

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 3009  
OFFERED BY MR. THOMAS**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Andean Trade Pro-  
3 motion and Drug Eradication Act”.

**4 SEC. 2. FINDINGS.**

5 Congress makes the following findings:

6 (1) Since the Andean Trade Preference Act was  
7 enacted in 1991, it has had a positive impact on  
8 United States trade with Bolivia, Colombia, Ecua-  
9 dor, and Peru. Two-way trade has doubled, with the  
10 United States serving as the leading source of im-  
11 ports and leading export market for each of the An-  
12 dean beneficiary countries. This has resulted in in-  
13 creased jobs and expanded export opportunities in  
14 both the United States and the Andean region.

15 (2) The Andean Trade Preference Act has been  
16 a key element in the United States counternarcotics  
17 strategy in the Andean region, promoting export di-  
18 versification and broad-based economic development  
19 that provides sustainable economic alternatives to  
20 drug-crop production, strengthening the legitimate



1 economies of Andean countries and creating viable  
2 alternatives to illicit trade in coca.

3 (3) Notwithstanding the success of the Andean  
4 Trade Preference Act, the Andean region remains  
5 threatened by political and economic instability and  
6 fragility, vulnerable to the consequences of the drug  
7 war and fierce global competition for its legitimate  
8 trade.

9 (4) The continuing instability in the Andean re-  
10 gion poses a threat to the security interests of the  
11 United States and the world. This problem has been  
12 partially addressed through foreign aid, such as Plan  
13 Colombia, enacted by Congress in 2000. However,  
14 foreign aid alone is not sufficient. Enhancement of  
15 legitimate trade with the United States provides an  
16 alternative means for reviving and stabilizing the  
17 economies in the Andean region.

18 (5) The Andean Trade Preference Act con-  
19 stitutes a tangible commitment by the United States  
20 to the promotion of prosperity, stability, and democ-  
21 racy in the beneficiary countries.

22 (6) Renewal and enhancement of the Andean  
23 Trade Preference Act will bolster the confidence of  
24 domestic private enterprise and foreign investors in  
25 the economic prospects of the region, ensuring that



1 legitimate private enterprise can be the engine of  
2 economic development and political stability in the  
3 region.

4 (7) Each of the Andean beneficiary countries is  
5 committed to conclude negotiation of a Free Trade  
6 Area of the Americas by the year 2005, as a means  
7 of enhancing the economic security of the region.

8 (8) Temporarily enhancing trade benefits for  
9 Andean beneficiary countries will promote the  
10 growth of free enterprise and economic opportunity  
11 in these countries and serve the security interests of  
12 the United States, the region, and the world.

13 **SEC. 3. ARTICLES ELIGIBLE FOR PREFERENTIAL TREAT-**  
14 **MENT.**

15 (a) **ELIGIBILITY OF CERTAIN ARTICLES.**—Section  
16 204 of the Andean Trade Preference Act (19 U.S.C.  
17 3203) is amended—

18 (1) by striking subsection (c) and redesignating  
19 subsections (d) through (g) as subsections (c)  
20 through (f), respectively; and

21 (2) by amending subsection (b) to read as fol-  
22 lows:

23 “(b) **EXCEPTIONS AND SPECIAL RULES.**—

24 “(1) **CERTAIN ARTICLES THAT ARE NOT IM-**  
25 **PORT-SENSITIVE.**—The President may proclaim



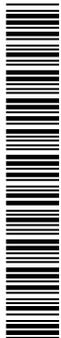
1 duty-free treatment under this title for any of the  
2 following articles only if the article is the product of  
3 an ATPEA beneficiary country and only if the  
4 President determines that the article is not import-  
5 sensitive in the context of imports from ATPEA  
6 beneficiary countries:

7 “(A) Footwear not designated at the time of  
8 the effective date of this Act as eligible for the  
9 purpose of the generalized system of pref-  
10 erences under title V of the Trade Act of 1974.

11 “(B) Petroleum, or any product derived from  
12 petroleum, provided for in headings 2709 and  
13 2710 of the HTS.

14 “(C) Watches and watch parts (including  
15 cases, bracelets and straps), of whatever type  
16 including, but not limited to, mechanical, quartz  
17 digital or quartz analog, if such watches or  
18 watch parts contain any material which is the  
19 product of any country with respect to which  
20 HTS column 2 rates of duty apply.

21 “(D) Sugars, syrups, and molasses classified  
22 in subheadings 1701.11.50, 1701.12.50,  
23 1701.99.50, 1702.90.20, and 2106.90.46 of the  
24 HTS.



1           “(E) Handbags, luggage, flat goods, work  
2 gloves, and leather wearing apparel that—

3           “(i) are the product of an ATPEA  
4 beneficiary country; and

5           “(ii) were not designated on August 5,  
6 1983, as eligible articles for purposes of  
7 the generalized system of preferences  
8 under title V of the Trade Act of 1974.

9           “(2) EXCLUSIONS.—Duty-free treatment under  
10 this title may not be extended to—

11           “(A) textiles; or

12           “(B) rum and tafia classified in sub-  
13 heading 2208.40.00 of the HTS.

14           “(3) APPAREL ARTICLES.—

15           “(A) IN GENERAL.—Apparel articles that  
16 are imported directly into the customs territory  
17 of the United States from an ATPEA bene-  
18 ficiary country shall enter the United States  
19 free of duty and free of any quantitative restric-  
20 tions, limitations, or consultation levels, but  
21 only if such articles are described in subpara-  
22 graph (B).

23           “(B) COVERED ARTICLES.—The apparel  
24 articles referred to in subparagraph (A) are the  
25 following:



1                   “(i) APPAREL ARTICLES ASSEMBLED  
2 FROM PRODUCTS OF THE UNITED STATES  
3 AND ATPEA BENEFICIARY COUNTRIES OR  
4 PRODUCTS NOT AVAILABLE IN COMMER-  
5 CIAL QUANTITIES.—Apparel articles sewn  
6 or otherwise assembled in 1 or more  
7 ATPEA beneficiary countries exclusively  
8 from any one or any combination of the  
9 following:

10                   “(I) Fabrics or fabric compo-  
11 nents formed, or components knit-to-  
12 shape, in the United States (including  
13 fabrics not formed from yarns, if such  
14 fabrics are classifiable under heading  
15 5602 or 5603 of the HTS and are  
16 formed in the United States).

17                   “(II) Fabrics or fabric compo-  
18 nents formed or components knit-to-  
19 shape, in 1 or more ATPEA bene-  
20 ficiary countries, from yarns formed  
21 in 1 or more ATPEA beneficiary  
22 countries, if such fabrics (including  
23 fabrics not formed from yarns, if such  
24 fabrics are classifiable under heading  
25 5602 or 5603 of the HTS and are



1 formed in 1 or more ATPEA bene-  
2 ficiary countries) are in chief weight  
3 of llama, or alpaca.

4 “(III) Fabrics or yarns, without  
5 regard to where they are formed, if  
6 such fabrics or yarns are classifiable  
7 under headings of the HTS from  
8 which a change in tariff classification  
9 is allowed under the applicable rules  
10 for the good under General Note 12(t)  
11 of the HTS (except for goods classifi-  
12 able under heading 6212.10 of the  
13 HTS), without regard to whether the  
14 components of such yarns or fabrics  
15 determine the tariff classification of  
16 the apparel article, except that if such  
17 yarns or fabrics are used to produce  
18 components, including knit-to-shape  
19 components, the components must be  
20 formed or knit-to-shape in the United  
21 States or in 1 or more ATPEA bene-  
22 ficiary countries.

23 “(ii) ADDITIONAL FABRICS.—At the  
24 request of any interested party, the Presi-  
25 dent is authorized to proclaim additional



1 fabrics and yarns as eligible for pref-  
2 erential treatment under clause (i)(III)  
3 if—

4 “(I) the President determines  
5 that such fabrics or yarns cannot be  
6 supplied by the domestic industry in  
7 commercial quantities in a timely  
8 manner;

9 “(II) the President has obtained  
10 advice regarding the proposed action  
11 from the appropriate advisory com-  
12 mittee established under section 135  
13 of the Trade Act of 1974 (19 U.S.C.  
14 2155) and the United States Inter-  
15 national Trade Commission;

16 “(III) within 60 days after the  
17 request, the President has submitted  
18 a report to the Committee on Ways  
19 and Means of the House of Rep-  
20 resentatives and the Committee on Fi-  
21 nance of the Senate that sets forth  
22 the action proposed to be proclaimed  
23 and the reasons for such action, and  
24 the advice obtained under subclause  
25 (II);



1                   “(IV) a period of 60 calendar  
2                   days, beginning with the first day on  
3                   which the President has met the re-  
4                   quirements of subclause (III), has ex-  
5                   pired; and

6                   “(V) the President has consulted  
7                   with such committees regarding the  
8                   proposed action during the period re-  
9                   ferred to in subclause (III).

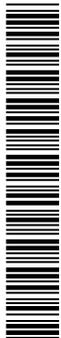
10                   “(iii) APPAREL ARTICLES ASSEMBLED  
11                   IN 1 OR MORE ATPEA BENEFICIARY  
12                   COUNTRIES FROM REGIONAL FABRICS OR  
13                   REGIONAL COMPONENTS.—(I) Subject to  
14                   the limitation set forth in subclause (II),  
15                   apparel articles sewn or otherwise assem-  
16                   bled in 1 or more ATPEA beneficiary  
17                   countries from fabrics or from fabric com-  
18                   ponents formed or from components knit-  
19                   to-shape, in 1 or more ATPEA beneficiary  
20                   countries, from yarns formed in the United  
21                   States or in 1 or more ATPEA beneficiary  
22                   countries (including fabrics not formed  
23                   from yarns, if such fabrics are classifiable  
24                   under heading 5602 or 5603 of the HTS  
25                   and are formed in 1 or more ATPEA bene-



1            beneficiary countries), whether or not the ap-  
2            parel articles are also made from any of  
3            the fabrics, fabric components formed, or  
4            components knit-to-shape described in  
5            clause (i).

6            “(II) The preferential treatment re-  
7            ferred to in subclause (I) shall be extended  
8            in the 1-year period beginning December  
9            1, 2001, and in each of the 5 succeeding  
10           1-year periods, to imports of apparel arti-  
11           cles in an amount not to exceed the appli-  
12           cable percentage of the aggregate square  
13           meter equivalents of all apparel articles im-  
14           ported into the United States in the pre-  
15           ceding 12-month period for which data are  
16           available.

17           “(III) For purposes of subclause (II),  
18           the term ‘applicable percentage’ means 3  
19           percent for the 1-year period beginning  
20           December 1, 2001, increased in each of the  
21           5 succeeding 1-year periods by equal incre-  
22           ments, so that for the period beginning  
23           December 1, 2005, the applicable percent-  
24           age does not exceed 6 percent.



1                   “(iv) HANDLOOMED, HANDMADE, AND  
2 FOLKLORE ARTICLES.—A handloomed,  
3 handmade, or folklore article of an ATPEA  
4 beneficiary country identified under sub-  
5 paragraph (C) that is certified as such by  
6 the competent authority of such beneficiary  
7 country.

8                   “(v) SPECIAL RULES.—

9                   “(I) EXCEPTION FOR FINDINGS  
10 AND TRIMMINGS.—An article other-  
11 wise eligible for preferential treatment  
12 under this paragraph shall not be in-  
13 eligible for such treatment because the  
14 article contains findings or trimmings  
15 of foreign origin, if such findings and  
16 trimmings do not exceed 25 percent of  
17 the cost of the components of the as-  
18 sembled product. Examples of find-  
19 ings and trimmings are sewing thread,  
20 hooks and eyes, snaps, buttons, ‘bow  
21 buds’, decorative lace, trim, elastic  
22 strips, zippers, including zipper tapes  
23 and labels, and other similar products.

24                   “(II) CERTAIN INTERLINING.—  
25 (aa) An article otherwise eligible for



1 preferential treatment under this  
2 paragraph shall not be ineligible for  
3 such treatment because the article  
4 contains certain interlinings of foreign  
5 origin, if the value of such interlinings  
6 (and any findings and trimmings)  
7 does not exceed 25 percent of the cost  
8 of the components of the assembled  
9 article.

10 “(bb) Interlinings eligible for the  
11 treatment described in division (aa)  
12 include only a chest type plate, ‘hymo’  
13 piece, or ‘sleeve header’, of woven or  
14 weft-inserted warp knit construction  
15 and of coarse animal hair or man-  
16 made filaments.

17 “(cc) The treatment described in  
18 this subclause shall terminate if the  
19 President makes a determination that  
20 United States manufacturers are pro-  
21 ducing such interlinings in the United  
22 States in commercial quantities.

23 “(III) DE MINIMIS RULE.—An  
24 article that would otherwise be ineli-  
25 gible for preferential treatment under



1           this subparagraph because the article  
2           contains fibers or yarns not wholly  
3           formed in the United States or in one  
4           or more ATPEA beneficiary countries  
5           shall not be ineligible for such treat-  
6           ment if the total weight of all such fi-  
7           bers or yarns is not more than 7 per-  
8           cent of the total weight of the good.

9           “(C) HANDLOOMED, HANDMADE, AND  
10          FOLKLORE ARTICLES.—For purposes of sub-  
11          paragraph (B)(iv), the President shall consult  
12          with representatives of the ATPEA beneficiary  
13          countries concerned for the purpose of identi-  
14          fying particular textile and apparel goods that  
15          are mutually agreed upon as being handloomed,  
16          handmade, or folklore goods of a kind described  
17          in section 2.3(a), (b), or (c) of the Annex or  
18          Appendix 3.1.B.11 of the Annex.

19          “(D) PENALTIES FOR TRANSSHIPMENT.—

20                 “(i) PENALTIES FOR EXPORTERS.—If  
21          the President determines, based on suffi-  
22          cient evidence, that an exporter has en-  
23          gaged in transshipment with respect to ap-  
24          parel articles from an ATPEA beneficiary  
25          country, then the President shall deny all



1 benefits under this title to such exporter,  
2 and any successor of such exporter, for a  
3 period of 2 years.

4 “(ii) PENALTIES FOR COUNTRIES.—  
5 Whenever the President finds, based on  
6 sufficient evidence, that transshipment has  
7 occurred, the President shall request that  
8 the ATPEA beneficiary country or coun-  
9 tries through whose territory the trans-  
10 shipment has occurred take all necessary  
11 and appropriate actions to prevent such  
12 transshipment. If the President determines  
13 that a country is not taking such actions,  
14 the President shall reduce the quantities of  
15 apparel articles that may be imported into  
16 the United States from such country by  
17 the quantity of the transshipped articles  
18 multiplied by 3, to the extent consistent  
19 with the obligations of the United States  
20 under the WTO.

21 “(iii) TRANSSHIPMENT DESCRIBED.—  
22 Transshipment within the meaning of this  
23 subparagraph has occurred when pref-  
24 erential treatment under subparagraph (A)  
25 has been claimed for an apparel article on

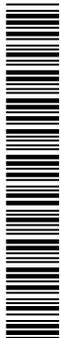


1 the basis of material false information con-  
2 cerning the country of origin, manufacture,  
3 processing, or assembly of the article or  
4 any of its components. For purposes of  
5 this clause, false information is material if  
6 disclosure of the true information would  
7 mean or would have meant that the article  
8 is or was ineligible for preferential treat-  
9 ment under subparagraph (A).

10 “(E) BILATERAL EMERGENCY ACTIONS.—

11 “(i) IN GENERAL.—The President  
12 may take bilateral emergency tariff actions  
13 of a kind described in section 4 of the  
14 Annex with respect to any apparel article  
15 imported from an ATPEA beneficiary  
16 country if the application of tariff treat-  
17 ment under subparagraph (A) to such arti-  
18 cle results in conditions that would be  
19 cause for the taking of such actions under  
20 such section 4 with respect to a like article  
21 described in the same 8-digit subheading  
22 of the HTS that is imported from Mexico.

23 “(ii) RULES RELATING TO BILATERAL  
24 EMERGENCY ACTION.—For purposes of ap-



1           plying bilateral emergency action under  
2           this subparagraph—

3                   “(I) the requirements of para-  
4                   graph (5) of section 4 of the Annex  
5                   (relating to providing compensation)  
6                   shall not apply;

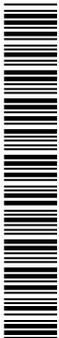
7                   “(II) the term ‘transition period’  
8                   in section 4 of the Annex shall mean  
9                   the period ending December 31, 2006;  
10                  and

11                  “(III) the requirements to con-  
12                  sult specified in section 4 of the  
13                  Annex shall be treated as satisfied if  
14                  the President requests consultations  
15                  with the ATPEA beneficiary country  
16                  in question and the country does not  
17                  agree to consult within the time pe-  
18                  riod specified under section 4.

19                  “(4) CUSTOMS PROCEDURES.—

20                   “(A) IN GENERAL.—

21                   “(i) REGULATIONS.—Any importer  
22                   that claims preferential treatment under  
23                   paragraph (1) or (3) shall comply with  
24                   customs procedures similar in all material  
25                   respects to the requirements of Article



1 502(1) of the NAFTA as implemented  
 2 pursuant to United States law, in accord-  
 3 ance with regulations promulgated by the  
 4 Secretary of the Treasury.

5 “(ii) DETERMINATION.—

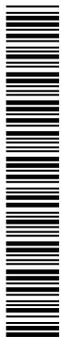
6 “(I) IN GENERAL.—In order to  
 7 qualify for the preferential treatment  
 8 under paragraph (1) or (3) and for a  
 9 Certificate of Origin to be valid with  
 10 respect to any article for which such  
 11 treatment is claimed, there shall be in  
 12 effect a determination by the Presi-  
 13 dent that each country described in  
 14 subclause (II)—

15 “(aa) has implemented and  
 16 follows; or

17 “(bb) is making substantial  
 18 progress toward implementing  
 19 and following,

20 procedures and requirements similar  
 21 in all material respects to the relevant  
 22 procedures and requirements under  
 23 chapter 5 of the NAFTA.

24 “(II) COUNTRY DESCRIBED.—A  
 25 country is described in this subclause



1 if it is an ATPEA beneficiary  
2 country—

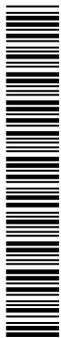
3 “(aa) from which the article  
4 is exported; or

5 “(bb) in which materials  
6 used in the production of the ar-  
7 ticle originate or in which the ar-  
8 ticle or such materials undergo  
9 production that contributes to a  
10 claim that the article is eligible  
11 for preferential treatment under  
12 paragraph (1) or (3).

13 “(B) CERTIFICATE OF ORIGIN.—The Cer-  
14 tificate of Origin that otherwise would be re-  
15 quired pursuant to the provisions of subpara-  
16 graph (A) shall not be required in the case of  
17 an article imported under paragraph (1) or (3)  
18 if such Certificate of Origin would not be re-  
19 quired under Article 503 of the NAFTA (as im-  
20 plemented pursuant to United States law), if  
21 the article were imported from Mexico.

22 “(5) DEFINITIONS.—In this subsection—

23 “(A) ANNEX.—The term ‘the Annex’  
24 means Annex 300-B of the NAFTA.



1           “(B) ATPEA BENEFICIARY COUNTRY.—  
2           The term ‘ATPEA beneficiary country’ means  
3           any ‘beneficiary country’, as defined in section  
4           203(a)(1) of this title, which the President des-  
5           ignates as an ATPEA beneficiary country, tak-  
6           ing into account the criteria contained in sub-  
7           sections (c) and (d) of section 203 and other  
8           appropriate criteria, including the following:

9                   “(i) Whether the beneficiary country  
10                  has demonstrated a commitment to—

11                           “(I) undertake its obligations  
12                           under the WTO, including those  
13                           agreements listed in section 101(d) of  
14                           the Uruguay Round Agreements Act,  
15                           on or ahead of schedule; and

16                           “(II) participate in negotiations  
17                           toward the completion of the FTAA  
18                           or another free trade agreement.

19                           “(ii) The extent to which the country  
20                           provides protection of intellectual property  
21                           rights consistent with or greater than the  
22                           protection afforded under the Agreement  
23                           on Trade-Related Aspects of Intellectual  
24                           Property Rights described in section



1 101(d)(15) of the Uruguay Round Agree-  
2 ments Act.

3 “(iii) The extent to which the country  
4 provides internationally recognized worker  
5 rights, including—

6 “(I) the right of association;

7 “(II) the right to organize and  
8 bargain collectively;

9 “(III) a prohibition on the use of  
10 any form of forced or compulsory  
11 labor;

12 “(IV) a minimum age for the em-  
13 ployment of children; and

14 “(V) acceptable conditions of  
15 work with respect to minimum wages,  
16 hours of work, and occupational safe-  
17 ty and health;

18 “(iv) Whether the country has imple-  
19 mented its commitments to eliminate the  
20 worst forms of child labor, as defined in  
21 section 507(6) of the Trade Act of 1974.

22 “(v) The extent to which the country  
23 has met the counter-narcotics certification  
24 criteria set forth in section 490 of the For-  
25 eign Assistance Act of 1961 (22 U.S.C.



1 2291j) for eligibility for United States as-  
2 sistance.

3 “(vi) The extent to which the country  
4 has taken steps to become a party to and  
5 implements the Inter-American Convention  
6 Against Corruption.

7 “(vii) The extent to which the  
8 country—

9 “(I) applies transparent, non-  
10 discriminatory, and competitive proce-  
11 dures in government procurement  
12 equivalent to those contained in the  
13 Agreement on Government Procure-  
14 ment described in section 101(d)(17)  
15 of the Uruguay Round Agreements  
16 Act; and

17 “(II) contributes to efforts in  
18 international fora to develop and im-  
19 plement international rules in trans-  
20 parency in government procurement.

21 “(C) NAFTA.—The term ‘NAFTA’ means  
22 the North American Free Trade Agreement en-  
23 tered into between the United States, Mexico,  
24 and Canada on December 17, 1992.



1           “(D) WTO.—The term ‘WTO’ has the  
2           meaning given that term in section 2 of the  
3           Uruguay Round Agreements Act (19 U.S.C.  
4           3501).”.

5           (b) CONFORMING AMENDMENTS.—(1) Section 202 of  
6           the Andean Trade Preference Act (19 U.S.C. 3201) is  
7           amended by inserting “(or other preferential treatment)”  
8           after “treatment”.

9           (2) Section 204(a) of the Andean Trade Preference  
10          Act (19 U.S.C. 3203(a)) is amended—

11           (A) in paragraph (1), by inserting “(or other-  
12          wise provided for)” after “eligibility”; and

13           (B) in paragraph (2), by striking “subsection  
14          (a)” and inserting “paragraph (1)”.

15          **SEC. 4. TERMINATION OF PREFERENTIAL TREATMENT.**

16          Section 208 of the Andean Trade Preference Act (19  
17          U.S.C. 3206) is amended to read as follows:

18          **“SEC. 208. TERMINATION OF PREFERENTIAL TREATMENT.**

19          “No duty-free treatment or other preferential treat-  
20          ment extended to beneficiary countries under this title  
21          shall remain in effect after December 31, 2006.”.



1 **SEC. 5. TRADE BENEFITS UNDER THE CARIBBEAN BASIN**  
2 **ECONOMIC RECOVERY ACT.**

3 Section 213(b)(2)(A) of the Carribean Basin Eco-  
4 nomic Recovery Act (19 U.S.C. 2703(b)(2)(A)) is amend-  
5 ed as follows:

6 (1) Clause (i) is amended by striking the mat-  
7 ter preceding subclause (I) and inserting the fol-  
8 lowing:

9 “(i) APPAREL ARTICLES ASSEMBLED  
10 IN ONE OR MORE CBTPA BENEFICIARY  
11 COUNTRIES.—Apparel articles sewn or oth-  
12 erwise assembled in one or more CBTPA  
13 beneficiary countries from fabrics wholly  
14 formed and cut, or from components knit-  
15 to-shape, in the United States from yarns  
16 wholly formed in the United States, (in-  
17 cluding fabrics not formed from yarns, if  
18 such fabrics are classifiable under heading  
19 5602 or 5603 of the HTS and are wholly  
20 formed and cut in the United States) that  
21 are—”.

22 (2) Clause (ii) is amended to read as follows:

23 “(ii) APPAREL ARTICLES CUT AND AS-  
24 SEMBLED IN ONE OR MORE CBTPA BENE-  
25 FICIARY COUNTRIES.—Apparel articles cut  
26 in one or more CBTPA beneficiary coun-



1 tries from fabric wholly formed in the  
2 United States, or from components knit-to-  
3 shape in the United States, from yarns  
4 wholly formed in the United States (in-  
5 cluding fabrics not formed from yarns, if  
6 such fabrics are classifiable under heading  
7 5602 or 5603 of the HTS and are wholly  
8 formed in the United States), if such arti-  
9 cles are sewn or otherwise assembled in  
10 one or more such countries with thread  
11 formed in the United States.”.

12 (3) Clause (iii)(II) is amended to read as fol-  
13 lows:

14 “(II) The amount referred to in  
15 subclause (I) is as follows:

16 “(aa) 290,000,000 square  
17 meter equivalents during the 1-  
18 year period beginning on October  
19 1, 2001.

20 “(bb) 500,000,000 square  
21 meter equivalents during the 1-  
22 year period beginning on October  
23 1, 2002.

24 “(cc) 850,000,000 square  
25 meter equivalents during the 1-



1 year period beginning on October  
2 1, 2003.

3 “(dd) 970,000,000 square  
4 meter equivalents in each suc-  
5 ceeding 1-year period through  
6 September 30, 2008.”.

7 (4) Clause (iii)(IV) is amended to read as fol-  
8 lows:

9 “(IV) The amount referred to in  
10 subclause (III) is as follows:

11 “(aa) 4,872,000 dozen dur-  
12 ing the 1-year period beginning  
13 on October 1, 2001.

14 “(bb) 9,000,000 dozen dur-  
15 ing the 1-year period beginning  
16 on October 1, 2002.

17 “(cc) 10,000,000 dozen dur-  
18 ing the 1-year period beginning  
19 on October 1, 2003.

20 “(dd) 12,000,000 dozen in  
21 each succeeding 1-year period  
22 through September 30, 2008.”.



1 **SEC. 6. TRADE BENEFITS UNDER THE AFRICAN GROWTH**  
2 **AND OPPORTUNITY ACT.**

3 Section 112(b) of the African Growth and Oppor-  
4 tunity Act (19 U.S.C. 3721(b)) is amended as follows:

5 (1) Paragraph (1) is amended—

6 (A) by amending the heading to read as  
7 follows:

8 “(1) APPAREL ARTICLES ASSEMBLED IN ONE  
9 OR MORE BENEFICIARY SUB-SAHARAN AFRICAN  
10 COUNTRIES.—”; and

11 (B) by amending the matter preceding  
12 subparagraph (A) to read as follows: “Apparel  
13 articles sewn or otherwise assembled in one or  
14 more beneficiary sub-Saharan African countries  
15 from fabrics wholly formed and cut, or from  
16 components knit-to-shape, in the United States  
17 from yarns wholly formed in the United States,  
18 (including fabrics not formed from yarns, if  
19 such fabrics are classifiable under heading 5602  
20 or 5603 of the HTS and are wholly formed and  
21 cut in the United States) that are—”.

22 (2) Paragraph (2) is amended to read as fol-  
23 lows:

24 “(2) APPAREL ARTICLES CUT AND ASSEMBLED  
25 IN ONE OR MORE BENEFICIARY SUB-SAHARAN AFRI-  
26 CAN COUNTRIES.—Apparel articles cut in one or



1 more beneficiary sub-Saharan African countries  
2 from fabric wholly formed in the United States, or  
3 from components knit-to-shape in the United States,  
4 from yarns wholly formed in the United States, (in-  
5 cluding fabrics not formed from yarns, if such fab-  
6 rics are classifiable under heading 5602 or 5603 of  
7 the HTS and are wholly formed in the United  
8 States) if such articles are sewn or otherwise assem-  
9 bled in one or more such countries with thread  
10 formed in the United States.”.

11 (3) Paragraph (3) is amended—

12 (A) in the matter preceding subparagraph  
13 (A), by inserting “, or components knit-to-  
14 shape,” after “from fabric wholly formed”;

15 (B) in subparagraph (A)(ii)—

16 (i) by striking “1.5” and inserting  
17 “3”; and

18 (ii) by striking “3.5” and inserting  
19 “7”; and

20 (C) in subparagraph (B), by amending  
21 clause (i) to read as follows:

22 “(i) IN GENERAL.—Subject to sub-  
23 paragraph (A), preferential treatment  
24 under this paragraph shall be extended  
25 through September 30, 2004, for apparel



1 articles wholly assembled or knit-to-shape  
2 and wholly assembled in one or more lesser  
3 developed beneficiary sub-Saharan African  
4 countries regardless of the country of ori-  
5 gin of the fabric or the yarn used to make  
6 such articles.”.

