00	8480.30.00	9403.50.90
4303.90.00	8481.30.20	
4410.11.00	8481.80.30	

