

Presidential Documents

Title 3—

Proclamation 6857 of December 11, 1995

The President

To Modify the Harmonized Tariff Schedule of the United States, To Provide Rules of Origin Under the North American Free Trade Agreement for Affected Goods, and for Other Purposes

By the President of the United States of America

A Proclamation

1. Section 1205(a) of the Omnibus Trade and Competitiveness Act of 1988 (“the 1988 Act”) (19 U.S.C. 3005(a)) directs the United States International Trade Commission (“the Commission”) to keep the Harmonized Tariff Schedule of the United States (“HTS”) under continuous review and periodically to recommend to the President such modifications in the HTS as the Commission considers necessary or appropriate to accomplish the purposes set forth in that subsection.

2. Section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)) authorizes the President to proclaim modifications to the HTS, based on the recommendations of the Commission under section 1205 of the 1988 Act (19 U.S.C. 3005), that he determines are in conformity with the obligations of the United States under the International Convention on the Harmonized Commodity Description and Coding System (“the Convention”) and do not run counter to the national economic interest of the United States.

3. (a) Presidential Proclamation No. 6641 of December 15, 1993, implemented the North American Free Trade Agreement (“the NAFTA”) with respect to the United States and, pursuant to sections 201 and 202 of the North American Free Trade Agreement Implementation Act (“the NAFTA Implementation Act”) (19 U.S.C. 3331 and 3332), incorporated in the HTS the tariff modifications and rules of origin necessary or appropriate to carry out the NAFTA.

(b) Because the substance of the changes to the Convention will be reflected in slightly differing form in the national tariff schedules of the three parties to the NAFTA, the rules of origin and interpretative rules set forth in Appendix 6.A of Annex 300-B, Annex 401, and other annexes to the NAFTA must be modified to ensure that the agreed tariff and certain other treatment accorded under the NAFTA to originating goods will continue to be provided under the tariff categories affected by the modifications to the Convention. The NAFTA parties agreed, on November 6, 1995, to the text of necessary revisions to the NAFTA.

4. Section 202 of the NAFTA Implementation Act (19 U.S.C. 3332) provides certain rules for determining whether goods imported into the United States originate in the territory of a NAFTA party and thus are eligible for the tariff and other treatment contemplated under the NAFTA. Section 202(q) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) authorizes the President to proclaim the rules of origin set out in the NAFTA and any additional subordinate tariff categories necessary to carry out the NAFTA Implementation Act consistent with the NAFTA.

5. Pursuant to section 1206(a) of the 1988 Act (19 U.S.C. 3006(a)) and section 202 of the NAFTA Implementation Act (19 U.S.C. 3332), I have determined (1) that the modifications to the HTS being proclaimed pursuant to section 1206(a) of the 1988 Act are in conformity with the obligations