

6. Annex II to Proclamation 7388 of December 18, 2000, listed certain products that are eligible for preferential tariff treatment under section 213(b)(3)(A) of the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2703(b)(3)(A)), as amended by section 211(a) of the Caribbean Basin Trade Partnership Act (CBTPA) (Title II of Public Law 106–200). Section C of that Annex incorrectly stated the staged rate of duty to be applied to certain imports under subheading 6402.99.70 of the Harmonized Tariff Schedule of the United States (HTS). I have determined that this error should be corrected.

7. Proclamations 7350 and 7351 of October 2, 2000, added new general notes 16 and 17 to the HTS and renumbered other general notes. I have determined that general note 1 to the HTS should be modified to reflect these changes.

8. 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 sections 506A and 604 of the 1974 Act, sections 111 and 112 of the AGOA, section 211 of the CBTPA, and section 213 of the CBERA, do proclaim that:

(1) The Kingdom of Swaziland is designated as a beneficiary sub-Saharan African country.

(2) In order to reflect this designation in the HTS, general note 16(a) to the HTS is modified by inserting in alphabetical sequence in the list of beneficiary sub-Saharan African countries “Kingdom of Swaziland”.

(3) For purposes of section 112(b)(3)(B) of the AGOA, the Kingdom of Swaziland shall be considered a lesser developed beneficiary sub-Saharan African country.

(4) Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2001, HTS subheading 6402.99.70 is modified by delet-

ing the figure “11.2%” from the Rates of Duty 1–Special subcolumn and inserting in lieu thereof “7.5%” for such special rate. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 2002, such subheading is modified by deleting the figure “7.5%” and inserting in lieu thereof “3.7%”; for such special rate.

(5) General note 1 to the HTS is modified by deleting the phrase “through 14, inclusive, and general note 16”; and by inserting in lieu thereof “through 18, inclusive”.

(6) Any provisions of previous proclamations and Executive Orders that are inconsistent with this proclamation are superseded to the extent of such inconsistency.

(7) Except as provided in paragraph (4) of this proclamation, the modifications to the HTS made by this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date of publication of this proclamation in the *Federal Register*.

In Witness Whereof, I have hereunto set my hand this seventeenth day of January, 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.

William J. Clinton

[Filed with the Office of the Federal Register, 8:45 a.m., January 22, 2001]

NOTE: This proclamation was released by the Office of the Press Secretary on January 18, and it will be published in the *Federal Register* on January 23.

Proclamation 7401—To Implement an Accelerated Schedule of Duty Elimination Under the North American Free Trade Agreement and for Other Purposes

January 17, 2001

By the President of the United States of America

A Proclamation

1. On December 17, 1992, the Governments of Canada, Mexico, and the United States of America entered into the North

American Free Trade Agreement (NAFTA). The NAFTA was approved by the Congress in section 101(a) of the North American Free Trade Agreement Implementation Act (the "NAFTA Implementation Act") (19 U.S.C. 3311(a)) and was implemented with respect to the United States by Presidential Proclamation 6641 of December 15, 1993.

2. Section 201(b) of the NAFTA Implementation Act (19 U.S.C. 3331(b)) authorizes the President, subject to the consultation and layover requirements of section 103(a) of the NAFTA Implementation Act (19 U.S.C. 3313(a)), to proclaim accelerated schedules for duty elimination that the United States may agree to with Mexico or Canada. Consistent with Article 302(3) of the NAFTA, I, through my duly empowered representative, entered into an agreement with the Government of Mexico on November 30, 2000, providing for an accelerated schedule of duty elimination for specific goods of Mexico. The consultation and layover requirements of section 103(a) of the NAFTA Implementation Act with respect to such schedule of duty elimination will be satisfied on December 30, 2000.

3. Pursuant to section 201(b) of the NAFTA Implementation Act, I have determined that the modifications hereinafter proclaimed of duties on goods originating in the territory of a NAFTA party are necessary or appropriate (i) to maintain the general level of reciprocal and mutually advantageous concessions with respect to Mexico provided for by the NAFTA, and (ii) to carry out the agreement with Mexico providing an accelerated schedule of duty elimination for specific goods.

4. Section 213(b)(3)(A) of the Caribbean Basin Economic Recovery Act (CBERA) (19 U.S.C. 2703(b)(3)(A)), as amended by section 211(a) of the United States-Caribbean Basin Trade Partnership Act (Title II of Public Law 106-200) (CBTPA), provides that the tariff treatment accorded at any time during the transition period defined in section 213(b)(5)(D) of the CBERA (19 U.S.C. 2703(b)(5)(D)), as amended by section 211(a) of the CBTPA, to certain articles that are originating goods of designated CBTPA beneficiary countries shall be identical to the tariff treatment that is accorded at such time

under Annex 302.2 of the NAFTA to an article described in the same 8-digit subheading of the Harmonized Tariff Schedule of the United States (HTS) that is a good of Mexico and is imported into the United States. Such articles are described in sub paragraphs (B) through (F) of section 213(b)(1) of the CBERA (19 U.S.C. 2703(b)(1)(B)-(F)), as amended by section 211(a) of the CBTPA.

5. Section 604 of the Trade Act of 1974, as amended (the "1974 Act") (19 U.S.C. 2483), authorizes the President to embody in the HTS the substance of the relevant provisions of 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 section 201(b) of the NAFTA Implementation Act, section 211 of the CBTPA, section 213 of the CBERA, and section 604 of the 1974 Act, do proclaim that:

(1) In order to provide for an accelerated schedule of duty elimination for specific goods of Mexico under the NAFTA and to provide identical tariff treatment for originating goods of a CBTPA beneficiary country provided for in the same HTS subheading, the tariff treatment set forth in the HTS is modified as provided in section 1 of the Annex to this proclamation.

(2) In order to provide for an accelerated schedule of duty elimination for specific goods of Mexico under the NAFTA, the tariff treatment set forth in the HTS is modified as provided in section 2 of the Annex to this proclamation.

(3) 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.

(4) The amendments made to the HTS by the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2001.

In Witness Whereof, I have hereunto set my hand this seventeenth day of January, 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.

William J. Clinton

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NOTE: This proclamation was released by the Office of the Press Secretary on January 18, and it will be published in the *Federal Register* on January 23.

**Executive Order 13191—
Implementation of the African
Growth and Opportunity Act and the
United States-Caribbean Basin
Trade Partnership Act**

January 17, 2001

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the African Growth and Opportunity Act (Title I of Public Law 106–200) (AGOA), the United States-Caribbean Basin Trade Partnership Act (Title II of Public Law 106–200) (CBTPA), the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 *et seq.*), and section 301 of title 3, United States Code, and in order to expand international trade and enhance our economic partnership with sub-Saharan Africa and the Caribbean Basin, promote investment and economic development and reduce poverty in those regions, and create new economic opportunities for American workers and businesses, it is hereby ordered as follows:

Part I—Implementation of the AGOA

Section 1. Apparel Articles Assembled from Fabrics or Yarn Not Available in Commercial Quantities. The Committee for the Implementation of Textile Agreements (the “Committee”) is authorized to exercise the authority vested in the President under section 112(b)(5)(B)(i) of the AGOA (19 U.S.C. 3721(b)(5)(B)(i)) to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner. The Committee shall establish procedures to ensure appropriate public participation in any such determination. The Com-

mittee and the United States Trade Representative (USTR) are jointly authorized to exercise the authority vested in the President under sections 112(b)(5)(B)(ii), (iii), and (v) of the AGOA (19 U.S.C. 3721(b)(5)(B)(ii), (iii), and (v)) to obtain advice from the appropriate advisory committee, to submit a report to the appropriate Congressional committees, and to consult with those Congressional committees. The USTR is authorized to exercise the authority vested in the President under section 112(b)(5)(B)(ii) of the AGOA to obtain advice from the U.S. International Trade Commission (USITC).

Sec. 2. Handloomed, Handmade, and Folklore Articles. The Committee, after consultation with the Commissioner, United States Customs Service (Commissioner), is authorized to exercise the authority vested in the President under section 112(b)(6) of the AGOA (19 U.S.C. 3721(b)(6)) to consult with beneficiary sub-Saharan African countries and to determine which, if any, particular textile and apparel goods shall be treated as being handloomed, handmade, or folklore articles. The Commissioner shall take such actions to carry out any such determination as directed by the Committee.

Sec. 3. Certain Interlinings. The Committee is authorized to exercise the authority vested in the President under section 112(d)(1)(B)(iii) of the AGOA (19 U.S.C. 3721(d)(1)(B)(iii)) to determine whether U.S. manufacturers are producing interlinings in the United States in commercial quantities. The Committee shall establish procedures to ensure appropriate public participation in any such determination. The determination or determinations of the Committee under this section shall be set forth in a notice or notices that the Committee shall cause to be published in the *Federal Register*. The Commissioner shall take such actions to carry out any such determination as directed by the Committee.

Sec. 4. Penalties for Transshipments. The Committee, after consultation with the Commissioner, is authorized to exercise the authority vested in the President under section 113(b)(3) of the AGOA (19 U.S.C. 3722(b)(3)) to determine, based on sufficient evidence, whether an exporter has engaged in transshipment and to deny for a period