UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
ONE HUNDRED FOURTH CONGRESS
OF THE UNITED STATES OF AMERICA

1995

AND

PROCLAMATIONS

VOLUME 109

IN TWO PARTS

PART 1

PUBLIC LAWS

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1996

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

PUBLISHED BY AUTHORITY OF LAW UNDER THE DIRECTION OF THE ARCHIVIST OF THE UNITED STATES BY THE OFFICE OF THE FEDERAL REGISTER, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

"The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, . . . proclamations by the President and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States." (1 USC 112).

For sale by the
Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402–9328
(2-part set; sold in sets only)

CONTENTS

PART 1

	Page
LIST OF BILLS ENACTED INTO PUBLIC LAW	v
LIST OF PUBLIC LAWS	vii
LIST OF CONCURRENT RESOLUTIONS	xi
LIST OF PROCLAMATIONS	xiii
PUBLIC LAWS	3
POPULAR NAME INDEX	A1
SUBJECT INDEX	B1

PART 2

	Page
LIST OF BILLS ENACTED INTO PUBLIC LAW	v
LIST OF PUBLIC LAWS	vii
LIST OF CONCURRENT RESOLUTIONS	xi
LIST OF PROCLAMATIONS	xiii
CONCURRENT RESOLUTIONS	991
PROCLAMATIONS	1041
POPULAR NAME INDEX	A1
SUBJECT INDEX	B1

LIST OF BILLS ENACTED INTO PUBLIC LAW

THE ONE HUNDRED FOURTH CONGRESS OF THE UNITED STATES
FIRST SESSION, 1995

BILL	PUBLIC LAW
H.R. 325	104–70
H.R. 394	104–95
H.R. 395	104–75
H.R. 402	104–42
H.R. 421	104–10
H.R. 436	104–55
H.R. 483	104–18
H.R. 517	104–11
H.R. 535	104–23
H.R. 584	104–24
H.R. 614	104–25
H.R. 660	104–76
H.R. 716	104–43
H.R. 831	104–7
H.R. 889	104–6
H.R. 965	104–77
H.R. 1026	104–44
H.R. 1058	104–67
H.R. 1103	104–48
H.R. 1225	104–26
H.R. 1240	104–71
H.R. 1253	104–78
H.R. 1295	104–98
H.R. 1345	104–8
H.R. 1380	104–12
H.R. 1421	104–14
H.R. 1655	104–93
H.R. 1715	104–49
H.R. 1747	104–73
H.R. 1817	104–32
H.R. 1878	104–87
H.R. 1905	104–46
H.R. 1944	104–19
H.R. 1976	104–37
H.R. 2002	104–50
H.R. 2017	104–21
H.R. 2020	104–52
H.R. 2077	104–27
H.R. 2108	104–28
H.R. 2126	104–61
H.R. 2161	104–22
H.R. 2203	104–97
H.R. 2204	104–64
H.R. 2288	104–35
H.R. 2336	104–74
H.R. 2394	104–57
H.R. 2399	104–29
H.R. 2404	104–30
H.R. 2481	104–68
H.R. 2492	104–53
H.R. 2519	104–62
H.R. 2525	104–63
H.R. 2527	104–79
H.R. 2539	104–88
H.R. 2547	104–80
H.R. 2589	104–47
H.R. 2627	104–96
H.R. 2808	104–89
H.J. Res. 69	104–81
H.J. Res. 108	104–31
H.J. Res. 110	104–82
H.J. Res. 111	104–83
H.J. Res. 112	104–84
H.J. Res. 122	104–56
H.J. Res. 123	104–54
H.J. Res. 136	104–69
S. 1	104–4
S. 2	104–1
S. 178	104–9
S. 227	104–39
S. 244	104–13
S. 257	104–3
S. 268	104–40
S. 273	104–2
S. 349	104–15
S. 369	104–85
S. 377	104–5
S. 395	104–58
S. 440	104–59
S. 441	104–16
S. 457	104–51
S. 464	104–33
S. 523	104–20
S. 532	104–34
S. 790	104–66
S. 895	104–36
S. 962	104–17
S. 965	104–86
S. 1060	104–65
S. 1111	104–41
S. 1254	104–38
S. 1322	104–45
S. 1328	104–60
S. 1465	104–72

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

PUBLIC LAW		DATE	PAGE
104–1	Congressional Accountability Act of 1995	Jan. 23, 1995	3
104–2	To amend section 61h–6 of title 2, United States Code	Feb. 9, 1995	45
104–3	To amend the charter of the Veterans of Foreign Wars to make eligible for membership those veterans that have served within the territorial limits of South Korea.	Mar. 7, 1995	47
104–4	Unfunded Mandates Reform Act of 1995	Mar. 22, 1995	48
104–5	To amend a provision of part A of title IX of the Elementary and Secondary Education Act of 1965, relating to Indian education, to provide a technical amendment, and for other purposes.	Mar. 23, 1995	72
104–6	Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995.	Apr. 10, 1995	73
104–7	To amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.	Apr. 11, 1995	93
104–8	District of Columbia Financial Responsibility and Management Assistance Act of 1995.	Apr. 17, 1995	97
104–9	CFTC Reauthorization Act of 1995	Apr. 21, 1995	154
104–10	To amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes.	May 18, 1995	155
104–11	Chacoan Outliers Protection Act of 1995	May 18, 1995	158
104–12	Truth in Lending Class Action Relief Act of 1995	May 18, 1995	161
104–13	Paperwork Reduction Act of 1995	May 22, 1995	163
104–14	To provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.	June 3, 1995	186
104–15	To reauthorize appropriations for the Navajo-Hopi Relocation Housing Program.	June 21, 1995	189
104–16	To reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention Act, and for other purposes.	June 21, 1995	190
104–17	To extend authorities under the Middle East Peace Facilitation Act of 1994 until August 15, 1995.	July 2, 1995	191
104–18	To amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States.	July 7, 1995	192

PUBLIC LAW		DATE	PAGE
104–19	Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995.	July 27, 1995	194
104–20	To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.	July 28, 1995	255
104–21	District of Columbia Emergency Highway Relief Act	Aug. 4, 1995	257
104–22	To extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes..	Aug. 14, 1995	260
104–23	Corning National Fish Hatchery Conveyance Act	Sept. 6, 1995	261
104–24	To direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa.	Sept. 6, 1995	262
104–25	To direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.	Sept. 6, 1995	263
104–26	Court Reporter Fair Labor Amendments of 1995	Sept. 6, 1995	264
104–27	To designate the United States Post Office building located at 33 College Avenue in Waterville, Maine, as the "George J. Mitchell Post Office Building".	Sept. 6, 1995	266
104–28	District of Columbia Convention Center and Sports Arena Authorization Act of 1995.	Sept. 6, 1995	267
104–29	Truth in Lending Act Amendments of 1995	Sept. 30, 1995	271
104–30	To extend authorities under the Middle East Peace Facilitation Act of 1994 until November 1, 1995, and for other purposes.	Sept. 30, 1995	277
104–31	Making continuing appropriations for the fiscal year 1996, and for other purposes.	Sept. 30, 1995	278
104–32	Military Construction Appropriations Act, 1996	Oct. 3, 1995	283
104–33	To make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.	Oct. 3, 1995	292
104–34	To clarify the rules governing venue, and for other purposes.	Oct. 3, 1995	293
104–35	To amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.	Oct. 12, 1995	294
104–36	Small Business Lending Enhancement Act of 1995	Oct. 12, 1995	295
104–37	Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996.	Oct. 21, 1995	299
104–38	To disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity.	Oct. 30, 1995	334
104–39	Digital Performance Right in Sound Recordings Act of 1995.	Nov. 1, 1995	336
104–40	To authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes.	Nov. 1, 1995	350
104–41	To amend title 35, United States Code, with respect to patents on biotechnological processes.	Nov. 1, 1995	351
104–42	To amend the Alaska Native Claims Settlement Act, and for other purposes.	Nov. 2, 1995	353
104–43	Fisheries Act of 1995	Nov. 3, 1995	366

PUBLIC LAW		DATE	PAGE
104–44	To designate the United States Post Office building located at 201 East Pikes Peak Avenue in Colorado Springs, Colorado, as the "Winfield Scott Stratton Post Office".	Nov. 3, 1995	397
104–45	Jerusalem Embassy Act of 1995	Nov. 8, 1995	398
104–46	Energy and Water Development Appropriations Act, 1996	Nov. 13, 1995	402
104–47	To extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes.	Nov. 13, 1995	423
104–48	Perishable Agricultural Commodities Act Amendments of 1995.	Nov. 15, 1995	424
104–49	Respecting the relationship between workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.	Nov. 15, 1995	432
104–50	Department of Transportation and Related Agencies Appropriations Act, 1996.	Nov. 15, 1995	436
104–51	To amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.	Nov. 15, 1995	467
104–52	Treasury, Postal Service, and General Government Appropriations Act, 1996.	Nov. 19, 1995	468
104–53	Legislative Branch Appropriations Act, 1996	Nov. 19, 1995	514
104–54	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Nov. 19, 1995	540
104–55	Edible Oil Regulatory Reform Act	Nov. 20, 1995	546
104–56	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Nov. 20, 1995	548
104–57	Veterans' Compensation Cost-of-Living Adjustment Act of 1995.	Nov. 22, 1995	555
104–58	To authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes.	Nov. 28, 1995	557
104–59	National Highway System Designation Act of 1995	Nov. 28, 1995	568
104–60	To amend the commencement dates of certain temporary Federal judgeships.	Nov. 28, 1995	635
104–61	Department of Defense Appropriations Act, 1996	Dec. 1, 1995	636
104–62	Philanthropy Protection Act of 1995	Dec. 8, 1995	682
104–63	Charitable Gift Annuity Antitrust Relief Act of 1995	Dec. 8, 1995	687
104–64	Defense Production Act Amendments of 1995	Dec. 18, 1995	689
104–65	Lobbying Disclosure Act of 1995	Dec. 19, 1995	691
104–66	Federal Reports Elimination and Sunset Act of 1995	Dec. 21, 1995	707
104–67	Private Securities Litigation Reform Act of 1995	Dec. 22, 1995	737
104–68	To designate the Federal Triangle project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the "Ronald Reagan Building and International Trade Center".	Dec. 22, 1995	766
104–69	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Dec. 22, 1995	767
104–70	To amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone nonattainment areas designated as severe, and for other purposes.	Dec. 23, 1995	773
104–71	Sex Crimes Against Children Prevention Act of 1995	Dec. 23, 1995	774
104–72	To extend au pair programs	Dec. 23, 1995	776
104–73	Federally Supported Health Centers Assistance Act of 1995.	Dec. 26, 1995	777
104–74	To amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.	Dec. 26, 1995	784

PUBLIC LAW		DATE	PAGE
104–75	To designate the United States courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, Nevada, as the "Bruce R. Thompson United States Courthouse and Federal Building".	Dec. 28, 1995	786
104–76	Housing for Older Persons Act of 1995	Dec. 28, 1995	787
104–77	To designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the "Romano L. Mazzoli Federal Building".	Dec. 28, 1995	789
104–78	To rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.	Dec. 28, 1995	790
104–79	To amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.	Dec. 28, 1995	791
104–80	To designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse".	Dec. 28, 1995	794
104–81	Providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	795
104–82	Providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	796
104–83	Providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	797
104–84	Providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	798
104–85	To designate the Federal Courthouse in Decatur, Alabama, as the "Seybourn H. Lynne Federal Courthouse", and for other purposes.	Dec. 28, 1995	799
104–86	To designate the United States Courthouse for the Eastern District of Virginia in Alexandria, Virginia, as the Albert V. Bryan United States Courthouse.	Dec. 28, 1995	800
104–87	To extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.	Dec. 29, 1995	802
104–88	ICC Termination Act of 1995	Dec. 29, 1995	803
104–89[1]	To extend authorities under the Middle East Peace Facilitation Act of 1994 until March 31, 1996, and for other purposes..	Jan. 4, 1996	960
104–93[1]	Intelligence Authorization Act for Fiscal Year 1996	Jan. 6, 1996	961
104–95	To amend title 4 of the United States Code to limit State taxation of certain pension income..	Jan. 10, 1996	979
104–96	Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995.	Jan. 10, 1996	981
104–97	To reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project..	Jan. 11, 1996	984
104–98	Federal Trademark Dilution Act of 1995	Jan. 16, 1996	985

[1]For Public Laws 104–90—92 and 94, see Volume 110 for the 104th Congress, Second Session.

LIST OF CONCURRENT RESOLUTIONS

CONTAINED IN THIS VOLUME

CONCURRENT RESOLUTION		*DATE*	*PAGE*
H. Con. Res. 16	Joint session	Jan. 23, 1995	991
H. Con. Res. 30	Adjournment—House of Representatives and Senate.	Feb. 16, 1995	991
H. Con. Res. 20	Days of remembrance of victims of the Holocaust commemoration ceremonies—Capitol rotunda authorization.	Mar. 1, 1995	991
H. Con. Res. 41	Adjournment—House of Representatives	Mar. 16, 1995	992
H. Con. Res. 34	Ringling Bros. and Barnum & Bailey Circus anniversary commemoration—Capitol grounds authorization.	Apr. 3, 1995	992
H. Con. Res. 58	Adjournment—House of Representatives and Senate.	Apr. 6, 1995	993
H. Con. Res. 53	President Lee Teng-hui—Private visit	May 9, 1995	993
H. Con. Res. 64	Special Olympics torch relay—Capitol grounds authorization.	May 12, 1995	994
H. Con. Res. 72	Adjournment—House of Representatives and Senate.	May 25, 1995	995
S. Con. Res. 18	Architect of the Capitol—Catafalque authorization	June 27, 1995	995
H. Con. Res. 38	Soap Box Derby Races—Capitol grounds authorization.	June 28, 1995	996
H. Con. Res. 67	Federal Budget—Fiscal year 1996	June 29, 1995	996
S. Con. Res. 19	Enrollment correction—H.R. 483	June 30, 1995	1030
S. Con. Res. 20	Adjournment—Senate and House of Representatives.	June 30, 1995	1030
H. Con. Res. 82	Enrollment corrections—S. 523	July 13, 1995	1031
H. Con. Res. 89	Adjournment—House of Representatives and Senate.	Aug. 1, 1995	1031
H. Con. Res. 92	Adjournment—House of Representatives and Senate.	Aug. 4, 1995	1032
H. Con. Res. 104 ...	Adjournment—House of Representatives and Senate.	Sept. 29, 1995 ...	1032
H. Con. Res. 94	Raoul Wallenberg dedication ceremony and bust placement—Capitol rotunda authorization.	Oct. 10, 1995	1033
S. Con. Res. 29	Jerusalem anniversary commemoration—Capitol rotunda authorization.	Oct. 12, 1995	1033
S. Con. Res. 27	Enrollment correction—H.R. 402	Oct. 17, 1995	1034
S. Con. Res. 31	Yitzhak Rabin—Life and legacy	Nov. 8, 1995	1034
S. Con. Res. 32	Adjournment—Senate and House of Representatives.	Nov. 20, 1995	1035
S. Con. Res. 33	George M. White—Retirement	Nov. 28, 1995	1035
S. Con. Res. 36	Enrollment corrections—S. 1060	Dec. 15, 1995	1036
S. Con. Res. 22	Expo '98—United States participation	Dec. 19, 1995	1037
H. Con. Res. 106 ...	Days of remembrance of victims of the Holocaust commemoration ceremony—Capitol rotunda authorization.	Dec. 22, 1995	1037
S. Con. Res. 37	Enrollment corrections—H.R. 2539	Dec. 22, 1995	1037

LIST OF PROCLAMATIONS

CONTAINED IN THIS VOLUME

PROCLAMATION		DATE	PAGE
6759	World AIDS Day, 1994	Nov. 30, 1994	1041
6760	National Drunk and Drugged Driving Prevention Month, 1994.	Dec. 3, 1994	1042
6761	Human Rights Day, Bill of Rights Day, and Human Rights Week, 1994.	Dec. 8, 1994	1043
6762	Wright Brothers Day, 1994	Dec. 15, 1994	1044
6763	To Implement the Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes.	Dec. 23, 1994	1045
6764	National Good Teen Day, 1995	Jan. 11, 1995	1744
6765	Martin Luther King, Jr., Federal Holiday, 1995	Jan. 11, 1995	1745
6766	Year of the Grandparent, 1995	Jan. 17, 1995	1746
6767	To Amend the Generalized System of Preferences	Feb. 3, 1995	1747
6768	American Heart Month, 1995	Feb. 10, 1995	1748
6769	National Older Workers Employment Week, 1995	Feb. 10, 1995	1749
6770	National Poison Prevention Week, 1995	Feb. 15, 1995	1750
6771	Irish-American Heritage Month, 1995	Feb. 23, 1995	1751
6772	American Red Cross Month, 1995	Feb. 27, 1995	1752
6773	Women's History Month, 1995	Mar. 1, 1995	1753
6774	Save Your Vision Week, 1995	Mar. 2, 1995	1754
6775	National Park Week, 1995	Mar. 10, 1995	1755
6776	National Public Health Week, 1995	Mar. 13, 1995	1756
6777	National Day of Prayer, 1995	Mar. 14, 1995	1757
6778	To Amend the Generalized System of Preferences	Mar. 17, 1995	1758
6779	Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 1995.	Mar. 23, 1995	1759
6780	To Implement Certain Provisions of Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes.	Mar. 23, 1995	1760
6781	National Child Abuse Prevention Month, 1995	Apr. 4, 1995	1769
6782	National Former Prisoner of War Recognition Day, 1995.	Apr. 6, 1995	1770
6783	Cancer Control Month, 1995	Apr. 7, 1995	1771
6784	Pan American Day and Pan American Week, 1995	Apr. 10, 1995	1772
6785	Education and Sharing Day, U.S.A., 1995	Apr. 10, 1995	1773
6786	Victims of the Oklahoma City Bombing	Apr. 20, 1995	1774
6787	National D.A.R.E. Day, 1995	Apr. 20, 1995	1774
6788	Jewish Heritage Week, 1995	Apr. 20, 1995	1775
6789	National Day of Mourning in Memory of Those Who Died in Oklahoma City.	Apr. 21, 1995	1776
6790	National Volunteer Week, 1995	Apr. 21, 1995	1777
6791	National Crime Victims' Rights Week, 1995	Apr. 26, 1995	1778
6792	Law Day, U.S.A., 1995	Apr. 27, 1995	1779
6793	Small Business Week, 1995	Apr. 28, 1995	1780
6794	Loyalty Day, 1995	Apr. 29, 1995	1781

PROCLAMATION		DATE	PAGE
6795	Asian/Pacific American Heritage Month, 1995	May 3, 1995	1782
6796	Older Americans Month, 1995	May 3, 1995	1782
6797	Mother's Day, 1995	May 11, 1995	1783
6798	National Safe Boating Week, 1995	May 11, 1995	1784
6799	National Defense Transportation Day and National Transportation Week, 1995.	May 12, 1995	1785
6800	Peace Officers Memorial Day and Police Week, 1995	May 15, 1995	1787
6801	Labor History Month, 1995	May 17, 1995	1788
6802	Prayer for Peace, Memorial Day, 1995	May 18, 1995	1789
6803	National Maritime Day, 1995	May 19, 1995	1790
6804	To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes.	May 22, 1995	1791
6805	World Trade Week, 1995	May 22, 1995	1796
6806	Time for the National Observance of the Fiftieth Anniversary of World War II, 1995.	May 26, 1995	1797
6807	National Homeownership Day, 1995	June 2, 1995	1798
6808	Flag Day and National Flag Week, 1995	June 9, 1995	1799
6809	Father's Day, 1995	June 12, 1995	1800
6810	Captive Nations Week, 1995	July 17, 1995	1801
6811	Parents' Day, 1995	July 21, 1995	1802
6812	National Korean War Veterans Armistice Day, 1995	July 26, 1995	1803
6813	To Amend the Generalized System of Preferences	July 28, 1995	1803
6814	National Child Support Awareness Month, 1995	Aug. 5, 1995	1806
6815	Minority Enterprise Development Week, 1995	Aug. 7, 1995	1807
6816	Women's Equality Day, 1995	Aug. 16, 1995	1808
6817	Death of Those in the U.S. Delegation in Bosnia-Herzegovina.	Aug. 19, 1995	1809
6818	National POW/MIA Recognition Day, 1995	Aug. 29, 1995	1810
6819	America Goes Back to School, 1995	Sept. 8, 1995	1811
6820	Classical Music Month, 1995	Sept. 9, 1995	1812
6821	To Establish a Tariff-Rate Quota on Certain Tobacco, Eliminate Tariffs on Certain Other Tobacco, and for Other Purposes.	Sept. 12, 1995	1813
6822	National Farm Safety and Health Week, 1995	Sept. 13, 1995	1827
6823	National Hispanic Heritage Month, 1995	Sept. 14, 1995	1829
6824	National Rehabilitation Week, 1995	Sept. 15, 1995	1830
6825	Citizenship Day and Constitution Week, 1995	Sept. 16, 1995	1831
6826	Gold Star Mother's Day, 1995	Sept. 21, 1995	1832
6827	National Historically Black Colleges and Universities Week, 1995.	Sept. 21, 1995	1833
6828	Child Health Day, 1995	Oct. 2, 1995	1834
6829	National Domestic Violence Awareness Month, 1995	Oct. 2, 1995	1835
6830	Energy Awareness Month, 1995	Oct. 4, 1995	1837
6831	National Breast Cancer Awareness Month, 1995	Oct. 5, 1995	1838
6832	National Disability Employment Awareness Month, 1995.	Oct. 6, 1995	1839
6833	National Children's Day, 1995	Oct. 6, 1995	1840
6834	German-American Day, 1995	Oct. 6, 1995	1841
6835	National School Lunch Week, 1995	Oct. 6, 1995	1842
6836	Columbus Day, 1995	Oct. 6, 1995	1843
6837	Leif Erikson Day, 1995	Oct. 6, 1995	1844
6838	Fire Prevention Week, 1995	Oct. 7, 1995	1845
6839	General Pulaski Memorial Day, 1995	Oct. 10, 1995	1846
6840	White Cane Safety Day, 1995	Oct. 13, 1995	1847
6841	National Character Counts Week, 1995	Oct. 14, 1995	1848
6842	National Forest Products Week, 1995	Oct. 14, 1995	1849

PROCLAMATION		DATE	PAGE
6843	National Consumers Week, 1995	Oct. 23, 1995	1850
6844	United Nations Day, 1995	Oct. 23, 1995	1851
6845	Veterans Day, 1995	Oct. 24, 1995	1852
6846	National Adoption Month, 1995	Nov. 1, 1995	1853
6847	National American Indian Heritage Month, 1995	Nov. 2, 1995	1854
6848	Death of Yitzhak Rabin	Nov. 4, 1995	1855
6849	Thanksgiving Day, 1995	Nov. 9, 1995	1856
6850	National Great American Smokeout Day, 1995	Nov. 15, 1995	1857
6851	National Farm-City Week, 1995	Nov. 15, 1995	1858
6852	National Family Week, 1995	Nov. 15, 1995	1858
6853	National Drunk and Drugged Driving Prevention Month, 1995.	Nov. 30, 1995	1859
6854	World AIDS Day, 1995	Nov. 30, 1995	1861
6855	Human Rights Day, Bill of Rights Day, and Human Rights Week, 1995.	Dec. 5, 1995	1862
6856	National Pearl Harbor Remembrance Day, 1995	Dec. 6, 1995	1863
6857	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.	Dec. 11, 1995	1864
6858	Wright Brothers Day, 1995	Dec. 13, 1995	2056
6859	To Modify the Tariff-Rate Quota on Italian-Type Cheeses From Poland.	Dec. 13, 1995	2056
6860	Death of Admiral Arleigh A. Burke	Jan. 2, 1996	2057

PUBLIC LAWS

ENACTED DURING

FIRST SESSION OF THE ONE HUNDRED FOURTH CONGRESS

OF THE

UNITED STATES OF AMERICA

Begun and held at the City of Washington on Wednesday, January 4, 1995, adjourned sine die on Wednesday, January 3, 1996. WILLIAM J. CLINTON, *President;* ALBERT GORE, JR., *Vice President;* NEWT GINGRICH, *Speaker of the House of Representatives.*

Public Law 104–1
104th Congress

An Act

To make certain laws applicable to the legislative branch of the Federal Government.

Jan. 23, 1995
[S. 2]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Congressional Accountability Act of 1995.
2 USC 1301 note.

SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Congressional Accountability Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title and table of contents.

TITLE I—GENERAL

Sec. 101. Definitions.
Sec. 102. Application of laws.

TITLE II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

Sec. 201. Rights and protections under title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, and title I of the Americans with Disabilities Act of 1990.
Sec. 202. Rights and protections under the Family and Medical Leave Act of 1993.
Sec. 203. Rights and protections under the Fair Labor Standards Act of 1938.
Sec. 204. Rights and protections under the Employee Polygraph Protection Act of 1988.
Sec. 205. Rights and protections under the Worker Adjustment and Retraining Notification Act.
Sec. 206. Rights and protections relating to veterans' employment and reemployment.
Sec. 207. Prohibition of intimidation or reprisal.

PART B—PUBLIC SERVICES AND ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

Sec. 210. Rights and protections under the Americans with Disabilities Act of 1990 relating to public services and accommodations; procedures for remedy of violations.

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

Sec. 215. Rights and protections under the Occupational Safety and Health Act of 1970; procedures for remedy of violations.

PART D—LABOR-MANAGEMENT RELATIONS

Sec. 220. Application of chapter 71 of title 5, United States Code, relating to Federal service labor-management relations; procedures for remedy of violations.

PART E—GENERAL

Sec. 225. Generally applicable remedies and limitations.

PART F—STUDY

Sec. 230. Study and recommendations regarding General Accounting Office, Government Printing Office, and Library of Congress.

TITLE III—OFFICE OF COMPLIANCE

Sec. 301. Establishment of Office of Compliance.
Sec. 302. Officers, staff, and other personnel.
Sec. 303. Procedural rules.
Sec. 304. Substantive regulations.
Sec. 305. Expenses.

TITLE IV—ADMINISTRATIVE AND JUDICIAL DISPUTE-RESOLUTION PROCEDURES

Sec. 401. Procedure for consideration of alleged violations.
Sec. 402. Counseling.
Sec. 403. Mediation.
Sec. 404. Election of proceeding.
Sec. 405. Complaint and hearing.
Sec. 406. Appeal to the Board.
Sec. 407. Judicial review of Board decisions and enforcement.
Sec. 408. Civil action.
Sec. 409. Judicial review of regulations.
Sec. 410. Other judicial review prohibited.
Sec. 411. Effect of failure to issue regulations.
Sec. 412. Expedited review of certain appeals.
Sec. 413. Privileges and immunities.
Sec. 414. Settlement of complaints.
Sec. 415. Payments.
Sec. 416. Confidentiality.

TITLE V—MISCELLANEOUS PROVISIONS

Sec. 501. Exercise of rulemaking powers.
Sec. 502. Political affiliation and place of residence.
Sec. 503. Nondiscrimination rules of the House and Senate.
Sec. 504. Technical and conforming amendments.
Sec. 505. Judicial branch coverage study.
Sec. 506. Savings provisions.
Sec. 507. Use of frequent flyer miles.
Sec. 508. Sense of Senate regarding adoption of simplified and streamlined acquisition procedures for Senate acquisitions.
Sec. 509. Severability.

TITLE I—GENERAL

2 USC 1301.

SEC. 101. DEFINITIONS.

Except as otherwise specifically provided in this Act, as used in this Act:

(1) BOARD.—The term "Board" means the Board of Directors of the Office of Compliance.

(2) CHAIR.—The term "Chair" means the Chair of the Board of Directors of the Office of Compliance.

(3) COVERED EMPLOYEE.—The term "covered employee" means any employee of—

(A) the House of Representatives;
(B) the Senate;
(C) the Capitol Guide Service;
(D) the Capitol Police;
(E) the Congressional Budget Office;
(F) the Office of the Architect of the Capitol;
(G) the Office of the Attending Physician;
(H) the Office of Compliance; or
(I) the Office of Technology Assessment.

(4) EMPLOYEE.—The term "employee" includes an applicant for employment and a former employee.

(5) EMPLOYEE OF THE OFFICE OF THE ARCHITECT OF THE CAPITOL.—The term "employee of the Office of the Architect of the Capitol" includes any employee of the Office of the Architect of the Capitol, the Botanic Garden, or the Senate Restaurants.

(6) EMPLOYEE OF THE CAPITOL POLICE.—The term "employee of the Capitol Police" includes any member or officer of the Capitol Police.

(7) EMPLOYEE OF THE HOUSE OF REPRESENTATIVES.—The term "employee of the House of Representatives" includes an individual occupying a position the pay for which is disbursed by the Clerk of the House of Representatives, or another official designated by the House of Representatives, or any employment position in an entity that is paid with funds derived from the clerk-hire allowance of the House of Representatives but not any such individual employed by any entity listed in subparagraphs (C) through (I) of paragraph (3).

(8) EMPLOYEE OF THE SENATE.—The term "employee of the Senate" includes any employee whose pay is disbursed by the Secretary of the Senate, but not any such individual employed by any entity listed in subparagraphs (C) through (I) of paragraph (3).

(9) EMPLOYING OFFICE.—The term "employing office" means—

(A) the personal office of a Member of the House of Representatives or of a Senator;

(B) a committee of the House of Representatives or the Senate or a joint committee;

(C) any other office headed by a person with the final authority to appoint, hire, discharge, and set the terms, conditions, or privileges of the employment of an employee of the House of Representatives or the Senate; or

(D) the Capitol Guide Board, the Capitol Police Board, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, and the Office of Technology Assessment.

(10) EXECUTIVE DIRECTOR.—The term "Executive Director" means the Executive Director of the Office of Compliance.

(11) GENERAL COUNSEL.—The term "General Counsel" means the General Counsel of the Office of Compliance.

(12) OFFICE.—The term "Office" means the Office of Compliance.

SEC. 102. APPLICATION OF LAWS. 2 USC 1302.

(a) LAWS MADE APPLICABLE.—The following laws shall apply, as prescribed by this Act, to the legislative branch of the Federal Government:

(1) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

(2) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.).

(3) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(4) The Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.).

(5) The Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.).

(6) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.).

(7) Chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code.

(8) The Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.).

(9) The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

(10) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(11) Chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

(b) LAWS WHICH MAY BE MADE APPLICABLE.—

(1) IN GENERAL.—The Board shall review provisions of Federal law (including regulations) relating to (A) the terms and conditions of employment (including hiring, promotion, demotion, termination, salary, wages, overtime compensation, benefits, work assignments or reassignments, grievance and disciplinary procedures, protection from discrimination in personnel actions, occupational health and safety, and family and medical and other leave) of employees, and (B) access to public services and accommodations.

(2) BOARD REPORT.—Beginning on December 31, 1996, and every 2 years thereafter, the Board shall report on (A) whether or to what degree the provisions described in paragraph (1) are applicable or inapplicable to the legislative branch, and (B) with respect to provisions inapplicable to the legislative branch, whether such provisions should be made applicable to the legislative branch. The presiding officers of the House of Representatives and the Senate shall cause each such report to be printed in the Congressional Record and each such report shall be referred to the committees of the House of Representatives and the Senate with jurisdiction.

Congressional Record, publication.

(3) REPORTS OF CONGRESSIONAL COMMITTEES.—Each report accompanying any bill or joint resolution relating to terms and conditions of employment or access to public services or accommodations reported by a committee of the House of Representatives or the Senate shall—

(A) describe the manner in which the provisions of the bill or joint resolution apply to the legislative branch; or

(B) in the case of a provision not applicable to the legislative branch, include a statement of the reasons the provision does not apply.

On the objection of any Member, it shall not be in order for the Senate or the House of Representatives to consider any such bill or joint resolution if the report of the committee on such bill or joint resolution does not comply with the provisions of this paragraph. This paragraph may be waived in either House by majority vote of that House.

TITLE II—EXTENSION OF RIGHTS AND PROTECTIONS

PART A—EMPLOYMENT DISCRIMINATION, FAMILY AND MEDICAL LEAVE, FAIR LABOR STANDARDS, EMPLOYEE POLYGRAPH PROTECTION, WORKER ADJUSTMENT AND RETRAINING, EMPLOYMENT AND REEMPLOYMENT OF VETERANS, AND INTIMIDATION

SEC. 201. RIGHTS AND PROTECTIONS UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964, THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967, THE REHABILITATION ACT OF 1973, AND TITLE I OF THE AMERICANS WITH DISABILITIES ACT OF 1990. 2 USC 1311.

(a) DISCRIMINATORY PRACTICES PROHIBITED.—All personnel actions affecting covered employees shall be made free from any discrimination based on—

(1) race, color, religion, sex, or national origin, within the meaning of section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–2);

(2) age, within the meaning of section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a); or

(3) disability, within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and sections 102 through 104 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112–12114).

(b) REMEDY.—

(1) CIVIL RIGHTS.—The remedy for a violation of subsection (a)(1) shall be—

(A) such remedy as would be appropriate if awarded under section 706(g) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(g)); and

(B) such compensatory damages as would be appropriate if awarded under section 1977 of the Revised Statutes (42 U.S.C. 1981), or as would be appropriate if awarded under sections 1977A(a)(1), 1977A(b)(2), and, irrespective of the size of the employing office, 1977A(b)(3)(D) of the Revised Statutes (42 U.S.C. 1981a(a)(1), 1981a(b)(2), and 1981a(b)(3)(D)).

(2) AGE DISCRIMINATION.—The remedy for a violation of subsection (a)(2) shall be—

(A) such remedy as would be appropriate if awarded under section 15(c) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(c)); and

(B) such liquidated damages as would be appropriate if awarded under section 7(b) of such Act (29 U.S.C. 626(b)).

In addition, the waiver provisions of section 7(f) of such Act (29 U.S.C. 626(f)) shall apply to covered employees.

(3) DISABILITIES DISCRIMINATION.—The remedy for a violation of subsection (a)(3) shall be—

(A) such remedy as would be appropriate if awarded under section 505(a)(1) of the Rehabilitation Act of 1973

(29 U.S.C. 794a(a)(1)) or section 107(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12117(a)); and

(B) such compensatory damages as would be appropriate if awarded under sections 1977A(a)(2), 1977A(a)(3), 1977A(b)(2), and, irrespective of the size of the employing office, 1977A(b)(3)(D) of the Revised Statutes (42 U.S.C. 1981a(a)(2), 1981a(a)(3), 1981a(b)(2), and 1981a(b)(3)(D)).

(c) APPLICATION TO GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS.—

(1) SECTION 717 OF THE CIVIL RIGHTS ACT OF 1964.—Section 717(a) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) is amended by—

(A) striking "legislative and";

(B) striking "branches" and inserting "branch"; and

(C) inserting "Government Printing Office, the General Accounting Office, and the" after "and in the".

(2) SECTION 15 OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—Section 15(a) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(a)) is amended by—

(A) striking "legislative and";

(B) striking "branches" and inserting "branch"; and

(C) inserting "Government Printing Office, the General Accounting Office, and the" after "and in the".

(3) SECTION 509 OF THE AMERICANS WITH DISABILITIES ACT OF 1990.—Section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209) is amended—

(A) by striking subsections (a) and (b) of section 509;

(B) in subsection (c), by striking "(c) INSTRUMENTALITIES OF CONGRESS.—" and inserting "The General Accounting Office, the Government Printing Office, and the Library of Congress shall be covered as follows:";

(C) by striking the second sentence of paragraph (2);

(D) in paragraph (4), by striking "the instrumentalities of the Congress include" and inserting "the term 'instrumentality of the Congress' means", by striking "the Architect of the Capitol, the Congressional Budget Office", by inserting "and" before "the Library", and by striking "the Office of Technology Assessment, and the United States Botanic Garden";

(E) by redesignating paragraph (5) as paragraph (7) and by inserting after paragraph (4) the following new paragraph:

"(5) ENFORCEMENT OF EMPLOYMENT RIGHTS.—The remedies and procedures set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) shall be available to any employee of an instrumentality of the Congress who alleges a violation of the rights and protections under sections 102 through 104 of this Act that are made applicable by this section, except that the authorities of the Equal Employment Opportunity Commission shall be exercised by the chief official of the instrumentality of the Congress."; and

(F) by amending the title of the section to read "**INSTRUMENTALITIES OF THE CONGRESS**".

(d) EFFECTIVE DATE.—This section shall take effect 1 year after the date of the enactment of this Act.

SEC. 202. RIGHTS AND PROTECTIONS UNDER THE FAMILY AND MEDICAL LEAVE ACT OF 1993. 2 USC 1312.

(a) FAMILY AND MEDICAL LEAVE RIGHTS AND PROTECTIONS PROVIDED.—

(1) IN GENERAL.—The rights and protections established by sections 101 through 105 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 through 2615) shall apply to covered employees.

(2) DEFINITION.—For purposes of the application described in paragraph (1)—

(A) the term "employer" as used in the Family and Medical Leave Act of 1993 means any employing office, and

(B) the term "eligible employee" as used in the Family and Medical Leave Act of 1993 means a covered employee who has been employed in any employing office for 12 months and for at least 1,250 hours of employment during the previous 12 months.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including liquidated damages, as would be appropriate if awarded under paragraph (1) of section 107(a) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2617(a)(1)).

(c) APPLICATION TO GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—

(1) AMENDMENTS TO THE FAMILY AND MEDICAL LEAVE ACT OF 1993.—

(A) COVERAGE.—Section 101(4)(A) of the Family and Medical Leave Act of 1993 (29 U.S.C. 2611(4)(A)) is amended by striking "and" at the end of clause (ii), by striking the period at the end of clause (iii) and inserting "; and", and by adding after clause (iii) the following:

"(iv) includes the General Accounting Office and the Library of Congress.".

(B) ENFORCEMENT.—Section 107 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2617) is amended by adding at the end the following:

"(f) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—In the case of the General Accounting Office and the Library of Congress, the authority of the Secretary of Labor under this title shall be exercised respectively by the Comptroller General of the United States and the Librarian of Congress.".

(2) CONFORMING AMENDMENT TO TITLE 5, UNITED STATES CODE.—Section 6381(1)(A) of title 5, United States Code, is amended by striking "and" after "District of Columbia" and inserting before the semicolon the following: ", and any employee of the General Accounting Office or the Library of Congress".

(d) REGULATIONS.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement the rights and protections under this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regula-

tions would be more effective for the implementation of the rights and protections under this section.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—Subsection (c) shall be effective 1 year after transmission to the Congress of the study under section 230.

2 USC 1313.

SEC. 203. RIGHTS AND PROTECTIONS UNDER THE FAIR LABOR STANDARDS ACT OF 1938.

(a) FAIR LABOR STANDARDS.—

(1) IN GENERAL.—The rights and protections established by subsections (a)(1) and (d) of section 6, section 7, and section 12(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 (a)(1) and (d), 207, 212(c)) shall apply to covered employees.

(2) INTERNS.—For the purposes of this section, the term "covered employee" does not include an intern as defined in regulations under subsection (c).

(3) COMPENSATORY TIME.—Except as provided in regulations under subsection (c)(3), covered employees may not receive compensatory time in lieu of overtime compensation.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including liquidated damages, as would be appropriate if awarded under section 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C. 216(b)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—Except as provided in paragraph (3), the regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) IRREGULAR WORK SCHEDULES.—The Board shall issue regulations for covered employees whose work schedules directly depend on the schedule of the House of Representatives or the Senate that shall be comparable to the provisions in the Fair Labor Standards Act of 1938 that apply to employees who have irregular work schedules.

(d) APPLICATION TO THE GOVERNMENT PRINTING OFFICE.—Section 3(e)(2)(A) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)(2)(A)) is amended—

(1) in clause (iii), by striking "legislative or",

(2) by striking "or" at the end of clause (iv), and

(3) by striking the semicolon at the end of clause (v) and inserting ", or" and by adding after clause (v) the following:

"(vi) the Government Printing Office;".

(e) EFFECTIVE DATE.—Subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

2 USC 1314.

SEC. 204. RIGHTS AND PROTECTIONS UNDER THE EMPLOYEE POLYGRAPH PROTECTION ACT OF 1988.

(a) POLYGRAPH PRACTICES PROHIBITED.—

(1) IN GENERAL.—No employing office, irrespective of whether a covered employee works in that employing office, may require a covered employee to take a lie detector test where such a test would be prohibited if required by an employer under paragraph (1), (2), or (3) of section 3 of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2002 (1), (2), or (3)). In addition, the waiver provisions of section 6(d) of such Act (29 U.S.C. 2005(d)) shall apply to covered employees.

(2) DEFINITIONS.—For purposes of this section, the term "covered employee" shall include employees of the General Accounting Office and the Library of Congress and the term "employing office" shall include the General Accounting Office and the Library of Congress.

(3) CAPITOL POLICE.—Nothing in this section shall preclude the Capitol Police from using lie detector tests in accordance with regulations under subsection (c).

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under section 6(c)(1) of the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2005(c)(1)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsections (a) and (b) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

SEC. 205. RIGHTS AND PROTECTIONS UNDER THE WORKER ADJUSTMENT AND RETRAINING NOTIFICATION ACT. 2 USC 1315.

(a) WORKER ADJUSTMENT AND RETRAINING NOTIFICATION RIGHTS.—

(1) IN GENERAL.—No employing office shall be closed or a mass layoff ordered within the meaning of section 3 of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2102) until the end of a 60-day period after the employing office serves written notice of such prospective closing or layoff to representatives of covered employees or, if there are no representatives, to covered employees.

(2) DEFINITIONS.—For purposes of this section, the term "covered employee" shall include employees of the General Accounting Office and the Library of Congress and the term

"employing office" shall include the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under paragraphs (1), (2), and (4) of section 5(a) of the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2104(a) (1), (2), and (4)).

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except insofar as the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

2 USC 1316.

SEC. 206. RIGHTS AND PROTECTIONS RELATING TO VETERANS' EMPLOYMENT AND REEMPLOYMENT.

(a) EMPLOYMENT AND REEMPLOYMENT RIGHTS OF MEMBERS OF THE UNIFORMED SERVICES.—

(1) IN GENERAL.—It shall be unlawful for an employing office to—

(A) discriminate, within the meaning of subsections (a) and (b) of section 4311 of title 38, United States Code, against an eligible employee;

(B) deny to an eligible employee reemployment rights within the meaning of sections 4312 and 4313 of title 38, United States Code; or

(C) deny to an eligible employee benefits within the meaning of sections 4316, 4317, and 4318 of title 38, United States Code.

(2) DEFINITIONS.—For purposes of this section—

(A) the term "eligible employee" means a covered employee performing service in the uniformed services, within the meaning of section 4303(13) of title 38, United States Code, whose service has not been terminated upon occurrence of any of the events enumerated in section 4304 of title 38, United States Code,

(B) the term "covered employee" includes employees of the General Accounting Office and the Library of Congress, and

(C) the term "employing office" includes the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy as would be appropriate if awarded under para-

graphs (1), (2)(A), and (3) of section 4323(c) of title 38, United States Code.

(c) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective 1 year after the date of the enactment of this Act.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

SEC. 207. PROHIBITION OF INTIMIDATION OR REPRISAL. 2 USC 1317.

(a) IN GENERAL.—It shall be unlawful for an employing office to intimidate, take reprisal against, or otherwise discriminate against, any covered employee because the covered employee has opposed any practice made unlawful by this Act, or because the covered employee has initiated proceedings, made a charge, or testified, assisted, or participated in any manner in a hearing or other proceeding under this Act.

(b) REMEDY.—The remedy available for a violation of subsection (a) shall be such legal or equitable remedy as may be appropriate to redress a violation of subsection (a).

PART B—PUBLIC SERVICES AND ACCOMMODATIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990

SEC. 210. RIGHTS AND PROTECTIONS UNDER THE AMERICANS WITH DISABILITIES ACT OF 1990 RELATING TO PUBLIC SERVICES AND ACCOMMODATIONS; PROCEDURES FOR REMEDY OF VIOLATIONS. 2 USC 1331.

(a) ENTITIES SUBJECT TO THIS SECTION.—The requirements of this section shall apply to—

(1) each office of the Senate, including each office of a Senator and each committee;

(2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

(3) each joint committee of the Congress;

(4) the Capitol Guide Service;

(5) the Capitol Police;

(6) the Congressional Budget Office;

(7) the Office of the Architect of the Capitol (including the Senate Restaurants and the Botanic Garden);

(8) the Office of the Attending Physician;
(9) the Office of Compliance; and
(10) the Office of Technology Assessment.

(b) DISCRIMINATION IN PUBLIC SERVICES AND ACCOMMODATIONS.—

(1) RIGHTS AND PROTECTIONS.—The rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303, and 309 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131–12150, 12182, 12183, and 12189) shall apply to the entities listed in subsection (a).

(2) DEFINITIONS.—For purposes of the application of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) under this section, the term "public entity" means any entity listed in subsection (a) that provides public services, programs, or activities.

(c) REMEDY.—The remedy for a violation of subsection (b) shall be such remedy as would be appropriate if awarded under section 203 or 308(a) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12133, 12188(a)), except that, with respect to any claim of employment discrimination asserted by any covered employee, the exclusive remedy shall be under section 201 of this title.

(d) AVAILABLE PROCEDURES.—

(1) CHARGE FILED WITH GENERAL COUNSEL.—A qualified individual with a disability, as defined in section 201(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131(2)), who alleges a violation of subsection (b) by an entity listed in subsection (a), may file a charge against any entity responsible for correcting the violation with the General Counsel within 180 days of the occurrence of the alleged violation. The General Counsel shall investigate the charge.

(2) MEDIATION.—If, upon investigation under paragraph (1), the General Counsel believes that a violation of subsection (b) may have occurred and that mediation may be helpful in resolving the dispute, the General Counsel may request, but not participate in, mediation under subsections (b) through (d) of section 403 between the charging individual and any entity responsible for correcting the alleged violation.

(3) COMPLAINT, HEARING, BOARD REVIEW.—If mediation under paragraph (2) has not succeeded in resolving the dispute, and if the General Counsel believes that a violation of subsection (b) may have occurred, the General Counsel may file with the Office a complaint against any entity responsible for correcting the violation. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405 and any person who has filed a charge under paragraph (1) may intervene as of right, with the full rights of a party. The decision of the hearing officer shall be subject to review by the Board pursuant to section 406.

(4) JUDICIAL REVIEW.—A charging individual who has intervened under paragraph (3) or any respondent to the complaint, if aggrieved by a final decision of the Board under paragraph (3), may file a petition for review in the United States Court of Appeals for the Federal Circuit, pursuant to section 407.

(5) COMPLIANCE DATE.—If new appropriated funds are necessary to comply with an order requiring correction of a viola-

tion of subsection (b), compliance shall take place as soon as possible, but no later than the fiscal year following the end of the fiscal year in which the order requiring correction becomes final and not subject to further review.

(e) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Attorney General and the Secretary of Transportation to implement the statutory provisions referred to in subsection (b) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) ENTITY RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for categories of violations of subsection (b), the entity responsible for correction of a particular violation.

(f) PERIODIC INSPECTIONS; REPORT TO CONGRESS; INITIAL STUDY.—

(1) PERIODIC INSPECTIONS.—On a regular basis, and at least once each Congress, the General Counsel shall inspect the facilities of the entities listed in subsection (a) to ensure compliance with subsection (b).

(2) REPORT.—On the basis of each periodic inspection, the General Counsel shall, at least once every Congress, prepare and submit a report—

(A) to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Office of the Architect of the Capitol, or other entity responsible, for correcting the violation of this section uncovered by such inspection, and

(B) containing the results of the periodic inspection, describing any steps necessary to correct any violation of this section, assessing any limitations in accessibility to and usability by individuals with disabilities associated with each violation, and the estimated cost and time needed for abatement.

(3) INITIAL PERIOD FOR STUDY AND CORRECTIVE ACTION.—The period from the date of the enactment of this Act until December 31, 1996, shall be available to the Office of the Architect of the Capitol and other entities subject to this section to identify any violations of subsection (b), to determine the costs of compliance, and to take any necessary corrective action to abate any violations. The Office shall assist the Office of the Architect of the Capitol and other entities listed in subsection (a) by arranging for inspections and other technical assistance at their request. Prior to July 1, 1996, the General Counsel shall conduct a thorough inspection under paragraph (1) and shall submit the report under paragraph (2) for the One Hundred Fourth Congress.

(4) DETAILED PERSONNEL.—The Attorney General, the Secretary of Transportation, and the Architectural and Transportation Barriers Compliance Board may, on request of the Execu-

tive Director, detail to the Office such personnel as may be necessary to advise and assist the Office in carrying out its duties under this section.

(g) APPLICATION OF AMERICANS WITH DISABILITIES ACT OF 1990 TO THE PROVISION OF PUBLIC SERVICES AND ACCOMMODATIONS BY THE GENERAL ACCOUNTING OFFICE, THE GOVERNMENT PRINTING OFFICE, AND THE LIBRARY OF CONGRESS.—Section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209)), as amended by section 201(c) of this Act, is amended by adding the following new paragraph:

"(6) ENFORCEMENT OF RIGHTS TO PUBLIC SERVICES AND ACCOMMODATIONS.—The remedies and procedures set forth in section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16) shall be available to any qualified person with a disability who is a visitor, guest, or patron of an instrumentality of Congress and who alleges a violation of the rights and protections under sections 201 through 230 or section 302 or 303 of this Act that are made applicable by this section, except that the authorities of the Equal Employment Opportunity Commission shall be exercised by the chief official of the instrumentality of the Congress.".

(h) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsections (b), (c), and (d) shall be effective on January 1, 1997.

(2) GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS.—Subsection (g) shall be effective 1 year after transmission to the Congress of the study under section 230.

PART C—OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970

2 USC 1341.

SEC. 215. RIGHTS AND PROTECTIONS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970; PROCEDURES FOR REMEDY OF VIOLATIONS.

(a) OCCUPATIONAL SAFETY AND HEALTH PROTECTIONS.—

(1) IN GENERAL.—Each employing office and each covered employee shall comply with the provisions of section 5 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 654).

(2) DEFINITIONS.—For purposes of the application under this section of the Occupational Safety and Health Act of 1970—

(A) the term "employer" as used in such Act means an employing office;

(B) the term "employee" as used in such Act means a covered employee;

(C) the term "employing office" includes the General Accounting Office, the Library of Congress, and any entity listed in subsection (a) of section 210 that is responsible for correcting a violation of this section, irrespective of whether the entity has an employment relationship with any covered employee in any employing office in which such a violation occurs; and

(D) the term "employee" includes employees of the General Accounting Office and the Library of Congress.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be an order to correct the violation, including such order as would

be appropriate if issued under section 13(a) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 662(a)).

(c) PROCEDURES.—

(1) REQUESTS FOR INSPECTIONS.—Upon written request of any employing office or covered employee, the General Counsel shall exercise the authorities granted to the Secretary of Labor by subsections (a), (d), (e), and (f) of section 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 657 (a), (d), (e), and (f)) to inspect and investigate places of employment under the jurisdiction of employing offices.

(2) CITATIONS, NOTICES, AND NOTIFICATIONS.—For purposes of this section, the General Counsel shall exercise the authorities granted to the Secretary of Labor in sections 9 and 10 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 658 and 659), to issue—

(A) a citation or notice to any employing office responsible for correcting a violation of subsection (a); or

(B) a notification to any employing office that the General Counsel believes has failed to correct a violation for which a citation has been issued within the period permitted for its correction.

(3) HEARINGS AND REVIEW.—If after issuing a citation or notification, the General Counsel determines that a violation has not been corrected, the General Counsel may file a complaint with the Office against the employing office named in the citation or notification. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(4) VARIANCE PROCEDURES.—An employing office may request from the Board an order granting a variance from a standard made applicable by this section. For the purposes of this section, the Board shall exercise the authorities granted to the Secretary of Labor in sections 6(b)(6) and 6(d) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655(b)(6) and 655(d)) to act on any employing office's request for a variance. The Board shall refer the matter to a hearing officer pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(5) JUDICIAL REVIEW.—The General Counsel or employing office aggrieved by a final decision of the Board under paragraph (3) or (4), may file a petition for review with the United States Court of Appeals for the Federal Circuit pursuant to section 407.

(6) COMPLIANCE DATE.—If new appropriated funds are necessary to correct a violation of subsection (a) for which a citation is issued, or to comply with an order requiring correction of such a violation, correction or compliance shall take place as soon as possible, but not later than the end of the fiscal year following the fiscal year in which the citation is issued or the order requiring correction becomes final and not subject to further review.

(d) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—The regulations issued under paragraph (1) shall be the same as substantive regulations

promulgated by the Secretary of Labor to implement the statutory provisions referred to in subsection (a) except to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section.

(3) EMPLOYING OFFICE RESPONSIBLE FOR CORRECTION.—The regulations issued under paragraph (1) shall include a method of identifying, for purposes of this section and for different categories of violations of subsection (a), the employing office responsible for correction of a particular violation.

(e) PERIODIC INSPECTIONS; REPORT TO CONGRESS.—

(1) PERIODIC INSPECTIONS.—On a regular basis, and at least once each Congress, the General Counsel, exercising the same authorities of the Secretary of Labor as under subsection (c)(1), shall conduct periodic inspections of all facilities of the House of Representatives, the Senate, the Capitol Guide Service, the Capitol Police, the Congressional Budget Office, the Office of the Architect of the Capitol, the Office of the Attending Physician, the Office of Compliance, the Office of Technology Assessment, the Library of Congress, and the General Accounting Office to report on compliance with subsection (a).

(2) REPORT.—On the basis of each periodic inspection, the General Counsel shall prepare and submit a report—

(A) to the Speaker of the House of Representatives, the President pro tempore of the Senate, and the Office of the Architect of the Capitol or other employing office responsible for correcting the violation of this section uncovered by such inspection, and

(B) containing the results of the periodic inspection, identifying the employing office responsible for correcting the violation of this section uncovered by such inspection, describing any steps necessary to correct any violation of this section, and assessing any risks to employee health and safety associated with any violation.

(3) ACTION AFTER REPORT.—If a report identifies any violation of this section, the General Counsel shall issue a citation or notice in accordance with subsection (c)(2)(A).

(4) DETAILED PERSONNEL.—The Secretary of Labor may, on request of the Executive Director, detail to the Office such personnel as may be necessary to advise and assist the Office in carrying out its duties under this section.

(f) INITIAL PERIOD FOR STUDY AND CORRECTIVE ACTION.—The period from the date of the enactment of this Act until December 31, 1996, shall be available to the Office of the Architect of the Capitol and other employing offices to identify any violations of subsection (a), to determine the costs of compliance, and to take any necessary corrective action to abate any violations. The Office shall assist the Office of the Architect of the Capitol and other employing offices by arranging for inspections and other technical assistance at their request. Prior to July 1, 1996, the General Counsel shall conduct a thorough inspection under subsection (e)(1) and shall submit the report under subsection (e)(2) for the One Hundred Fourth Congress.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a), (b), (c), and (e)(3) shall be effective on January 1, 1997.

(2) GENERAL ACCOUNTING OFFICE AND LIBRARY OF CONGRESS.—This section shall be effective with respect to the General Accounting Office and the Library of Congress 1 year after transmission to the Congress of the study under section 230.

PART D—LABOR-MANAGEMENT RELATIONS

SEC. 220. APPLICATION OF CHAPTER 71 OF TITLE 5, UNITED STATES CODE, RELATING TO FEDERAL SERVICE LABOR-MANAGEMENT RELATIONS; PROCEDURES FOR REMEDY OF VIOLATIONS. 2 USC 1351.

(a) LABOR-MANAGEMENT RIGHTS.—

(1) IN GENERAL.—The rights, protections, and responsibilities established under sections 7102, 7106, 7111 through 7117, 7119 through 7122, and 7131 of title 5, United States Code, shall apply to employing offices and to covered employees and representatives of those employees.

(2) DEFINITION.—For purposes of the application under this section of the sections referred to in paragraph (1), the term "agency" shall be deemed to include an employing office.

(b) REMEDY.—The remedy for a violation of subsection (a) shall be such remedy, including a remedy under section 7118(a)(7) of title 5, United States Code, as would be appropriate if awarded by the Federal Labor Relations Authority to remedy a violation of any provision made applicable by subsection (a).

(c) AUTHORITIES AND PROCEDURES FOR IMPLEMENTATION AND ENFORCEMENT.—

(1) GENERAL AUTHORITIES OF THE BOARD; PETITIONS.—For purposes of this section and except as otherwise provided in this section, the Board shall exercise the authorities of the Federal Labor Relations Authority under sections 7105, 7111, 7112, 7113, 7115, 7117, 7118, and 7122 of title 5, United States Code, and of the President under section 7103(b) of title 5, United States Code. For purposes of this section, any petition or other submission that, under chapter 71 of title 5, United States Code, would be submitted to the Federal Labor Relations Authority shall, if brought under this section, be submitted to the Board. The Board shall refer any matter under this paragraph to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406. The Board may direct that the General Counsel carry out the Board's investigative authorities under this paragraph.

(2) GENERAL AUTHORITIES OF THE GENERAL COUNSEL; CHARGES OF UNFAIR LABOR PRACTICE.—For purposes of this section and except as otherwise provided in this section, the General Counsel shall exercise the authorities of the General Counsel of the Federal Labor Relations Authority under sections 7104 and 7118 of title 5, United States Code. For purposes of this section, any charge or other submission that, under chapter 71 of title 5, United States Code, would be submitted to the General Counsel of the Federal Labor Relations Authority shall, if brought under this section, be submitted to the General

Counsel. If any person charges an employing office or a labor organization with having engaged in or engaging in an unfair labor practice and makes such charge within 180 days of the occurrence of the alleged unfair labor practice, the General Counsel shall investigate the charge and may file a complaint with the Office. The complaint shall be submitted to a hearing officer for decision pursuant to subsections (b) through (h) of section 405, subject to review by the Board pursuant to section 406.

(3) JUDICIAL REVIEW.—Except for matters referred to in paragraphs (1) and (2) of section 7123(a) of title 5, United States Code, the General Counsel or the respondent to the complaint, if aggrieved by a final decision of the Board under paragraph (1) or (2) of this subsection, may file a petition for judicial review in the United States Court of Appeals for the Federal Circuit pursuant to section 407.

(4) EXERCISE OF IMPASSES PANEL AUTHORITY; REQUESTS.—For purposes of this section and except as otherwise provided in this section, the Board shall exercise the authorities of the Federal Service Impasses Panel under section 7119 of title 5, United States Code. For purposes of this section, any request that, under chapter 71 of title 5, United States Code, would be presented to the Federal Service Impasses Panel shall, if made under this section, be presented to the Board. At the request of the Board, the Executive Director shall appoint a mediator or mediators to perform the functions of the Federal Service Impasses Panel under section 7119 of title 5, United States Code.

(d) REGULATIONS TO IMPLEMENT SECTION.—

(1) IN GENERAL.—The Board shall, pursuant to section 304, issue regulations to implement this section.

(2) AGENCY REGULATIONS.—Except as provided in subsection (e), the regulations issued under paragraph (1) shall be the same as substantive regulations promulgated by the Federal Labor Relations Authority to implement the statutory provisions referred to in subsection (a) except—

(A) to the extent that the Board may determine, for good cause shown and stated together with the regulation, that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; or

(B) as the Board deems necessary to avoid a conflict of interest or appearance of a conflict of interest.

(e) SPECIFIC REGULATIONS REGARDING APPLICATION TO CERTAIN OFFICES OF CONGRESS.—

(1) REGULATIONS REQUIRED.—The Board shall issue regulations pursuant to section 304 on the manner and extent to which the requirements and exemptions of chapter 71 of title 5, United States Code, should apply to covered employees who are employed in the offices listed in paragraph (2). The regulations shall, to the greatest extent practicable, be consistent with the provisions and purposes of chapter 71 of title 5, United States Code and of this Act, and shall be the same as substantive regulations issued by the Federal Labor Relations Authority under such chapter, except—

(A) to the extent that the Board may determine, for good cause shown and stated together with the regulation,

that a modification of such regulations would be more effective for the implementation of the rights and protections under this section; and

(B) that the Board shall exclude from coverage under this section any covered employees who are employed in offices listed in paragraph (2) if the Board determines that such exclusion is required because of—

(i) a conflict of interest or appearance of a conflict of interest; or

(ii) Congress' constitutional responsibilities.

(2) OFFICES REFERRED TO.—The offices referred to in paragraph (1) include—

(A) the personal office of any Member of the House of Representatives or of any Senator;

(B) a standing, select, special, permanent, temporary, or other committee of the Senate or House of Representatives, or a joint committee of Congress;

(C) the Office of the Vice President (as President of the Senate), the Office of the President pro tempore of the Senate, the Office of the Majority Leader of the Senate, the Office of the Minority Leader of the Senate, the Office of the Majority Whip of the Senate, the Office of the Minority Whip of the Senate, the Conference of the Majority of the Senate, the Conference of the Minority of the Senate, the Office of the Secretary of the Conference of the Majority of the Senate, the Office of the Secretary of the Conference of the Minority of the Senate, the Office of the Secretary for the Majority of the Senate, the Office of the Secretary for the Minority of the Senate, the Majority Policy Committee of the Senate, the Minority Policy Committee of the Senate, and the following offices within the Office of the Secretary of the Senate: Offices of the Parliamentarian, Bill Clerk, Legislative Clerk, Journal Clerk, Executive Clerk, Enrolling Clerk, Official Reporters of Debate, Daily Digest, Printing Services, Captioning Services, and Senate Chief Counsel for Employment;

(D) the Office of the Speaker of the House of Representatives, the Office of the Majority Leader of the House of Representatives, the Office of the Minority Leader of the House of Representatives, the Offices of the Chief Deputy Majority Whips, the Offices of the Chief Deputy Minority Whips and the following offices within the Office of the Clerk of the House of Representatives: Offices of Legislative Operations, Official Reporters of Debate, Official Reporters to Committees, Printing Services, and Legislative Information;

(E) the Office of the Legislative Counsel of the Senate, the Office of the Senate Legal Counsel, the Office of the Legislative Counsel of the House of Representatives, the Office of the General Counsel of the House of Representatives, the Office of the Parliamentarian of the House of Representatives, and the Office of the Law Revision Counsel;

(F) the offices of any caucus or party organization;

(G) the Congressional Budget Office, the Office of Technology Assessment, and the Office of Compliance; and

(H) such other offices that perform comparable functions which are identified under regulations of the Board.

(f) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), subsections (a) and (b) shall be effective on October 1, 1996.

(2) CERTAIN OFFICES.—With respect to the offices listed in subsection (e)(2), to the covered employees of such offices, and to representatives of such employees, subsections (a) and (b) shall be effective on the effective date of regulations under subsection (e).

PART E—GENERAL

2 USC 1361.

SEC. 225. GENERALLY APPLICABLE REMEDIES AND LIMITATIONS.

(a) ATTORNEY'S FEES.—If a covered employee, with respect to any claim under this Act, or a qualified person with a disability, with respect to any claim under section 210, is a prevailing party in any proceeding under section 405, 406, 407, or 408, the hearing officer, Board, or court, as the case may be, may award attorney's fees, expert fees, and any other costs as would be appropriate if awarded under section 706(k) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(k)).

(b) INTEREST.—In any proceeding under section 405, 406, 407, or 408, the same interest to compensate for delay in payment shall be made available as would be appropriate if awarded under section 717(d) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16(d)).

(c) CIVIL PENALTIES AND PUNITIVE DAMAGES.—No civil penalty or punitive damages may be awarded with respect to any claim under this Act.

(d) EXCLUSIVE PROCEDURE.—

(1) IN GENERAL.—Except as provided in paragraph (2), no person may commence an administrative or judicial proceeding to seek a remedy for the rights and protections afforded by this Act except as provided in this Act.

(2) VETERANS.—A covered employee under section 206 may also utilize any provisions of chapter 43 of title 38, United States Code, that are applicable to that employee.

(e) SCOPE OF REMEDY.—Only a covered employee who has undertaken and completed the procedures described in sections 402 and 403 may be granted a remedy under part A of this title.

(f) CONSTRUCTION.—

(1) DEFINITIONS AND EXEMPTIONS.—Except where inconsistent with definitions and exemptions provided in this Act, the definitions and exemptions in the laws made applicable by this Act shall apply under this Act.

(2) SIZE LIMITATIONS.—Notwithstanding paragraph (1), provisions in the laws made applicable under this Act (other than the Worker Adjustment and Retraining Notification Act) determining coverage based on size, whether expressed in terms of numbers of employees, amount of business transacted, or other measure, shall not apply in determining coverage under this Act.

(3) EXECUTIVE BRANCH ENFORCEMENT.—This Act shall not be construed to authorize enforcement by the executive branch of this Act.

PART F—STUDY

SEC. 230. STUDY AND RECOMMENDATIONS REGARDING GENERAL ACCOUNTING OFFICE, GOVERNMENT PRINTING OFFICE, AND LIBRARY OF CONGRESS. 2 USC 1371.

(a) IN GENERAL.—The Administrative Conference of the United States shall undertake a study of—

(1) the application of the laws listed in subsection (b) to—

(A) the General Accounting Office;

(B) the Government Printing Office; and

(C) the Library of Congress; and

(2) the regulations and procedures used by the entities referred to in paragraph (1) to apply and enforce such laws to themselves and their employees.

(b) APPLICABLE STATUTES.—The study under this section shall consider the application of the following laws:

(1) Title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), and related provisions of section 2302 of title 5, United States Code.

(2) The Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.), and related provisions of section 2302 of title 5, United States Code.

(3) The Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and related provisions of section 2302 of title 5, United States Code.

(4) The Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.), and related provisions of sections 6381 through 6387 of title 5, United States Code.

(5) The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), and related provisions of sections 5541 through 5550a of title 5, United States Code.

(6) The Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.), and related provisions of section 7902 of title 5, United States Code.

(7) The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.).

(8) Chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code.

(9) The General Accounting Office Personnel Act of 1980 (31 U.S.C. 731 et seq.).

(10) The Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.).

(11) The Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.).

(12) Chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

(c) CONTENTS OF STUDY AND RECOMMENDATIONS.—The study under this section shall evaluate whether the rights, protections, and procedures, including administrative and judicial relief, applicable to the entities listed in paragraph (1) of subsection (a) and their employees are comprehensive and effective and shall include recommendations for any improvements in regulations or legislation, including proposed regulatory or legislative language.

(d) DEADLINE AND DELIVERY OF STUDY.—Not later than December 31, 1996—

(1) the Administrative Conference of the United States shall prepare and complete the study and recommendations

required under this section and shall submit the study and recommendations to the Board; and

(2) the Board shall transmit such study and recommendations (with the Board's comments) to the head of each entity considered in the study, and to the Congress by delivery to the Speaker of the House of Representatives and President pro tempore of the Senate for referral to the appropriate committees of the House of Representatives and of the Senate.

TITLE III—OFFICE OF COMPLIANCE

2 USC 1381.

SEC. 301. ESTABLISHMENT OF OFFICE OF COMPLIANCE.

(a) ESTABLISHMENT.—There is established, as an independent office within the legislative branch of the Federal Government, the Office of Compliance.

(b) BOARD OF DIRECTORS.—The Office shall have a Board of Directors. The Board shall consist of 5 individuals appointed jointly by the Speaker of the House of Representatives, the Majority Leader of the Senate, and the Minority Leaders of the House of Representatives and the Senate. Appointments of the first 5 members of the Board shall be completed not later than 90 days after the date of the enactment of this Act.

(c) CHAIR.—The Chair shall be appointed from members of the Board jointly by the Speaker of the House of Representatives, the Majority Leader of the Senate, and the Minority Leaders of the House of Representatives and the Senate.

(d) BOARD OF DIRECTORS QUALIFICATIONS.—

(1) SPECIFIC QUALIFICATIONS.—Selection and appointment of members of the Board shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. Members of the Board shall have training or experience in the application of the rights, protections, and remedies under one or more of the laws made applicable under section 102.

(2) DISQUALIFICATIONS FOR APPOINTMENTS.—

(A) LOBBYING.—No individual who engages in, or is otherwise employed in, lobbying of the Congress and who is required under the Federal Regulation of Lobbying Act to register with the Clerk of the House of Representatives or the Secretary of the Senate shall be eligible for appointment to, or service on, the Board.

(B) INCOMPATIBLE OFFICE.—No member of the Board appointed under subsection (b) may hold or may have held the position of Member of the House of Representatives or Senator, may hold the position of officer or employee of the House of Representatives, Senate, or instrumentality or other entity of the legislative branch, or may have held such a position (other than the position of an officer or employee of the General Accounting Office Personnel Appeals Board, an officer or employee of the Office of Fair Employment Practices of the House of Representatives, or officer or employee of the Office of Senate Fair Employment Practices) within 4 years of the date of appointment.

(3) VACANCIES.—A vacancy on the Board shall be filled in the manner in which the original appointment was made.

(e) TERM OF OFFICE.—

(1) IN GENERAL.—Except as provided in paragraph (2), membership on the Board shall be for 5 years. A member of the Board who is appointed to a term of office of more than 3 years shall only be eligible for appointment for a single term of office.

(2) FIRST APPOINTMENTS.—Of the members first appointed to the Board—

(A) 1 shall have a term of office of 3 years,

(B) 2 shall have a term of office of 4 years, and

(C) 2 shall have a term of office of 5 years, 1 of whom shall be the Chair,

as designated at the time of appointment by the persons specified in subsection (b).

(f) REMOVAL.—

(1) AUTHORITY.—Any member of the Board may be removed from office by a majority decision of the appointing authorities described in subsection (b), but only for—

(A) disability that substantially prevents the member from carrying out the duties of the member,

(B) incompetence,

(C) neglect of duty,

(D) malfeasance, including a felony or conduct involving moral turpitude, or

(E) holding an office or employment or engaging in an activity that disqualifies the individual from service as a member of the Board under subsection (d)(2).

(2) STATEMENT OF REASONS FOR REMOVAL.—In removing a member of the Board, the Speaker of the House of Representatives and the President pro tempore of the Senate shall state in writing to the member of the Board being removed the specific reasons for the removal.

(g) COMPENSATION.—

(1) PER DIEM.—Each member of the Board shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which such member is engaged in the performance of the duties of the Board. The rate of pay of a member may be prorated based on the portion of the day during which the member is engaged in the performance of Board duties.

(2) TRAVEL EXPENSES.—Each member of the Board shall receive travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, for each day the member is engaged in the performance of duties away from the home or regular place of business of the member.

(h) DUTIES.—The Office shall—

(1) carry out a program of education for Members of Congress and other employing authorities of the legislative branch of the Federal Government respecting the laws made applicable to them and a program to inform individuals of their rights under laws applicable to the legislative branch of the Federal Government;

(2) in carrying out the program under paragraph (1), distribute the telephone number and address of the Office,

procedures for action under title IV, and any other information appropriate for distribution, distribute such information to employing offices in a manner suitable for posting, provide such information to new employees of employing offices, distribute such information to the residences of covered employees, and conduct seminars and other activities designed to educate employing offices and covered employees; and

Records. Publication.

(3) compile and publish statistics on the use of the Office by covered employees, including the number and type of contacts made with the Office, on the reason for such contacts, on the number of covered employees who initiated proceedings with the Office under this Act and the result of such proceedings, and on the number of covered employees who filed a complaint, the basis for the complaint, and the action taken on the complaint.

(i) CONGRESSIONAL OVERSIGHT.—The Board and the Office shall be subject to oversight (except with respect to the disposition of individual cases) by the Committee on Rules and Administration and the Committee on Governmental Affairs of the Senate and the Committee on House Oversight of the House of Representatives.

(j) OPENING OF OFFICE.—The Office shall be open for business, including receipt of requests for counseling under section 402, not later than 1 year after the date of the enactment of this Act.

(k) FINANCIAL DISCLOSURE REPORTS.—Members of the Board and officers and employees of the Office shall file the financial disclosure reports required under title I of the Ethics in Government Act of 1978 with the Clerk of the House of Representatives.

2 USC 1382.

SEC. 302. OFFICERS, STAFF, AND OTHER PERSONNEL.

(a) EXECUTIVE DIRECTOR.—

(1) APPOINTMENT AND REMOVAL.—

(A) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint and may remove an Executive Director. Selection and appointment of the Executive Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. The first Executive Director shall be appointed no later than 90 days after the initial appointment of the Board of Directors.

(B) QUALIFICATIONS.—The Executive Director shall be an individual with training or expertise in the application of laws referred to in section 102(a).

(C) DISQUALIFICATIONS.—The disqualifications in section 301(d)(2) shall apply to the appointment of the Executive Director.

(2) COMPENSATION.—The Chair may fix the compensation of the Executive Director. The rate of pay for the Executive Director may not exceed the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) TERM.—The term of office of the Executive Director shall be a single term of 5 years, except that the first Executive Director shall have a single term of 7 years.

(4) DUTIES.—The Executive Director shall serve as the chief operating officer of the Office. Except as otherwise specified in this Act, the Executive Director shall carry out all of the responsibilities of the Office under this Act.

(b) DEPUTY EXECUTIVE DIRECTORS.—

(1) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint and may remove a Deputy Executive Director for the Senate and a Deputy Executive Director for the House of Representatives. Selection and appointment of a Deputy Executive Director shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the office. The disqualifications in section 301(d)(2) shall apply to the appointment of a Deputy Executive Director.

(2) TERM.—The term of office of a Deputy Executive Director shall be a single term of 5 years, except that the first Deputy Executive Directors shall have a single term of 6 years.

(3) COMPENSATION.—The Chair may fix the compensation of the Deputy Executive Directors. The rate of pay for a Deputy Executive Director may not exceed 96 percent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(4) DUTIES.—The Deputy Executive Director for the Senate shall recommend to the Board regulations under section 304(a)(2)(B)(i), maintain the regulations and all records pertaining to the regulations, and shall assume such other responsibilities as may be delegated by the Executive Director. The Deputy Executive Director for the House of Representatives shall recommend to the Board the regulations under section 304(a)(2)(B)(ii), maintain the regulations and all records pertaining to the regulations, and shall assume such other responsibilities as may be delegated by the Executive Director.

(c) GENERAL COUNSEL.—

(1) IN GENERAL.—The Chair, subject to the approval of the Board, shall appoint a General Counsel. Selection and appointment of the General Counsel shall be without regard to political affiliation and solely on the basis of fitness to perform the duties of the Office. The disqualifications in section 301(d)(2) shall apply to the appointment of a General Counsel.

(2) COMPENSATION.—The Chair may fix the compensation of the General Counsel. The rate of pay for the General Counsel may not exceed the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(3) DUTIES.—The General Counsel shall—

(A) exercise the authorities and perform the duties of the General Counsel as specified in this Act; and

(B) otherwise assist the Board and the Executive Director in carrying out their duties and powers, including representing the Office in any judicial proceeding under this Act.

(4) ATTORNEYS IN THE OFFICE OF THE GENERAL COUNSEL.—The General Counsel shall appoint, and fix the compensation of, and may remove, such additional attorneys as may be necessary to enable the General Counsel to perform the General Counsel's duties.

(5) TERM.—The term of office of the General Counsel shall be a single term of 5 years.

(6) REMOVAL.—

(A) AUTHORITY.—The General Counsel may be removed from office by the Chair but only for—

(i) disability that substantially prevents the General Counsel from carrying out the duties of the General Counsel,

(ii) incompetence,

(iii) neglect of duty,

(iv) malfeasance, including a felony or conduct involving moral turpitude, or

(v) holding an office or employment or engaging in an activity that disqualifies the individual from service as the General Counsel under paragraph (1).

(B) STATEMENT OF REASONS FOR REMOVAL.—In removing the General Counsel, the Speaker of the House of Representatives and the President pro tempore of the Senate shall state in writing to the General Counsel the specific reasons for the removal.

(d) OTHER STAFF.—The Executive Director shall appoint, and fix the compensation of, and may remove, such other additional staff, including hearing officers, but not including attorneys employed in the office of the General Counsel, as may be necessary to enable the Office to perform its duties.

(e) DETAILED PERSONNEL.—The Executive Director may, with the prior consent of the department or agency of the Federal Government concerned, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency, including the services of members or personnel of the General Accounting Office Personnel Appeals Board.

(f) CONSULTANTS.—In carrying out the functions of the Office, the Executive Director may procure the temporary (not to exceed 1 year) or intermittent services of consultants.

2 USC 1383.

SEC. 303. PROCEDURAL RULES.

(a) IN GENERAL.—The Executive Director shall, subject to the approval of the Board, adopt rules governing the procedures of the Office, including the procedures of hearing officers, which shall be submitted for publication in the Congressional Record. The rules may be amended in the same manner.

(b) PROCEDURE.—The Executive Director shall adopt rules referred to in subsection (a) in accordance with the principles and procedures set forth in section 553 of title 5, United States Code. The Executive Director shall publish a general notice of proposed rulemaking under section 553(b) of title 5, United States Code, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Executive Director shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Before adopting rules, the Executive Director shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking. Upon adopting rules, the Executive Director shall transmit notice of such action together with a copy of such rules to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Rules shall be considered issued by the Executive Director as of the date on which they are published in the Congressional Record.

Congressional Record, publication.

Congressional Record, publication.

SEC. 304. SUBSTANTIVE REGULATIONS. 2 USC 1384.

(a) REGULATIONS.—

(1) IN GENERAL.—The procedures applicable to the regulations of the Board issued for the implementation of this Act, which shall include regulations the Board is required to issue under title II (including regulations on the appropriate application of exemptions under the laws made applicable in title II) are as prescribed in this section.

(2) RULEMAKING PROCEDURE.—Such regulations of the Board—

(A) shall be adopted, approved, and issued in accordance with subsection (b); and

(B) shall consist of 3 separate bodies of regulations, which shall apply, respectively, to—

(i) the Senate and employees of the Senate;

(ii) the House of Representatives and employees of the House of Representatives; and

(iii) all other covered employees and employing offices.

(b) ADOPTION BY THE BOARD.—The Board shall adopt the regulations referred to in subsection (a)(1) in accordance with the principles and procedures set forth in section 553 of title 5, United States Code, and as provided in the following provisions of this subsection:

(1) PROPOSAL.—The Board shall publish a general notice of proposed rulemaking under section 553(b) of title 5, United States Code, but, instead of publication of a general notice of proposed rulemaking in the Federal Register, the Board shall transmit such notice to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Such notice shall set forth the recommendations of the Deputy Director for the Senate in regard to regulations under subsection (a)(2)(B)(i), the recommendations of the Deputy Director for the House of Representatives in regard to regulations under subsection (a)(2)(B)(ii), and the recommendations of the Executive Director for regulations under subsection (a)(2)(B)(iii). Congressional Record, publication.

(2) COMMENT.—Before adopting regulations, the Board shall provide a comment period of at least 30 days after publication of a general notice of proposed rulemaking.

(3) ADOPTION.—After considering comments, the Board shall adopt regulations and shall transmit notice of such action together with a copy of such regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal. Congressional Record, publication.

(4) RECOMMENDATION AS TO METHOD OF APPROVAL.—The Board shall include a recommendation in the general notice of proposed rulemaking and in the regulations as to whether the regulations should be approved by resolution of the Senate, by resolution of the House of Representatives, by concurrent resolution, or by joint resolution.

(c) APPROVAL OF REGULATIONS.—

(1) IN GENERAL.—Regulations referred to in paragraph (2)(B)(i) of subsection (a) may be approved by the Senate by

resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(ii) of subsection (a) may be approved by the House of Representatives by resolution or by the Congress by concurrent resolution or by joint resolution. Regulations referred to in paragraph (2)(B)(iii) may be approved by Congress by concurrent resolution or by joint resolution.

(2) REFERRAL.—Upon receipt of a notice of adoption of regulations under subsection (b)(3), the presiding officers of the House of Representatives and the Senate shall refer such notice, together with a copy of such regulations, to the appropriate committee or committees of the House of Representatives and of the Senate. The purpose of the referral shall be to consider whether such regulations should be approved, and, if so, whether such approval should be by resolution of the House of Representatives or of the Senate, by concurrent resolution or by joint resolution.

(3) JOINT REFERRAL AND DISCHARGE IN THE SENATE.—The presiding officer of the Senate may refer the notice of issuance of regulations, or any resolution of approval of regulations, to one committee or jointly to more than one committee. If a committee of the Senate acts to report a jointly referred measure, any other committee of the Senate must act within 30 calendar days of continuous session, or be automatically discharged.

(4) ONE-HOUSE RESOLUTION OR CONCURRENT RESOLUTION.—In the case of a resolution of the House of Representatives or the Senate or a concurrent resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Compliance on ____ are hereby approved:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(5) JOINT RESOLUTION.—In the case of a joint resolution referred to in paragraph (1), the matter after the resolving clause shall be the following: "The following regulations issued by the Office of Compliance on ____ are hereby approved and shall have the force and effect of law:" (the blank space being appropriately filled in, and the text of the regulations being set forth).

(d) ISSUANCE AND EFFECTIVE DATE.—

Congressional Record, publication.

(1) PUBLICATION.—After approval of regulations under subsection (c), the Board shall submit the regulations to the Speaker of the House of Representatives and the President pro tempore of the Senate for publication in the Congressional Record on the first day on which both Houses are in session following such transmittal.

(2) DATE OF ISSUANCE.—The date of issuance of regulations shall be the date on which they are published in the Congressional Record under paragraph (1).

(3) EFFECTIVE DATE.—Regulations shall become effective not less than 60 days after the regulations are issued, except that the Board may provide for an earlier effective date for good cause found (within the meaning of section 553(d)(3) of title 5, United States Code) and published with the regulation.

(e) AMENDMENT OF REGULATIONS.—Regulations may be amended in the same manner as is described in this section for the

adoption, approval, and issuance of regulations, except that the Board may, in its discretion, dispense with publication of a general notice of proposed rulemaking of minor, technical, or urgent amendments that satisfy the criteria for dispensing with publication of such notice pursuant to section 553(b)(B) of title 5, United States Code.

(f) RIGHT TO PETITION FOR RULEMAKING.—Any interested party may petition to the Board for the issuance, amendment, or repeal of a regulation.

(g) CONSULTATION.—The Executive Director, the Deputy Directors, and the Board—

(1) shall consult, with regard to the development of regulations, with—

(A) the Chair of the Administrative Conference of the United States;

(B) the Secretary of Labor;

(C) the Federal Labor Relations Authority; and

(D) the Director of the Office of Personnel Management; and

(2) may consult with any other persons with whom consultation, in the opinion of the Board, the Executive Director, or Deputy Directors, may be helpful.

SEC. 305. EXPENSES. 2 USC 1385.

(a) AUTHORIZATION OF APPROPRIATIONS.—Beginning in fiscal year 1995, and for each fiscal year thereafter, there are authorized to be appropriated for the expenses of the Office such sums as may be necessary to carry out the functions of the Office. Until sums are first appropriated pursuant to the preceding sentence, but for a period not exceeding 12 months following the date of the enactment of this Act—

(1) one-half of the expenses of the Office shall be paid from funds appropriated for allowances and expenses of the House of Representatives, and

(2) one-half of the expenses of the Office shall be paid from funds appropriated for allowances and expenses of the Senate,

upon vouchers approved by the Executive Director, except that a voucher shall not be required for the disbursement of salaries of employees who are paid at an annual rate. The Clerk of the House of Representatives and the Secretary of the Senate are authorized to make arrangements for the division of expenses under this subsection, including arrangements for one House of Congress to reimburse the other House of Congress.

(b) FINANCIAL AND ADMINISTRATIVE SERVICES.—The Executive Director may place orders and enter into agreements for goods and services with the head of any agency, or major organizational unit within an agency, in the legislative or executive branch of the United States in the same manner and to the same extent as agencies are authorized under sections 1535 and 1536 of title 31, United States Code, to place orders and enter into agreements.

(c) WITNESS FEES AND ALLOWANCES.—Except for covered employees, witnesses before a hearing officer or the Board in any proceeding under this Act other than rulemaking shall be paid the same fee and mileage allowances as are paid subpoenaed witnesses in the courts of the United States. Covered employees who are summoned, or are assigned by their employer, to testify in

their official capacity or to produce official records in any proceeding under this Act shall be entitled to travel expenses under subchapter I and section 5751 of chapter 57 of title 5, United States Code.

TITLE IV—ADMINISTRATIVE AND JUDICIAL DISPUTE-RESOLUTION PROCEDURES

2 USC 1401.

SEC. 401. PROCEDURE FOR CONSIDERATION OF ALLEGED VIOLATIONS.

Except as otherwise provided, the procedure for consideration of alleged violations of part A of title II consists of—

(1) counseling as provided in section 402;

(2) mediation as provided in section 403; and

(3) election, as provided in section 404, of either—

(A) a formal complaint and hearing as provided in section 405, subject to Board review as provided in section 406, and judicial review in the United States Court of Appeals for the Federal Circuit as provided in section 407, or

(B) a civil action in a district court of the United States as provided in section 408.

In the case of an employee of the Office of the Architect of the Capitol or of the Capitol Police, the Executive Director, after receiving a request for counseling under section 402, may recommend that the employee use the grievance procedures of the Architect of the Capitol or the Capitol Police for resolution of the employee's grievance for a specific period of time, which shall not count against the time available for counseling or mediation.

2 USC 1402.

SEC. 402. COUNSELING.

(a) IN GENERAL.—To commence a proceeding, a covered employee alleging a violation of a law made applicable under part A of title II shall request counseling by the Office. The Office shall provide the employee with all relevant information with respect to the rights of the employee. A request for counseling shall be made not later than 180 days after the date of the alleged violation.

(b) PERIOD OF COUNSELING.—The period for counseling shall be 30 days unless the employee and the Office agree to reduce the period. The period shall begin on the date the request for counseling is received.

(c) NOTIFICATION OF END OF COUNSELING PERIOD.—The Office shall notify the employee in writing when the counseling period has ended.

2 USC 1403.

SEC. 403. MEDIATION.

(a) INITIATION.—Not later than 15 days after receipt by the employee of notice of the end of the counseling period under section 402, but prior to and as a condition of making an election under section 404, the covered employee who alleged a violation of a law shall file a request for mediation with the Office.

(b) PROCESS.—Mediation under this section—

(1) may include the Office, the covered employee, the employing office, and one or more individuals appointed by the Executive Director after considering recommendations by

organizations composed primarily of individuals experienced in adjudicating or arbitrating personnel matters, and

(2) shall involve meetings with the parties separately or jointly for the purpose of resolving the dispute between the covered employee and the employing office.

(c) MEDIATION PERIOD.—The mediation period shall be 30 days beginning on the date the request for mediation is received. The mediation period may be extended for additional periods at the joint request of the covered employee and the employing office. The Office shall notify in writing the covered employee and the employing office when the mediation period has ended. Notification.

(d) INDEPENDENCE OF MEDIATION PROCESS.—No individual, who is appointed by the Executive Director to mediate, may conduct or aid in a hearing conducted under section 405 with respect to the same matter or shall be subject to subpoena or any other compulsory process with respect to the same matter.

SEC. 404. ELECTION OF PROCEEDING. 2 USC 1404.

Not later than 90 days after a covered employee receives notice of the end of the period of mediation, but no sooner than 30 days after receipt of such notification, such covered employee may either—

(1) file a complaint with the Office in accordance with section 405, or

(2) file a civil action in accordance with section 408 in the United States district court for the district in which the employee is employed or for the District of Columbia.

SEC. 405. COMPLAINT AND HEARING. 2 USC 1405.

(a) IN GENERAL.—A covered employee may, upon the completion of mediation under section 403, file a complaint with the Office. The respondent to the complaint shall be the employing office—

(1) involved in the violation, or

(2) in which the violation is alleged to have occurred,

and about which mediation was conducted.

(b) DISMISSAL.—A hearing officer may dismiss any claim that the hearing officer finds to be frivolous or that fails to state a claim upon which relief may be granted.

(c) HEARING OFFICER.—

(1) APPOINTMENT.—Upon the filing of a complaint, the Executive Director shall appoint an independent hearing officer to consider the complaint and render a decision. No Member of the House of Representatives, Senator, officer of either the House of Representatives or the Senate, head of an employing office, member of the Board, or covered employee may be appointed to be a hearing officer. The Executive Director shall select hearing officers on a rotational or random basis from the lists developed under paragraph (2). Nothing in this section shall prevent the appointment of hearing officers as full-time employees of the Office or the selection of hearing officers on the basis of specialized expertise needed for particular matters.

(2) LISTS.—The Executive Director shall develop master lists, composed of—

(A) members of the bar of a State or the District of Columbia and retired judges of the United States courts who are experienced in adjudicating or arbitrating the

kinds of personnel and other matters for which hearings may be held under this Act, and

(B) individuals expert in technical matters relating to accessibility and usability by persons with disabilities or technical matters relating to occupational safety and health.

In developing lists, the Executive Director shall consider candidates recommended by the Federal Mediation and Conciliation Service or the Administrative Conference of the United States.

(d) HEARING.—Unless a complaint is dismissed before a hearing, a hearing shall be—

Records.

(1) conducted in closed session on the record by the hearing officer;

(2) commenced no later than 60 days after filing of the complaint under subsection (a), except that the Office may, for good cause, extend up to an additional 30 days the time for commencing a hearing; and

(3) conducted, except as specifically provided in this Act and to the greatest extent practicable, in accordance with the principles and procedures set forth in sections 554 through 557 of title 5, United States Code.

(e) DISCOVERY.—Reasonable prehearing discovery may be permitted at the discretion of the hearing officer.

(f) SUBPOENAS.—

(1) IN GENERAL.—At the request of a party, a hearing officer may issue subpoenas for the attendance of witnesses and for the production of correspondence, books, papers, documents, and other records. The attendance of witnesses and the production of records may be required from any place within the United States. Subpoenas shall be served in the manner provided under rule 45(b) of the Federal Rules of Civil Procedure.

(2) OBJECTIONS.—If a person refuses, on the basis of relevance, privilege, or other objection, to testify in response to a question or to produce records in connection with a proceeding before a hearing officer, the hearing officer shall rule on the objection. At the request of the witness or any party, the hearing officer shall (or on the hearing officer's own initiative, the hearing officer may) refer the ruling to the Board for review.

(3) ENFORCEMENT.—

(A) IN GENERAL.—If a person fails to comply with a subpoena, the Board may authorize the General Counsel to apply, in the name of the Office, to an appropriate United States district court for an order requiring that person to appear before the hearing officer to give testimony or produce records. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey a lawful order of the district court issued pursuant to this section may be held by such court to be a civil contempt thereof.

(B) SERVICE OF PROCESS.—Process in an action or contempt proceeding pursuant to subparagraph (A) may be served in any judicial district in which the person refusing or failing to comply, or threatening to refuse or not to

comply, resides, transacts business, or may be found, and subpoenas for witnesses who are required to attend such proceedings may run into any other district.

(g) DECISION.—The hearing officer shall issue a written decision as expeditiously as possible, but in no case more than 90 days after the conclusion of the hearing. The written decision shall be transmitted by the Office to the parties. The decision shall state the issues raised in the complaint, describe the evidence in the record, contain findings of fact and conclusions of law, contain a determination of whether a violation has occurred, and order such remedies as are appropriate pursuant to title II. The decision shall be entered in the records of the Office. If a decision is not appealed under section 406 to the Board, the decision shall be considered the final decision of the Office. Records.

(h) PRECEDENTS.—A hearing officer who conducts a hearing under this section shall be guided by judicial decisions under the laws made applicable by section 102 and by Board decisions under this Act.

SEC. 406. APPEAL TO THE BOARD. 2 USC 1406.

(a) IN GENERAL.—Any party aggrieved by the decision of a hearing officer under section 405(g) may file a petition for review by the Board not later than 30 days after entry of the decision in the records of the Office.

(b) PARTIES' OPPORTUNITY TO SUBMIT ARGUMENT.—The parties to the hearing upon which the decision of the hearing officer was made shall have a reasonable opportunity to be heard, through written submission and, in the discretion of the Board, through oral argument.

(c) STANDARD OF REVIEW.—The Board shall set aside a decision of a hearing officer if the Board determines that the decision was—

(1) arbitrary, capricious, an abuse of discretion, or otherwise not consistent with law;

(2) not made consistent with required procedures; or

(3) unsupported by substantial evidence.

(d) RECORD.—In making determinations under subsection (c), the Board shall review the whole record, or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

(e) DECISION.—The Board shall issue a written decision setting forth the reasons for its decision. The decision may affirm, reverse, or remand to the hearing officer for further proceedings. A decision that does not require further proceedings before a hearing officer shall be entered in the records of the Office as a final decision. Records.

SEC. 407. JUDICIAL REVIEW OF BOARD DECISIONS AND ENFORCEMENT. 2 USC 1407.

(a) JURISDICTION.—

(1) JUDICIAL REVIEW.—The United States Court of Appeals for the Federal Circuit shall have jurisdiction over any proceeding commenced by a petition of—

(A) a party aggrieved by a final decision of the Board under section 406(e) in cases arising under part A of title II,

(B) a charging individual or a respondent before the Board who files a petition under section 210(d)(4),

(C) the General Counsel or a respondent before the Board who files a petition under section 215(c)(5), or

(D) the General Counsel or a respondent before the Board who files a petition under section 220(c)(3).

The court of appeals shall have exclusive jurisdiction to set aside, suspend (in whole or in part), to determine the validity of, or otherwise review the decision of the Board.

(2) ENFORCEMENT.—The United States Court of Appeals for the Federal Circuit shall have jurisdiction over any petition of the General Counsel, filed in the name of the Office and at the direction of the Board, to enforce a final decision under section 405(g) or 406(e) with respect to a violation of part A, B, C, or D of title II.

(b) PROCEDURES.—

(1) RESPONDENTS.—(A) In any proceeding commenced by a petition filed under subsection (a)(1) (A) or (B), or filed by a party other than the General Counsel under subsection (a)(1) (C) or (D), the Office shall be named respondent and any party before the Board may be named respondent by filing a notice of election with the court within 30 days after service of the petition.

(B) In any proceeding commenced by a petition filed by the General Counsel under subsection (a)(1) (C) or (D), the prevailing party in the final decision entered under section 406(e) shall be named respondent, and any other party before the Board may be named respondent by filing a notice of election with the court within 30 days after service of the petition.

(C) In any proceeding commenced by a petition filed under subsection (a)(2), the party under section 405 or 406 that the General Counsel determines has failed to comply with a final decision under section 405(g) or 406(e) shall be named respondent.

(2) INTERVENTION.—Any party that participated in the proceedings before the Board under section 406 and that was not made respondent under paragraph (1) may intervene as of right.

(c) LAW APPLICABLE.—Chapter 158 of title 28, United States Code, shall apply to judicial review under paragraph (1) of subsection (a), except that—

(1) with respect to section 2344 of title 28, United States Code, service of a petition in any proceeding in which the Office is a respondent shall be on the General Counsel rather than on the Attorney General;

(2) the provisions of section 2348 of title 28, United States Code, on the authority of the Attorney General, shall not apply;

(3) the petition for review shall be filed not later than 90 days after the entry in the Office of a final decision under section 406(e); and

(4) the Office shall be an "agency" as that term is used in chapter 158 of title 28, United States Code.

(d) STANDARD OF REVIEW.—To the extent necessary for decision in a proceeding commenced under subsection (a)(1) and when presented, the court shall decide all relevant questions of law and interpret constitutional and statutory provisions. The court shall set aside a final decision of the Board if it is determined that the decision was—

(1) arbitrary, capricious, an abuse of discretion, or otherwise not consistent with law;

(2) not made consistent with required procedures; or
(3) unsupported by substantial evidence.

(e) RECORD.—In making determinations under subsection (d), the court shall review the whole record, or those parts of it cited by a party, and due account shall be taken of the rule of prejudicial error.

SEC. 408. CIVIL ACTION. 2 USC 1408.

(a) JURISDICTION.—The district courts of the United States shall have jurisdiction over any civil action commenced under section 404 and this section by a covered employee who has completed counseling under section 402 and mediation under section 403. A civil action may be commenced by a covered employee only to seek redress for a violation for which the employee has completed counseling and mediation.

(b) PARTIES.—The defendant shall be the employing office alleged to have committed the violation, or in which the violation is alleged to have occurred.

(c) JURY TRIAL.—Any party may demand a jury trial where a jury trial would be available in an action against a private defendant under the relevant law made applicable by this Act. In any case in which a violation of section 201 is alleged, the court shall not inform the jury of the maximum amount of compensatory damages available under section 201(b)(1) or 201(b)(3).

SEC. 409. JUDICIAL REVIEW OF REGULATIONS. 2 USC 1409.

In any proceeding brought under section 407 or 408 in which the application of a regulation issued under this Act is at issue, the court may review the validity of the regulation in accordance with the provisions of subparagraphs (A) through (D) of section 706(2) of title 5, United States Code, except that with respect to regulations approved by a joint resolution under section 304(c), only the provisions of section 706(2)(B) of title 5, United States Code, shall apply. If the court determines that the regulation is invalid, the court shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provisions with respect to which the invalid regulation was issued. Except as provided in this section, the validity of regulations issued under this Act is not subject to judicial review.

SEC. 410. OTHER JUDICIAL REVIEW PROHIBITED. 2 USC 1410.

Except as expressly authorized by sections 407, 408, and 409, the compliance or noncompliance with the provisions of this Act and any action taken pursuant to this Act shall not be subject to judicial review.

SEC. 411. EFFECT OF FAILURE TO ISSUE REGULATIONS. 2 USC 1411.

In any proceeding under section 405, 406, 407, or 408, except a proceeding to enforce section 220 with respect to offices listed under section 220(e)(2), if the Board has not issued a regulation on a matter for which this Act requires a regulation to be issued, the hearing officer, Board, or court, as the case may be, shall apply, to the extent necessary and appropriate, the most relevant substantive executive agency regulation promulgated to implement the statutory provision at issue in the proceeding.

2 USC 1412.

SEC. 412. EXPEDITED REVIEW OF CERTAIN APPEALS.

(a) IN GENERAL.—An appeal may be taken directly to the Supreme Court of the United States from any interlocutory or final judgment, decree, or order of a court upon the constitutionality of any provision of this Act.

(b) JURISDICTION.—The Supreme Court shall, if it has not previously ruled on the question, accept jurisdiction over the appeal referred to in subsection (a), advance the appeal on the docket, and expedite the appeal to the greatest extent possible.

2 USC 1413.

SEC. 413. PRIVILEGES AND IMMUNITIES.

The authorization to bring judicial proceedings under sections 405(f)(3), 407, and 408 shall not constitute a waiver of sovereign immunity for any other purpose, or of the privileges of any Senator or Member of the House of Representatives under article I, section 6, clause 1, of the Constitution, or a waiver of any power of either the Senate or the House of Representatives under the Constitution, including under article I, section 5, clause 3, or under the rules of either House relating to records and information within its jurisdiction.

2 USC 1414.

SEC. 414. SETTLEMENT OF COMPLAINTS.

Any settlement entered into by the parties to a process described in section 210, 215, 220, or 401 shall be in writing and not become effective unless it is approved by the Executive Director. Nothing in this Act shall affect the power of the Senate and the House of Representatives, respectively, to establish rules governing the process by which a settlement may be entered into by such House or by any employing office of such House.

Appropriation authorization.
2 USC 1415.

SEC. 415. PAYMENTS.

(a) AWARDS AND SETTLEMENTS.—Except as provided in subsection (c), only funds which are appropriated to an account of the Office in the Treasury of the United States for the payment of awards and settlements may be used for the payment of awards and settlements under this Act. There are authorized to be appropriated for such account such sums as may be necessary to pay such awards and settlements. Funds in the account are not available for awards and settlements involving the General Accounting Office, the Government Printing Office, or the Library of Congress.

(b) COMPLIANCE.—Except as provided in subsection (c), there are authorized to be appropriated such sums as may be necessary for administrative, personnel, and similar expenses of employing offices which are needed to comply with this Act.

(c) OSHA, ACCOMMODATION, AND ACCESS REQUIREMENTS.—Funds to correct violations of section 201(a)(3), 210, or 215 of this Act may be paid only from funds appropriated to the employing office or entity responsible for correcting such violations. There are authorized to be appropriated such sums as may be necessary for such funds.

2 USC 1416.

SEC. 416. CONFIDENTIALITY.

(a) COUNSELING.—All counseling shall be strictly confidential, except that the Office and a covered employee may agree to notify the employing office of the allegations.

(b) MEDIATION.—All mediation shall be strictly confidential.

(c) HEARINGS AND DELIBERATIONS.—Except as provided in subsections (d), (e), and (f), all proceedings and deliberations of hearing

officers and the Board, including any related records, shall be confidential. This subsection shall not apply to proceedings under section 215, but shall apply to the deliberations of hearing officers and the Board under that section.

(d) RELEASE OF RECORDS FOR JUDICIAL ACTION.—The records of hearing officers and the Board may be made public if required for the purpose of judicial review under section 407.

(e) ACCESS BY COMMITTEES OF CONGRESS.—At the discretion of the Executive Director, the Executive Director may provide to the Committee on Standards of Official Conduct of the House of Representatives and the Select Committee on Ethics of the Senate access to the records of the hearings and decisions of the hearing officers and the Board, including all written and oral testimony in the possession of the Office. The Executive Director shall not provide such access until the Executive Director has consulted with the individual filing the complaint at issue, and until a final decision has been entered under section 405(g) or 406(e).

(f) FINAL DECISIONS.—A final decision entered under section 405(g) or 406(e) shall be made public if it is in favor of the complaining covered employee, or in favor of the charging party under section 210, or if the decision reverses a decision of a hearing officer which had been in favor of the covered employee or charging party. The Board may make public any other decision at its discretion. Public information.

TITLE V—MISCELLANEOUS PROVISIONS

SEC. 501. EXERCISE OF RULEMAKING POWERS. 2 USC 1431.

The provisions of sections 102(b)(3) and 304(c) are enacted—

(1) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such they shall be considered as part of the rules of such House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

SEC. 502. POLITICAL AFFILIATION AND PLACE OF RESIDENCE. 2 USC 1432.

(a) IN GENERAL.—It shall not be a violation of any provision of section 201 to consider the—

(1) party affiliation;

(2) domicile; or

(3) political compatibility with the employing office;

of an employee referred to in subsection (b) with respect to employment decisions.

(b) DEFINITION.—For purposes of subsection (a), the term "employee" means—

(1) an employee on the staff of the leadership of the House of Representatives or the leadership of the Senate;

(2) an employee on the staff of a committee or subcommittee of—

(A) the House of Representatives;

(B) the Senate; or

(C) a joint committee of the Congress;

(3) an employee on the staff of a Member of the House of Representatives or on the staff of a Senator;

(4) an officer of the House of Representatives or the Senate or a congressional employee who is elected by the House of Representatives or Senate or is appointed by a Member of the House of Representatives or by a Senator (in addition an employee described in paragraph (1), (2), or (3)); or

(5) an applicant for a position that is to be occupied by an individual described in any of paragraphs (1) through (4).

2 USC 1433.

SEC. 503. NONDISCRIMINATION RULES OF THE HOUSE AND SENATE.

The Select Committee on Ethics of the Senate and the Committee on Standards of Official Conduct of the House of Representatives retain full power, in accordance with the authority provided to them by the Senate and the House, with respect to the discipline of Members, officers, and employees for violating rules of the Senate and the House on nondiscrimination in employment.

SEC. 504. TECHNICAL AND CONFORMING AMENDMENTS.

(a) CIVIL RIGHTS REMEDIES.—

(1) Sections 301 and 302 of the Government Employee Rights Act of 1991 (2 U.S.C. 1201 and 1202) are amended to read as follows:

"SEC. 301. GOVERNMENT EMPLOYEE RIGHTS ACT OF 1991.

"(a) SHORT TITLE.—This title may be cited as the 'Government Employee Rights Act of 1991'.

"(b) PURPOSE.—The purpose of this title is to provide procedures to protect the rights of certain government employees, with respect to their public employment, to be free of discrimination on the basis of race, color, religion, sex, national origin, age, or disability.

"(c) DEFINITION.—For purposes of this title, the term 'violation' means a practice that violates section 302(a) of this title.

"SEC. 302. DISCRIMINATORY PRACTICES PROHIBITED.

"(a) PRACTICES.—All personnel actions affecting the Presidential appointees described in section 303 or the State employees described in section 304 shall be made free from any discrimination based on—

"(1) race, color, religion, sex, or national origin, within the meaning of section 717 of the Civil Rights Act of 1964 (42 U.S.C. 2000e–16);

"(2) age, within the meaning of section 15 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a); or

"(3) disability, within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791) and sections 102 through 104 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12112–14).

"(b) REMEDIES.—The remedies referred to in sections 303(a)(1) and 304(a)—

"(1) may include, in the case of a determination that a violation of subsection (a)(1) or (a)(3) has occurred, such remedies as would be appropriate if awarded under sections 706(g), 706(k), and 717(d) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–5(g), 2000e–5(k), 2000e–16(d)), and such compensatory damages as would be appropriate if awarded under section

1977 or sections 1977A(a) and 1977A(b)(2) of the Revised Statutes (42 U.S.C. 1981 and 1981a (a) and (b)(2));

"(2) may include, in the case of a determination that a violation of subsection (a)(2) has occurred, such remedies as would be appropriate if awarded under section 15(c) of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 633a(c)); and

"(3) may not include punitive damages.".

(2) Sections 303 through 319, and sections 322, 324, and 325 of the Government Employee Rights Act of 1991 (2 U.S.C. 1203–1218, 1221, 1223, and 1224) are repealed, except as provided in section 506 of this Act.

(3) Sections 320 and 321 of the Government Employee Rights Act of 1991 (2 U.S.C. 1219 and 1220) are redesignated as sections 303 and 304, respectively.

(4) Sections 303 and 304 of the Government Employee Rights Act of 1991, as so redesignated, are each amended by striking "and 307(h) of this title".

(5) Section 1205 of the Supplemental Appropriations Act of 1993 (2 U.S.C. 1207a) is repealed, except as provided in section 506 of this Act.

(b) FAMILY AND MEDICAL LEAVE ACT OF 1993.—Title V of the Family and Medical Leave Act of 1993 (2 U.S.C. 60m et seq.) is repealed, except as provided in section 506 of this Act.

(c) ARCHITECT OF THE CAPITOL.—

(1) REPEAL.—Section 312(e) of the Architect of the Capitol Human Resources Act (Public Law 103–283; 108 Stat. 1444) is repealed, except as provided in section 506 of this Act. 40 USC 166b–7.

(2) APPLICATION OF GENERAL ACCOUNTING OFFICE PERSONNEL ACT OF 1980.—The provisions of sections 751, 753, and 755 of title 31, United States Code, amended by section 312(e) of the Architect of the Capitol Human Resources Act, shall be applied and administered as if such section 312(e) (and the amendments made by such section) had not been enacted. 31 USC 1751 note.

SEC. 505. JUDICIAL BRANCH COVERAGE STUDY. 2 USC 1434.

The Judicial Conference of the United States shall prepare a report for submission by the Chief Justice of the United States to the Congress on the application to the judicial branch of the Federal Government of— Reports.

(1) the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.);

(2) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);

(3) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.);

(4) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.);

(5) the Family and Medical Leave Act of 1993 (29 U.S.C. 2611 et seq.);

(6) the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.);

(7) chapter 71 (relating to Federal service labor-management relations) of title 5, United States Code;

(8) the Employee Polygraph Protection Act of 1988 (29 U.S.C. 2001 et seq.);

(9) the Worker Adjustment and Retraining Notification Act (29 U.S.C. 2101 et seq.);

(10) the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.); and

(11) chapter 43 (relating to veterans' employment and reemployment) of title 38, United States Code.

The report shall be submitted to Congress not later than December 31, 1996, and shall include any recommendations the Judicial Conference may have for legislation to provide to employees of the judicial branch the rights, protections, and procedures under the listed laws, including administrative and judicial relief, that are comparable to those available to employees of the legislative branch under titles I through IV of this Act.

2 USC 1435.

SEC. 506. SAVINGS PROVISIONS.

(a) TRANSITION PROVISIONS FOR EMPLOYEES OF THE HOUSE OF REPRESENTATIVES AND OF THE SENATE.—

(1) CLAIMS ARISING BEFORE EFFECTIVE DATE.—If, as of the date on which section 201 takes effect, an employee of the Senate or the House of Representatives has or could have requested counseling under section 305 of the Government Employees Rights Act of 1991 (2 U.S.C. 1205) or Rule LI of the House of Representatives, including counseling for alleged violations of family and medical leave rights under title V of the Family and Medical Leave Act of 1993, the employee may complete, or initiate and complete, all procedures under the Government Employees Rights Act of 1991 and Rule LI, and the provisions of that Act and Rule shall remain in effect with respect to, and provide the exclusive procedures for, those claims until the completion of all such procedures.

(2) CLAIMS ARISING BETWEEN EFFECTIVE DATE AND OPENING OF OFFICE.—If a claim by an employee of the Senate or House of Representatives arises under section 201 or 202 after the effective date of such sections, but before the opening of the Office for receipt of requests for counseling or mediation under sections 402 and 403, the provisions of the Government Employees Rights Act of 1991 (2 U.S.C. 1201 et seq.) and Rule LI of the House of Representatives relating to counseling and mediation shall remain in effect, and the employee may complete under that Act or Rule the requirements for counseling and mediation under sections 402 and 403. If, after counseling and mediation is completed, the Office has not yet opened for the filing of a timely complaint under section 405, the employee may elect—

(A) to file a complaint under section 307 of the Government Employees Rights Act of 1991 (2 U.S.C. 1207) or Rule LI of the House of Representatives, and thereafter proceed exclusively under that Act or Rule, the provisions of which shall remain in effect until the completion of all proceedings in relation to the complaint, or

(B) to commence a civil action under section 408.

(3) SECTION 1205 OF THE SUPPLEMENTAL APPROPRIATIONS ACT OF 1993.—With respect to payments of awards and settlements relating to Senate employees under paragraph (1) of this subsection, section 1205 of the Supplemental Appropriations Act of 1993 (2 U.S.C. 1207a) remains in effect.

(b) TRANSITION PROVISIONS FOR EMPLOYEES OF THE ARCHITECT OF THE CAPITOL.—

(1) CLAIMS ARISING BEFORE EFFECTIVE DATE.—If, as of the date on which section 201 takes effect, an employee of the Architect of the Capitol has or could have filed a charge or complaint regarding an alleged violation of section 312(e)(2) of the Architect of the Capitol Human Resources Act (Public Law 103–283), the employee may complete, or initiate and complete, all procedures under section 312(e) of that Act, the provisions of which shall remain in effect with respect to, and provide the exclusive procedures for, that claim until the completion of all such procedures.

(2) CLAIMS ARISING BETWEEN EFFECTIVE DATE AND OPENING OF OFFICE.—If a claim by an employee of the Architect of the Capitol arises under section 201 or 202 after the effective date of those provisions, but before the opening of the Office for receipt of requests for counseling or mediation under sections 402 and 403, the employee may satisfy the requirements for counseling and mediation by exhausting the requirements prescribed by the Architect of the Capitol in accordance with section 312(e)(3) of the Architect of the Capitol Human Resources Act (Public Law 103–283). If, after exhaustion of those requirements the Office has not yet opened for the filing of a timely complaint under section 405, the employee may elect—

(A) to file a charge with the General Accounting Office Personnel Appeals Board pursuant to section 312(e)(3) of the Architect of the Capitol Human Resources Act (Public Law 103–283), and thereafter proceed exclusively under section 312(e) of that Act, the provisions of which shall remain in effect until the completion of all proceedings in relation to the charge, or

(B) to commence a civil action under section 408.

(c) TRANSITION PROVISION RELATING TO MATTERS OTHER THAN EMPLOYMENT UNDER SECTION 509 OF THE AMERICANS WITH DISABILITIES ACT OF 1990.—With respect to matters other than employment under section 509 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12209), the rights, protections, remedies, and procedures of section 509 of such Act shall remain in effect until section 210 of this Act takes effect with respect to each of the entities covered by section 509 of such Act.

SEC. 507. USE OF FREQUENT FLYER MILES. 2 USC 1436.

(a) LIMITATION ON THE USE OF TRAVEL AWARDS.—Notwithstanding any other provision of law, or any rule, regulation, or other authority, any travel award that accrues by reason of official travel of a Member, officer, or employee of the Senate shall be considered the property of the office for which the travel was performed and may not be converted to personal use.

(b) REGULATIONS.—The Committee on Rules and Administration of the Senate shall have authority to prescribe regulations to carry out this section.

(c) DEFINITIONS.—As used in this section—

(1) the term "travel award" means any frequent flyer, free, or discounted travel, or other travel benefit, whether awarded by coupon, membership, or otherwise; and

(2) the term "official travel" means travel engaged in the course of official business of the Senate.

2 USC 1437.

SEC. 508. SENSE OF SENATE REGARDING ADOPTION OF SIMPLIFIED AND STREAMLINED ACQUISITION PROCEDURES FOR SENATE ACQUISITIONS.

It is the sense of the Senate that the Committee on Rules and Administration of the Senate should review the rules applicable to purchases by Senate offices to determine whether they are consistent with the acquisition simplification and streamlining laws enacted in the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355).

2 USC 1438.

SEC. 509. SEVERABILITY.

If any provision of this Act or the application of such provision to any person or circumstance is held to be invalid, the remainder of this Act and the application of the provisions of the remainder to any person or circumstance shall not be affected thereby.

Approved January 23, 1995.

LEGISLATIVE HISTORY—S. 2 (H.R. 1):

CONGRESSIONAL RECORD, Vol. 141 (1995):
Jan. 4, H.R. 1 considered and passed House.
Jan. 5, 6, 9–11, S. 2 considered and passed Senate.
Jan. 12, H.R. 1 considered and passed Senate, amended, in lieu of S. 2.
Jan. 17, S. 2 considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Jan. 23, Presidential remarks.

Public Law 104–2
104th Congress

An Act

To amend section 61h–6 of title 2, United States Code.

Feb. 9, 1995
[S. 273]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 61h–6 of title 2; The Congress, Chapter 4—Officers and Employees of Senate and House of Representatives; United States Code, is amended to read as follows:

"§ 61h–6. Appointment of consultants by Majority Leader, Minority Leader, Secretary of the Senate, and Legislative Counsel of the Senate; compensation

"(a) The Majority Leader and the Minority Leader, are each authorized to appoint and fix the compensation of not more than four individual consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate. The Secretary of the Senate is authorized to appoint and fix the compensation of not more than two individual consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of the per diem equivalent of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate. The Legislative Counsel of the Senate (subject to the approval of the President pro tempore) is authorized to appoint and fix the compensation of not more than two consultants, on a temporary or intermittent basis, at a daily rate of compensation not in excess of that specified in the first sentence of this section. The provisions of section 8344 of title 5 shall not apply to any individual serving in a position under this authority. Expenditures under this authority shall be paid from the contingent fund of the Senate upon vouchers approved by the President pro tempore, Majority Leader, Minority Leader, Secretary of the Senate, or Legislative Counsel of the Senate, as the case may be.

"(b) The Majority Leader, and the Minority Leader, in appointing individuals to consultant positions under authority of this section, may appoint one such individual to such position at an annual rate of compensation rather than at a daily rate of compensation, but such annual rate shall not be in excess of the highest gross rate of annual compensation which may be paid to employees of a standing committee of the Senate.".

Approved February 9, 1995.

LEGISLATIVE HISTORY—S. 273:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Jan. 24, considered and passed Senate.
Jan. 27, considered and passed House.

Public Law 104–3
104th Congress

An Act

To amend the charter of the Veterans of Foreign Wars to make eligible for membership those veterans that have served within the territorial limits of South Korea.

Mar. 7, 1995
[S. 257]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the Act of May 28, 1936 (36 U.S.C. 115), is amended to read as follows:

"SEC. 5. A person may not be a member of the corporation created by this Act unless that person—

"(1) served honorably as a member of the Armed Forces of the United States in a foreign war, insurrection, or expedition, which service has been recognized as campaign-medal service and is governed by the authorization of the award of a campaign badge by the Government of the United States; or

"(2) while a member of the Armed Forces of the United States, served honorably on the Korean peninsula or in its territorial waters for not less than 30 consecutive days, or a total of 60 days, after June 30, 1949.".

Approved March 7, 1995.

LEGISLATIVE HISTORY—S. 257:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Feb. 10, considered and passed Senate.
Feb. 28, considered and passed House.

Public Law 104–4
104th Congress

An Act

To curb the practice of imposing unfunded Federal mandates on States and local governments; to strengthen the partnership between the Federal Government and State, local and tribal governments; to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate funding, in a manner that may displace other essential governmental priorities; and to ensure that the Federal Government pays the costs incurred by those governments in complying with certain requirements under Federal statutes and regulations, and for other purposes.

Mar. 22, 1995
[S. 1]

Unfunded Mandates Reform Act of 1995.
2 USC 1501 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Unfunded Mandates Reform Act of 1995".

2 USC 1501.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to strengthen the partnership between the Federal Government and State, local, and tribal governments;

(2) to end the imposition, in the absence of full consideration by Congress, of Federal mandates on State, local, and tribal governments without adequate Federal funding, in a manner that may displace other essential State, local, and tribal governmental priorities;

(3) to assist Congress in its consideration of proposed legislation establishing or revising Federal programs containing Federal mandates affecting State, local, and tribal governments, and the private sector by—

(A) providing for the development of information about the nature and size of mandates in proposed legislation; and

(B) establishing a mechanism to bring such information to the attention of the Senate and the House of Representatives before the Senate and the House of Representatives vote on proposed legislation;

(4) to promote informed and deliberate decisions by Congress on the appropriateness of Federal mandates in any particular instance;

(5) to require that Congress consider whether to provide funding to assist State, local, and tribal governments in complying with Federal mandates, to require analyses of the impact of private sector mandates, and through the dissemination of that information provide informed and deliberate decisions by Congress and Federal agencies and retain competitive balance between the public and private sectors;

(6) to establish a point-of-order vote on the consideration in the Senate and House of Representatives of legislation containing significant Federal intergovernmental mandates without providing adequate funding to comply with such mandates;

(7) to assist Federal agencies in their consideration of proposed regulations affecting State, local, and tribal governments, by—

(A) requiring that Federal agencies develop a process to enable the elected and other officials of State, local, and tribal governments to provide input when Federal agencies are developing regulations; and

(B) requiring that Federal agencies prepare and consider estimates of the budgetary impact of regulations containing Federal mandates upon State, local, and tribal governments and the private sector before adopting such regulations, and ensuring that small governments are given special consideration in that process; and

(8) to begin consideration of the effect of previously imposed Federal mandates, including the impact on State, local, and tribal governments of Federal court interpretations of Federal statutes and regulations that impose Federal intergovernmental mandates.

SEC. 3. DEFINITIONS. 2 USC 1502.

For purposes of this Act—

(1) except as provided in section 305 of this Act, the terms defined under section 421 of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act) shall have the meanings as so defined; and

(2) the term "Director" means the Director of the Congressional Budget Office.

SEC. 4. EXCLUSIONS. 2 USC 1503.

This Act shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress and any provision in a proposed or final Federal regulation that—

(1) enforces constitutional rights of individuals;

(2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;

(3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;

(4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;

(5) is necessary for the national security or the ratification or implementation of international treaty obligations;

(6) the President designates as emergency legislation and that the Congress so designates in statute; or

(7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act (including taxes imposed by sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986 (relating to old-age, survivors, and disability insurance)).

2 USC 1504.

SEC. 5. AGENCY ASSISTANCE.

Each agency shall provide to the Director such information and assistance as the Director may reasonably request to assist the Director in carrying out this Act.

TITLE I—LEGISLATIVE ACCOUNTABILITY AND REFORM

SEC. 101. LEGISLATIVE MANDATE ACCOUNTABILITY AND REFORM.

(a) IN GENERAL.—Title IV of the Congressional Budget and Impoundment Control Act of 1974 is amended by—

(1) inserting before section 401 the following:

"PART A—GENERAL PROVISIONS"; and

(2) adding at the end thereof the following new part:

"PART B—FEDERAL MANDATES

2 USC 658.

"SEC. 421. DEFINITIONS.

"For purposes of this part:

"(1) AGENCY.—The term 'agency' has the same meaning as defined in section 551(1) of title 5, United States Code, but does not include independent regulatory agencies.

"(2) AMOUNT.—The term 'amount', with respect to an authorization of appropriations for Federal financial assistance, means the amount of budget authority for any Federal grant assistance program or any Federal program providing loan guarantees or direct loans.

"(3) DIRECT COSTS.—The term 'direct costs'—

"(A)(i) in the case of a Federal intergovernmental mandate, means the aggregate estimated amounts that all State, local, and tribal governments would be required to spend or would be prohibited from raising in revenues in order to comply with the Federal intergovernmental mandate; or

"(ii) in the case of a provision referred to in paragraph (5)(A)(ii), means the amount of Federal financial assistance eliminated or reduced;

"(B) in the case of a Federal private sector mandate, means the aggregate estimated amounts that the private sector will be required to spend in order to comply with the Federal private sector mandate;

"(C) shall be determined on the assumption that—

"(i) State, local, and tribal governments, and the private sector will take all reasonable steps necessary to mitigate the costs resulting from the Federal mandate, and will comply with applicable standards of practice and conduct established by recognized professional or trade associations; and

"(ii) reasonable steps to mitigate the costs shall not include increases in State, local, or tribal taxes or fees; and

"(D) shall not include—

"(i) estimated amounts that the State, local, and tribal governments (in the case of a Federal intergov-

ernmental mandate) or the private sector (in the case of a Federal private sector mandate) would spend—

"(I) to comply with or carry out all applicable Federal, State, local, and tribal laws and regulations in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that Federal mandate; or

"(II) to comply with or carry out State, local, and tribal governmental programs, or private-sector business or other activities in effect at the time of the adoption of the Federal mandate for the same activity as is affected by that mandate; or

"(ii) expenditures to the extent that such expenditures will be offset by any direct savings to the State, local, and tribal governments, or by the private sector, as a result of—

"(I) compliance with the Federal mandate; or

"(II) other changes in Federal law or regulation that are enacted or adopted in the same bill or joint resolution or proposed or final Federal regulation and that govern the same activity as is affected by the Federal mandate.

"(4) DIRECT SAVINGS.—The term 'direct savings', when used with respect to the result of compliance with the Federal mandate—

"(A) in the case of a Federal intergovernmental mandate, means the aggregate estimated reduction in costs to any State, local, or tribal government as a result of compliance with the Federal intergovernmental mandate; and

"(B) in the case of a Federal private sector mandate, means the aggregate estimated reduction in costs to the private sector as a result of compliance with the Federal private sector mandate.

"(5) FEDERAL INTERGOVERNMENTAL MANDATE.—The term 'Federal intergovernmental mandate' means—

"(A) any provision in legislation, statute, or regulation that—

"(i) would impose an enforceable duty upon State, local, or tribal governments, except—

"(I) a condition of Federal assistance; or

"(II) a duty arising from participation in a voluntary Federal program, except as provided in subparagraph (B)); or

"(ii) would reduce or eliminate the amount of authorization of appropriations for—

"(I) Federal financial assistance that would be provided to State, local, or tribal governments for the purpose of complying with any such previously imposed duty unless such duty is reduced or eliminated by a corresponding amount; or

"(II) the control of borders by the Federal Government; or reimbursement to State, local, or tribal governments for the net cost associated with illegal, deportable, and excludable aliens, including court-mandated expenses related to emergency

health care, education or criminal justice; when such a reduction or elimination would result in increased net costs to State, local, or tribal governments in providing education or emergency health care to, or incarceration of, illegal aliens; except that this subclause shall not be in effect with respect to a State, local, or tribal government, to the extent that such government has not fully cooperated in the efforts of the Federal Government to locate, apprehend, and deport illegal aliens;

"(B) any provision in legislation, statute, or regulation that relates to a then-existing Federal program under which $500,000,000 or more is provided annually to State, local, and tribal governments under entitlement authority, if the provision—

"(i)(I) would increase the stringency of conditions of assistance to State, local, or tribal governments under the program; or

"(II) would place caps upon, or otherwise decrease, the Federal Government's responsibility to provide funding to State, local, or tribal governments under the program; and

"(ii) the State, local, or tribal governments that participate in the Federal program lack authority under that program to amend their financial or programmatic responsibilities to continue providing required services that are affected by the legislation, statute, or regulation.

"(6) FEDERAL MANDATE.—The term 'Federal mandate' means a Federal intergovernmental mandate or a Federal private sector mandate, as defined in paragraphs (5) and (7).

"(7) FEDERAL PRIVATE SECTOR MANDATE.—The term 'Federal private sector mandate' means any provision in legislation, statute, or regulation that—

"(A) would impose an enforceable duty upon the private sector except—

"(i) a condition of Federal assistance; or

"(ii) a duty arising from participation in a voluntary Federal program; or

"(B) would reduce or eliminate the amount of authorization of appropriations for Federal financial assistance that will be provided to the private sector for the purposes of ensuring compliance with such duty.

"(8) LOCAL GOVERNMENT.—The term 'local government' has the same meaning as defined in section 6501(6) of title 31, United States Code.

"(9) PRIVATE SECTOR.—The term 'private sector' means all persons or entities in the United States, including individuals, partnerships, associations, corporations, and educational and nonprofit institutions, but shall not include State, local, or tribal governments.

"(10) REGULATION; RULE.—The term 'regulation' or 'rule' (except with respect to a rule of either House of the Congress) has the meaning of 'rule' as defined in section 601(2) of title 5, United States Code.

"(11) SMALL GOVERNMENT.—The term 'small government' means any small governmental jurisdictions defined in section 601(5) of title 5, United States Code, and any tribal government.

"(12) STATE.—The term 'State' has the same meaning as defined in section 6501(9) of title 31, United States Code.

"(13) TRIBAL GOVERNMENT.—The term 'tribal government' means any Indian tribe, band, nation, or other organized group or community, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act (85 Stat. 688; 43 U.S.C. 1601 et seq.) which is recognized as eligible for the special programs and services provided by the United States to Indians because of their special status as Indians.

"SEC. 422. EXCLUSIONS. 2 USC 658a.

"This part shall not apply to any provision in a bill, joint resolution, amendment, motion, or conference report before Congress that—

"(1) enforces constitutional rights of individuals;

"(2) establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability;

"(3) requires compliance with accounting and auditing procedures with respect to grants or other money or property provided by the Federal Government;

"(4) provides for emergency assistance or relief at the request of any State, local, or tribal government or any official of a State, local, or tribal government;

"(5) is necessary for the national security or the ratification or implementation of international treaty obligations;

"(6) the President designates as emergency legislation and that the Congress so designates in statute; or

"(7) relates to the old-age, survivors, and disability insurance program under title II of the Social Security Act (including taxes imposed by sections 3101(a) and 3111(a) of the Internal Revenue Code of 1986 (relating to old-age, survivors, and disability insurance)).

"SEC. 423. DUTIES OF CONGRESSIONAL COMMITTEES. 2 USC 658b.

"(a) IN GENERAL.—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character that includes any Federal mandate, the report of the committee accompanying the bill or joint resolution shall contain the information required by subsections (c) and (d).

"(b) SUBMISSION OF BILLS TO THE DIRECTOR.—When a committee of authorization of the Senate or the House of Representatives orders reported a bill or joint resolution of a public character, the committee shall promptly provide the bill or joint resolution to the Director of the Congressional Budget Office and shall identify to the Director any Federal mandates contained in the bill or resolution.

"(c) REPORTS ON FEDERAL MANDATES.—Each report described under subsection (a) shall contain—

"(1) an identification and description of any Federal mandates in the bill or joint resolution, including the direct costs to State, local, and tribal governments, and to the private sector, required to comply with the Federal mandates;

"(2) a qualitative, and if practicable, a quantitative assessment of costs and benefits anticipated from the Federal mandates (including the effects on health and safety and the protection of the natural environment); and

"(3) a statement of the degree to which a Federal mandate affects both the public and private sectors and the extent to which Federal payment of public sector costs or the modification or termination of the Federal mandate as provided under section 425(a)(2) would affect the competitive balance between State, local, or tribal governments and the private sector including a description of the actions, if any, taken by the committee to avoid any adverse impact on the private sector or the competitive balance between the public sector and the private sector.

"(d) INTERGOVERNMENTAL MANDATES.—If any of the Federal mandates in the bill or joint resolution are Federal intergovernmental mandates, the report required under subsection (a) shall also contain—

"(1)(A) a statement of the amount, if any, of increase or decrease in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable for activities of State, local, or tribal governments subject to the Federal intergovernmental mandates;

"(B) a statement of whether the committee intends that the Federal intergovernmental mandates be partly or entirely unfunded, and if so, the reasons for that intention; and

"(C) if funded in whole or in part, a statement of whether and how the committee has created a mechanism to allocate the funding in a manner that is reasonably consistent with the expected direct costs among and between the respective levels of State, local, and tribal government; and

"(2) any existing sources of Federal assistance in addition to those identified in paragraph (1) that may assist State, local, and tribal governments in meeting the direct costs of the Federal intergovernmental mandates.

"(e) PREEMPTION CLARIFICATION AND INFORMATION.—When a committee of authorization of the Senate or the House of Representatives reports a bill or joint resolution of public character, the committee report accompanying the bill or joint resolution shall contain, if relevant to the bill or joint resolution, an explicit statement on the extent to which the bill or joint resolution is intended to preempt any State, local, or tribal law, and, if so, an explanation of the effect of such preemption.

"(f) PUBLICATION OF STATEMENT FROM THE DIRECTOR.—

"(1) IN GENERAL.—Upon receiving a statement from the Director under section 424, a committee of the Senate or the House of Representatives shall publish the statement in the committee report accompanying the bill or joint resolution to which the statement relates if the statement is available at the time the report is printed.

Congressional Record, publication.

"(2) OTHER PUBLICATION OF STATEMENT OF DIRECTOR.—If the statement is not published in the report, or if the bill or joint resolution to which the statement relates is expected to be considered by the Senate or the House of Representatives before the report is published, the committee shall cause the

statement, or a summary thereof, to be published in the Congressional Record in advance of floor consideration of the bill or joint resolution.

"SEC. 424. DUTIES OF THE DIRECTOR; STATEMENTS ON BILLS AND JOINT RESOLUTIONS OTHER THAN APPROPRIATIONS BILLS AND JOINT RESOLUTIONS. 2 USC 658c.

"(a) FEDERAL INTERGOVERNMENTAL MANDATES IN REPORTED BILLS AND RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

"(1) CONTENTS.—If the Director estimates that the direct cost of all Federal intergovernmental mandates in the bill or joint resolution will equal or exceed $50,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal intergovernmental mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

"(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and brief explanations of the basis of the estimates) of—

"(A) the total amount of direct cost of complying with the Federal intergovernmental mandates in the bill or joint resolution;

"(B) if the bill or resolution contains an authorization of appropriations under section 425(a)(2)(B), the amount of new budget authority for each fiscal year for a period not to exceed 10 years beyond the effective date necessary for the direct cost of the intergovernmental mandate; and

"(C) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution and usable by State, local, or tribal governments for activities subject to the Federal intergovernmental mandates.

"(3) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement. If such determination is made by the Director, a point of order under this part shall lie only under section 425(a)(1) and as if the requirement of section 425(a)(1) had not been met.

"(b) FEDERAL PRIVATE SECTOR MANDATES IN REPORTED BILLS AND JOINT RESOLUTIONS.—For each bill or joint resolution of a public character reported by any committee of authorization of the Senate or the House of Representatives, the Director of the Congressional Budget Office shall prepare and submit to the committee a statement as follows:

"(1) CONTENTS.—If the Director estimates that the direct cost of all Federal private sector mandates in the bill or joint

resolution will equal or exceed $100,000,000 (adjusted annually for inflation) in the fiscal year in which any Federal private sector mandate in the bill or joint resolution (or in any necessary implementing regulation) would first be effective or in any of the 4 fiscal years following such fiscal year, the Director shall so state, specify the estimate, and briefly explain the basis of the estimate.

"(2) ESTIMATES.—Estimates required under paragraph (1) shall include estimates (and a brief explanation of the basis of the estimates) of—

"(A) the total amount of direct costs of complying with the Federal private sector mandates in the bill or joint resolution; and

"(B) the amount, if any, of increase in authorization of appropriations under existing Federal financial assistance programs, or of authorization of appropriations for new Federal financial assistance, provided by the bill or joint resolution usable by the private sector for the activities subject to the Federal private sector mandates.

"(3) ESTIMATE NOT FEASIBLE.—If the Director determines that it is not feasible to make a reasonable estimate that would be required under paragraphs (1) and (2), the Director shall not make the estimate, but shall report in the statement that the reasonable estimate cannot be made and shall include the reasons for that determination in the statement.

"(c) LEGISLATION FALLING BELOW THE DIRECT COSTS THRESHOLDS.—If the Director estimates that the direct costs of a Federal mandate will not equal or exceed the thresholds specified in subsections (a) and (b), the Director shall so state and shall briefly explain the basis of the estimate.

"(d) AMENDED BILLS AND JOINT RESOLUTIONS; CONFERENCE REPORTS.—If a bill or joint resolution is passed in an amended form (including if passed by one House as an amendment in the nature of a substitute for the text of a bill or joint resolution from the other House) or is reported by a committee of conference in amended form, and the amended form contains a Federal mandate not previously considered by either House or which contains an increase in the direct cost of a previously considered Federal mandate, then the committee of conference shall ensure, to the greatest extent practicable, that the Director shall prepare a statement as provided in this subsection or a supplemental statement for the bill or joint resolution in that amended form.

2 USC 658d.

"SEC. 425. LEGISLATION SUBJECT TO POINT OF ORDER.

"(a) IN GENERAL.—It shall not be in order in the Senate or the House of Representatives to consider—

"(1) any bill or joint resolution that is reported by a committee unless the committee has published a statement of the Director on the direct costs of Federal mandates in accordance with section 423(f) before such consideration, except this paragraph shall not apply to any supplemental statement prepared by the Director under section 424(d); and

"(2) any bill, joint resolution, amendment, motion, or conference report that would increase the direct costs of Federal intergovernmental mandates by an amount that causes the thresholds specified in section 424(a)(1) to be exceeded, unless—

"(A) the bill, joint resolution, amendment, motion, or conference report provides new budget authority or new entitlement authority in the House of Representatives or direct spending authority in the Senate for each fiscal year for such mandates included in the bill, joint resolution, amendment, motion, or conference report in an amount equal to or exceeding the direct costs of such mandate; or

"(B) the bill, joint resolution, amendment, motion, or conference report includes an authorization for appropriations in an amount equal to or exceeding the direct costs of such mandate, and—

"(i) identifies a specific dollar amount of the direct costs of such mandate for each year up to 10 years during which such mandate shall be in effect under the bill, joint resolution, amendment, motion or conference report, and such estimate is consistent with the estimate determined under subsection (e) for each fiscal year;

"(ii) identifies any appropriation bill that is expected to provide for Federal funding of the direct cost referred to under clause (i); and

"(iii)(I) provides that for any fiscal year the responsible Federal agency shall determine whether there are insufficient appropriations for that fiscal year to provide for the direct costs under clause (i) of such mandate, and shall (no later than 30 days after the beginning of the fiscal year) notify the appropriate authorizing committees of Congress of the determination and submit either—

"(aa) a statement that the agency has determined, based on a re-estimate of the direct costs of such mandate, after consultation with State, local, and tribal governments, that the amount appropriated is sufficient to pay for the direct costs of such mandate; or

"(bb) legislative recommendations for either implementing a less costly mandate or making such mandate ineffective for the fiscal year;

"(II) provides for expedited procedures for the consideration of the statement or legislative recommendations referred to in subclause (I) by Congress no later than 30 days after the statement or recommendations are submitted to Congress; and

"(III) provides that such mandate shall— Termination date.

"(aa) in the case of a statement referred to in subclause (I)(aa), cease to be effective 60 days after the statement is submitted unless Congress has approved the agency's determination by joint resolution during the 60-day period;

"(bb) cease to be effective 60 days after the date the legislative recommendations of the responsible Federal agency are submitted to Congress under subclause (I)(bb) unless Congress provides otherwise by law; or

"(cc) in the case that such mandate that has not yet taken effect, continue not to be effective unless Congress provides otherwise by law.

"(b) RULE OF CONSTRUCTION.—The provisions of subsection (a)(2)(B)(iii) shall not be construed to prohibit or otherwise restrict a State, local, or tribal government from voluntarily electing to remain subject to the original Federal intergovernmental mandate, complying with the programmatic or financial responsibilities of the original Federal intergovernmental mandate and providing the funding necessary consistent with the costs of Federal agency assistance, monitoring, and enforcement.

"(c) COMMITTEE ON APPROPRIATIONS.—

"(1) APPLICATION.—The provisions of subsection (a)—

"(A) shall not apply to any bill or resolution reported by the Committee on Appropriations of the Senate or the House of Representatives; except

"(B) shall apply to—

"(i) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

"(ii) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendment offered to a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives;

"(iii) any legislative provision increasing direct costs of a Federal intergovernmental mandate in a conference report accompanying a bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives; and

"(iv) any legislative provision increasing direct costs of a Federal intergovernmental mandate contained in any amendments in disagreement between the two Houses to any bill or resolution reported by the Committee on Appropriations of the Senate or House of Representatives.

"(2) CERTAIN PROVISIONS STRICKEN IN SENATE.—Upon a point of order being made by any Senator against any provision listed in paragraph (1)(B), and the point of order being sustained by the Chair, such specific provision shall be deemed stricken from the bill, resolution, amendment, amendment in disagreement, or conference report and may not be offered as an amendment from the floor.

"(d) DETERMINATIONS OF APPLICABILITY TO PENDING LEGISLATION.—For purposes of this section, in the Senate, the presiding officer of the Senate shall consult with the Committee on Governmental Affairs, to the extent practicable, on questions concerning the applicability of this part to a pending bill, joint resolution, amendment, motion, or conference report.

"(e) DETERMINATIONS OF FEDERAL MANDATE LEVELS.—For purposes of this section, in the Senate, the levels of Federal mandates for a fiscal year shall be determined based on the estimates made by the Committee on the Budget.

"SEC. 426. PROVISIONS RELATING TO THE HOUSE OF REPRESENTATIVES. 2 USC 658e.

"(a) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of section 425.

"(b) DISPOSITION OF POINTS OF ORDER.—

"(1) APPLICATION TO THE HOUSE OF REPRESENTATIVES.—This subsection shall apply only to the House of Representatives.

"(2) THRESHOLD BURDEN.—In order to be cognizable by the Chair, a point of order under section 425 or subsection (a) of this section must specify the precise language on which it is premised.

"(3) QUESTION OF CONSIDERATION.—As disposition of points of order under section 425 or subsection (a) of this section, the Chair shall put the question of consideration with respect to the proposition that is the subject of the points of order.

"(4) DEBATE AND INTERVENING MOTIONS.—A question of consideration under this section shall be debatable for 10 minutes by each Member initiating a point of order and for 10 minutes by an opponent on each point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

"(5) EFFECT ON AMENDMENT IN ORDER AS ORIGINAL TEXT.—The disposition of the question of consideration under this subsection with respect to a bill or joint resolution shall be considered also to determine the question of consideration under this subsection with respect to an amendment made in order as original text.

"SEC. 427. REQUESTS TO THE CONGRESSIONAL BUDGET OFFICE FROM SENATORS. 2 USC 658f.

"At the written request of a Senator, the Director shall, to the extent practicable, prepare an estimate of the direct costs of a Federal intergovernmental mandate contained in an amendment of such Senator.

"SEC. 428. CLARIFICATION OF APPLICATION. 2 USC 658g.

"(a) IN GENERAL.—This part applies to any bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out any statute, or that otherwise amends any statute, only if enactment of the bill, joint resolution, amendment, motion, or conference report—

"(1) would result in a net reduction in or elimination of authorization of appropriations for Federal financial assistance that would be provided to State, local, or tribal governments for use for the purpose of complying with any Federal intergovernmental mandate, or to the private sector for use to comply with any Federal private sector mandate, and would not eliminate or reduce duties established by the Federal mandate by a corresponding amount; or

"(2) would result in a net increase in the aggregate amount of direct costs of Federal intergovernmental mandates or Federal private sector mandates other than as described in paragraph (1).

"(b) DIRECT COSTS.—

"(1) IN GENERAL.—For purposes of this part, the direct cost of the Federal mandates in a bill, joint resolution, amendment, motion, or conference report that reauthorizes appropriations, or that amends existing authorizations of appropriations, to carry out a statute, or that otherwise amends any statute, means the net increase, resulting from enactment of the bill, joint resolution, amendment, motion, or conference report, in the amount described under paragraph (2)(A) over the amount described under paragraph (2)(B).

"(2) AMOUNTS.—The amounts referred to under paragraph (1) are—

"(A) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report is enacted; and

"(B) the aggregate amount of direct costs of Federal mandates that would result under the statute if the bill, joint resolution, amendment, motion, or conference report were not enacted.

"(3) EXTENSION OF AUTHORIZATION OF APPROPRIATIONS.—For purposes of this section, in the case of legislation to extend authorization of appropriations, the authorization level that would be provided by the extension shall be compared to the authorization level for the last year in which authorization of appropriations is already provided.".

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended—

(1) by inserting "PART A—GENERAL PROVISIONS" before the item relating to section 401; and

(2) by inserting after the item relating to section 407 the following:

"PART B—FEDERAL MANDATES

"Sec. 421. Definitions.
"Sec. 422. Exclusions.
"Sec. 423. Duties of congressional committees.
"Sec. 424. Duties of the Director; statements on bills and joint resolutions other than appropriations bills and joint resolutions.
"Sec. 425. Legislation subject to point of order.
"Sec. 426. Provisions relating to the House of Representatives.
"Sec. 427. Requests to the Congressional Budget Office from Senators.
"Sec. 428. Clarification of application.".

SEC. 102. ASSISTANCE TO COMMITTEES AND STUDIES.

The Congressional Budget and Impoundment Control Act of 1974 is amended—

2 USC 602.

(1) in section 202—

(A) in subsection (c)—

(i) by redesignating paragraph (2) as paragraph (3); and

(ii) by inserting after paragraph (1) the following new paragraph:

"(2) At the request of any committee of the Senate or the House of Representatives, the Office shall, to the extent practicable, consult with and assist such committee in analyzing the budgetary or financial impact of any proposed legislation that may have—

"(A) a significant budgetary impact on State, local, or tribal governments;

"(B) a significant financial impact on the private sector; or

"(C) a significant employment impact on the private sector."; and

(B) by amending subsection (h) to read as follows:

"(h) STUDIES.—

"(1) CONTINUING STUDIES.—The Director of the Congressional Budget Office shall conduct continuing studies to enhance comparisons of budget outlays, credit authority, and tax expenditures.

"(2) FEDERAL MANDATE STUDIES.—

"(A) At the request of any Chairman or ranking member of the minority of a Committee of the Senate or the House of Representatives, the Director shall, to the extent practicable, conduct a study of a legislative proposal containing a Federal mandate.

"(B) In conducting a study on intergovernmental mandates under subparagraph (A), the Director shall—

"(i) solicit and consider information or comments from elected officials (including their designated representatives) of State, local, or tribal governments as may provide helpful information or comments;

"(ii) consider establishing advisory panels of elected officials or their designated representatives, of State, local, or tribal governments if the Director determines that such advisory panels would be helpful in performing responsibilities of the Director under this section; and

"(iii) if, and to the extent that the Director determines that accurate estimates are reasonably feasible, include estimates of—

"(I) the future direct cost of the Federal mandate to the extent that such costs significantly differ from or extend beyond the 5-year period after the mandate is first effective; and

"(II) any disproportionate budgetary effects of Federal mandates upon particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities, as appropriate.

"(C) In conducting a study on private sector mandates under subparagraph (A), the Director shall provide estimates, if and to the extent that the Director determines that such estimates are reasonably feasible, of—

"(i) future costs of Federal private sector mandates to the extent that such mandates differ significantly from or extend beyond the 5-year time period referred to in subparagraph (B)(iii)(I);

"(ii) any disproportionate financial effects of Federal private sector mandates and of any Federal financial assistance in the bill or joint resolution upon any particular industries or sectors of the economy, States, regions, and urban or rural or other types of communities; and

"(iii) the effect of Federal private sector mandates in the bill or joint resolution on the national economy, including the effect on productivity, economic growth, full employment, creation of productive jobs, and international competitiveness of United States goods and services."; and

2 USC 632. (2) in section 301(d) by adding at the end thereof the following new sentence: "Any Committee of the House of Representatives or the Senate that anticipates that the committee will consider any proposed legislation establishing, amending, or reauthorizing any Federal program likely to have a significant budgetary impact on any State, local, or tribal government, or likely to have a significant financial impact on the private sector, including any legislative proposal submitted by the executive branch likely to have such a budgetary or financial impact, shall include its views and estimates on that proposal to the Committee on the Budget of the applicable House.".

2 USC 1511. **SEC. 103. COST OF REGULATIONS.**

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that Federal agencies should review and evaluate planned regulations to ensure that the cost estimates provided by the Congressional Budget Office will be carefully considered as regulations are promulgated.

(b) STATEMENT OF COST.—At the request of a committee chairman or ranking minority member, the Director shall, to the extent practicable, prepare a comparison between—

(1) an estimate by the relevant agency, prepared under section 202 of this Act, of the costs of regulations implementing an Act containing a Federal mandate; and

(2) the cost estimate prepared by the Congressional Budget Office for such Act when it was enacted by the Congress.

(c) COOPERATION OF OFFICE OF MANAGEMENT AND BUDGET.—At the request of the Director of the Congressional Budget Office, the Director of the Office of Management and Budget shall provide data and cost estimates for regulations implementing an Act containing a Federal mandate covered by part B of title IV of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act).

SEC. 104. REPEAL OF CERTAIN ANALYSIS BY CONGRESSIONAL BUDGET OFFICE.

Section 403 of the Congressional Budget and Impoundment
2 USC 653. Control Act of 1974 is amended—

(1) in subsection (a)—

(A) by striking out paragraph (2);

(B) in paragraph (3) by striking out "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1)"; and

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively;

(2) by striking out "(a)"; and

(3) by striking out subsections (b) and (c).

2 USC 1512. **SEC. 105. CONSIDERATION FOR FEDERAL FUNDING.**

Nothing in this Act shall preclude a State, local, or tribal government that already complies with all or part of the Federal intergovernmental mandates included in the bill, joint resolution, amendment, motion, or conference report from consideration for

Federal funding under section 425(a)(2) of the Congressional Budget and Impoundment Control Act of 1974 (as added by section 101 of this Act) for the cost of the mandate, including the costs the State, local, or tribal government is currently paying and any additional costs necessary to meet the mandate.

SEC. 106. IMPACT ON LOCAL GOVERNMENTS. 2 USC 1513.

(a) FINDINGS.—The Senate finds that—

(1) the Congress should be concerned about shifting costs from Federal to State and local authorities and should be equally concerned about the growing tendency of States to shift costs to local governments;

(2) cost shifting from States to local governments has, in many instances, forced local governments to raise property taxes or curtail sometimes essential services; and

(3) increases in local property taxes and cuts in essential services threaten the ability of many citizens to attain and maintain the American dream of owning a home in a safe, secure community.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) the Federal Government should not shift certain costs to the State, and States should end the practice of shifting costs to local governments, which forces many local governments to increase property taxes;

(2) States should end the imposition, in the absence of full consideration by their legislatures, of State issued mandates on local governments without adequate State funding, in a manner that may displace other essential government priorities; and

(3) one primary objective of this Act and other efforts to change the relationship among Federal, State, and local governments should be to reduce taxes and spending at all levels and to end the practice of shifting costs from one level of government to another with little or no benefit to taxpayers.

SEC. 107. ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES. 2 USC 1514.

(a) MOTIONS TO STRIKE IN THE COMMITTEE OF THE WHOLE.—Clause 5 of rule XXIII of the Rules of the House of Representatives is amended by adding at the end the following:

"(c) In the consideration of any measure for amendment in the Committee of the Whole containing any Federal mandate the direct costs of which exceed the threshold in section 424(a)(1) of the Unfunded Mandate Reform Act of 1995, it shall always be in order, unless specifically waived by terms of a rule governing consideration of that measure, to move to strike such Federal mandate from the portion of the bill then open to amendment.".

(b) COMMITTEE ON RULES REPORTS ON WAIVED POINTS OF ORDER.—The Committee on Rules shall include in the report required by clause 1(d) of rule XI (relating to its activities during the Congress) of the Rules of the House of Representatives a separate item identifying all waivers of points of order relating to Federal mandates, listed by bill or joint resolution number and the subject matter of that measure.

SEC. 108. EXERCISE OF RULEMAKING POWERS. 2 USC 1515.

The provisions of sections 101 and 107 are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of such House, respectively, and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change such rules (so far as relating to such House) at any time, in the same manner, and to the same extent as in the case of any other rule of each House.

2 USC 1516.

SEC. 109. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Congressional Budget Office $4,500,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002 to carry out the provisions of this title.

2 USC 1511 note.

SEC. 110. EFFECTIVE DATE.

This title shall take effect on January 1, 1996 or on the date 90 days after appropriations are made available as authorized under section 109, whichever is earlier and shall apply to legislation considered on and after such date.

TITLE II—REGULATORY ACCOUNTABILITY AND REFORM

2 USC 1531.

SEC. 201. REGULATORY PROCESS.

Each agency shall, unless otherwise prohibited by law, assess the effects of Federal regulatory actions on State, local, and tribal governments, and the private sector (other than to the extent that such regulations incorporate requirements specifically set forth in law).

2 USC 1532.

SEC. 202. STATEMENTS TO ACCOMPANY SIGNIFICANT REGULATORY ACTIONS.

(a) IN GENERAL.—Unless otherwise prohibited by law, before promulgating any general notice of proposed rulemaking that is likely to result in promulgation of any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation) in any 1 year, and before promulgating any final rule for which a general notice of proposed rulemaking was published, the agency shall prepare a written statement containing—

(1) an identification of the provision of Federal law under which the rule is being promulgated;

(2) a qualitative and quantitative assessment of the anticipated costs and benefits of the Federal mandate, including the costs and benefits to State, local, and tribal governments or the private sector, as well as the effect of the Federal mandate on health, safety, and the natural environment and such an assessment shall include—

(A) an analysis of the extent to which such costs to State, local, and tribal governments may be paid with Federal financial assistance (or otherwise paid for by the Federal Government); and

(B) the extent to which there are available Federal resources to carry out the intergovernmental mandate;

(3) estimates by the agency, if and to the extent that the agency determines that accurate estimates are reasonably feasible, of—

(A) the future compliance costs of the Federal mandate; and

(B) any disproportionate budgetary effects of the Federal mandate upon any particular regions of the nation or particular State, local, or tribal governments, urban or rural or other types of communities, or particular segments of the private sector;

(4) estimates by the agency of the effect on the national economy, such as the effect on productivity, economic growth, full employment, creation of productive jobs, and international competitiveness of United States goods and services, if and to the extent that the agency in its sole discretion determines that accurate estimates are reasonably feasible and that such effect is relevant and material; and

(5)(A) a description of the extent of the agency's prior consultation with elected representatives (under section 204) of the affected State, local, and tribal governments;

(B) a summary of the comments and concerns that were presented by State, local, or tribal governments either orally or in writing to the agency; and

(C) a summary of the agency's evaluation of those comments and concerns.

(b) PROMULGATION.—In promulgating a general notice of proposed rulemaking or a final rule for which a statement under subsection (a) is required, the agency shall include in the promulgation a summary of the information contained in the statement.

(c) PREPARATION IN CONJUNCTION WITH OTHER STATEMENT.—Any agency may prepare any statement required under subsection (a) in conjunction with or as a part of any other statement or analysis, provided that the statement or analysis satisfies the provisions of subsection (a).

SEC. 203. SMALL GOVERNMENT AGENCY PLAN. 2 USC 1533.

(a) EFFECTS ON SMALL GOVERNMENTS.—Before establishing any regulatory requirements that might significantly or uniquely affect small governments, agencies shall have developed a plan under which the agency shall—

(1) provide notice of the requirements to potentially affected small governments, if any;

(2) enable officials of affected small governments to provide meaningful and timely input in the development of regulatory proposals containing significant Federal intergovernmental mandates; and

(3) inform, educate, and advise small governments on compliance with the requirements.

(b) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to each agency to carry out the provisions of this section and for no other purpose, such sums as are necessary.

SEC. 204. STATE, LOCAL, AND TRIBAL GOVERNMENT INPUT. 2 USC 1534.

(a) IN GENERAL.—Each agency shall, to the extent permitted in law, develop an effective process to permit elected officers of State, local, and tribal governments (or their designated employees

with authority to act on their behalf) to provide meaningful and timely input in the development of regulatory proposals containing significant Federal intergovernmental mandates.

(b) MEETINGS BETWEEN STATE, LOCAL, TRIBAL AND FEDERAL OFFICERS.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to actions in support of intergovernmental communications where—

(1) meetings are held exclusively between Federal officials and elected officers of State, local, and tribal governments (or their designated employees with authority to act on their behalf) acting in their official capacities; and

(2) such meetings are solely for the purposes of exchanging views, information, or advice relating to the management or implementation of Federal programs established pursuant to public law that explicitly or inherently share intergovernmental responsibilities or administration.

(c) IMPLEMENTING GUIDELINES.—No later than 6 months after the date of enactment of this Act, the President shall issue guidelines and instructions to Federal agencies for appropriate implementation of subsections (a) and (b) consistent with applicable laws and regulations.

2 USC 1535.

SEC. 205. LEAST BURDENSOME OPTION OR EXPLANATION REQUIRED.

(a) IN GENERAL.—Except as provided in subsection (b), before promulgating any rule for which a written statement is required under section 202, the agency shall identify and consider a reasonable number of regulatory alternatives and from those alternatives select the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule, for—

(1) State, local, and tribal governments, in the case of a rule containing a Federal intergovernmental mandate; and

(2) the private sector, in the case of a rule containing a Federal private sector mandate.

(b) EXCEPTION.—The provisions of subsection (a) shall apply unless—

(1) the head of the affected agency publishes with the final rule an explanation of why the least costly, most cost-effective or least burdensome method of achieving the objectives of the rule was not adopted; or

(2) the provisions are inconsistent with law.

(c) OMB CERTIFICATION.—No later than 1 year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall certify to Congress, with a written explanation, agency compliance with this section and include in that certification agencies and rulemakings that fail to adequately comply with this section.

2 USC 1536.

SEC. 206. ASSISTANCE TO THE CONGRESSIONAL BUDGET OFFICE.

The Director of the Office of Management and Budget shall—

(1) collect from agencies the statements prepared under section 202; and

(2) periodically forward copies of such statements to the Director of the Congressional Budget Office on a reasonably timely basis after promulgation of the general notice of proposed rulemaking or of the final rule for which the statement was prepared.

SEC. 207. PILOT PROGRAM ON SMALL GOVERNMENT FLEXIBILITY. 2 USC 1537.

(a) IN GENERAL.—The Director of the Office of Management and Budget, in consultation with Federal agencies, shall establish pilot programs in at least 2 agencies to test innovative, and more flexible regulatory approaches that—

(1) reduce reporting and compliance burdens on small governments; and

(2) meet overall statutory goals and objectives.

(b) PROGRAM FOCUS.—The pilot programs shall focus on rules in effect or proposed rules, or a combination thereof.

SEC. 208. ANNUAL STATEMENTS TO CONGRESS ON AGENCY COMPLIANCE. Reports.

No later than 1 year after the effective date of this title and annually thereafter, the Director of the Office of Management and Budget shall submit to the Congress, including the Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives, a written report detailing compliance by each agency during the preceding reporting period with the requirements of this title. 2 USC 1538.

SEC. 209. EFFECTIVE DATE. 2 USC 1531 note.

This title and the amendments made by this title shall take effect on the date of the enactment of this Act.

TITLE III—REVIEW OF FEDERAL MANDATES

SEC. 301. BASELINE STUDY OF COSTS AND BENEFITS. 2 USC 1551.

(a) IN GENERAL.—No later than 18 months after the date of enactment of this Act, the Advisory Commission on Intergovernmental Relations (hereafter in this title referred to as the "Advisory Commission"), in consultation with the Director, shall complete a study to examine the measurement and definition issues involved in calculating the total costs and benefits to State, local, and tribal governments of compliance with Federal law.

(b) CONSIDERATIONS.—The study required by this section shall consider—

(1) the feasibility of measuring indirect costs and benefits as well as direct costs and benefits of the Federal, State, local, and tribal relationship; and

(2) how to measure both the direct and indirect benefits of Federal financial assistance and tax benefits to State, local, and tribal governments.

SEC. 302. REPORT ON FEDERAL MANDATES BY ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS. 2 USC 1552.

(a) IN GENERAL.—The Advisory Commission on Intergovernmental Relations shall in accordance with this section—

(1) investigate and review the role of Federal mandates in intergovernmental relations and their impact on State, local, tribal, and Federal government objectives and responsibilities, and their impact on the competitive balance between State, local, and tribal governments, and the private sector and consider views of and the impact on working men and women on those same matters;

(2) investigate and review the role of unfunded State mandates imposed on local governments;

(3) make recommendations to the President and the Congress regarding—

(A) allowing flexibility for State, local, and tribal governments in complying with specific Federal mandates for which terms of compliance are unnecessarily rigid or complex;

(B) reconciling any 2 or more Federal mandates which impose contradictory or inconsistent requirements;

(C) terminating Federal mandates which are duplicative, obsolete, or lacking in practical utility;

(D) suspending, on a temporary basis, Federal mandates which are not vital to public health and safety and which compound the fiscal difficulties of State, local, and tribal governments, including recommendations for triggering such suspension;

(E) consolidating or simplifying Federal mandates, or the planning or reporting requirements of such mandates, in order to reduce duplication and facilitate compliance by State, local, and tribal governments with those mandates;

(F) establishing common Federal definitions or standards to be used by State, local, and tribal governments in complying with Federal mandates that use different definitions or standards for the same terms or principles; and

(G)(i) the mitigation of negative impacts on the private sector that may result from relieving State, local, and tribal governments from Federal mandates (if and to the extent that such negative impacts exist on the private sector); and

(ii) the feasibility of applying relief from Federal mandates in the same manner and to the same extent to private sector entities as such relief is applied to State, local, and tribal governments; and

(4) identify and consider in each recommendation made under paragraph (3), to the extent practicable—

(A) the specific Federal mandates to which the recommendation applies, including requirements of the departments, agencies, and other entities of the Federal Government that State, local, and tribal governments utilize metric systems of measurement; and

(B) any negative impact on the private sector that may result from implementation of the recommendation.

(b) CRITERIA.—

(1) IN GENERAL.—The Commission shall establish criteria for making recommendations under subsection (a).

(2) ISSUANCE OF PROPOSED CRITERIA.—The Commission shall issue proposed criteria under this subsection no later than 60 days after the date of the enactment of this Act, and thereafter provide a period of 30 days for submission by the public of comments on the proposed criteria.

(3) FINAL CRITERIA.—No later than 45 days after the date of issuance of proposed criteria, the Commission shall—

(A) consider comments on the proposed criteria received under paragraph (2);

(B) adopt and incorporate in final criteria any recommendations submitted in those comments that the Commission determines will aid the Commission in carrying out its duties under this section; and

(C) issue final criteria under this subsection.

(c) PRELIMINARY REPORT.—

(1) IN GENERAL.—No later than 9 months after the date of the enactment of this Act, the Commission shall—

(A) prepare and publish a preliminary report on its activities under this title, including preliminary recommendations pursuant to subsection (a); Publication.

(B) publish in the Federal Register a notice of availability of the preliminary report; and Federal Register, publication.

(C) provide copies of the preliminary report to the public upon request. Public information.

(2) PUBLIC HEARINGS.—The Commission shall hold public hearings on the preliminary recommendations contained in the preliminary report of the Commission under this subsection.

(d) FINAL REPORT.—No later than 3 months after the date of the publication of the preliminary report under subsection (c), the Commission shall submit to the Congress, including the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Governmental Affairs of the Senate, the Committee on the Budget of the Senate, and the Committee on the Budget of the House of Representatives, and to the President a final report on the findings, conclusions, and recommendations of the Commission under this section.

(e) PRIORITY TO MANDATES THAT ARE SUBJECT OF JUDICIAL PROCEEDINGS.—In carrying out this section, the Advisory Commission shall give the highest priority to immediately investigating, reviewing, and making recommendations regarding Federal mandates that are the subject of judicial proceedings between the United States and a State, local, or tribal government.

(f) DEFINITION.—For purposes of this section the term "State mandate" means any provision in a State statute or regulation that imposes an enforceable duty on local governments, the private sector, or individuals, including a condition of State assistance or a duty arising from participation in a voluntary State program.

SEC. 303. SPECIAL AUTHORITIES OF ADVISORY COMMISSION. 2 USC 1553.

(a) EXPERTS AND CONSULTANTS.—For purposes of carrying out this title, the Advisory Commission may procure temporary and intermittent services of experts or consultants under section 3109(b) of title 5, United States Code.

(b) DETAIL OF STAFF OF FEDERAL AGENCIES.—Upon request of the Executive Director of the Advisory Commission, the head of any Federal department or agency may detail, on a reimbursable basis, any of the personnel of that department or agency to the Advisory Commission to assist it in carrying out this title.

(c) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Advisory Commission, the Administrator of General Services shall provide to the Advisory Commission, on a reimbursable basis, the administrative support services necessary for the Advisory Commission to carry out its duties under this title.

(d) CONTRACT AUTHORITY.—The Advisory Commission may, subject to appropriations, contract with and compensate government

and private persons (including agencies) for property and services used to carry out its duties under this title.

2 USC 1554.

SEC. 304. ANNUAL REPORT TO CONGRESS REGARDING FEDERAL COURT RULINGS.

No later than 4 months after the date of enactment of this Act, and no later than March 15 of each year thereafter, the Advisory Commission on Intergovernmental Relations shall submit to the Congress, including the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate, and to the President a report describing any Federal court case to which a State, local, or tribal government was a party in the preceding calendar year that required such State, local, or tribal government to undertake responsibilities or activities, beyond those such government would otherwise have undertaken, to comply with Federal statutes and regulations.

2 USC 1555.

SEC. 305. DEFINITION.

Notwithstanding section 3 of this Act, for purposes of this title the term "Federal mandate" means any provision in statute or regulation or any Federal court ruling that imposes an enforceable duty upon State, local, or tribal governments including a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.

2 USC 1556.

SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Advisory Commission to carry out section 301 and section 302, $500,000 for each of fiscal years 1995 and 1996.

TITLE IV—JUDICIAL REVIEW

2 USC 1571.

SEC. 401. JUDICIAL REVIEW.

(a) AGENCY STATEMENTS ON SIGNIFICANT REGULATORY ACTIONS.—

(1) IN GENERAL.—Compliance or noncompliance by any agency with the provisions of sections 202 and 203(a) (1) and (2) shall be subject to judicial review only in accordance with this section.

(2) LIMITED REVIEW OF AGENCY COMPLIANCE OR NONCOMPLIANCE.—(A) Agency compliance or noncompliance with the provisions of sections 202 and 203(a) (1) and (2) shall be subject to judicial review only under section 706(1) of title 5, United States Code, and only as provided under subparagraph (B).

(B) If an agency fails to prepare the written statement (including the preparation of the estimates, analyses, statements, or descriptions) under section 202 or the written plan under section 203(a) (1) and (2), a court may compel the agency to prepare such written statement.

(3) REVIEW OF AGENCY RULES.—In any judicial review under any other Federal law of an agency rule for which a written statement or plan is required under sections 202 and 203(a) (1) and (2), the inadequacy or failure to prepare such statement (including the inadequacy or failure to prepare any estimate, analysis, statement or description) or written plan shall not

be used as a basis for staying, enjoining, invalidating or otherwise affecting such agency rule.

(4) CERTAIN INFORMATION AS PART OF RECORD.—Any information generated under sections 202 and 203(a) (1) and (2) that is part of the rulemaking record for judicial review under the provisions of any other Federal law may be considered as part of the record for judicial review conducted under such other provisions of Federal law.

(5) APPLICATION OF OTHER FEDERAL LAW.—For any petition under paragraph (2) the provisions of such other Federal law shall control all other matters, such as exhaustion of administrative remedies, the time for and manner of seeking review and venue, except that if such other Federal law does not provide a limitation on the time for filing a petition for judicial review that is less than 180 days, such limitation shall be 180 days after a final rule is promulgated by the appropriate agency.

(6) EFFECTIVE DATE.—This subsection shall take effect on October 1, 1995, and shall apply only to any agency rule for which a general notice of proposed rulemaking is promulgated on or after such date.

(b) JUDICIAL REVIEW AND RULE OF CONSTRUCTION.—Except as provided in subsection (a)—

(1) any estimate, analysis, statement, description or report prepared under this Act, and any compliance or noncompliance with the provisions of this Act, and any determination concerning the applicability of the provisions of this Act shall not be subject to judicial review; and

(2) no provision of this Act shall be construed to create any right or benefit, substantive or procedural, enforceable by any person in any administrative or judicial action.

Approved March 22, 1995.

LEGISLATIVE HISTORY—S. 1 (H.R. 5) (S. 169):

HOUSE REPORTS: Nos. 104–1, Pt. 1 (Comm. on Rules) and Pt. 2 (Comm. on Government Reform and Oversight), both accompanying H.R. 5, and 104–76 (Comm. of Conference).

SENATE REPORTS: Nos. 104–1 (Comm. on Governmental Affairs) and 104–2 (Comm. on the Budget).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Jan. 12, 13, 17–19, 23–27, considered and passed Senate.

Jan. 19, 20, 23, 24, 27, 30, 31, Feb. 1, considered and passed House, amended, in lieu of H.R. 5.

Mar. 14, 15, Senate considered and agreed to conference report.

Mar. 16, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Mar. 22, Presidential remarks.

Public Law 104–5
104th Congress

An Act

Mar. 23, 1995
[S. 377]

To amend a provision of part A of title IX of the Elementary and Secondary Education Act of 1965, relating to Indian education, to provide a technical amendment, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TECHNICAL AMENDMENT.

20 USC 7812.

Section 9112(a)(1)(A) of the Elementary and Secondary Education Act of 1965 (as added by section 101 of the Improving America's Schools Act of 1994 (Public Law 103–382)) is amended by striking "and" and inserting "or".

Approved March 23, 1995.

LEGISLATIVE HISTORY—S. 377:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Feb. 16, considered and passed Senate.
Mar. 14, considered and passed House.

Public Law 104–6
104th Congress

An Act

Making emergency supplemental appropriations and rescissions to preserve and enhance the military readiness of the Department of Defense for the fiscal year ending September 30, 1995, and for other purposes.

Apr. 10, 1995
[H.R. 889]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for the Department of Defense to preserve and enhance military readiness for the fiscal year ending September 30, 1995, and for other purposes, namely:

Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995.

TITLE I

CHAPTER I

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

DEPARTMENT OF DEFENSE—MILITARY

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army," $260,700,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy," $183,100,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps," $25,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force," $207,100,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army," $6,500,000: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy," $9,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps," $1,300,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force," $2,800,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army," $11,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force," $5,000,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army," $936,600,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy," $423,700,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps," $33,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force," $852,500,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide," $46,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve," $15,400,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

PROCUREMENT

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army," $8,300,000, to remain available until September 30, 1997: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program," $13,200,000: *Provided*, That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER II

RESCINDING CERTAIN BUDGET AUTHORITY

DEPARTMENT OF DEFENSE—MILITARY

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $2,000,000 are rescinded.

OPERATION AND MAINTENANCE, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $2,000,000 are rescinded.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $68,800,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $15,400,000 are rescinded.

OPERATION AND MAINTENANCE, ARMY RESERVE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $6,200,000 are rescinded.

ENVIRONMENTAL RESTORATION, DEFENSE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $300,000,000 are rescinded.

FORMER SOVIET UNION THREAT REDUCTION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $20,000,000 are rescinded.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $34,411,000 are rescinded.

PROCUREMENT OF AMMUNITION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 102–396, $85,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $55,900,000 are rescinded.

OTHER PROCUREMENT, ARMY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $32,100,000 are rescinded.

AIRCRAFT PROCUREMENT, AIR FORCE

(RESCISSIONS AND TRANSFER)

Of the funds made available under this heading in Public Law 102–396, $100,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $27,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $23,500,000 are hereby transferred and made available for obligation to Operation and Maintenance, Air Force.

MISSILE PROCUREMENT, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 102–396, $33,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–139, $99,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $89,500,000 are rescinded.

OTHER PROCUREMENT, AIR FORCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $6,100,000 are rescinded.

PROCUREMENT, DEFENSE-WIDE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $32,000,000 are rescinded.

NATIONAL GUARD AND RESERVE EQUIPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $30,000,000 are rescinded.

DEFENSE PRODUCTION ACT PURCHASES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–139, $100,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $5,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $43,000,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–335, $68,800,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $49,600,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $191,200,000 are rescinded.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–139, $77,000,000 are rescinded.

Of the funds made available under this heading in Public Law 103–335, $436,445,000 are rescinded.

RELATED AGENCIES

NATIONAL SECURITY EDUCATION TRUST FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 102–172, $75,000,000 are rescinded.

CHAPTER III

GENERAL PROVISIONS

SEC. 101. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 102. Notwithstanding sections 607 and 630 of the Foreign Assistance Act of 1961 (22 U.S.C. 2357, 2390) and sections 2608 and 2350j of title 10, United States Code, all funds received by the United States as reimbursement for expenses for which funds are provided in this Act shall be deposited in the Treasury as miscellaneous receipts.

SEC. 103. During the current fiscal year, appropriations available to the Department of Defense for the pay of civilian personnel may be used, without regard to the time limitations specified in section 5523(a) of title 5, United States Code, for payments under the provisions of section 5523 of title 5, United States Code, in the case of employees, or an employee's dependents or immediate family, evacuated from Guantanamo Bay, Cuba, pursuant to the August 26, 1994 order of the Secretary of Defense. This section shall take effect as of March 5, 1995, and shall apply with respect to any payment made on or after that date. Effective date.

(INCLUDING TRANSFER OF FUNDS)

SEC. 104. In addition to amounts appropriated or otherwise made available by this Act, $28,297,000 is hereby appropriated to the Department of Defense and shall be available only for transfer to the United States Coast Guard to cover the incremental operating costs associated with Operations Able Manner, Able Vigil, Restore Democracy, and Support Democracy: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 105. (a) Section 8106A of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended by striking out the last proviso and inserting in lieu thereof the following: ": *Provided further,* That if, after September 30, 1994, a member of the Armed Forces (other than the Coast Guard) is approved for release from active duty or full-time National Guard duty and that person subsequently becomes employed in a position of civilian employment in the Department of Defense within 180 days after the release from active duty or full-time National Guard duty, then that person is prohibited from receiving payments under a Special Separation Benefits program (under section 1174a of title 10, United States Code) or a Voluntary Separation Incentive program (under section 1175 of title 10, United States Code) by reason of the release from active duty or full-time National Guard duty, 10 USC 1174a note.

and the person shall reimburse the United States the total amount, if any, paid such person under the program before the employment begins".

(b) Appropriations available to the Department of Defense for fiscal year 1995 may be obligated for making payments under sections 1174a and 1175 of title 10, United States Code.

Effective date. 10 USC 1174a note.

(c) The amendment made by subsection (a) shall be effective as of September 30, 1994.

108 Stat. 2630.

SEC. 106. (a) Subsection 8054(g) of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended to read as follows: "Notwithstanding any other provisions of law, of the amounts available to the Department of Defense during fiscal year 1995, not more than $1,252,650,000 may be obligated for financing activities of defense FFRDCs: *Provided,* That, in addition to any other reductions required by this section, the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by $250,000,000 to reflect the funding ceiling contained in this subsection and to reflect further reductions in amounts available to the Department of Defense to finance activities carried out by defense FFRDCs and other entities providing consulting services, studies and analyses, systems engineering and technical assistance, and technical, engineering and management support.".

Supra.

(b) Subsection 8054(h) of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended to read as follows: "The total amounts appropriated to or for the use of the Department of Defense in titles II, III, and IV of this Act are reduced by an additional $251,534,000 to reflect savings from the decreased use of non-FFRDC consulting services by the Department of Defense.".

Reports.

(c) Not later than 60 days after enactment of this Act, the Under Secretary of Defense (Comptroller) shall report to the Committees on Appropriations of the Senate and the House of Representatives as to the total, separate amounts of appropriations provided, by title and by appropriations account, in titles II, III, and IV of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), as amended.

President. Reports.

SEC. 107. Within sixty days of the enactment of this Act, the President shall submit to Congress a report which shall include the following:

(a) A detailed description of the estimated cumulative incremental cost of all United States activities subsequent to September 30, 1993, in and around Haiti, including but not limited to—

(1) the cost of all deployments of United States Armed Forces and Coast Guard personnel, training, exercises, mobilization, and preparation activities, including the preparation of police and military units of the other nations of the multinational force involved in enforcement of sanctions, limits on migration, establishment and maintenance of migrant facilities at Guantanamo Bay and elsewhere, and all other activities relating to operations in and around Haiti; and

(2) the costs of all other activities relating to United States policy toward Haiti, including humanitarian and development assistance, reconstruction, balance of payments and economic support, assistance provided to reduce or eliminate all arrearages owed to International Financial

Institutions, all rescheduling or forgiveness of United States bilateral and multilateral debt, aid and other financial assistance, all in-kind contributions, and all other costs to the United States Government.

(b) A detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (a), including—

(1) in the case of funds expended from the Department of Defense budget, a breakdown by military service or defense agency, line item, and program; and

(2) in the case of funds expended from the budgets of departments and agencies other than the Department of Defense, by department or agency and program.

SEC. 108. None of the funds appropriated to the Department of Defense for the Technology Reinvestment Program under Public Law 103–335 shall be obligated for any new projects for which a selection has not been made until the Under Secretary of Defense for Acquisition and Technology certifies to the Congress that military officers and civilian employees of the military departments constitute a majority of the membership on each review panel at every proposal evaluation step for the Technology Reinvestment Program: *Provided,* That the Under Secretary of Defense for Acquisition and Technology shall submit to the Congress a report describing each new Technology Reinvestment Program project or award and the military needs which the project addresses. Reports.

SEC. 109. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to or programs in the Democratic People's Republic of Korea, or for implementation of the October 21, 1994, Agreed Framework between the United States and the Democratic People's Republic of Korea, unless specifically appropriated for that purpose.

SEC. 110. During the current fiscal year, none of the funds available to the Department of Defense for emergency and extraordinary expenses may be obligated or expended in an amount of $1,000,000 or more for any single transaction without prior notification to the Committees on Appropriations of the Senate and House of Representatives, the Senate Armed Services Committee, and the House National Security Committee.

SEC. 111. (a) Notwithstanding any other provision of law, no funds appropriated by this Act, or otherwise appropriated or made available by any other Act, may be utilized for purposes of entering into the agreement described in subsection (b) until the President certifies to Congress that—

(1) Russia has agreed not to sell nuclear reactor components to Iran; or

(2) the issue of the sale by Russia of such components to Iran has been resolved in a manner that is consistent with—

(A) the national security objectives of the United States; and

(B) the concerns of the United States with respect to nonproliferation in the Middle East.

(b) The agreement referred to in subsection (a) is an agreement known as the Agreement on the Exchange of Equipment, Technology, and Materials between the United States Government and the Government of the Russian Federation, or any department or agency of that government (including the Russian Ministry of Atomic Energy), that the United States Government proposes to International agreements.

enter into under section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153).

DEPARTMENT OF DEFENSE—MILITARY CONSTRUCTION

10 USC 2687 note.

SEC. 112. None of the funds made available to the Department of Defense for any fiscal year for military construction or family housing may be obligated to initiate construction projects upon enactment of this Act for any project on an installation that—

(1) was included in the closure and realignment recommendations submitted by the Secretary of Defense to the Base Closure and Realignment Commission on February 28, 1995, unless removed by the Base Closure and Realignment Commission, or

(2) is included in the closure and realignment recommendation as submitted to Congress in 1995 in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (Public Law 101–510):

Provided, That the prohibition on obligation of funds for projects located on an installation cited for realignment are only to be in effect if the function or activity with which the project is associated will be transferred from the installation as a result of the realignment: *Provided further,* That this provision will remain in effect unless the Congress enacts a Joint Resolution of Disapproval in accordance with the Defense Base Closure and Realignment Act of 1990, as amended (Public Law 101–510).

(RESCISSIONS)

SEC. 113. Of the funds appropriated under Public Law 103–307, the following funds are hereby rescinded from the following accounts in the specified amounts:

Military Construction, Army, $3,500,000;

Military Construction, Navy, $3,500,000;

Military Construction, Air Force, $3,500,000;

North Atlantic Treaty Organization Infrastructure, $33,000,000;

Base Realignment and Closure Account, Part III, $32,000,000.

Of the funds appropriated under Public Law 102–136, the following funds are hereby rescinded from the following account in the specified amount:

Military Construction, Naval Reserve, $25,100,000.

SEC. 114. The Secretary of Defense shall not allocate a rescission to any military installation that the Secretary recommends for closure or realignment in 1995 under section 2903(c) of the Defense Base Closure and Realignment Act of 1990 (subtitle A of title XXIX of Public Law 101–510; 10 U.S.C. 2687 note) in an amount in excess of the proportionate share for each installation for the current fiscal year of the funds rescinded from "Environmental Restoration, Defense" by this Act.

SEC. 115. Funds in the amount of $76,900,000 received during fiscal years 1994 and 1995 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission," signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to that Memorandum, shall be merged with

appropriations available for research, development, test and evaluation and procurement for fiscal years 1994 and 1995, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act.

SEC. 116. Section 8025 of the Department of Defense Appropriations Act, 1995 (Public Law 103–335), is amended by striking out the amount "$203,736,000" and inserting in lieu thereof "$170,036,000". 108 Stat. 2622.

SEC. 117. In addition to the rescissions made elsewhere in this Act, on September 15, 1995, $100,000,000 shall be rescinded from appropriations under title III of the Department of Defense Appropriations Act, 1993 (Public Law 102–396).

CHAPTER IV

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

For an additional amount to enable the Secretary of Transportation to make a grant to the National Railroad Passenger Corporation, $21,500,000 is hereby appropriated which shall be available until expended for capital improvements associated with safety-related emergency repairs at the existing Pennsylvania Station in New York City: *Provided,* That none of the funds herein appropriated shall be used for the redevelopment of the James A. Farley Post Office Building in New York City as a train station and commercial center: *Provided further,* That the $21,500,000 shall be considered part of the Federal cost share for the redevelopment of the James A. Farley Post Office Building, if authorized.

TITLE II

RESCISSIONS

The following rescissions of budget authority are made, namely:

CHAPTER I

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

IMMIGRATION AND NATURALIZATION SERVICE

IMMIGRATION EMERGENCY FUND

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317, $45,000,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317 for the Advanced Technology Program, $90,000,000 are rescinded.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–317, $15,000,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317 for tree-planting grants pursuant to section 24 of the Small Business Act, as amended, $15,000,000 are rescinded.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317 for payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, as amended, $15,000,000 are rescinded.

CHAPTER II

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF ENERGY

ATOMIC ENERGY DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $200,000,000 are rescinded.

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

Of the funds appropriated in Public Law 103–316, $3,000,000 is hereby authorized for appropriation to the Corps of Engineers to initiate and complete remedial measures to prevent slope instability at Hickman Bluff, Kentucky.

CHAPTER III

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED AGENCIES

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL FINANCIAL INSTITUTIONS

CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT ASSOCIATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306, $60,000,000 are rescinded.

CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306, $62,014,000 are rescinded.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior appropriations Acts, $12,500,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–87 and Public Law 103–306, $7,500,000 are rescinded.

Of the funds made available under this heading in Public Law 103–87 for support of an officer resettlement program in Russia as described in section 560(a)(5), $15,000,000 shall be allocated to other economic assistance and for related programs for the New Independent States of the Former Soviet Union notwithstanding the allocations provided in section 560 of said Act: *Provided,* That such funds shall not be available for assistance to Russia.

CHAPTER IV

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF ENERGY

CLEAN COAL TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading for obligation in fiscal year 1996, $50,000,000 are rescinded and of the funds made available under this heading for obligation in fiscal year 1997, $150,000,000 are rescinded: *Provided,* That funds made available in previous appropriations Acts shall be available for any ongoing project regardless of the separate request for proposal under which the project was selected.

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE

RESOURCE MANAGEMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–332—

(1) $1,500,000 are rescinded from the amounts available for making determinations whether a species is a threatened or endangered species and whether habitat is critical habitat under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

(2) none of the remaining funds appropriated under that heading may be made available for making a final determination that a species is threatened or endangered or that habitat constitutes critical habitat (except a final determination that a species previously determined to be endangered is no longer endangered but continues to be threatened).

To the extent that the Endangered Species Act of 1973 has been interpreted or applied in any court order (including an order approving a settlement between the parties to a civil action) to require the making of a determination respecting any number of species or habitats by a date certain, that Act shall not be applied to require that the determination be made by that date if the making of the determination is made impracticable by the rescission made by the preceding sentence.

CHAPTER V

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for carrying out title II, part C of the Job Training Partnership Act, $200,000,000 are rescinded.

DEPARTMENT OF EDUCATION

SCHOOL IMPROVEMENT PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for new education infrastructure improvement grants, $65,000,000 are rescinded.

STUDENT FINANCIAL ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112, $35,000,000 made available for title IV, part A, subpart 1 of the Higher Education Act are rescinded.

CHAPTER VI

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

FEDERAL AVIATION ADMINISTRATION

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading that remain unobligated for the "advanced automation system", $35,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

MISCELLANEOUS HIGHWAY DEMONSTRATION PROJECTS

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the available appropriated balances provided in Public Law 93–87; Public Law 98–8; Public Law 98–473; and Public Law 100–71, $12,004,450 are rescinded.

FEDERAL RAILROAD ADMINISTRATION

LOCAL RAIL FREIGHT ASSISTANCE

(RESCISSION)

Of the available balances under this heading, $6,563,000 are rescinded.

PENNSYLVANIA STATION REDEVELOPMENT PROJECT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–331, $40,000,000 are rescinded.

CHAPTER VII

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

INDEPENDENT AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

ADMINISTRATIVE PROVISION

California. Air pollution control.

The Congress finds that the 1990 amendments to the Clean Air Act (Public Law 101–549) superseded prior requirements of the Clean Air Act regarding the demonstration of attainment of national ambient air quality standards for the South Coast, Ventura, and Sacramento areas of California and thus eliminated the obligation of the Administrator of the Environmental Protection Agency to promulgate a Federal implementation plan under section 110(e) of the Clean Air Act for those areas. Upon the enactment of this Act, any Federal implementation plan that has been promulgated by the Administrator of the Environmental Protection Agency under the Clean Air Act for the South Coast, Ventura, or Sacramento areas of California pursuant to a court order or settlement shall be rescinded and shall have no further force and effect.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

NATIONAL AERONAUTICAL FACILITIES

108 Stat. 2326.

Public Law 103–327 is amended in the paragraph under this heading by striking "March 31, 1997" and all that follows, and inserting in lieu thereof: "September 30, 1997: *Provided,* That not

to exceed $35,000,000 shall be available for obligation prior to October 1, 1996.".

TITLE III—MISCELLANEOUS

Maritime affairs. L.R. BEATTIE.

SEC. 301. Notwithstanding sections 12106, 12107, and 12108 of title 46, United States Code, and section 27 of the Merchant Marine Act, 1920 (46 App. U.S.C. 883), as applicable on the date of enactment of this Act, the Secretary of Transportation may issue a certificate of documentation for the vessel L. R. BEATTIE, United States official number 904161.

TITLE IV—MEXICAN DEBT DISCLOSURE ACT OF 1995

Mexican Debt Disclosure Act of 1995. 31 USC 5302 note.

SEC. 401. SHORT TITLE.

This title may be cited as the "Mexican Debt Disclosure Act of 1995".

SEC. 402. FINDINGS.

The Congress finds that—

(1) Mexico is an important neighbor and trading partner of the United States;

(2) on January 31, 1995, the President approved a program of assistance to Mexico, in the form of swap facilities and securities guarantees in the amount of $20,000,000,000, using the exchange stabilization fund;

(3) the program of assistance involves the participation of the Board of Governors of the Federal Reserve System, the International Monetary Fund, the Bank for International Settlements, the International Bank for Reconstruction and Development, the Inter-American Development Bank, the Bank of Canada, and several Latin American countries;

(4) the involvement of the exchange stabilization fund and the Board of Governors of the Federal Reserve System means that United States taxpayer funds will be used in the assistance effort to Mexico;

(5) assistance provided by the International Monetary Fund, the International Bank for Reconstruction and Development, and the Inter-American Development Bank may require additional United States contributions of taxpayer funds to those entities;

(6) the immediate use of taxpayer funds and the potential requirement for additional future United States contributions of taxpayer funds necessitates congressional oversight of the disbursement of funds; and

(7) the efficacy of the assistance to Mexico is contingent on the pursuit of sound economic policy by the Government of Mexico.

SEC. 403. PRESIDENTIAL REPORTS.

(a) REPORTING REQUIREMENT.—Not later than June 30, 1995, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall contain a description of the following actions taken, or

economic situations existing, during the preceding 6-month period or, in the case of the initial report, during the period beginning on the date of enactment of this Act:

(1) Changes in wage, price, and credit controls in the Mexican economy.

(2) Changes in taxation policy of the Government of Mexico.

(3) Specific actions taken by the Government of Mexico to further privatize the economy of Mexico.

(4) Actions taken by the Government of Mexico in the development of regulatory policy that significantly affected the performance of the Mexican economy.

(5) Consultations concerning the program approved by the President, including advice on economic, monetary, and fiscal policy, held between the Government of Mexico and the Secretary of the Treasury (including any designee of the Secretary) and the conclusions resulting from any periodic reviews undertaken by the International Monetary Fund pursuant to the Fund's loan agreements with Mexico.

(6) All outstanding loans, credits, and guarantees provided to the Government of Mexico, by the United States Government, including the Board of Governors of the Federal Reserve System, set forth by category of financing.

(7) The progress the Government of Mexico has made in stabilizing the peso and establishing an independent central bank or currency board.

(c) SUMMARY OF TREASURY DEPARTMENT REPORTS.—In addition to the information required to be included under subsection (b), each report required under this section shall contain a summary of the information contained in all reports submitted under section 404 during the period covered by the report required under this section.

SEC. 404. REPORTS BY THE SECRETARY OF THE TREASURY.

(a) REPORTING REQUIREMENT.—Beginning on the last day of the first month which begins after the date of enactment of this Act, and on the last day of every month thereafter, the Secretary of the Treasury shall submit to the appropriate congressional committees a report concerning all guarantees issued to, and short-term and long-term currency swaps with, the Government of Mexico by the United States Government, including the Board of Governors of the Federal Reserve System.

(b) CONTENTS OF REPORTS.—Each report described in subsection (a) shall include a description of the following actions taken, or economic situations existing, during the month in which the report is required to be submitted:

(1) The current condition of the Mexican economy.

(2) The reserve positions of the central bank of Mexico and data relating to the functioning of Mexican monetary policy.

(3) The amount of any funds disbursed from the exchange stabilization fund pursuant to the program of assistance to the Government of Mexico approved by the President on January 31, 1995.

(4) The amount of any funds disbursed by the Board of Governors of the Federal Reserve System pursuant to the program of assistance referred to in paragraph (3).

(5) Financial transactions, both inside and outside of Mexico, made during the reporting period involving funds disbursed

to Mexico from the exchange stabilization fund or proceeds of Mexican Government securities guaranteed by the exchange stabilization fund.

(6) All outstanding guarantees issued to, and short-term and medium-term currency swaps with, the Government of Mexico by the Secretary of the Treasury, set forth by category of financing.

(7) All outstanding currency swaps with the central bank of Mexico by the Board of Governors of the Federal Reserve System and the rationale for, and any expected costs of, such transactions.

(8) The amount of payments made by customers of Mexican petroleum companies that have been deposited in the account at the Federal Reserve Bank of New York established to ensure repayment of any payment by the United States Government, including the Board of Governors of the Federal Reserve System, in connection with any guarantee issued to, or any swap with, the Government of Mexico.

(9) Any setoff by the Federal Reserve Bank of New York against funds in the account described in paragraph (8).

(10) To the extent such information is available, once there has been a setoff by the Federal Reserve Bank of New York, any interruption in deliveries of petroleum products to existing customers whose payments were setoff.

(11) The interest rates and fees charged to compensate the Secretary of the Treasury for the risk of providing financing.

SEC. 405. TERMINATION OF REPORTING REQUIREMENTS.

The requirements of sections 403 and 404 shall terminate on the date that the Government of Mexico has paid all obligations with respect to swap facilities and guarantees of securities made available under the program approved by the President on January 31, 1995.

SEC. 406. PRESIDENTIAL CERTIFICATION REGARDING SWAP OF CURRENCIES TO MEXICO THROUGH EXCHANGE STABILIZATION FUND OR FEDERAL RESERVE.

(a) IN GENERAL.—Notwithstanding any other provision of law, no loan, credit, guarantee, or arrangement for a swap of currencies to Mexico through the exchange stabilization fund or by the Board of Governors of the Federal Reserve System may be extended or (if already extended) further utilized, unless and until the President submits to the appropriate congressional committees a certification that—

(1) there is no projected cost (as defined in the Credit Reform Act of 1990) to the United States from the proposed loan, credit, guarantee, or currency swap;

(2) all loans, credits, guarantees, and currency swaps are adequately backed to ensure that all United States funds are repaid;

(3) the Government of Mexico is making progress in ensuring an independent central bank or an independent currency control mechanism;

(4) Mexico has in effect a significant economic reform effort; and

(5) the President has provided the documents described in paragraphs (1) through (28) of House Resolution 80, adopted March 1, 1995.

(b) TREATMENT OF CLASSIFIED OR PRIVILEGED MATERIAL.—For purposes of the certification required by subsection (a)(5), the President shall specify, in the case of any document that is classified or subject to applicable privileges, that, while such document may not have been produced to the House of Representatives, in lieu thereof it has been produced to specified Members of Congress or their designees by mutual agreement among the President, the Speaker of the House, and the chairmen and ranking members of the Committee on Banking and Financial Services, the Committee on International Relations, and the Permanent Select Committee on Intelligence of the House.

SEC. 407. DEFINITIONS.

For purposes of this title, the following definitions shall apply:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committees on International Relations and Banking and Financial Services of the House of Representatives, the Committees on Foreign Relations and Banking, Housing, and Urban Affairs of the Senate, and the Committees on Appropriations of the House of Representatives and the Senate.

(2) EXCHANGE STABILIZATION FUND.—The term "exchange stabilization fund" means the stabilization fund referred to in section 5302(a)(1) of title 31, United States Code.

This Act may be cited as the "Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995".

Approved April 10, 1995.

LEGISLATIVE HISTORY—H.R. 889:

HOUSE REPORTS: Nos. 104–29 (Comm. on Appropriations) and 104–101 (Comm. of Conference).

SENATE REPORTS: No. 104–12 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Feb. 22, considered and passed House.

Mar. 7–10, 13–16, considered and passed Senate, amended.

Apr. 6, House and Senate agreed to conference report.

Public Law 104–7
104th Congress

An Act

To amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.

Apr. 11, 1995
[H.R. 831]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT EXTENSION AND INCREASE OF DEDUCTION FOR HEALTH INSURANCE COSTS OF SELF-EMPLOYED INDIVIDUALS.

(a) PERMANENT EXTENSION.—Subsection (l) of section 162 of the Internal Revenue Code of 1986 (relating to special rules for health insurance costs of self-employed individuals) is amended by striking paragraph (6).

(b) INCREASE IN DEDUCTION.—Paragraph (1) of section 162(l) of the Internal Revenue Code of 1986 is amended by striking "25 percent" and inserting "30 percent".

(c) EFFECTIVE DATES.— 26 USC 162 note.

(1) EXTENSION.—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 1993.

(2) INCREASE.—The amendment made by subsection (b) shall apply to taxable years beginning after December 31, 1994.

SEC. 2. REPEAL OF NONRECOGNITION ON FCC CERTIFIED SALES AND EXCHANGES.

(a) IN GENERAL.—Subchapter O of chapter 1 of the Internal Revenue Code of 1986 is amended by striking part V (relating to changes to effectuate FCC policy). 26 USC 1071.

(b) CONFORMING AMENDMENTS.—Sections 1245(b)(5) and 1250(d)(5) of the Internal Revenue Code of 1986 are each amended—

(1) by striking "section 1071 (relating to gain from sale or exchange to effectuate polices of FCC) or", and

(2) by striking "1071 AND" in the heading thereof.

(c) CLERICAL AMENDMENT.—The table of parts for such subchapter O is amended by striking the item relating to part V. 26 USC prec. 1001.

(d) EFFECTIVE DATE.— 26 USC 1071 note.

(1) IN GENERAL.—The amendments made by this section shall apply to—

(A) sales and exchanges on or after January 17, 1995, and

(B) sales and exchanges before such date if the FCC tax certificate with respect to such sale or exchange is issued on or after such date.

(2) BINDING CONTRACTS.—

(A) IN GENERAL.—The amendments made by this section shall not apply to any sale or exchange pursuant to a written contract which was binding on January 16, 1995, and at all times thereafter before the sale or exchange, if the FCC tax certificate with respect to such sale or exchange was applied for, or issued, on or before such date.

(B) SALES CONTINGENT ON ISSUANCE OF CERTIFICATE.—

(i) IN GENERAL.—A contract shall be treated as not binding for purposes of subparagraph (A) if the sale or exchange pursuant to such contract, or the material terms of such contract, were contingent, at any time on January 16, 1995, on the issuance of an FCC tax certificate. The preceding sentence shall not apply if the FCC tax certificate for such sale or exchange is issued on or before January 16, 1995.

(ii) MATERIAL TERMS.—For purposes of clause (i), the material terms of a contract shall not be treated as contingent on the issuance of an FCC tax certificate solely because such terms provide that the sales price would, if such certificate were not issued, be increased by an amount not greater than 10 percent of the sales price otherwise provided in the contract.

(3) FCC TAX CERTIFICATE.—For purposes of this subsection, the term "FCC tax certificate" means any certificate of the Federal Communications Commission for the effectuation of section 1071 of the Internal Revenue Code of 1986 (as in effect on the day before the date of the enactment of this Act).

SEC. 3. SPECIAL RULES RELATING TO INVOLUNTARY CONVERSIONS.

(a) REPLACEMENT PROPERTY ACQUIRED BY CORPORATIONS FROM RELATED PERSONS.—

(1) IN GENERAL.—Section 1033 of the Internal Revenue Code of 1986 (relating to involuntary conversions) is amended by redesignating subsection (i) as subsection (j) and by inserting after subsection (h) the following new subsection:

"(i) NONRECOGNITION NOT TO APPLY IF CORPORATION ACQUIRES REPLACEMENT PROPERTY FROM RELATED PERSON.—

"(1) IN GENERAL.—In the case of—

"(A) a C corporation, or

"(B) a partnership in which 1 or more C corporations own, directly or indirectly (determined in accordance with section 707(b)(3)), more than 50 percent of the capital interest, or profits interest, in such partnership at the time of the involuntary conversion,

subsection (a) shall not apply if the replacement property or stock is acquired from a related person. The preceding sentence shall not apply to the extent that the related person acquired the replacement property or stock from an unrelated person during the period described in subsection (a)(2)(B).

"(2) RELATED PERSON.—For purposes of this subsection, a person is related to another person if the person bears a relationship to the other person described in section 267(b) or 707(b)(1)."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to involuntary conversions occurring on or after February 6, 1995. 26 USC 1033 note.

(b) APPLICATION OF SECTION 1033 TO CERTAIN SALES REQUIRED FOR MICROWAVE RELOCATION.—

(1) IN GENERAL.—Section 1033 of the Internal Revenue Code of 1986 (relating to involuntary conversions), as amended by subsection (a), is amended by redesignating subsection (j) as subsection (k) and by inserting after subsection (i) the following new subsection:

"(j) SALES OR EXCHANGES TO IMPLEMENT MICROWAVE RELOCATION POLICY.—

"(1) IN GENERAL.—For purposes of this subtitle, if a taxpayer elects the application of this subsection to a qualified sale or exchange, such sale or exchange shall be treated as an involuntary conversion to which this section applies.

"(2) QUALIFIED SALE OR EXCHANGE.—For purposes of paragraph (1), the term 'qualified sale or exchange' means a sale or exchange before January 1, 2000, which is certified by the Federal Communications Commission as having been made by a taxpayer in connection with the relocation of the taxpayer from the 1850–1990MHz spectrum by reason of the Federal Communications Commission's reallocation of that spectrum for use for personal communications services. The Commission shall transmit copies of certifications under this paragraph to the Secretary."

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to sales or exchanges after March 14, 1995. 26 USC 1033 note.

SEC. 4. DENIAL OF EARNED INCOME CREDIT FOR INDIVIDUALS HAVING EXCESSIVE INVESTMENT INCOME.

(a) IN GENERAL.—Section 32 of the Internal Revenue Code of 1986 is amended by redesignating subsections (i) and (j) as subsections (j) and (k), respectively, and by inserting after subsection (h) the following new subsection:

"(i) DENIAL OF CREDIT FOR INDIVIDUALS HAVING EXCESSIVE INVESTMENT INCOME.—

"(1) IN GENERAL.—No credit shall be allowed under subsection (a) for the taxable year if the aggregate amount of disqualified income of the taxpayer for the taxable year exceeds $2,350.

"(2) DISQUALIFIED INCOME.—For purposes of paragraph (1), the term 'disqualified income' means—

"(A) interest or dividends to the extent includible in gross income for the taxable year,

"(B) interest received or accrued during the taxable year which is exempt from tax imposed by this chapter, and

"(C) the excess (if any) of—

"(i) gross income from rents or royalties not derived in the ordinary course of a trade or business, over

"(ii) the sum of—

"(I) the deductions (other than interest) which are clearly and directly allocable to such gross income, plus

"(II) interest deductions properly allocable to such gross income."

26 USC 32 note.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 1995.

SEC. 5. EXTENSION OF SPECIAL RULE FOR CERTAIN GROUP HEALTH PLANS.

26 USC 162 note.

Section 13442(b) of the Omnibus Budget Reconciliation Act of 1993 (Public Law 103–66) is amended by striking "May 12, 1995" and inserting "December 31, 1995".

SEC. 6. STUDY OF EXPATRIATION TAX.

(a) IN GENERAL.—The staff of the Joint Committee on Taxation shall conduct a study of the issues presented by any proposals to affect the taxation of expatriation, including an evaluation of—

(1) the effectiveness and enforceability of current law with respect to the tax treatment of expatriation,

(2) the current level of expatriation for tax avoidance purposes,

(3) any restrictions imposed by any constitutional requirement that the Federal income tax apply only to realized gains,

(4) the application of international human rights principles to taxation of expatriation,

(5) the possible effects of any such proposals on the free flow of capital into the United States,

(6) the impact of any such proposals on existing tax treaties and future treaty negotiations,

(7) the operation of any such proposals in the case of interests in trusts,

(8) the problems of potential double taxation in any such proposals,

(9) the impact of any such proposals on the trade policy objectives of the United States,

(10) the administrability of such proposals, and

(11) possible problems associated with existing law, including estate and gift tax provisions.

(b) REPORT.—The Chief of Staff of the Joint Committee on Taxation shall, not later than June 1, 1995, report the results of the study conducted under subsection (a) to the Chairmen of the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

Approved April 11, 1995.

LEGISLATIVE HISTORY—H.R. 831:

HOUSE REPORTS: Nos. 104–32 (Comm. on Ways and Means) and 104–92 (Comm. of Conference).

SENATE REPORTS: No. 104–16 (Comm. on Finance).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Feb. 21, considered and passed House.

Mar. 24, considered and passed Senate, amended.

Mar. 30, House agreed to conference report.

Mar. 31, Apr. 3, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Apr. 6, Presidential statement.

Public Law 104–8
104th Congress

An Act

To eliminate budget deficits and management inefficiencies in the government of the District of Columbia through the establishment of the District of Columbia Financial Responsibility and Management Assistance Authority, and for other purposes.

Apr. 17, 1995
[H.R. 1345]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

District of Columbia Financial Responsibility and Management Assistance Act of 1995.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "District of Columbia Financial Responsibility and Management Assistance Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings; purpose.

TITLE I—ESTABLISHMENT AND ORGANIZATION OF AUTHORITY

Sec. 101. District of Columbia Financial Responsibility and Management Assistance Authority.
Sec. 102. Executive director and staff of Authority.
Sec. 103. Powers of Authority.
Sec. 104. Exemption from liability for claims.
Sec. 105. Treatment of actions arising from act.
Sec. 106. Funding for operation of Authority.
Sec. 107. Suspension of activities.
Sec. 108. Application of laws of District of Columbia to Authority.

TITLE II—RESPONSIBILITIES OF AUTHORITY

Subtitle A—Establishment and Enforcement of Financial Plan and Budget for District Government

Sec. 201. Development of financial plan and budget for District of Columbia.
Sec. 202. Process for submission and approval of financial plan and annual District budget.
Sec. 203. Review of activities of District government to ensure compliance with approved financial plan and budget.
Sec. 204. Restrictions on borrowing by District during control year.
"Sec. 601. Transitional provision for short-term advances.
"Sec. 602. Short-term advances for seasonal cash-flow management.
"Sec. 603. Security for advances.
"Sec. 604. Reimbursement to the Treasury.
"Sec. 605. Definitions.
Sec. 205. Deposit of annual Federal payment with Authority.
Sec. 206. Effect of finding of non-compliance with financial plan and budget.
Sec. 207. Recommendations on financial stability and management responsibility.
Sec. 208. Special rules for fiscal year 1996.
Sec. 209. Control periods described.

Subtitle B—Issuance of Bonds

Sec. 211. Authority to issue bonds.
Sec. 212. Pledge of security interest in revenues of District government.

Sec. 213. Establishment of debt service reserve fund.
Sec. 214. Other requirements for issuance of bonds.
Sec. 215. No full faith and credit of the United States.

Subtitle C—Other Duties of Authority

Sec. 221. Duties of Authority during year other than control year.
Sec. 222. General assistance in achieving financial stability and management efficiency.
Sec. 223. Obtaining reports.
Sec. 224. Reports and comments.

TITLE III—MISCELLANEOUS PROVISIONS

Sec. 301. Other District budget reforms.
Sec. 302. Establishment of Chief Financial Officer of District of Columbia.
Sec. 303. Revisions to powers and duties of Inspector General of District of Columbia.
Sec. 304. Council approval of certain contracts.
Sec. 305. Definitions.

SEC. 2. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) A combination of accumulated operating deficits, cash shortages, management inefficiencies, and deficit spending in the current fiscal year have created a fiscal emergency in the District of Columbia.

(2) As a result of its current financial problems and management inefficiencies, the District of Columbia government fails to provide its citizens with effective and efficient services in areas such as education, health care, crime prevention, trash collection, drug abuse treatment and prevention, human services delivery, and the supervision and training of government personnel.

(3) The current financial and management problems of the District government have already adversely affected the long-term economic health of the District of Columbia by causing the migration of residents and businesses out of the District of Columbia and the failure of new residents and businesses to move to the District of Columbia.

(4) The fiscal and management problems in the District of Columbia government are pervasive across all segments of the government.

(5) A comprehensive approach to fiscal, management, and structural problems must be undertaken which exempts no part of the District government and which preserves home rule for the citizens of the District of Columbia.

(6) The current deficit of the District of Columbia must be resolved over a multi-year period, since it cannot be effectively addressed in a single year.

(7) The ability of the District government to obtain funds from capital markets in the future will be severely diminished without Congressional action to restore its financial stability.

(8) The failure to improve the financial situation of the District government will adversely affect the long-term economic health of the entire National Capital region.

(9) The efficient operation of the Federal Government may be adversely affected by the current problems of the District of Columbia not only through the services the District government provides directly to the Federal Government but through services provided indirectly such as street and traffic flow maintenance, public safety, and services affecting tourism.

(b) PURPOSE.—The purposes of this Act are as follows:

(1) To eliminate budget deficits and cash shortages of the District of Columbia through visionary financial planning, sound budgeting, accurate revenue forecasts, and careful spending.

(2) To ensure the most efficient and effective delivery of services, including public safety services, by the District government during a period of fiscal emergency.

(3) To conduct necessary investigations and studies to determine the fiscal status and operational efficiency of the District government.

(4) To assist the District government in—

(A) restructuring its organization and workforce to ensure that the residents of the District of Columbia are served by a local government that is efficient and effective;

(B) achieving an appropriate relationship with the Federal Government;

(C) ensuring the appropriate and efficient delivery of services; and

(D) modernizing its budget, accounting, personnel, procurement, information technology, and management systems to ensure the maximum financial and performance accountability of the District government and its officers and employees.

(5) To enhance the District government's access to the capital markets and to ensure the continued orderly payment of its debt service obligations.

(6) To ensure the long-term financial, fiscal, and economic vitality and operational efficiency of the District of Columbia.

(7) To examine the programmatic and structural relationship between the District government and the Federal Government.

(8) To provide for the review of the financial impact of activities of the District government before such activities are implemented or submitted for Congressional review.

(c) RULES OF CONSTRUCTION.—Nothing in this Act may be construed—

(1) to relieve any obligations existing as of the date of the enactment of this Act of the District government to repay any individual or entity from whom the District has borrowed funds, whether through the issuance of bonds or otherwise;

(2) to limit the authority of Congress to exercise ultimate legislative authority over the District of Columbia pursuant to Article I, section 8, clause 17 of the Constitution of the United States;

(3) to amend, supersede, or alter the provisions of title 11 of the District of Columbia Code, or sections 431 through 434, 445, and 602(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act (pertaining to the organization, powers, and jurisdiction of the District of Columbia courts); or

(4) to authorize the application of section 103(e) or 303(b)(3) of this Act (relating to issuance of subpoenas) to judicial officers or employees of the District of Columbia courts.

TITLE I—ESTABLISHMENT AND ORGANIZATION OF AUTHORITY

SEC. 101. DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.

(a) ESTABLISHMENT.—Pursuant to Article I, section 8, clause 17 of the Constitution of the United States, there is hereby established the District of Columbia Financial Responsibility and Management Assistance Authority, consisting of members appointed by the President in accordance with subsection (b). Subject to the conditions described in section 108 and except as otherwise provided in this Act, the Authority is established as an entity within the government of the District of Columbia, and is not established as a department, agency, establishment, or instrumentality of the United States Government.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Authority shall consist of 5 members appointed by the President who meet the qualifications described in subsection (c), except that the Authority may take any action under this Act (or any amendments made by this Act) at any time after the President has appointed 3 of its members.

(2) CONSULTATION WITH CONGRESS.—The President shall appoint the members of the Authority after consulting with the Chair of the Committee on Appropriations and the Chair of the Committee on Government Reform and Oversight of the House of Representatives, the Chair of the Committee on Appropriations and the Chair of the Committee on Governmental Affairs of the Senate, and the Delegate to the House of Representatives from the District of Columbia.

(3) CHAIR.—The President shall designate one of the members of the Authority as the Chair of the Authority.

(4) SENSE OF CONGRESS REGARDING DEADLINE FOR APPOINTMENT.—It is the sense of Congress that the President should appoint the members of the Authority as soon as practicable after the date of the enactment of this Act, but in no event later than 25 days after the date of the enactment of this Act.

(5) TERM OF SERVICE.—

(A) IN GENERAL.—Except as provided in subparagraph (B), each member of the Authority shall be appointed for a term of 3 years.

(B) APPOINTMENT FOR TERM FOLLOWING INITIAL TERM.—As designated by the President at the time of appointment for the term immediately following the initial term, of the members appointed for the term immediately following the initial term—

(i) 1 member shall be appointed for a term of 1 year;

(ii) 2 members shall be appointed for a term of 2 years; and

(iii) 2 members shall be appointed for a term of 3 years.

(C) REMOVAL.—The President may remove any member of the Authority only for cause.

(c) QUALIFICATIONS FOR MEMBERSHIP.—An individual meets the qualifications for membership on the Authority if the individual—

(1) has knowledge and expertise in finance, management, and the organization or operation of business or government;

(2) does not provide goods or services to the District government (and is not the spouse, parent, child, or sibling of an individual who provides goods and services to the District government);

(3) is not an officer or employee of the District government; and

(4) maintains a primary residence in the District of Columbia or has a primary place of business in the District of Columbia.

(d) NO COMPENSATION FOR SERVICE.—Members of the Authority shall serve without pay, but may receive reimbursement for any reasonable and necessary expenses incurred by reason of service on the Authority.

(e) ADOPTION OF BY-LAWS FOR CONDUCTING BUSINESS OF AUTHORITY.—

(1) IN GENERAL.—As soon as practicable after the appointment of its members, the Authority shall adopt by-laws, rules, and procedures governing its activities under this Act, including procedures for hiring experts and consultants. Such by-laws, rules, and procedures shall be public documents, and shall be submitted by the Authority upon adoption to the Mayor, the Council, the President, and Congress.

Records. Public information.

(2) CERTAIN ACTIVITIES REQUIRING APPROVAL OF MAJORITY OF MEMBERS.—Under the by-laws adopted pursuant to paragraph (1), the Authority may conduct its operations under such procedures as it considers appropriate, except that an affirmative vote of a majority of the members of the Authority shall be required in order for the Authority to—

(A) approve or disapprove a financial plan and budget under subtitle A of title II;

(B) implement recommendations on financial stability and management responsibility under section 207;

(C) give consent to the appointment of the Chief Financial Officer of the District of Columbia under section 424 of the District of Columbia Self-Government and Governmental Reorganization Act (as added by section 302); and

(D) give consent to the appointment of the Inspector General of the District of Columbia under section 208(a) of the District of Columbia Procurement Practices Act of 1985 (as amended by section 303(a)).

(3) ADOPTION OF RULES AND REGULATIONS OF DISTRICT OF COLUMBIA.—The Authority may incorporate in its by-laws, rules, and procedures under this subsection such rules and regulations of the District government as it considers appropriate to enable it to carry out its activities under this Act with the greatest degree of independence practicable.

SEC. 102. EXECUTIVE DIRECTOR AND STAFF OF AUTHORITY.

(a) EXECUTIVE DIRECTOR.—The Authority shall have an Executive Director who shall be appointed by the Chair with the consent of the Authority. The Executive Director shall be paid at a rate determined by the Authority, except that such rate may not exceed the rate of basic pay payable for level IV of the Executive Schedule.

(b) STAFF.—With the approval of the Chair, the Executive Director may appoint and fix the pay of additional personnel as the Executive Director considers appropriate, except that no individual appointed by the Executive Director may be paid at a rate greater than the rate of pay for the Executive Director.

(c) INAPPLICABILITY OF CERTAIN EMPLOYMENT AND PROCUREMENT LAWS.—

(1) CIVIL SERVICE LAWS.— The Executive Director and staff of the Authority may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates.

(2) DISTRICT EMPLOYMENT AND PROCUREMENT LAWS.—The Executive Director and staff of the Authority may be appointed and paid without regard to the provisions of the District of Columbia Code governing appointments and salaries. The provisions of the District of Columbia Code governing procurement shall not apply to the Authority.

(d) STAFF OF FEDERAL AGENCIES.—Upon request of the Chair, the head of any Federal department or agency may detail, on a reimbursable or non-reimbursable basis, any of the personnel of that department or agency to the Authority to assist it in carrying out its duties under this Act.

(e) PRESERVATION OF RETIREMENT AND CERTAIN OTHER RIGHTS OF FEDERAL EMPLOYEES WHO BECOME EMPLOYED BY THE AUTHORITY.—

(1) IN GENERAL.—A Federal employee who, within 2 months after separating from the Federal Government, becomes employed by the Authority—

(A) may elect, for purposes of the retirement system in which that individual last participated before so separating, to have such individual's period of service with the Authority treated in the same way as if performed in the position within the Federal Government from which separated, subject to the requisite employee deductions and agency contributions being currently deposited in the appropriate fund; and

(B) if, after serving with the Authority, such employee becomes reemployed by the Federal Government, shall be entitled to credit, for the full period of such individual's service with the Authority, for purposes of determining the applicable leave accrual rate.

(2) RETIREMENT.—

(A) CONTRIBUTIONS.—For purposes of subparagraph (A) of paragraph (1)—

(i) the employee deductions referred to in such paragraph shall be made from basic pay for service with the Authority, and shall be computed using the same percentage as would then apply if the individual were instead serving in the position within the Federal Government from which separated; and

(ii) the agency contributions referred to in such paragraph shall be made by the Authority.

(B) DOUBLE COVERAGE NOT PERMITTED.—An individual who makes an election under paragraph (1)(A) shall

be ineligible, while such election remains in effect, to participate in any retirement system for employees of the government of the District of Columbia.

(3) REGULATIONS.—The Office of Personnel Management shall prescribe such regulations as may be necessary to carry out this subsection. Regulations to carry out paragraph (1)(A) shall be prescribed in consultation with the office or agency of the government of the District of Columbia having jurisdiction over any retirement system referred to in paragraph (2)(B).

SEC. 103. POWERS OF AUTHORITY.

(a) HEARINGS AND SESSIONS.—The Authority may, for the purpose of carrying out this Act, hold hearings, sit and act at times and places, take testimony, and receive evidence as the Authority considers appropriate. The Authority may administer oaths or affirmations to witnesses appearing before it.

(b) POWERS OF MEMBERS AND AGENTS.—Any member or agent of the Authority may, if authorized by the Authority, take any action which the Authority is authorized to take by this section.

(c) OBTAINING OFFICIAL DATA.—

(1) FROM FEDERAL GOVERNMENT.—Notwithstanding sections 552 (commonly known as the Freedom of Information Act) and 552b (the Government in the Sunshine Act) of title 5, United States Code, the Authority may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act, with the approval of the head of that department or agency.

(2) FROM DISTRICT GOVERNMENT.—Notwithstanding any other provision of law, the Authority shall have the right to secure copies of such records, documents, information, or data from any entity of the District government necessary to enable the Authority to carry out its responsibilities under this Act. At the request of the Authority, the Authority shall be granted direct access to such information systems, records, documents or information or data as will enable the Authority to carry out its responsibilities under this Act. The head of the entity of the District government responsible shall provide the Authority with such information and assistance (including granting the Authority direct access to automated or other information systems) as the Authority requires under this paragraph.

(d) GIFTS, BEQUESTS, AND DEVISES.—The Authority may accept, use, and dispose of gifts, bequests, or devises of services or property, both real and personal, for the purpose of aiding or facilitating the work of the Authority. Gifts, bequests, or devises of money and proceeds from sales of other property received as gifts, bequests, or devises shall be deposited in such account as the Authority may establish and shall be available for disbursement upon order of the Chair.

(e) SUBPOENA POWER.—

(1) IN GENERAL.—The Authority may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any matter under investigation by the Authority. The attendance of witnesses and the production of evidence may be required from any place within the United States at any designated place of hearing within the United States.

(2) FAILURE TO OBEY A SUBPOENA.—If a person refuses to obey a subpoena issued under paragraph (1), the Authority may apply to a United States district court for an order requiring that person to appear before the Authority to give testimony, produce evidence, or both, relating to the matter under investigation. The application may be made within the judicial district where the hearing is conducted or where that person is found, resides, or transacts business. Any failure to obey the order of the court may be punished by the court as civil contempt.

(3) SERVICE OF SUBPOENAS.—The subpoenas of the Authority shall be served in the manner provided for subpoenas issued by United States district court under the Federal Rules of Civil Procedure for the United States district courts.

(4) SERVICE OF PROCESS.—All process of any court to which application is made under paragraph (2) may be served in the judicial district in which the person required to be served resides or may be found.

(f) ADMINISTRATIVE SUPPORT SERVICES.—Upon the request of the Authority, the Administrator of General Services may provide to the Authority, on a reimbursable basis, the administrative support services necessary for the Authority to carry out its responsibilities under this Act.

(g) AUTHORITY TO ENTER INTO CONTRACTS.—The Executive Director may enter into such contracts as the Executive Director considers appropriate (subject to the approval of the Chair) to carry out the Authority's responsibilities under this Act.

(h) CIVIL ACTIONS TO ENFORCE POWERS.—The Authority may seek judicial enforcement of its authority to carry out its responsibilities under this Act.

(i) PENALTIES.—

(1) ACTS PROHIBITED.—Any officer or employee of the District government who—

(A) takes any action in violation of any valid order of the Authority or fails or refuses to take any action required by any such order; or

(B) prepares, presents, or certifies any information (including any projections or estimates) or report for the Board or any of its agents that is false or misleading, or, upon learning that any such information is false or misleading, fails to immediately advise the Board or its agents thereof in writing,

shall be guilty of a misdemeanor.

(2) ADMINISTRATIVE DISCIPLINE.—In addition to any other applicable penalty, any officer or employee of the District government who knowingly and willfully violates paragraph (1) shall be subject to appropriate administrative discipline, including (when appropriate) suspension from duty without pay or removal from office by order of either the Mayor or Authority.

(3) REPORT BY MAYOR ON DISCIPLINARY ACTIONS TAKEN.—In the case of a violation of paragraph (1) by an officer or employee of the District government, the Mayor shall immediately report to the Board all pertinent facts together with a statement of the action taken thereon.

SEC. 104. EXEMPTION FROM LIABILITY FOR CLAIMS.

The Authority and its members may not be liable for any obligation of or claim against the District of Columbia resulting from actions taken to carry out this Act.

SEC. 105. TREATMENT OF ACTIONS ARISING FROM ACT.

(a) JURISDICTION ESTABLISHED IN DISTRICT COURT FOR DISTRICT OF COLUMBIA.—Except as provided in section 103(e)(2) (relating to the issuance of an order enforcing a subpoena), any action against the Authority or any action otherwise arising out of this Act, in whole or in part, shall be brought in the United States District Court for the District of Columbia.

(b) PROMPT APPEAL.—

(1) COURT OF APPEALS.—Notwithstanding any other provision of law, any order of the United States District Court for the District of Columbia which is issued pursuant to an action brought under subsection (a) shall be reviewable only pursuant to a notice of appeal to the United States Court of Appeals for the District of Columbia Circuit.

(2) SUPREME COURT.—Notwithstanding any other provision of law, review by the Supreme Court of the United States of a decision of the Court of Appeals which is issued pursuant to paragraph (1) may be had only if the petition for such review is filed within 10 days after the entry of such decision.

(c) TIMING OF RELIEF.—No order of any court granting declaratory or injunctive relief against the Authority, including relief permitting or requiring the obligation, borrowing, or expenditure of funds, shall take effect during the pendency of the action before such court, during the time appeal may be taken, or (if appeal is taken) during the period before the court has entered its final order disposing of such action.

(d) EXPEDITED CONSIDERATION.—It shall be the duty of the United States District Court for the District of Columbia, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States to advance on the docket and to expedite to the greatest possible extent the disposition of any matter brought under subsection (a).

SEC. 106. FUNDING FOR OPERATION OF AUTHORITY.

(a) ANNUAL BUDGETING PROCESS.—

(1) SUBMISSION OF BUDGET.—The Authority shall submit a proposed budget for each fiscal year to the President for inclusion in the annual budget for the District of Columbia under part D of title IV of the District of Columbia Self-Government and Governmental Reorganization Act not later than the May 1 prior to the first day of the fiscal year. In the case of the budget for fiscal year 1996, the Authority shall submit its proposed budget not later than July 15, 1995.

(2) CONTENTS OF BUDGET.—The budget shall describe—

(A) expenditures of the Authority by each object class, including expenditures for staff of the Authority;

(B) services of personnel and other services provided by or on behalf of the Authority for which the Authority made no reimbursement; and

(C) any gifts or bequests made to the authority during the previous fiscal year.

(3) APPROPRIATIONS REQUIRED.—No amount may be obligated or expended by the Authority for a fiscal year (beginning with fiscal year 1996) unless such amount has been approved by Act of Congress, and then only according to such Act.

(4) CONFORMING AMENDMENT.—Section 453(c) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–304.1(c), D.C. Code) is amended by striking the period at the end and inserting the following: ", or to the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.". 105 Stat. 539.

(b) SPECIAL RULE FOR FUNDING OF OPERATIONS DURING FISCAL YEAR 1995.—As soon as practicable after the appointment of its members, the Authority shall submit to the Mayor and the President—

(1) a request for reprogramming of funds under subsection (c)(1); and

(2) a description of anticipated expenditures of the Authority for fiscal year 1995 (which shall be transmitted to Congress).

(c) SOURCES OF FUNDS.—

(1) USE OF PREVIOUSLY APPROPRIATED FUNDS IN DISTRICT BUDGET.—The Mayor shall transfer funds previously appropriated to the District government for a fiscal year for auditing and consulting services to the Authority (in such amounts as are provided in the budget request of the Authority under subsection (a) or, with respect to fiscal year 1995, the request submitted under subsection (b)(1)) for the purpose of carrying out the Authority's activities during the fiscal year.

(2) OTHER SOURCES OF FUNDS.—For provisions describing the sources of funds available for the operations of the Authority during a fiscal year (in addition to any interest earned on accounts of the Authority during the year), see section 204(b)(1)(A) (relating to the set-aside of amounts requisitioned from the Treasury by the Mayor) and section 213(b)(3) (relating to the use of interest accrued from amounts in a debt service reserve fund of the Authority).

SEC. 107. SUSPENSION OF ACTIVITIES.

(a) SUSPENSION UPON PAYMENT OF AUTHORITY OBLIGATIONS.—

(1) IN GENERAL.—Upon the expiration of the 12-month period which begins on the date that the Authority certifies that all obligations arising from the issuance by the Authority of bonds, notes, or other obligations pursuant to subtitle B of title II have been discharged, and that all borrowings by or on behalf of the District of Columbia pursuant to title VI of the District of Columbia Revenue Act of 1939 (sec. 47–3401, D.C. Code) have been repaid, the Authority shall suspend any activities carried out under this Act and the terms of the members of the Authority shall expire.

(2) NO SUSPENSION DURING CONTROL YEAR.—The Authority may not suspend its activities pursuant to paragraph (1) at any time during a control year.

(b) REACTIVATION UPON INITIATION OF CONTROL PERIOD.—Upon receiving notice from the Chairs of the Appropriations Committees of the House of Representatives and the Senate that a control period has been initiated (as described in section 209) at any time

after the Authority suspends its activities under subsection (a), the President shall appoint members of the Authority, and the Authority shall carry out activities under this Act, in the same manner as the President appointed members and the Authority carried out activities prior to such suspension.

SEC. 108. APPLICATION OF LAWS OF DISTRICT OF COLUMBIA TO AUTHORITY.

(a) IN GENERAL.—The following laws of the District of Columbia (as in effect on the date of the enactment of this Act) shall apply to the members and activities of the Authority:

(1) Section 742 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–1504, D.C. Code).

(2) Sections 201 through 206 of the District of Columbia Freedom of Information Act (secs. 1–1521 through 1–1526, D.C. Code).

(3) Section 601 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act (sec. 1–1461, D.C. Code).

(b) NO CONTROL, SUPERVISION, OVERSIGHT, OR REVIEW BY MAYOR OR COUNCIL.—

(1) IN GENERAL.—Neither the Mayor nor the Council may exercise any control, supervision, oversight, or review over the Authority or its activities.

(2) PROHIBITION AGAINST LEGISLATION AFFECTING AUTHORITY.—Section 602(a) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–233(a), D.C. Code) is amended— 87 Stat. 813.

(A) by striking "or" at the end of paragraph (8);

(B) by striking the period at the end of paragraph (9) and inserting "; or"; and

(C) by adding at the end the following new paragraph:

"(10) enact any act, resolution, or rule with respect to the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.".

(c) AUTHORITY NOT SUBJECT TO REPRESENTATION BY CORPORATION COUNSEL.—In any action brought by or on behalf of the Authority, and in any action brought against the Authority, the Authority shall be represented by such counsel as it may select, but in no instance may the Authority be represented by the Corporation Counsel of the District of Columbia.

TITLE II—RESPONSIBILITIES OF AUTHORITY

Subtitle A—Establishment and Enforcement of Financial Plan and Budget for District Government

SEC. 201. DEVELOPMENT OF FINANCIAL PLAN AND BUDGET FOR DISTRICT OF COLUMBIA.

(a) DEVELOPMENT OF FINANCIAL PLAN AND BUDGET.—For each fiscal year for which the District government is in a control period, the Mayor shall develop and submit to the Authority a financial plan and budget for the District of Columbia in accordance with this section.

(b) CONTENTS OF FINANCIAL PLAN AND BUDGET.—A financial plan and budget for the District of Columbia for a fiscal year shall specify the budgets for the District government under part D of title IV of the District of Columbia Self-Government and Governmental Reorganization Act for the applicable fiscal year and the next 3 fiscal years (including the projected revenues and expenditures of each fund of the District government for such years), in accordance with the following requirements:

(1) The financial plan and budget shall meet the standards described in subsection (c) to promote the financial stability of the District government.

(2) The financial plan and budget shall provide for estimates of revenues and expenditures on a modified accrual basis.

(3) The financial plan and budget shall—

(A) describe lump sum expenditures by department by object class;

(B) describe capital expenditures (together with a schedule of projected capital commitments of the District government and proposed sources of funding);

(C) contain estimates of short-term and long-term debt (both outstanding and anticipated to be issued); and

(D) contain cash flow forecasts for each fund of the District government at such intervals as the Authority may require.

(4) The financial plan and budget shall include a statement describing methods of estimations and significant assumptions.

(5) The financial plan and budget shall include any other provisions and shall meet such other criteria as the Authority considers appropriate to meet the purposes of this Act, including provisions for changes in personnel policies and levels for each department or agency of the District government, changes in the structure and organization of the District government, and management initiatives to promote productivity, improvement in the delivery of services, or cost savings.

(c) STANDARDS TO PROMOTE FINANCIAL STABILITY DESCRIBED.—

(1) IN GENERAL.—The standards to promote the financial stability of the District government applicable to the financial plan and budget for a fiscal year are as follows:

(A) In the case of the financial plan and budget for fiscal year 1996, the expenditures of the District government for each fiscal year (beginning with fiscal year 1999) may not exceed the revenues of the District government for each such fiscal year.

(B) During fiscal years 1996, 1997, and 1998, the District government shall make continuous, substantial progress towards equalizing the expenditures and revenues of the District government for such fiscal years (in equal annual installments to the greatest extent possible).

(C) The District government shall provide for the orderly liquidation of the cumulative fund balance deficit of the District government, as evidenced by financial statements prepared in accordance with generally accepted accounting principles.

(D) If funds in accounts of the District government which are dedicated for specific purposes have been withdrawn from such accounts for other purposes, the District government shall fully restore the funds to such accounts.

(E) The financial plan and budget shall assure the continuing long-term financial stability of the District government, as indicated by factors including access to short-term and long-term capital markets, the efficient management of the District government's workforce, and the effective provision of services by the District government.

(2) APPLICATION OF SOUND BUDGETARY PRACTICES.—In meeting the standards described in paragraph (1) with respect to a financial plan and budget for a fiscal year, the District government shall apply sound budgetary practices, including reducing costs and other expenditures, improving productivity, increasing revenues, or combinations of such practices.

(3) ASSUMPTIONS BASED ON CURRENT LAW.—In meeting the standards described in paragraph (1) with respect to a financial plan and budget for a fiscal year, the District government shall base estimates of revenues and expenditures on Federal law as in effect at the time of the preparation of the financial plan and budget.

(d) REPEAL OF OFFSETS AGAINST FEDERAL PAYMENT AND OTHER DISTRICT REVENUES.—Section 138 of the District of Columbia Appropriations Act, 1995, is amended— 108 Stat. 2590.

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d).

SEC. 202. PROCESS FOR SUBMISSION AND APPROVAL OF FINANCIAL PLAN AND ANNUAL DISTRICT BUDGET.

(a) SUBMISSION OF PRELIMINARY FINANCIAL PLAN AND BUDGET BY MAYOR.—Not later than the February 1 preceding a fiscal year for which the District government is in a control period, the Mayor shall submit to the Authority and the Council a financial plan and budget for the fiscal year which meets the requirements of section 201.

(b) REVIEW BY AUTHORITY.—Upon receipt of the financial plan and budget for a fiscal year from the Mayor under subsection (a), the Authority shall promptly review the financial plan and budget. In conducting the review, the Authority may request any

additional information it considers necessary and appropriate to carry out its duties under this subtitle.

(c) ACTION UPON APPROVAL OF MAYOR'S PRELIMINARY FINANCIAL PLAN AND BUDGET.—

(1) CERTIFICATION TO MAYOR.—

(A) IN GENERAL.—If the Authority determines that the financial plan and budget for the fiscal year submitted by the Mayor under subsection (a) meets the requirements applicable under section 201—

(i) the Authority shall approve the financial plan and budget and shall provide the Mayor, the Council, the President, and Congress with a notice certifying its approval; and

(ii) the Mayor shall promptly submit the financial plan and budget to the Council pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act.

(B) DEEMED APPROVAL AFTER 30 DAYS.—

(i) IN GENERAL.—If the Authority has not provided the Mayor, the Council, and Congress with a notice certifying approval under subparagraph (A)(i) or a statement of disapproval under subsection (d)(1) upon the expiration of the 30-day period which begins on the date the Authority receives the financial plan and budget from the Mayor under subsection (a), the Authority shall be deemed to have approved the financial plan and budget and to have provided the Mayor, the Council, the President, and Congress with the notice certifying approval described in subparagraph (A)(i).

(ii) EXPLANATION OF FAILURE TO RESPOND.—If clause (i) applies with respect to a financial plan and budget, the Authority shall provide the Mayor, the Council, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 30-day period described in such clause.

(2) ADOPTION OF FINANCIAL PLAN AND BUDGET BY COUNCIL AFTER RECEIPT OF APPROVED FINANCIAL PLAN AND BUDGET.—Notwithstanding the first sentence of section 446 of the District of Columbia Self-Government and Governmental Reorganization Act, not later than 30 days after receiving the financial plan and budget for the fiscal year from the Mayor under paragraph (1)(A)(ii), the Council shall by Act adopt a financial plan and budget for the fiscal year which shall serve as the adoption of the budgets of the District government for the fiscal year under such section, and shall submit such financial plan and budget to the Mayor and the Authority.

(3) REVIEW OF COUNCIL FINANCIAL PLAN AND BUDGET BY AUTHORITY.—Upon receipt of the financial plan and budget for a fiscal year from the Council under paragraph (2) (taking into account any items or provisions disapproved by the Mayor or disapproved by the Mayor and reenacted by the Council under section 404(f) of the District of Columbia Self-Government and Governmental Reorganization Act, as amended by subsection (f)(2)), the Authority shall promptly review the financial plan and budget. In conducting the review, the Authority

may request any additional information it considers necessary and appropriate to carry out its duties under this subtitle.

(4) RESULTS OF AUTHORITY REVIEW OF COUNCIL'S INITIAL FINANCIAL PLAN AND BUDGET.—

(A) APPROVAL OF COUNCIL'S INITIAL FINANCIAL PLAN AND BUDGET.—If the Authority determines that the financial plan and budget for the fiscal year submitted by the Council under paragraph (2) meets the requirements applicable under section 201—

(i) the Authority shall approve the financial plan and budget and shall provide the Mayor, the Council, the President, and Congress with a notice certifying its approval; and

(ii) the Council shall promptly submit the financial plan and budget to the Mayor for transmission to the President and Congress under section 446 of the District of Columbia Self-Government and Governmental Reorganization Act.

(B) DISAPPROVAL OF COUNCIL'S INITIAL BUDGET.—If the Authority determines that the financial plan and budget for the fiscal year submitted by the Council under paragraph (2) does not meet the requirements applicable under section 201, the Authority shall disapprove the financial plan and budget, and shall provide the Mayor, the Council, the President, and Congress with a statement containing—

(i) the reasons for such disapproval;

(ii) the amount of any shortfall in the budget or financial plan; and

(iii) any recommendations for revisions to the budget the Authority considers appropriate to ensure that the budget is consistent with the financial plan and budget.

(C) DEEMED APPROVAL AFTER 15 DAYS.—

(i) IN GENERAL.—If the Authority has not provided the Mayor, the Council, the President, and Congress with a notice certifying approval under subparagraph (A)(i) or a statement of disapproval under subparagraph (B) upon the expiration of the 15-day period which begins on the date the Authority receives the financial plan and budget from the Council under paragraph (2), the Authority shall be deemed to have approved the financial plan and budget and to have provided the Mayor, the Council, the President, and Congress with the notice certifying approval described in subparagraph (A)(i).

(ii) EXPLANATION OF FAILURE TO RESPOND.—If clause (i) applies with respect to a financial plan and budget, the Authority shall provide the Mayor, the Council, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 15-day period described in such clause.

(5) AUTHORITY REVIEW OF COUNCIL'S REVISED FINANCIAL PLAN AND BUDGET.—

(A) SUBMISSION OF COUNCIL'S REVISED FINANCIAL PLAN AND BUDGET.—Not later than 15 days after receiving the statement from the Authority under paragraph (4)(B), the

Council shall promptly by Act adopt a revised financial plan and budget for the fiscal year which addresses the reasons for the Authority's disapproval cited in the statement, and shall submit such financial plan and budget to the Mayor and the Authority.

(B) APPROVAL OF COUNCIL'S REVISED FINANCIAL PLAN AND BUDGET.—If, after reviewing the revised financial plan and budget for a fiscal year submitted by the Council under subparagraph (A) in accordance with the procedures described in this subsection, the Authority determines that the revised financial plan and budget meets the requirements applicable under section 201—

(i) the Authority shall approve the financial plan and budget and shall provide the Mayor, the Council, the President, and Congress with a notice certifying its approval; and

(ii) the Council shall promptly submit the financial plan and budget to the Mayor for transmission to the President and Congress under section 446 of the District of Columbia Self-Government and Governmental Reorganization Act.

(C) DISAPPROVAL OF COUNCIL'S REVISED FINANCIAL PLAN AND BUDGET.—

(i) IN GENERAL.—If, after reviewing the revised financial plan and budget for a fiscal year submitted by the Council under subparagraph (A) in accordance with the procedures described in this subsection, the Authority determines that the revised financial plan and budget does not meet the applicable requirements under section 201, the Authority shall—

(I) disapprove the financial plan and budget;

(II) provide the Mayor, the Council, the President, and Congress with a statement containing the reasons for such disapproval and describing the amount of any shortfall in the financial plan and budget; and

(III) approve and recommend a financial plan and budget for the District government which meets the applicable requirements under section 201, and submit such financial plan and budget to the Mayor, the Council, the President, and Congress.

(ii) TRANSMISSION OF REJECTED FINANCIAL PLAN AND BUDGET.—The Council shall promptly submit the revised financial plan and budget disapproved by the Authority under this subparagraph to the Mayor for transmission to the President and Congress under section 446 of the District of Columbia Self-Government and Governmental Reorganization Act.

(D) DEEMED APPROVAL AFTER 15 DAYS.—

(i) IN GENERAL.—If the Authority has not provided the Mayor, the Council, the President, and Congress with a notice certifying approval under subparagraph (B)(i) or a statement of disapproval under subparagraph (C) upon the expiration of the 15-day period which begins on the date the Authority receives the revised financial plan and budget submitted by the

Council under subparagraph (A), the Authority shall be deemed to have approved the revised financial plan and budget and to have provided the Mayor, the Council, the President, and Congress with the notice certifying approval described in subparagraph (B)(i).

(ii) EXPLANATION OF FAILURE TO RESPOND.—If clause (i) applies with respect to a financial plan and budget, the Authority shall provide the Mayor, the Council, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 15-day period described in such clause.

(6) DEADLINE FOR TRANSMISSION OF FINANCIAL PLAN AND BUDGET BY AUTHORITY.—Notwithstanding any other provision of this section, not later than the June 15 preceding each fiscal year which is a control year, the Authority shall—

(A) provide Congress with a notice certifying its approval of the Council's initial financial plan and budget for the fiscal year under paragraph (4)(A);

(B) provide Congress with a notice certifying its approval of the Council's revised financial plan and budget for the fiscal year under paragraph (5)(B); or

(C) submit to Congress an approved and recommended financial plan and budget of the Authority for the District government for the fiscal year under paragraph (5)(C).

(d) ACTION UPON DISAPPROVAL OF MAYOR'S PRELIMINARY FINANCIAL PLAN AND BUDGET.—

(1) STATEMENT OF DISAPPROVAL.—If the Authority determines that the financial plan and budget for the fiscal year submitted by the Mayor under subsection (a) does not meet the requirements applicable under section 201, the Authority shall disapprove the financial plan and budget, and shall provide the Mayor and the Council with a statement containing—

(A) the reasons for such disapproval;

(B) the amount of any shortfall in the financial plan and budget; and

(C) any recommendations for revisions to the financial plan and budget the Authority considers appropriate to ensure that the financial plan and budget meets the requirements applicable under section 201.

(2) AUTHORITY REVIEW OF MAYOR'S REVISED FINANCIAL PLAN AND BUDGET.—

(A) SUBMISSION OF MAYOR'S REVISED FINANCIAL PLAN AND BUDGET.—Not later than 15 days after receiving the statement from the Authority under paragraph (1), the Mayor shall promptly submit to the Authority and the Council a revised financial plan and budget for the fiscal year which addresses the reasons for the Authority's disapproval cited in the statement.

(B) APPROVAL OF MAYOR'S REVISED FINANCIAL PLAN AND BUDGET.—If the Authority determines that the revised financial plan and budget for the fiscal year submitted by the Mayor under subparagraph (A) meets the requirements applicable under section 201—

(i) the Authority shall approve the financial plan and budget and shall provide the Mayor, the Council,

the President, and Congress with a notice certifying its approval; and

(ii) the Mayor shall promptly submit the financial plan and budget to the Council pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act.

(C) DISAPPROVAL OF MAYOR'S REVISED FINANCIAL PLAN AND BUDGET.—

(i) IN GENERAL.—If the Authority determines that the revised financial plan and budget for the fiscal year submitted by the Mayor under subparagraph (A) does not meet the requirements applicable under section 201, the Authority shall—

(I) disapprove the financial plan and budget;

(II) shall provide the Mayor, the Council, the President, and Congress with a statement containing the reasons for such disapproval; and

(III) recommend a financial plan and budget for the District government which meets the requirements applicable under section 201 and submit such financial plan and budget to the Mayor and the Council.

(ii) SUBMISSION OF REJECTED FINANCIAL PLAN AND BUDGET.—The Mayor shall promptly submit the revised financial plan and budget disapproved by the Authority under this subparagraph to the Council pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act.

(D) DEEMED APPROVAL AFTER 15 DAYS.—

(i) IN GENERAL.—If the Authority has not provided the Mayor, the Council, the President, and Congress with a notice certifying approval under subparagraph (B)(i) or a statement of disapproval under subparagraph (C) upon the expiration of the 15-day period which begins on the date the Authority receives the revised financial plan and budget submitted by the Mayor under subparagraph (A), the Authority shall be deemed to have approved the revised financial plan and budget and to have provided the Mayor, the Council, the President, and Congress with the notice certifying approval described in subparagraph (B)(i).

(ii) EXPLANATION OF FAILURE TO RESPOND.—If clause (i) applies with respect to a financial plan and budget, the Authority shall provide the Mayor, the Council, the President and Congress with an explanation for its failure to provide the notice certifying approval or the statement of disapproval during the 15-day period described in such clause.

(3) ACTION BY COUNCIL.—

(A) ADOPTION OF FINANCIAL PLAN AND BUDGET.—Notwithstanding the first sentence of section 446 of the District of Columbia Self-Government and Governmental Reorganization Act, not later than 30 days after receiving the Mayor's approved revised financial plan and budget for the fiscal year under paragraph (2)(B) or (in the case of a financial plan and budget disapproved by the Authority)

the financial plan and budget recommended by the Authority under paragraph (2)(C)(i)(III), the Council shall by Act adopt a financial plan and budget for the fiscal year which shall serve as the adoption of the budgets of the District government for the fiscal year under such section, and shall submit the financial plan and budget to the Mayor and the Authority.

(B) REVIEW BY AUTHORITY.—The financial plan and budget submitted by the Council under subparagraph (A) shall be subject to review by the Authority and revision by the Council in the same manner as the financial plan and budget submitted by the Council after an approved preliminary financial plan and budget of the Mayor under paragraphs (3), (4), (5), and (6) of subsection (c).

(e) REVISIONS TO FINANCIAL PLAN AND BUDGET.—

(1) PERMITTING MAYOR TO SUBMIT REVISIONS.—The Mayor may submit proposed revisions to the financial plan and budget for a control year to the Authority at any time during the year.

(2) PROCESS FOR REVIEW, APPROVAL, DISAPPROVAL, AND COUNCIL ACTION.—Except as provided in paragraph (3), the procedures described in subsections (b), (c), and (d) shall apply with respect to a proposed revision to a financial plan and budget in the same manner as such procedures apply with respect to the original financial plan and budget, except that subparagraph (B) of subsection (c)(1) (relating to deemed approval by the Authority of a preliminary financial plan and budget of the Mayor) shall be applied as if the reference to the term "30-day period" were a reference to "20-day period".

(3) EXCEPTION FOR REVISIONS NOT AFFECTING APPROPRIATIONS.—To the extent that a proposed revision to a financial plan and budget adopted by the Council pursuant to this subsection does not increase the amount of spending with respect to any account of the District government, the revision shall become effective upon the Authority's approval of such revision (subject to review by Congress under section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act).

(f) CONFORMING AMENDMENT TO BUDGET PROCESS REQUIREMENTS UNDER HOME RULE ACT.—

(1) SUBMISSION OF UNBALANCED BUDGETS.—Section 603 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–313, D.C. Code) is amended— 87 Stat. 814.

(A) in subsection (c), by striking "The Council" the first place it appears and inserting "Except as provided in subsection (f), the Council";

(B) in subsection (d), by striking "The Mayor" and inserting "Except as provided in subsection (f), the Mayor"; and

(C) by adding at the end the following new subsection:

"(f) In the case of a fiscal year which is a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995)—

"(1) subsection (c) (other than the fourth sentence) and subsection (d) shall not apply; and

"(2) the Council may not approve, and the Mayor may not forward to the President, any budget which is not consistent

with the financial plan and budget established for the fiscal year under subtitle A of title II of such Act.".

(2) EXPEDITED PROCEDURES FOR DISAPPROVAL OF ITEMS AND PROVISIONS OF COUNCIL BUDGET BY MAYOR.—Section 404(f) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–227(f), D.C. Code) is amended by adding at the end the following new sentence: "In the case of any budget act for a fiscal year which is a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995), this subsection shall apply as if the reference in the second sentence to 'ten-day period' were a reference to 'five-day period' and the reference in the third sentence to 'thirty calendar days' were a reference to '5 calendar days'.".

87 Stat. 788.

(g) PERMITTING MAYOR AND COUNCIL TO SPECIFY EXPENDITURES UNDER SCHOOL BOARD BUDGET DURING CONTROL YEAR.—

(1) MAYOR'S ESTIMATE INCLUDED IN ANNUAL FINANCIAL PLAN AND BUDGET.—Section 2(h) of the Act entitled "An Act to fix and regulate the salaries of teachers, school officers, and other employees of the board of education of the District of Columbia", approved June 20, 1906 (sec. 31–103, D.C. Code) is amended by striking the period at the end and inserting the following: ", except that in the case of a year which is a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995), the Mayor shall transmit the same together with the Mayor's own request for the amount of money required for the public schools for the year.".

(2) SPECIFICATION OF EXPENDITURES.—Section 452 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 31–104, D.C. Code) is amended by adding at the end the following new sentence: "This section shall not apply with respect to the annual budget for any fiscal year which is a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995).".

87 Stat. 803.

(h) PERMITTING SEPARATION OF EMPLOYEES IN ACCORDANCE WITH FINANCIAL PLAN AND BUDGET.—The fourth sentence of section 422(3) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–242(3), D.C. Code) is amended by striking "pursuant to procedures" and all that follows through "Act of 1991" and inserting the following: "in the implementation of a financial plan and budget for the District government approved under subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995".

105 Stat. 540.

SEC. 203. REVIEW OF ACTIVITIES OF DISTRICT GOVERNMENT TO ENSURE COMPLIANCE WITH APPROVED FINANCIAL PLAN AND BUDGET.

(a) REVIEW OF COUNCIL ACTS.—

(1) SUBMISSION OF ACTS TO AUTHORITY.—The Council shall submit to the Authority each Act passed by the Council and signed by the Mayor during a control year or vetoed by the Mayor and repassed by two-thirds of the Council present and voting during a control year, and each Act passed by the Council and allowed to become effective without the Mayor's signature during a control year, together with the estimate of costs accom-

panying such Act required under section 602(c)(3) of the District of Columbia Self-Government and Governmental Reorganization Act (as added by section 301(d)).

(2) PROMPT REVIEW BY AUTHORITY.—Upon receipt of an Act from the Council under paragraph (1), the Authority shall promptly review the Act to determine whether it is consistent with the applicable financial plan and budget approved under this subtitle and with the estimate of costs accompanying the Act (described in paragraph (1)).

(3) ACTIONS BY AUTHORITY.—

(A) APPROVAL.—Except as provided in subparagraph (C), if the Authority determines that an Act is consistent with the applicable financial plan and budget, the Authority shall notify the Council that it approves the Act, and the Council shall submit the Act to Congress for review in accordance with section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

(B) FINDING OF INCONSISTENCY.—Except as provided in subparagraph (C), if the Authority determines that an Act is significantly inconsistent with the applicable financial plan and budget, the Authority shall—

(i) notify the Council of its finding;

(ii) provide the Council with an explanation of the reasons for its finding; and

(iii) to the extent the Authority considers appropriate, provide the Council with recommendations for modifications to the Act.

(C) EXCEPTION FOR EMERGENCY ACTS.—Subparagraphs (A) and (B) shall not apply with respect to any act which the Council determines according to section 412(a) of the District of Columbia Self-Government and Governmental Reorganization Act should take effect immediately because of emergency circumstances.

(4) EFFECT OF FINDING.—If the Authority makes a finding with respect to an Act under paragraph (3)(B), the Council may not submit the Act to Congress for review in accordance with section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act.

(5) DEEMED APPROVAL.—If the Authority does not notify the Council that it approves or disapproves an Act submitted under this subsection during the 7-day period which begins on the date the Council submits the Act to the Authority, the Authority shall be deemed to have approved the Act in accordance with paragraph (3)(A). At the option of the Authority, the previous sentence shall be applied as if the reference to "7-day period" were a reference to "14-day period" if during such 7-day period the Authority so notifies the Council and the Mayor.

(6) PRELIMINARY REVIEW OF PROPOSED ACTS.—At the request of the Council, the Authority may conduct a preliminary review of proposed legislation before the Council to determine whether the legislation as proposed would be consistent with the applicable financial plan and budget approved under this subtitle, except that any such preliminary review shall not be binding on the Authority in reviewing any Act subsequently submitted under this subsection.

(b) EFFECT OF APPROVED FINANCIAL PLAN AND BUDGET ON CONTRACTS AND LEASES.—

(1) MANDATORY PRIOR APPROVAL FOR CERTAIN CONTRACTS AND LEASES.—

(A) IN GENERAL.—In the case of a contract or lease described in subparagraph (B) which is proposed to be entered into by the District government during a control year, the Mayor (or the appropriate officer or agent of the District government) shall submit the proposed contract or lease to the Authority. The Authority shall review each contract or lease submitted under this subparagraph, and the Mayor (or the appropriate officer or agent of the District government) may not enter into the contract or lease unless the Authority determines that the proposed contract or lease is consistent with the financial plan and budget for the fiscal year.

(B) CONTRACTS AND LEASES DESCRIBED.—A contract or lease described in this subparagraph is—

(i) a labor contract entered into through collective bargaining; or

(ii) such other type of contract or lease as the Authority may specify for purposes of this subparagraph.

(2) AUTHORITY TO REVIEW OTHER CONTRACTS AND LEASES AFTER EXECUTION.—

(A) IN GENERAL.—In addition to the prior approval of certain contracts and leases under paragraph (1), the Authority may require the Mayor (or the appropriate officer or agent of the District government) to submit to the Authority any other contract (including a contract to carry out a grant) or lease entered into by the District government during a control year which is executed after the Authority has approved the financial plan and budget for the year under section 202(c) or 202(d), or any proposal of the District government to renew, extend, or modify a contract or lease during a control year which is made after the Authority has approved such financial plan and budget.

(B) REVIEW BY AUTHORITY.—The Authority shall review each contract or lease submitted under subparagraph (A) to determine if the contract or lease is consistent with the financial plan and budget for the fiscal year. If the Authority determines that the contract or lease is not consistent with the financial plan and budget, the Mayor shall take such actions as are within the Mayor's powers to revise the contract or lease, or shall submit a proposed revision to the financial plan and budget in accordance with section 202(e), so that the contract or lease will be consistent with the financial plan and budget.

(3) SPECIAL RULE FOR FISCAL YEAR 1995.—The Authority may require the Mayor to submit to the Authority any proposal to renew, extend, or modify a contract or lease in effect during fiscal year 1995 to determine if the renewal, extension, or modification is consistent with the budget for the District of Columbia under the District of Columbia Appropriations Act, 1995.

(4) SPECIAL RULE FOR CONTRACTS SUBJECT TO COUNCIL APPROVAL.—In the case of a contract or lease which is required to be submitted to the Authority under this subsection and which is subject to approval by the Council under the laws of the District of Columbia, the Mayor shall submit such contract or lease to the Authority only after the Council has approved the contract or lease.

(c) RESTRICTIONS ON REPROGRAMMING OF AMOUNTS IN BUDGET DURING CONTROL YEARS.—

(1) SUBMISSIONS OF REQUESTS TO AUTHORITY.—If the Mayor submits a request to the Council for the reprogramming of any amounts provided in a budget for a fiscal year which is a control year after the budget is adopted by the Council, the Mayor shall submit such request to the Authority, which shall analyze the effect of the proposed reprogramming on the financial plan and budget for the fiscal year and submit its analysis to the Council not later than 15 days after receiving the request.

(2) NO ACTION PERMITTED UNTIL ANALYSIS RECEIVED.—The Council may not adopt a reprogramming during a fiscal year which is a control year, and no officer or employee of the District government may carry out any reprogramming during such a year, until the Authority has provided the Council with an analysis of a request for the reprogramming in accordance with paragraph (1).

SEC. 204. RESTRICTIONS ON BORROWING BY DISTRICT DURING CONTROL YEAR.

(a) PRIOR APPROVAL REQUIRED.—

(1) IN GENERAL.—The District government may not borrow money during a control year unless the Authority provides prior certification that both the receipt of funds through such borrowing and the repayment of obligations incurred through such borrowing are consistent with the financial plan and budget for the year.

(2) REVISIONS TO FINANCIAL PLAN AND BUDGET PERMITTED.—If the Authority determines that the borrowing proposed to be undertaken by the District government is not consistent with the financial plan and budget, the Mayor may submit to the Authority a proposed revision to the financial plan and budget in accordance with section 202(e) so that the borrowing will be consistent with the financial plan and budget as so revised.

(3) BORROWING DESCRIBED.—This subsection shall apply with respect to any borrowing undertaken by the District government, including borrowing through the issuance of bonds under part E of title IV of the District of Columbia Self-Government and Governmental Reorganization Act, the exercise of authority to obtain funds from the United States Treasury under title VI of the District of Columbia Revenue Act of 1939 (sec. 47–3401, D.C. Code), or any other means.

(4) SPECIAL RULES FOR TREASURY BORROWING DURING FISCAL YEAR 1995.—

(A) NO PRIOR APPROVAL REQUIRED DURING INITIAL PERIOD FOLLOWING APPOINTMENT.—The District government may requisition advances from the United States Treasury under title VI of the District of Columbia Revenue

Act of 1939 (sec. 47–3401, D.C. Code) without the prior approval of the Authority during the 45-day period which begins on the date of the appointment of the members of the Authority (subject to the restrictions described in such title, as amended by subsection (c)).

(B) CRITERIA FOR APPROVAL DURING REMAINDER OF FISCAL YEAR.—The District government may requisition advances described in subparagraph (A) during the portion of fiscal year 1995 occurring after the expiration of the 45-day period described in such subparagraph if the Authority finds that—

(i) such borrowing is appropriate to meet the needs of the District government to reduce deficits and discharge payment obligations; and

(ii) the District government is making appropriate progress toward meeting its responsibilities under this Act (and the amendments made by this Act).

(b) DEPOSIT OF FUNDS OBTAINED THROUGH TREASURY WITH AUTHORITY.—

(1) AUTOMATIC DEPOSIT DURING CONTROL YEAR.—If the Mayor requisitions funds from the Secretary of the Treasury pursuant to title VI of the District of Columbia Revenue Act of 1939 (sec. 47–3401, D.C. Code) during a control year (beginning with fiscal year 1996), such funds shall be deposited by the Secretary into an escrow account held by the Authority, to be used as follows:

(A) The Authority shall expend a portion of the funds for its operations during the fiscal year in which the funds are requisitioned, in such amount and under such conditions as are established under the budget of the Authority for the fiscal year under section 106(a).

(B) The Authority shall allocate the remainder of such funds to the Mayor at such intervals and in accordance with such terms and conditions as it considers appropriate, consistent with the financial plan and budget for the year and with any other withholding of funds by the Authority pursuant to this Act.

(2) OPTIONAL DEPOSIT DURING FISCAL YEAR 1995.—

(A) DURING INITIAL PERIOD FOLLOWING APPOINTMENT.—If the Mayor requisitions funds described in paragraph (1) during the 45-day period which begins on the date of the appointment of the members of the Authority, the Secretary of the Treasury shall notify the Authority, and at the request of the Authority shall deposit such funds into an escrow account held by the Authority in accordance with paragraph (1).

(B) DURING REMAINDER OF FISCAL YEAR.—If the Mayor requisitions funds described in paragraph (1) during the portion of fiscal year 1995 occurring after the expiration of the 45-day period described in subparagraph (A), the Secretary of the Treasury shall deposit such funds into an escrow account held by the Authority in accordance with paragraph (1) at the request of the Authority.

(c) CONDITIONS ON REQUISITIONS FROM TREASURY.—Title VI of the District of Columbia Revenue Act of 1939 (sec. 47–3401, D.C. Code) is amended by striking all after the heading and inserting the following:

"SEC. 601. TRANSITIONAL PROVISION FOR SHORT-TERM ADVANCES.

"(a) TRANSITIONAL SHORT-TERM ADVANCES MADE BEFORE OCTOBER 1, 1995.—

"(1) IN GENERAL.—If the conditions in paragraph (2) are satisfied, the Secretary shall make an advance of funds from time to time, out of any money in the Treasury not otherwise appropriated, for the purpose of assisting the District government in meeting its general expenditures, as authorized by Congress.

"(2) CONDITIONS TO MAKING ANY TRANSITIONAL SHORT-TERM ADVANCE BEFORE OCTOBER 1, 1995.—The Secretary shall make an advance under this subsection if the following conditions are satisfied:

"(A) the Mayor delivers to the Secretary a requisition for an advance under this section;

"(B) as of the date on which the requisitioned advance is to be made, the Authority has not approved a financial plan and budget for the District government as meeting the requirements of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

"(C) the date on which the requisitioned advance is to be made is not later than September 30, 1995;

"(D) the District government has delivered to the Secretary—

"(i) a schedule setting forth the anticipated timing and amounts of requisitions for advances under this subsection; and

"(ii) evidence demonstrating to the satisfaction of the Secretary that the District government is effectively unable to obtain credit in the public credit markets or elsewhere in sufficient amounts and on sufficiently reasonable terms to meet the District government's financing needs;

"(E) the Secretary determines that there is reasonable assurance of reimbursement for the advance from the amount authorized to be appropriated as the annual Federal payment to the District of Columbia under title V of the District of Columbia Self-Government and Governmental Reorganization Act for the fiscal year ending September 30, 1996; and

"(F) except during the 45-day period beginning on the date of the appointment of the members of the Authority, the Authority makes the findings described in section 204(a)(4)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

"(3) AMOUNT OF ANY TRANSITIONAL SHORT-TERM ADVANCE MADE BEFORE OCTOBER 1, 1995.—

"(A) IN GENERAL.—Except as provided in subparagraph (C), if the conditions described in subparagraph (B) are satisfied, each advance made under this subsection shall be in the amount designated by the Mayor in the Mayor's requisition for such advance, except that—

"(i) the total amount requisitioned under this subsection during the 30-day period which begins on the date of the first requisition made under this subsection may not exceed 33⅓ percent of the fiscal year 1995 limit;

"(ii) the total amount requisitioned under this subsection during the 60-day period which begins on the date of the first requisition made under this subsection may not exceed 66⅔ percent of the fiscal year 1995 limit; and

"(iii) the total amount requisitioned under this subsection after the expiration of the 60-day period which begins on the date of the first requisition made under this subsection may not exceed 100 percent of the fiscal year 1995 limit.

"(B) CONDITIONS APPLICABLE TO DESIGNATED AMOUNT.—Subparagraph (A) applies if the Mayor determines that the amount designated in the Mayor's requisition for such advance is needed to accomplish the purpose described in paragraph (1), and (except during the 45-day period beginning on the date of the appointment of the members of the Authority) the Authority approves such amount.

"(C) AGGREGATE MAXIMUM AMOUNT OUTSTANDING.—The sum of the anticipated principal and interest requirements of all advances made under this subsection may not be greater than the fiscal year 1995 limit.

"(D) FISCAL YEAR 1995 LIMIT DESCRIBED.—In this paragraph, the 'fiscal year 1995 limit' means the amount authorized to be appropriated to the District of Columbia as the annual Federal payment to the District of Columbia under title V of the District of Columbia Self-Government and Governmental Reorganization Act for the fiscal year ending September 30, 1995.

"(4) MATURITY OF ANY TRANSITIONAL SHORT-TERM ADVANCE MADE BEFORE OCTOBER 1, 1995.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), each advance made under this subsection shall mature on the date designated by the Mayor in the Mayor's requisition for such advance.

"(B) LATEST PERMISSIBLE MATURITY DATE.—Notwithstanding subparagraph (A), the maturity date for any advance made under this subsection shall not be later than October 1, 1995.

"(5) INTEREST RATE.—Each advance made under this subsection shall bear interest at an annual rate equal to the rate determined by the Secretary at the time that the Secretary makes such advance taking into consideration the prevailing yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of such advance, plus ⅛ of 1 percent.

"(6) DEPOSIT OF ADVANCES.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), each advance made under this subsection for the account of the District government shall be deposited by the Secretary into such account as is designated by the Mayor in the Mayor's requisition for such advance.

"(B) EXCEPTION.—Notwithstanding subparagraph (A), if (in accordance with section 204(b)(2) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995) the Authority delivers a letter requesting the Secretary to deposit all advances made under this

subsection for the account of the District government in an escrow account held by the Authority, each advance made under this subsection for the account of the District government after the date of such letter shall be deposited by the Secretary into the escrow account specified by the Authority in such letter.

"(b) TRANSITIONAL SHORT-TERM ADVANCES MADE ON OR AFTER OCTOBER 1, 1995 AND BEFORE FEBRUARY 1, 1996.—

"(1) IN GENERAL.—If the conditions in paragraph (2) are satisfied, the Secretary shall make an advance of funds from time to time, out of any money in the Treasury not otherwise appropriated, for the same purpose as advances are made under subsection (a).

"(2) TERMS AND CONDITIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), paragraphs (2), (4), and (5) of subsection (a) (other than subparagraph (F) of paragraph (2)) shall apply to any advance made under this subsection.

"(B) EXCEPTIONS.—

"(i) NEW CONDITIONS PRECEDENT TO MAKING ADVANCES.—The conditions described in subsection (a)(2) shall apply with respect to making advances on or after October 1, 1995, in the same manner as such conditions apply with respect to making advances before October 1, 1995, except that—

"(I) subparagraph (C) (relating to the last day on which advances may be made) shall be applied as if the reference to 'September 30, 1995' were a reference to 'January 31, 1996';

"(II) subparagraph (E) (relating to the Secretary's determination of reasonable assurance of reimbursement from the annual Federal payment appropriated to the District of Columbia) shall be applied as if the reference to 'September 30, 1996' were a reference to 'September 30, 1997';

"(III) the Secretary may not make an advance under this subsection unless all advances made under subsection (a) are fully reimbursed by withholding from the annual Federal payment appropriated to the District of Columbia for the fiscal year ending September 30, 1996, under title V of the District of Columbia Self-Government and Governmental Reorganization Act, and applying toward reimbursement for such advances an amount equal to the amount needed to fully reimburse the Treasury for such advances; and

"(IV) the Secretary may not make an advance under this subsection unless the Authority has provided the Secretary with the prior certification described in section 204(a)(1) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

"(ii) NEW LATEST PERMISSIBLE MATURITY DATE.—The provisions of subsection (a)(4) shall apply with respect to the maturity of advances made after October 1, 1995, in the same manner as such provisions apply with respect to the maturity of advances made before

October 1, 1995, except that subparagraph (B) of such subsection (relating to the latest permissible maturity date) shall apply as if the reference to 'October 1, 1995' were a reference to 'October 1, 1996'.

"(C) NEW MAXIMUM AMOUNT OUTSTANDING.—

"(i) IN GENERAL.—Except as provided in clause (iii), if the conditions described in clause (ii) are satisfied, each advance made under this subsection shall be in the amount designated by the Mayor in the Mayor's requisition for such advance.

"(ii) CONDITIONS APPLICABLE TO DESIGNATED AMOUNT.—Clause (i) applies if the Mayor determines that the amount designated in the Mayor's requisition for such advance is needed to accomplish the purpose described in paragraph (1), and the Authority approves such amount.

"(iii) AGGREGATE MAXIMUM AMOUNT OUTSTANDING.—The sum of the anticipated principal and interest requirements of all advances made under this paragraph may not be greater than 60 percent of the fiscal year 1996 limit.

"(D) DEPOSIT OF ADVANCES.—As provided in section 204(b) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, each advance made under this subsection for the account of the District shall be deposited by the Secretary into an escrow account held by the Authority.

"(E) FISCAL YEAR 1996 LIMIT DESCRIBED.—In this paragraph, the 'fiscal year 1996 limit' means the amount authorized to be appropriated to the District of Columbia as the annual Federal payment to the District of Columbia under title V of the District of Columbia Self-Government and Governmental Reorganization Act for the fiscal year ending September 30, 1996.

"(c) TRANSITIONAL SHORT-TERM ADVANCES MADE ON OR AFTER FEBRUARY 1, 1996, AND BEFORE OCTOBER 1, 1996.—

"(1) IN GENERAL.—If the conditions in paragraph (2) are satisfied, the Secretary shall make an advance of funds from time to time, out of any money in the Treasury not otherwise appropriated, for the same purpose as advances are made under subsection (a).

"(2) TERMS AND CONDITIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), subsection (b)(2) shall apply to any advance made under this subsection.

"(B) EXCEPTIONS.—The conditions applicable under subsection (b)(2) (other than paragraph (2)(B) of subsection (a)) shall apply with respect to making advances on or after February 1, 1996, and before October 1, 1996, in the same manner as such conditions apply to making advances under such subsection, except that—

"(i) in applying subparagraph (C) of subsection (a)(2) (as described in subsection (b)(2)(B)(i)(I)), the reference to 'October 1, 1995' shall be deemed to be a reference to 'September 30, 1996';

"(ii) subparagraph (C)(iii) of subsection (b)(2) shall apply as if the reference to '60 percent' were a reference to '40 percent'; and

"(iii) no advance may be made unless the Secretary has been provided the certifications and information described in paragraphs (3) through (6) of section 602(b).

"(d) TRANSITIONAL SHORT-TERM ADVANCES MADE ON OR AFTER OCTOBER 1, 1996, AND BEFORE OCTOBER 1, 1997.—

"(1) IN GENERAL.—If the conditions in paragraph (2) are satisfied, the Secretary shall make an advance of funds from time to time, out of any money in the Treasury not otherwise appropriated, for the same purpose as advances are made under subsection (a).

"(2) TERMS AND CONDITIONS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), paragraphs (2), (4), and (5) of subsection (a) (other than subparagraphs (B) and (F) of paragraph (2)) shall apply to any advance made under this subsection.

"(B) EXCEPTIONS.—

"(i) NEW CONDITIONS PRECEDENT TO MAKING ADVANCES.—The conditions described in subsection (a)(2) shall apply with respect to making advances on or after October 1, 1996, and before October 1, 1997, in the same manner as such conditions apply with respect to making advances before October 1, 1995, except that—

"(I) subparagraph (C) (relating to the last day on which advances may be made) shall be applied as if the reference to 'September 30, 1995' were a reference to 'September 30, 1997';

"(II) subparagraph (E) (relating to the Secretary's determination of reasonable assurance of reimbursement from the annual Federal payment appropriated to the District of Columbia) shall be applied as if the reference to 'September 30, 1996' were a reference to 'September 30, 1997';

"(III) the Secretary may not make an advance under this subsection unless all advances made under subsections (b) and (c) are fully reimbursed by withholding from the annual Federal payment appropriated to the District of Columbia for the fiscal year ending September 30, 1997, under title V of the District of Columbia Self-Government and Governmental Reorganization Act, and applying toward reimbursement for such advances an amount equal to the amount needed to fully reimburse the Treasury for such advances; and

"(IV) the Secretary may not make an advance under this subsection unless the Secretary has been provided the certifications and information described in paragraphs (3) through (6) of section 602(b).

"(ii) NEW LATEST PERMISSIBLE MATURITY DATE.—The provisions of subsection (a)(4) shall apply with respect to the maturity of advances made under this subsection, in the same manner as such provisions

apply with respect to the maturity of advances made before October 1, 1995, except that subparagraph (B) of such subsection (relating to the latest permissible maturity date) shall apply as if the reference to 'September 30, 1995' were a reference to 'September 30, 1997'.

"(C) NEW MAXIMUM AMOUNT OUTSTANDING.—

"(i) IN GENERAL.—Except as provided in clause (iii), if the conditions described in clause (ii) are satisfied, each advance made under this subsection shall be in the amount designated by the Mayor in the Mayor's requisition for such advance.

"(ii) CONDITIONS APPLICABLE TO DESIGNATED AMOUNT.— Clause (i) applies if the Mayor determines that the amount designated in the Mayor's requisition for such advance is needed to accomplish the purpose described in paragraph (1), and the Authority approves such amount.

"(iii) AGGREGATE MAXIMUM AMOUNT OUTSTANDING.—The sum of the anticipated principal and interest requirements of all advances made under this paragraph may not be greater than 100 percent of the fiscal year 1997 limit.

"(iv) FISCAL YEAR 1997 LIMIT DESCRIBED.—In this subparagraph, the 'fiscal year 1997 limit' means the amount authorized to be appropriated to the District of Columbia as the annual Federal payment to the District of Columbia under title V of the District of Columbia Self-Government and Governmental Reorganization Act for the fiscal year ending September 30, 1997.

"(D) DEPOSIT OF ADVANCES.—As provided in section 204(b) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, each advance made under this subsection for the account of the District shall be deposited by the Secretary into an escrow account held by the Authority.

"SEC. 602. SHORT-TERM ADVANCES FOR SEASONAL CASH-FLOW MANAGEMENT.

"(a) IN GENERAL.—If the conditions in subsection (b) are satisfied, the Secretary shall make an advance of funds from time to time, out of any money in the Treasury not otherwise appropriated, for the purpose of assisting the District government in meeting its general expenditures, as authorized by Congress, at times of seasonal cash-flow deficiencies.

"(b) CONDITIONS TO MAKING ANY SHORT-TERM ADVANCE.—The Secretary shall make an advance under this section if—

"(1) the Mayor delivers to the Secretary a requisition for an advance under this section;

"(2) the date on which the requisitioned advance is to be made is in a control period;

"(3) the Authority certifies to the Secretary that—

"(A) the District government has prepared and submitted a financial plan and budget for the District government;

"(B) there is an approved financial plan and budget in effect under the District of Columbia Financial Respon-

sibility and Management Assistance Act of 1995 for the fiscal year for which the requisition is to be made;

"(C) at the time of the Mayor's requisition for an advance, the District government is in compliance with the financial plan and budget;

"(D) both the receipt of funds from such advance and the reimbursement of the Treasury for such advance are consistent with the financial plan and budget for the year; and

"(E) such advance will not adversely affect the financial stability of the District government;

"(4) the Authority certifies to the Secretary, at the time of the Mayor's requisition for an advance, that the District government is effectively unable to obtain credit in the public credit markets or elsewhere in sufficient amounts and on sufficiently reasonable terms to meet the District government's financing needs;

"(5) the Inspector General of the District of Columbia certifies to the Secretary the information described in paragraph (3) by providing the Secretary with a certification conducted by an outside auditor under a contract entered into pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985;

"(6) the Secretary receives such additional certifications and opinions relating to the financial position of the District government as the Secretary determines to be appropriate from such other Federal agencies and instrumentalities as the Secretary determines to be appropriate; and

"(7) the Secretary determines that there is reasonable assurance of reimbursement for the advance from the amount authorized to be appropriated as the annual Federal payment to the District of Columbia under title V of the District of Columbia Self-Government and Governmental Reorganization Act for the fiscal year following the fiscal year in which such advance is made.

"(c) AMOUNT OF ANY SHORT-TERM ADVANCE.—

"(1) IN GENERAL.—Except as provided in paragraph (3), if the conditions in paragraph (2) are satisfied, each advance made under this section shall be in the amount designated by the Mayor in the Mayor's requisition for such advance.

"(2) CONDITIONS APPLICABLE TO DESIGNATED AMOUNT.—Paragraph (1) applies if—

"(A) the Mayor determines that the amount designated in the Mayor's requisition for such advance is needed to accomplish the purpose described in subsection (a); and

"(B) the Authority—

"(i) concurs in the Mayor's determination under subparagraph (A); and

"(ii) determines that the reimbursement obligation of the District government for an advance made under this section in the amount designated in the Mayor's requisition is consistent with the financial plan for the year.

"(3) MAXIMUM AMOUNT OUTSTANDING.—

"(A) IN GENERAL.—Notwithstanding paragraph (1), the unpaid principal balance of all advances made under this section in any fiscal year of the District government shall

not at any time be greater than 100 percent of applicable limit.

"(B) SPECIAL RULE FOR FISCAL YEAR 1997.—The unpaid principal balance of all advances made under this section in fiscal year 1997 of the District government shall not at any time be greater than the difference between—

"(i) 150 percent of the applicable limit for such fiscal year; and

"(ii) the unpaid principal balance of any advances made under section 601(d).

"(C) APPLICABLE LIMIT DEFINED.—In this paragraph, the 'applicable limit' for a fiscal year is the amount authorized under title V of the District of Columbia Self-Government and Governmental Reorganization Act for appropriation as the Federal payment to the District of Columbia for the fiscal year following the fiscal year in which the advance is made.

"(d) MATURITY OF ANY SHORT-TERM ADVANCE.—

"(1) IN GENERAL.—Except as provided in paragraph (3), if the condition in paragraph (2) is satisfied, each advance made under this section shall mature on the date designated by the Mayor in the Mayor's requisition for such advance.

"(2) CONDITION APPLICABLE TO DESIGNATED MATURITY.—Paragraph (1) applies if the Authority determines that the reimbursement obligation of the District government for an advance made under this section having the maturity date designated in the Mayor's requisition is consistent with the financial plan for the year.

"(3) LATEST PERMISSIBLE MATURITY DATE.—Notwithstanding paragraph (1), the maturity date for any advance made under this section shall not be later than 11 months after the date on which such advance is made.

"(e) INTEREST RATE.—Each advance made under this section shall bear interest at an annual rate equal to a rate determined by the Secretary at the time that the Secretary makes such advance taking into consideration the prevailing yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the maturity of such advance, plus ⅛ of 1 percent.

"(f) 10-BUSINESS-DAY ZERO BALANCE REQUIREMENT.—After the expiration of the 12-month period beginning on the date on which the first advance is made under this section, the Secretary shall not make any new advance under this section unless the District government has—

"(1) reduced to zero at the same time the principal balance of all advances made under this section at least once during the previous 12-month period; and

"(2) not requisitioned any advance to be made under this section in any of the 10 business days following such reduction.

"(g) DEPOSIT OF ADVANCES.—As provided in section 204(b) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, advances made under this section for the account of the District government shall be deposited by the Secretary into an escrow account held by the Authority.

"SEC. 603. SECURITY FOR ADVANCES.

"(a) IN GENERAL.—The Secretary shall require the District government to provide such security for any advance made under this title as the Secretary determines to be appropriate.

"(b) AUTHORITY TO REQUIRE SPECIFIC SECURITY.—As security for any advance made under this title, the Secretary may require the District government to—

"(1) pledge to the Secretary specific taxes and revenue of the District government, if such pledging does not cause the District government to violate existing laws or contracts; and

"(2) establish a debt service reserve fund pledged to the Secretary.

"SEC. 604. REIMBURSEMENT TO THE TREASURY.

"(a) REIMBURSEMENT AMOUNT.—

"(1) IN GENERAL.—Except as provided in paragraph (2), on any date on which a reimbursement payment is due to the Treasury under the terms of any advance made under this title, the District shall pay to the Treasury the amount of such reimbursement payment out of taxes and revenue collected for the support of the District government.

"(2) EXCEPTIONS FOR TRANSITIONAL ADVANCES.—

"(A) ADVANCES MADE BEFORE OCTOBER 1, 1995.—

"(i) FINANCIAL PLAN AND BUDGET APPROVED.—If the Authority approves a financial plan for the District government before October 1, 1995, the District government may use the proceeds of any advance made under section 602 to discharge its obligation to reimburse the Treasury for any advance made under section 601(a).

"(ii) FINANCIAL PLAN AND BUDGET NOT APPROVED.—If the Authority has not approved a financial plan and budget for the District government by October 1, 1995, the annual Federal payment appropriated to the District government for the fiscal year ending September 30, 1996, shall be withheld and applied to discharge the District government's obligation to reimburse the Treasury for any advance made under section 601(a).

"(B) ADVANCES MADE ON OR AFTER OCTOBER 1, 1995.—

"(i) FINANCIAL PLAN AND BUDGET APPROVED.—If the Authority approves a financial plan and budget for the District government during fiscal year 1996, the District may use the proceeds of any advance made under section 602 to discharge its obligation to reimburse the Treasury for any advance made under section 601(b).

"(ii) FINANCIAL PLAN AND BUDGET NOT APPROVED.—If the Authority has not approved a financial plan and budget for the District government by October 1, 1996, the annual Federal payment appropriated to the District government for the fiscal year ending September 30, 1997, shall be withheld and applied to discharge the District government's obligation to reimburse the Treasury for any advance made under section 601(b).

"(b) REMEDIES FOR FAILURE TO REIMBURSE.—If, on any date on which a reimbursement payment is due to the Treasury under the terms of any advance made under this title, the District government does not make such reimbursement payment, the Secretary shall take the actions listed in this subsection.

"(1) WITHHOLD ANNUAL FEDERAL PAYMENT.—Notwithstanding any other law, before turning over to the Authority (on behalf of the District government under section 205 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995) any annual Federal payment appropriated to the District government for any fiscal year under title V of the District of Columbia Self-Government and Governmental Reorganization Act (if any), the Secretary shall withhold from such annual Federal payment, and apply toward reimbursement for the payment not made, an amount equal to the amount needed to fully reimburse the Treasury for the payment not made.

"(2) WITHHOLD OTHER FEDERAL PAYMENTS.—If, after the Secretary takes the action described in paragraph (1), the Treasury is not fully reimbursed, the Secretary shall withhold from each grant, entitlement, loan, or other payment to the District government by the Federal Government not dedicated to making entitlement or benefit payments to individuals, and apply toward reimbursement for the payment not made, an amount that, when added to the amount withheld from each other such grant, entitlement, loan, or other payment, will be equal to the amount needed to fully reimburse the Treasury for the payment not made.

"(3) ATTACH AVAILABLE DISTRICT REVENUES.—If, after the Secretary takes the actions described in paragraphs (1) and (2), the Treasury is not fully reimbursed, the Secretary shall attach any and all revenues of the District government which the Secretary may lawfully attach, and apply toward reimbursement for the payment not made, an amount equal to the amount needed to fully reimburse the Treasury for the payment not made.

"(4) TAKE OTHER ACTIONS.—If, after the Secretary takes the actions described in paragraphs (1) through (3), the Treasury is not fully reimbursed, the Secretary shall take any and all other actions permitted by law to recover from the District government the amount needed to fully reimburse the Treasury for the payment not made.

"SEC. 605. DEFINITIONS.

"For purposes of this title—

"(1) the term 'Authority' means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

"(2) the term 'control period' has the meaning given such term under section 305(4) of such Act;

"(3) the term 'District government' has the meaning given such term under section 305(5) of such Act;

"(4) the term 'financial plan and budget' has the meaning given such term under section 305(6) of such Act; and

"(5) the term 'Secretary' means the Secretary of the Treasury.".

(d) EXPENDITURE OF FUNDS FROM ACCOUNT IN ACCORDANCE WITH AUTHORITY INSTRUCTIONS.—Any funds allocated by the Authority to the Mayor from the escrow account described in subsection (b)(1) may be expended by the Mayor only in accordance with the terms and conditions established by the Authority at the time the funds are allocated.

(e) PROHIBITION AGAINST BORROWING WHILE SUIT PENDING.—The Mayor may not requisition advances from the Treasury pursuant to title VI of the District of Columbia Revenue Act of 1939 if there is an action filed by the Mayor or the Council which is pending against the Authority challenging the establishment of or any action taken by the Authority.

SEC. 205. DEPOSIT OF ANNUAL FEDERAL PAYMENT WITH AUTHORITY.

(a) IN GENERAL.—

(1) DEPOSIT INTO ESCROW ACCOUNT.—In the case of a fiscal year which is a control year, the Secretary of the Treasury shall deposit the annual Federal payment to the District of Columbia for the year authorized under title V of the District of Columbia Self-Government and Governmental Reorganization Act into an escrow account held by the Authority, which shall allocate the funds to the Mayor at such intervals and in accordance with such terms and conditions as it considers appropriate to implement the financial plan for the year. In establishing such terms and conditions, the Authority shall give priority to using the Federal payment for cash flow management and the payment of outstanding bills owed by the District government.

(2) EXCEPTION FOR AMOUNTS WITHHELD FOR ADVANCES.—Paragraph (1) shall not apply with respect to any portion of the Federal payment which is withheld by the Secretary of the Treasury in accordance with section 604 of title VI of the District of Columbia Revenue Act of 1939 (as added by section 204(c)) to reimburse the Secretary for advances made under title VI of such Act.

(b) EXPENDITURE OF FUNDS FROM ACCOUNT IN ACCORDANCE WITH AUTHORITY INSTRUCTIONS.—Any funds allocated by the Authority to the Mayor from the escrow account described in paragraph (1) may be expended by the Mayor only in accordance with the terms and conditions established by the Authority at the time the funds are allocated.

SEC. 206. EFFECT OF FINDING OF NON-COMPLIANCE WITH FINANCIAL PLAN AND BUDGET.

(a) SUBMISSION OF REPORTS.—Not later than 30 days after the expiration of each quarter of each fiscal year (beginning with fiscal year 1996), the Mayor shall submit reports to the Authority describing the actual revenues obtained and expenditures made by the District government during the quarter with its cash flows during the quarter, and comparing such actual revenues, expenditures, and cash flows with the most recent projections for these items.

(b) DEMAND FOR ADDITIONAL INFORMATION.—If the Authority determines, based on reports submitted by the Mayor under subsection (a), independent audits, or such other information as the Authority may obtain, that the revenues or expenditures of the

District government during a control year are not consistent with the financial plan and budget for the year, the Authority shall require the Mayor to provide such additional information as the Authority determines to be necessary to explain the inconsistency.

(c) CERTIFICATION OF VARIANCE.—

(1) IN GENERAL.—After requiring the Mayor to provide additional information under subsection (b), the Authority shall certify to the Council, the President, the Secretary of the Treasury, and Congress that the District government is at variance with the financial plan and budget unless—

(A)(i) the additional information provides an explanation for the inconsistency which the Authority finds reasonable and appropriate, or

(ii) the District government adopts or implements remedial action (including revising the financial plan and budget pursuant to section 202(e)) to correct the inconsistency which the Authority finds reasonable and appropriate, taking into account the terms of the financial plan and budget; and

(B) the Mayor agrees to submit the reports described in subsection (a) on a monthly basis for such period as the Authority may require.

(2) SPECIAL RULE FOR INCONSISTENCIES ATTRIBUTABLE TO ACTS OF CONGRESS.—

(A) DETERMINATION BY AUTHORITY.—If the Authority determines that the revenues or expenditures of the District government during a control year are not consistent with the financial plan and budget for the year as approved by the Authority under section 202 as a result of the terms and conditions of the budget of the District government for the year as enacted by Congress or as a result of any other law enacted by Congress which affects the District of Columbia, the Authority shall so notify the Mayor.

(B) CERTIFICATION.—In the case of an inconsistency described in subparagraph (A), the Authority shall certify to the Council, the President, the Secretary of the Treasury, and Congress that the District government is at variance with the financial plan and budget unless the District government adopts or implements remedial action (including revising the financial plan and budget pursuant to section 202(e)) to correct the inconsistency which the Authority finds reasonable and appropriate, taking into account the terms of the financial plan and budget.

(d) EFFECT OF CERTIFICATION.—If the Authority certifies to the Secretary of the Treasury that a variance exists—

(1) the Authority may withhold any funds deposited with the Authority under section 204(b) or section 205(a) which would otherwise be expended on behalf of the District government; and

(2) the Secretary shall withhold funds otherwise payable to the District of Columbia under such Federal programs as the Authority may specify (other than funds dedicated to making entitlement or benefit payments to individuals), in such amounts and under such other conditions as the Authority may specify.

SEC. 207. RECOMMENDATIONS ON FINANCIAL STABILITY AND MANAGEMENT RESPONSIBILITY.

(a) IN GENERAL.—The Authority may at any time submit recommendations to the Mayor, the Council, the President, and Congress on actions the District government or the Federal Government may take to ensure compliance by the District government with a financial plan and budget or to otherwise promote the financial stability, management responsibility, and service delivery efficiency of the District government, including recommendations relating to—

(1) the management of the District government's financial affairs, including cash forecasting, information technology, placing controls on expenditures for personnel, reducing benefit costs, reforming procurement practices, and placing other controls on expenditures;

(2) the relationship between the District government and the Federal Government;

(3) the structural relationship of departments, agencies, and independent agencies within the District government;

(4) the modification of existing revenue structures, or the establishment of additional revenue structures;

(5) the establishment of alternatives for meeting obligations to pay for the pensions of former District government employees;

(6) modifications or transfers of the types of services which are the responsibility of and are delivered by the District government;

(7) modifications of the types of services which are delivered by entities other than the District government under alternative service delivery mechanisms (including privatization and commercialization);

(8) the effects of District of Columbia laws and court orders on the operations of the District government;

(9) the establishment of a personnel system for employees of the District government which is based upon employee performance standards; and

(10) the improvement of personnel training and proficiency, the adjustment of staffing levels, and the improvement of training and performance of management and supervisory personnel.

(b) RESPONSE TO RECOMMENDATIONS FOR ACTIONS WITHIN AUTHORITY OF DISTRICT GOVERNMENT.—

(1) IN GENERAL.—In the case of any recommendations submitted under subsection (a) during a control year which are within the authority of the District government to adopt, not later than 90 days after receiving the recommendations, the Mayor or the Council (whichever has the authority to adopt the recommendation) shall submit a statement to the Authority, the President, and Congress which provides notice as to whether the District government will adopt the recommendations.

(2) IMPLEMENTATION PLAN REQUIRED FOR ADOPTED RECOMMENDATIONS.—If the Mayor or the Council (whichever is applicable) notifies the Authority and Congress under paragraph (1) that the District government will adopt any of the recommendations submitted under subsection (a), the Mayor or the Council (whichever is applicable) shall include in the

statement a written plan to implement the recommendation which includes—

(A) specific performance measures to determine the extent to which the District government has adopted the recommendation; and

(B) a schedule for auditing the District government's compliance with the plan.

(3) EXPLANATIONS REQUIRED FOR RECOMMENDATIONS NOT ADOPTED.—If the Mayor or the Council (whichever is applicable) notifies the Authority, the President, and Congress under paragraph (1) that the District government will not adopt any recommendation submitted under subsection (a) which the District government has authority to adopt, the Mayor or the Council shall include in the statement explanations for the rejection of the recommendations.

(c) IMPLEMENTATION OF REJECTED RECOMMENDATIONS BY AUTHORITY.—

(1) IN GENERAL.—If the Mayor or the Council (whichever is applicable) notifies the Authority, the President, and Congress under subsection (b)(1) that the District government will not adopt any recommendation submitted under subsection (a) which the District government has authority to adopt, the Authority may by a majority vote of its members take such action concerning the recommendation as it deems appropriate, after consulting with the Committee on Government Reform and Oversight of the House of Representatives and the Committee on Governmental Affairs of the Senate.

(2) EFFECTIVE DATE.—This subsection shall apply with respect to recommendations of the Authority made after the expiration of the 6-month period which begins on the date of the enactment of this Act.

SEC. 208. SPECIAL RULES FOR FISCAL YEAR 1996.

(a) ADOPTION OF TRANSITION BUDGET.—Notwithstanding any provision of section 202 to the contrary, in the case of fiscal year 1996, the following rules shall apply:

(1) Not later than 45 days after the appointment of its members, the Authority shall review the proposed budget for the District of Columbia for such fiscal year submitted to Congress under section 446 of the District of Columbia Self-Government and Governmental Reorganization Act (taking into account any items or provisions disapproved by the Mayor or disapproved by the Mayor and reenacted by the Council under section 404(f) of the District of Columbia Self-Government and Governmental Reorganization Act, as amended by section 202(f)(2)) and the multiyear plan for the District of Columbia prepared pursuant to section 443 of the District of Columbia Self-Government and Governmental Reorganization Act, and shall submit any recommendations for modifications to such financial plan and budget to promote the financial stability of the District government to the Mayor, the Council, the President, and Congress.

(2) Not later than 15 days after receiving the recommendations of the Authority submitted under paragraph (1), the Council (in consultation with the Mayor) shall promptly adopt a revised budget for the fiscal year (in this section referred to

as the "transition budget"), and shall submit the transition budget to the Authority, the President, and Congress.

(3) Not later than 15 days after receiving the transition budget from the Council under paragraph (2), the Authority shall submit a report to the Mayor, the Council, the President, and Congress analyzing the budget (taking into account any items or provisions disapproved by the Mayor or disapproved by the Mayor and reenacted by the Council under section 404(f) of the District of Columbia Self-Government and Governmental Reorganization Act, as amended by section 202(f)(2)), and shall include in the report such recommendations for revisions to the transition budget as the Authority considers appropriate to promote the financial stability of the District government during the fiscal year.

(b) FINANCIAL PLAN AND BUDGET.—

(1) DEADLINE FOR SUBMISSION.—For purposes of section 202, the Mayor shall submit the financial plan and budget for fiscal year 1996 as soon as practicable after the date of the enactment of this Act (in accordance with guidelines established by the Authority).

(2) ADOPTION BY COUNCIL.—In accordance with the procedures applicable under section 202 (including procedures providing for review by the Authority)—

(A) the Council shall adopt the financial plan and budget for the fiscal year (including the supplemental budget incorporated in the financial plan and budget) prior to the submission by the Mayor of the financial plan and budget for fiscal year 1997 under section 202(a); and

(B) the financial plan and budget adopted by the Council (and, in the case of a financial plan and budget disapproved by the Authority, together with the financial plan and budget approved and recommended by the Authority) shall be submitted to Congress (in accordance with the procedures applicable under such section) as a supplemental budget request for fiscal year 1996 (in accordance with section 446 of the District of Columbia Self-Government and Governmental Reorganization Act).

(3) TRANSITION BUDGET AS TEMPORARY FINANCIAL PLAN AND BUDGET.—Until the approval of the financial plan and budget for fiscal year 1996 by the Authority under this subsection, the transition budget established under subsection (a) (as enacted by Congress) shall serve as the financial plan and budget adopted under this subtitle for purposes of this Act (and any provision of law amended by this Act) for fiscal year 1996.

(c) RESTRICTIONS ON ADVANCES FROM TREASURY.—

(1) MONTHLY DETERMINATION OF PROGRESS TOWARD FINANCIAL PLAN AND BUDGET.—During each month of fiscal year 1996 prior to the adoption of the financial plan and budget, the Authority shall determine whether the District government is making appropriate progress in preparing and adopting a financial plan and budget for the fiscal year under this subtitle.

(2) CERTIFICATION.—The Authority shall provide the President and Congress with a certification if the Authority finds that the District government is not making appropriate progress in developing the financial plan and budget for a month, and shall notify the President and Congress that the

certification is no longer in effect if the Authority finds that the District government is making such progress after the certification is provided.

(3) PROHIBITION AGAINST ALLOCATION OF ADVANCES IF CERTIFICATION IN EFFECT.—At any time during which a certification under paragraph (2) is in effect, the Authority may not allocate any funds obtained through advances to the Mayor under title VI of the District of Columbia Revenue Act of 1939 from the escrow account in which the funds are held.

SEC. 209. CONTROL PERIODS DESCRIBED.

(a) INITIATION.—For purposes of this Act, a "control period" is initiated upon the occurrence of any of the following events (as determined by the Authority based upon information obtained through the Mayor, the Inspector General of the District of Columbia, or such other sources as the Authority considers appropriate):

(1) The requisitioning by the Mayor of advances from the Treasury of the United States under title VI of the District of Columbia Revenue Act of 1939 (sec. 47–3401, D.C. Code), or the existence of any unreimbursed amounts obtained pursuant to such authority.

(2) The failure of the District government to provide sufficient revenue to a debt service reserve fund of the Authority under subtitle B.

(3) The default by the District government with respect to any loans, bonds, notes, or other form of borrowing.

(4) The failure of the District government to meet its payroll for any pay period.

(5) The existence of a cash deficit of the District government at the end of any quarter of the fiscal year in excess of the difference between the estimated revenues of the District government and the estimated expenditures of the District government (including repayments of temporary borrowings) during the remainder of the fiscal year or the remainder of the fiscal year together with the first 6 months of the succeeding fiscal year (as determined by the Authority in consultation with the Chief Financial Officer of the District of Columbia).

(6) The failure of the District government to make required payments relating to pensions and benefits for current and former employees of the District government.

(7) The failure of the District government to make required payments to any entity established under an interstate compact to which the District of Columbia is a signatory.

(b) TERMINATION.—

(1) IN GENERAL.—A control period terminates upon the certification by the Authority that—

(A) the District government has adequate access to both short-term and long-term credit markets at reasonable interest rates to meet its borrowing needs; and

(B) for 4 consecutive fiscal years (occurring after the date of the enactment of this Act) the expenditures made by the District government during each of the years did not exceed the revenues of the District government during such years (as determined in accordance with generally accepted accounting principles, as contained in the comprehensive annual financial report for the District of Co-

lumbia under section 448(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act).

(2) CONSULTATION WITH INSPECTOR GENERAL.—In making the determination under this subsection, the Authority shall consult with the Inspector General of the District of Columbia.

(c) CONTROL PERIOD DEEMED TO EXIST UPON ENACTMENT.—For purposes of this subtitle, a control period is deemed to exist upon the enactment of this Act.

Subtitle B—Issuance of Bonds

SEC. 211. AUTHORITY TO ISSUE BONDS.

(a) IN GENERAL.—

(1) REQUEST OF MAYOR.—Subject to the requirements of this subtitle, the Authority may at the request of the Mayor pursuant to an Act of the Council issue bonds, notes, or other obligations to borrow funds to obtain funds for the use of the District government, in such amounts and in such manner as the Authority considers appropriate.

(2) SPECIAL RULE FOR INSTRUMENTALITIES WITH INDEPENDENT BORROWING AUTHORITY.—In the case of an agency or instrumentality of the District government which under law has the authority to issue bonds, notes, or obligations to borrow funds without the enactment of an Act of the Council, the Authority may issue bonds, notes, or other obligations to borrow funds for the use or functions of such agency or instrumentality at the request of the head of the agency or instrumentality.

(b) DEPOSIT OF FUNDS OBTAINED THROUGH BORROWING WITH AUTHORITY.—Any funds obtained by the District government through borrowing by the Authority pursuant to this subtitle shall be deposited into an escrow account held by the Authority, which shall allocate such funds to the District government in such amounts and at such times as the Authority considers appropriate, consistent with the specified purposes of such funds and the applicable financial plan and budget under subtitle A.

(c) USES OF FUNDS OBTAINED THROUGH BONDS.—Any funds obtained through the issuance of bonds, notes, or other obligations pursuant to this subtitle may be used for any purpose (consistent with the applicable financial plan and budget) under subtitle A for which the District government may use borrowed funds under the District of Columbia Self-Government and Governmental Reorganization Act and for any other purpose which the Authority considers appropriate.

SEC. 212. PLEDGE OF SECURITY INTEREST IN REVENUES OF DISTRICT GOVERNMENT.

(a) IN GENERAL.—The Authority may pledge or grant a security interest in revenues to individuals or entities purchasing bonds, notes, or other obligations issued pursuant to this subtitle.

(b) DEDICATION OF REVENUE STREAM FROM DISTRICT GOVERNMENT.—The Authority shall require the Mayor—

(1) to pledge or direct taxes or other revenues otherwise payable to the District government (which are not otherwise pledged or committed), including payments from the Federal Government, to the Authority for purposes of securing repay-

ment of bonds, notes, or other obligations issued pursuant to this subtitle; and

(2) to transfer the proceeds of any tax levied for purposes of securing such bonds, notes, or other obligations to the Authority immediately upon collection.

SEC. 213. ESTABLISHMENT OF DEBT SERVICE RESERVE FUND.

(a) IN GENERAL.—As a condition for the issuance of bonds, notes, or other obligations pursuant to this subtitle, the Authority shall establish a debt service reserve fund in accordance with this section.

(b) REQUIREMENTS FOR FUND.—

(1) FUND DESCRIBED.—A debt service reserve fund established by the Authority pursuant to this subsection shall consist of such funds as the Authority may make available, and shall be a trust fund held for the benefit and security of the obligees of the Authority whose bonds, notes, or other obligations are secured by such fund.

(2) USES OF FUNDS.—Amounts in a debt service reserve fund may be used solely for the payment of the principal of bonds secured in whole or in part by such fund, the purchase or redemption of such bonds, the payment of interest on such bonds, or the payment of any redemption premium required to be paid when such bonds and notes are redeemed prior to maturity.

(3) RESTRICTIONS ON WITHDRAWALS.—

(A) IN GENERAL.—Amounts in a debt service reserve fund may not be withdrawn from the fund at any time in an amount that would reduce the amount of the fund to less than the minimum reserve fund requirement established for such fund in the resolution of the Authority creating such fund, except for withdrawals for the purpose of making payments when due of principal, interest, redemption premiums and sinking fund payments, if any, with respect to such bonds for the payment of which other moneys of the Authority are not available, and for the purpose of funding the operations of the Authority for a fiscal year (in such amounts and under such conditions as are established under the budget of the Authority for the fiscal year under section 106(a)).

(B) USE OF EXCESS FUNDS.—Nothing in subparagraph (A) may be construed to prohibit the Authority from transferring any income or interest earned by, or increments to, any debt service reserve fund due to the investment thereof to other funds or accounts of the Authority (to the extent such transfer does not reduce the amount of the debt service reserve fund below the minimum reserve fund requirement established for such fund) for such purposes as the Authority considers appropriate to promote the financial stability and management efficiency of the District government.

SEC. 214. OTHER REQUIREMENTS FOR ISSUANCE OF BONDS.

(a) MINIMUM DEBT SERVICE RESERVE FUND REQUIREMENT.—The Authority may not at any time issue bonds, notes, or other obligations pursuant to this subtitle which are secured in whole or in part by a debt service reserve fund under section 213 if issuance of such bonds would cause the amount in the debt reserve

fund to fall below the minimum reserve requirement for such fund, unless the Authority at the time of issuance of such bonds shall deposit in the fund an amount (from the proceeds of the bonds to be issued or from other sources) which when added to the amount already in such fund will cause the total amount on deposit in such fund to equal or exceed the minimum reserve fund requirement established by the Authority at the time of the establishment of the fund.

(b) AMOUNTS INCLUDED IN AGGREGATE LIMIT ON DISTRICT BORROWING.—Any amounts provided to the District government through the issuance of bonds, notes, or other obligations to borrow funds pursuant to this subtitle shall be taken into account in determining whether the amount of funds borrowed by the District of Columbia during a fiscal year exceeds the limitation on such amount provided under section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act.

SEC. 215. NO FULL FAITH AND CREDIT OF THE UNITED STATES.

The full faith and credit of the United States is not pledged for the payment of any principal of or interest on any bond, note, or other obligation issued by the Authority pursuant to this subtitle. The United States is not responsible or liable for the payment of any principal of or interest on any bond, note, or other obligation issued by the Authority pursuant to this subtitle.

Subtitle C—Other Duties of Authority

SEC. 221. DUTIES OF AUTHORITY DURING YEAR OTHER THAN CONTROL YEAR.

(a) IN GENERAL.—During the period beginning upon the termination of a control period pursuant to section 209(b) and ending with the suspension of its activities pursuant to section 107(a), the Authority shall conduct the following activities:

(1) The Authority shall review the budgets of the District government adopted by the Council under section 446 of the District of Columbia Self-Government and Governmental Reorganization Act for each fiscal year occurring during such period.

(2) At such time prior to the enactment of such budget by Congress as the Authority considers appropriate, the Authority shall prepare a report analyzing the budget and submit the report to the Mayor, the Council, the President, and Congress.

(3) The Authority shall monitor the financial status of the District government and shall submit reports to the Mayor, the Council, the President, and Congress if the Authority determines that a risk exists that a control period may be initiated pursuant to section 209(a).

(4) The Authority shall carry out activities under subtitle B with respect to bonds, notes, or other obligations of the Authority outstanding during such period.

(b) REQUIRING MAYOR TO SUBMIT BUDGETS TO AUTHORITY.—With respect to the budget for each fiscal year occurring during the period described in subsection (a), at the time the Mayor submits the budget of the District government adopted by the Council to the President under section 446 of the District of Columbia Self-

Government and Governmental Reorganization Act, the Mayor shall submit such budget to the Authority.

SEC. 222. GENERAL ASSISTANCE IN ACHIEVING FINANCIAL STABILITY AND MANAGEMENT EFFICIENCY.

In addition to any other actions described in this title, the Authority may undertake cooperative efforts to assist the District government in achieving financial stability and management efficiency, including—

(1) assisting the District government in avoiding defaults, eliminating and liquidating deficits, maintaining sound budgetary practices, and avoiding interruptions in the delivery of services;

(2) assisting the District government in improving the delivery of municipal services, the training and effectiveness of personnel of the District government, and the efficiency of management and supervision; and

(3) making recommendations to the President for transmission to Congress on changes to this Act or other Federal laws, or other actions of the Federal Government, which would assist the District government in complying with an approved financial plan and budget under subtitle A.

SEC. 223. OBTAINING REPORTS.

The Authority may require the Mayor, the Chair of the Council, the Chief Financial Officer of the District of Columbia, and the Inspector General of the District of Columbia, to prepare and submit such reports as the Authority considers appropriate to assist it in carrying out its responsibilities under this Act, including submitting copies of any reports regarding revenues, expenditures, budgets, costs, plans, operations, estimates, and other financial or budgetary matters of the District government.

SEC. 224. REPORTS AND COMMENTS.

(a) ANNUAL REPORTS TO CONGRESS.—Not later than 30 days after the last day of each fiscal year which is a control year, the Authority shall submit a report to Congress describing—

(1) the progress made by the District government in meeting the objectives of this Act during the fiscal year;

(2) the assistance provided by the Authority to the District government in meeting the purposes of this Act for the fiscal year; and

(3) any other activities of the Authority during the fiscal year.

(b) REVIEW AND ANALYSIS OF PERFORMANCE AND FINANCIAL ACCOUNTABILITY REPORTS.—

(1) IN GENERAL.—The Authority shall review each report prepared and submitted by the Mayor under section 456 of the District of Columbia Self-Government and Governmental Reorganization Act (as added by section 3(a) of the Federal Payment Reauthorization Act of 1994), and shall submit a report to Congress analyzing the completeness and accuracy of such reports.

(2) SUBMISSION OF REPORTS BY MAYOR.—Section 456 of the District of Columbia Self-Government and Governmental Reorganization Act, as added by section 3(a) of the Federal Payment Reauthorization Act of 1994, is amended by adding at the end the following new subsection:

108 Stat. 3488.

"(e) SUBMISSION OF REPORTS TO DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY.—In the case of any report submitted by the Mayor under this section for a fiscal year (or any quarter of a fiscal year) which is a control year under the District of Columbia Financial Responsibility and Management Assistance Act of 1995, the Mayor shall submit the report to the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of such Act in addition to any other individual to whom the Mayor is required to submit the report under this section.".

(c) COMMENTS REGARDING ACTIVITIES OF DISTRICT GOVERNMENT.—At any time during a control year, the Authority may submit a report to Congress describing any action taken by the District government (or any failure to act by the District government) which the Authority determines will adversely affect the District government's ability to comply with an approved financial plan and budget under subtitle A or will otherwise have a significant adverse impact on the best interests of the District of Columbia.

(d) REPORTS ON EFFECT OF FEDERAL LAWS ON DISTRICT GOVERNMENT.—At any time during any year, the Authority may submit a report to the Mayor, the Council, the President, and Congress on the effect of laws enacted by Congress on the financial plan and budget for the year and on the financial stability and management efficiency of the District government in general.

(e) MAKING REPORTS PUBLICLY AVAILABLE.—The Authority shall make any report submitted under this section available to the public, except to the extent that the Authority determines that the report contains confidential material.

TITLE III—MISCELLANEOUS PROVISIONS

SEC. 301. OTHER DISTRICT BUDGET REFORMS.

(a) INCLUSION OF ALL FUNDS OF DISTRICT IN BUDGET OF DISTRICT GOVERNMENT.—

(1) IN GENERAL.—Section 103 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–202, D.C. Code) is amended— 87 Stat. 777.

(A) by amending paragraph (10) to read as follows:

"(10) The term 'District revenues' means all funds derived from taxes, fees, charges, miscellaneous receipts, the annual Federal payment to the District authorized under title V, grants and other forms of financial assistance, or the sale of bonds, notes, or other obligations, and any funds administered by the District government under cost sharing arrangements.";

(B) by amending paragraph (14) to read as follows:

"(14) The term 'resources' means revenues, balances, enterprise or other revolving funds, and funds realized from borrowing."; and

(C) by amending paragraph (15) to read as follows:

"(15) The term 'budget' means the entire request for appropriations or loan or spending authority for all activities of all departments or agencies of the District of Columbia financed from all existing, proposed or anticipated resources, and shall include both operating and capital expenditures.".

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply with respect to revenues, resources, and budgets of the District of Columbia for fiscal years beginning with fiscal year 1996.

(b) RESTRICTIONS ON REPROGRAMMING OF FUNDS.—

(1) IN GENERAL.—Section 446 of such Act (sec. 47–304, D.C. Code) is amended by adding at the end the following: "After the adoption of the annual budget for a fiscal year (beginning with the annual budget for fiscal year 1995), no reprogramming of amounts in the budget may occur unless the Mayor submits to the Council a request for such reprogramming and the Council approves the request, but only if any additional expenditures provided under such request for an activity are offset by reductions in expenditures for another activity.".

87 Stat. 801.

(2) CONFORMING AMENDMENT.—Section 5 of D.C. Law 3–100 (sec. 47–364, D.C. Code) is hereby repealed.

(c) PERMITTING COUNCIL TO REQUEST BUDGET ADJUSTMENTS FROM MAYOR.—Section 442 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–301, D.C. Code) is amended by adding at the end the following new subsection:

87 Stat. 798.

"(d) The Mayor shall prepare and submit to the Council a proposed supplemental or deficiency budget recommendation under subsection (c) if the Council by resolution requests the Mayor to submit such a recommendation.".

(d) REQUIRING BUDGETARY IMPACT STATEMENTS TO ACCOMPANY ACTS OF COUNCIL.—

(1) IN GENERAL.—Section 602(c) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–233(c), D.C. Code) is amended by adding at the end the following new paragraph:

87 Stat. 814.

"(3) The Council shall submit with each Act transmitted under this subsection an estimate of the costs which will be incurred by the District of Columbia as a result of the enactment of the Act in each of the first 4 fiscal years for which the Act is in effect, together with a statement of the basis for such estimate.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to Acts of the Council transmitted on or after October 1, 1995.

(e) EXTENSION OF AUTHORIZATION OF ANNUAL FEDERAL PAYMENT.—Section 503(c) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–3406.1(c), D.C. Code), as added by section 2 of the Federal Payment Reauthorization Act of 1994, is amended by striking "fiscal year 1996" and inserting "each of the fiscal years 1996, 1997, 1998, and 1999".

108 Stat. 3488.

SEC. 302. ESTABLISHMENT OF CHIEF FINANCIAL OFFICER OF DISTRICT OF COLUMBIA.

(a) IN GENERAL.—Part B of title IV of the District of Columbia Self-Government and Governmental Reorganization Act is amended by adding at the end the following new section:

87 Stat. 789.

"CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

"SEC. 424. (a) ESTABLISHMENT OF OFFICE.—

"(1) IN GENERAL.—There is hereby established within the executive branch of the government of the District of Columbia an Office of the Chief Financial Officer of the District of Colum-

bia (hereafter referred to as the 'Office'), which shall be headed by the Chief Financial Officer of the District of Columbia (hereafter referred to as the 'Chief Financial Officer').

"(2) OFFICE OF THE TREASURER.—The Office shall include the Office of the Treasurer, which shall be headed by the Treasurer of the District of Columbia, who shall be appointed by the Chief Financial Officer and subject to the Chief Financial Officer's direction and control.

"(3) TRANSFER OF OTHER OFFICES.—Effective with the appointment of the first Chief Financial Officer under subsection (b), the functions and personnel of the following offices are transferred to the Office:

"(A) The Controller of the District of Columbia.

"(B) The Office of the Budget.

"(C) The Office of Financial Information Services.

"(D) The Department of Finance and Revenue.

"(4) SERVICE OF HEADS OF OTHER OFFICES.—

"(A) OFFICE HEADS APPOINTED BY MAYOR.—With respect to the head of the Office of the Budget and the head of the Department of Finance and Revenue—

"(i) the Mayor shall appoint such individuals with the advice and consent of the Council, subject to the approval of the Authority during a control year; and

"(ii) during a control year, the Authority may remove such individuals from office for cause, after consultation with the Mayor.

"(B) OFFICE HEADS APPOINTED BY CHIEF FINANCIAL OFFICER.—With respect to the Controller of the District of Columbia and the head of the Office of Financial Information Services—

"(i) the Chief Financial Officer shall appoint such individuals subject to the approval of the Mayor; and

"(ii) the Chief Financial Officer may remove such individuals from office for cause, after consultation with the Mayor.

"(b) APPOINTMENT.—

"(1) IN GENERAL.—

"(A) CONTROL YEAR.—During a control year, the Chief Financial Officer shall be appointed by the Mayor as follows:

"(i) Prior to the appointment of the Chief Financial Officer, the Authority may submit recommendations for the appointment to the Mayor.

"(ii) In consultation with the Authority and the Council, the Mayor shall nominate an individual for appointment and notify the Council of the nomination.

"(iii) After the expiration of the 7-day period which begins on the date the Mayor notifies the Council of the nomination under clause (ii), the Mayor shall notify the Authority of the nomination.

"(iv) The nomination shall be effective subject to approval by a majority vote of the Authority.

"(B) OTHER YEARS.—During a year other than a control year, the Chief Financial Officer shall be appointed by the Mayor with the advice and consent of the Council. Prior to appointment, the Authority may submit recommendations for the appointment.

"(2) REMOVAL.—

"(A) CONTROL YEAR.—During a control year, the Chief Financial Officer may be removed for cause by the Authority or by the Mayor with the approval of the Authority.

"(B) OTHER YEARS.—During a year other than a control year, the Chief Financial Officer shall serve at the pleasure of the Mayor, except that the Chief Financial Officer may only be removed for cause.

"(3) SALARY.—The Chief Financial Officer shall be paid at an annual rate determined by the Mayor, except that such rate may not exceed the rate of basic pay payable for level IV of the Executive Schedule.

"(c) FUNCTIONS DURING CONTROL YEAR.—During a control year, the Chief Financial Officer shall have the following duties:

"(1) Preparing the financial plan and budget for the use of the Mayor for purposes of subtitle A of title II of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

"(2) Preparing the budgets of the District of Columbia for the year for the use of the Mayor for purposes of part D.

"(3) Assuring that all financial information presented by the Mayor is presented in a manner, and is otherwise consistent with, the requirements of the District of Columbia Financial Responsibility and Management Assistance Act of 1995.

"(4) Implementing appropriate procedures and instituting such programs, systems, and personnel policies within the Officer's authority, to ensure that budget, accounting and personnel control systems and structures are synchronized for budgeting and control purposes on a continuing basis.

"(5) With the approval of the Authority, preparing and submitting to the Mayor and the Council—

"(A) annual estimates of all revenues of the District of Columbia (without regard to the source of such revenues), including proposed revenues, which shall be binding on the Mayor and the Council for purposes of preparing and submitting the budget of the District government for the year under part D, except that the Mayor and the Council may prepare the budget based on estimates of revenues which are lower than those prepared by the Chief Financial Officer; and

"(B) quarterly re-estimates of the revenues of the District of Columbia during the year.

"(6) Supervising and assuming responsibility for financial transactions to ensure adequate control of revenues and resources, and to ensure that appropriations are not exceeded.

"(7) Maintaining systems of accounting and internal control designed to provide—

"(A) full disclosure of the financial impact of the activities of the District government;

"(B) adequate financial information needed by the District government for management purposes;

"(C) effective control over, and accountability for, all funds, property, and other assets of the District of Columbia; and

"(D) reliable accounting results to serve as the basis for preparing and supporting agency budget requests and controlling the execution of the budget.

"(8) Submitting to the Council a financial statement of the District government, containing such details and at such times as the Council may specify.

"(9) Supervising and assuming responsibility for the assessment of all property subject to assessment and special assessments within the corporate limits of the District of Columbia for taxation, preparing tax maps, and providing such notice of taxes and special assessments (as may be required by law).

"(10) Supervising and assuming responsibility for the levying and collection of all taxes, special assessments, licensing fees, and other revenues of the District of Columbia (as may be required by law), and receiving all amounts paid to the District of Columbia from any source (including the Authority).

"(11) Maintaining custody of all public funds belonging to or under the control of the District government (or any department or agency of the District government), and depositing all amounts paid in such depositories and under such terms and conditions as may be designated by the Council or the Authority.

"(12) Maintaining custody of all investment and invested funds of the District government or in possession of the District government in a fiduciary capacity, and maintaining the safekeeping of all bonds and notes of the District government and the receipt and delivery of District government bonds and notes for transfer, registration, or exchange.

"(13) Apportioning the total of all appropriations and funds made available during the year for obligation so as to prevent obligation or expenditure in a manner which would result in a deficiency or a need for supplemental appropriations during the year, and (with respect to appropriations and funds available for an indefinite period and all authorizations to create obligations by contract in advance of appropriations) apportioning the total of such appropriations, funds, or authorizations in the most effective and economical manner.

"(14) Certifying all contracts (whether directly or through delegation) prior to execution as to the availability of funds to meet the obligations expected to be incurred by the District government under such contracts during the year.

"(15) Prescribing the forms of receipts, vouchers, bills, and claims to be used by all agencies, offices, and instrumentalities of the District government.

"(16) Certifying and approving prior to payment all bills, invoices, payrolls, and other evidences of claims, demands, or charges against the District government, and determining the regularity, legality, and correctness of such bills, invoices, payrolls, claims, demands, or charges.

"(17) In coordination with the Inspector General of the District of Columbia, performing internal audits of accounts and operations and records of the District government, including the examination of any accounts or records of financial transactions, giving due consideration to the effectiveness of accounting systems, internal control, and related administrative practices of the departments and agencies of the District government.

"(d) FUNCTIONS DURING ALL YEARS.—At all times, the Chief Financial Officer shall have the following duties:

"(1) Exercising responsibility for the administration and supervision of the District of Columbia Treasurer (except that the Chief Financial Officer may delegate any portion of such responsibility as the Chief Financial Officer considers appropriate and consistent with efficiency).

"(2) Administering all borrowing programs of the District government for the issuance of long-term and short-term indebtedness.

"(3) Administering the cash management program of the District government, including the investment of surplus funds in governmental and non-governmental interest-bearing securities and accounts.

"(4) Administering the centralized District government payroll and retirement systems.

"(5) Governing the accounting policies and systems applicable to the District government.

"(6) Preparing appropriate annual, quarterly, and monthly financial reports of the accounting and financial operations of the District government.

Reports. "(7) Not later than 120 days after the end of each fiscal year (beginning with fiscal year 1995), preparing the complete financial statement and report on the activities of the District government for such fiscal year, for the use of the Mayor under section 448(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act.

"(e) FUNCTIONS OF TREASURER.—At all times, the Treasurer shall have the following duties:

Reports. "(1) Assisting the Chief Financial Officer in reporting revenues received by the District government, including submitting annual and quarterly reports concerning the cash position of the District government not later than 60 days after the last day of the quarter (or year) involved. Such reports shall include:

"(A) Comparative reports of revenue and other receipts by source, including tax, nontax, and Federal revenues, grants and reimbursements, capital program loans, and advances. Each source shall be broken down into specific components.

"(B) Statements of the cash flow of the District government for the preceding quarter or year, including receipts, disbursements, net changes in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment. Such statements shall reflect the actual, planned, better or worse dollar amounts and the percentage change with respect to the current quarter, year-to-date, and fiscal year.

"(C) Quarterly cash flow forecast for the quarter or year involved, reflecting receipts, disbursements, net change in cash inclusive of the beginning balance, cash and investment, and the ending balance, inclusive of cash and investment with respect to the actual dollar amounts for the quarter or year, and projected dollar amounts for each of the 3 succeeding quarters.

Reports. "(D) Monthly reports reflecting a detailed summary analysis of all District of Columbia government investments, including, but not limited to—

"(i) the total of long-term and short-term investments;

"(ii) a detailed summary analysis of investments by type and amount, including purchases, sales (maturities), and interest;

"(iii) an analysis of investment portfolio mix by type and amount, including liquidity, quality/risk of each security, and similar information;

"(iv) an analysis of investment strategy, including near-term strategic plans and projects of investment activity, as well as forecasts of future investment strategies based on anticipated market conditions, and similar information;

"(v) an analysis of cash utilization, including—

"(I) comparisons of budgeted percentages of total cash to be invested with actual percentages of cash invested and the dollar amounts;

"(II) comparisons of the next return on invested cash expressed in percentages (yield) with comparable market indicators and established District of Columbia government yield objectives; and

"(III) comparisons of estimated dollar return against actual dollar yield.

"(E) Monthly reports reflecting a detailed summary analysis of long-term and short-term borrowings inclusive of debt as authorized by section 603, in the current fiscal year and the amount of debt for each succeeding fiscal year not to exceed 5 years. All such reports shall reflect— Reports.

"(i) the amount of debt outstanding by type of instrument;

"(ii) the amount of authorized and unissued debt, including availability of short-term lines of credit, United States Treasury borrowings, and similar information;

"(iii) a maturity schedule of the debt;

"(iv) the rate of interest payable upon the debt; and

"(v) the amount of debt service requirements and related debt service reserves.

"(2) Such other functions assigned to the Chief Financial Officer under subsection (c) or subsection (d) as the Chief Financial Officer may delegate.

"(f) DEFINITIONS.—In this section—

"(1) the term 'Authority' means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

"(2) the term 'control year' has the meaning given such term under section 305(4) of such Act; and

"(3) the term 'District government' has the meaning given such term under section 305(5) of such Act.".

(b) PROHIBITING DELEGATION OF CHIEF FINANCIAL OFFICER'S AUTHORITY.—Section 422(6) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–242(6), D.C. Code) is amended by adding at the end the following: "Nothing in the previous sentence may be construed to permit the Mayor 87 Stat. 791.

to delegate any functions assigned to the Chief Financial Officer of the District of Columbia under section 424, without regard to whether such functions are assigned to the Chief Financial Officer under such section during a control year (as defined in section 305(4) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995) or during any other year.".

Repeal.

(c) CONFORMING AMENDMENT.—Effective upon the appointment of the Chief Financial Officer of the District of Columbia under section 424(b) of the District of Columbia Self-Government and Governmental Reorganization Act (as added by subsection (a)), D.C. Law 3–138 (sec. 47–314 et seq., D.C. Code) is repealed.

(d) CLERICAL AMENDMENT.—The table of contents of part B of title IV of the District of Columbia Self-Government and Governmental Reorganization Act is amended by adding at the end the following new item:

"Sec. 424. Chief Financial Officer of the District of Columbia.".

SEC. 303. REVISIONS TO POWERS AND DUTIES OF INSPECTOR GENERAL OF DISTRICT OF COLUMBIA.

(a) APPOINTMENT AND TERM OF SERVICE; INDEPENDENCE OF BUDGET.—Section 208(a) of the District of Columbia Procurement Practices Act of 1985 (sec. 1–1182.8(a), D.C. Code) is amended by striking paragraphs (1) and (2) and inserting the following:

Establishment.

"(1)(A) There is created within the executive branch of the government of the District of Columbia the Office of the Inspector General. The Office shall be headed by an Inspector General appointed pursuant to subparagraph (B), who shall serve for a term of 6 years and shall be subject to removal only for cause by the Mayor (with the approval of the District of Columbia Financial Responsibility and Management Assistance Authority in a control year) or (in the case of a control year) by the Authority. The Inspector General may be reappointed for additional terms.

"(B) During a control year, the Inspector General shall be appointed by the Mayor as follows:

"(i) Prior to the appointment of the Inspector General, the Authority may submit recommendations for the appointment to the Mayor.

"(ii) In consultation with the Authority and the Council, the Mayor shall nominate an individual for appointment and notify the Council of the nomination.

"(iii) After the expiration of the 7-day period which begins on the date the Mayor notifies the Council of the nomination under clause (ii), the Mayor shall notify the Authority of the nomination.

"(iv) The nomination shall be effective subject to approval by a majority vote of the Authority.

"(C) During a year which is not a control year, the Inspector General shall be appointed by the Mayor with the advice and consent of the Council. Prior to appointment, the Authority may submit recommendations for the appointment.

"(D) The Inspector General shall be appointed without regard to party affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial management analysis, public administration, or investigations.

"(E) The Inspector General shall be paid at an annual rate determined by the Mayor, except that such rate may not exceed the rate of basic pay payable for level IV of the Executive Schedule.

"(2) The annual budget for the Office shall be adopted as follows:

"(A) The Inspector General shall prepare and submit to the Mayor, for inclusion in the annual budget of the District of Columbia under part D of title IV of the District of Columbia Self-Government and Governmental Reorganization Act for the year, annual estimates of the expenditures and appropriations necessary for the operation of the Office for the year. All such estimates shall be forwarded by the Mayor to the Council of the District of Columbia for its action pursuant to sections 446 and 603(c) of such Act, without revision but subject to recommendations. Notwithstanding any other provision of such Act, the Council may comment or make recommendations concerning such estimates, but shall have no authority to revise such estimates.

"(B) Upon receipt of the annual Federal payment for the District of Columbia authorized under title V of the District of Columbia Self-Government and Governmental Reorganization Act, the Mayor shall deposit a portion of the payment (equal to the estimate of necessary appropriations described in subparagraph (A)) into a dedicated fund within the government of the District of Columbia.

"(C) Amounts deposited in the dedicated fund described in subparagraph (B) shall be available solely for the operation of the Office, and shall be paid to the Inspector General by the Mayor (acting through the Chief Financial Officer of the District of Columbia) in such installments and at such times as the Inspector General requires.".

(b) ADDITIONAL POWERS AND DUTIES.—

(1) IN GENERAL.—Section 208(a)(3) of the District of Columbia Procurement Practices Act of 1985 (sec. 1–1182.8(a)(3), D.C. Code) is amended—

(A) by striking "and" at the end of subparagraph (E);

(B) by striking the period at the end of subparagraph (F) and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

"(G) Pursuant to a contract described in paragraph (4), provide certifications under section 602(b)(5) of title VI of the District of Columbia Revenue Act of 1939;

"(H) Pursuant to a contract described in paragraph (4), audit the complete financial statement and report on the activities of the District government for such fiscal year, for the use of the Mayor under section 448(a)(4) of the District of Columbia Self-Government and Governmental Reorganization Act; and

"(I) Not later than 30 days before the beginning of each fiscal year (beginning with fiscal year 1996) and in consultation with the Mayor, the Council, and the Authority, establish an annual plan for audits to be conducted under this paragraph during the fiscal year under which the Inspector General shall report only those variances which are in an amount equal to or greater than $1,000,000 or 1 percent of the applicable annual budget for the program in which the variance is found (whichever is lesser).". Audits.

(2) LIMITATION ON CONTRACT WITH OUTSIDE AUDITOR.—Section 208(a) of such Act (sec. 1–1182.8(a), D.C. Code) is amended by adding at the end the following new paragraph:

"(4) The Inspector General shall enter into a contract with an auditor who is not an officer or employee of the Office to—

"(A) audit the financial statement and report described in paragraph (3)(H) for a fiscal year, except that the financial statement and report may not be audited by the same auditor (or an auditor employed by or affiliated with the same auditor) for more than 3 consecutive fiscal years; and

"(B) audit the certification described in paragraph (3)(G).".

(3) SUBPOENA POWER.—Section 208(c) of such Act (sec. 1–1182.8(c), D.C. Code) is amended—

(A) by striking "(c)" and inserting "(c)(1)"; and

(B) by adding at the end the following new paragraph:

"(2)(A) The Inspector General may issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any matter under investigation by the Inspector General.

"(B) If a person refuses to obey a subpoena issued under subparagraph (A), the Inspector General may apply to the Superior Court of the District of Columbia for an order requiring that person to appear before the Inspector General to give testimony, produce evidence, or both, relating to the matter under investigation. Any failure to obey the order of the court may be punished by the Superior Court as civil contempt.".

(4) REFERRAL OF FINDINGS OF CRIMINAL ACTIVITY TO ATTORNEY GENERAL.—Section 208 of such Act (sec. 1–1182.8, D.C. Code) is amended by adding at the end the following new subsection:

Reports.

"(f) In carrying out the duties and responsibilities established under this section, the Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal or District criminal law.".

(c) REVISION OF CURRENT POWERS AND DUTIES.—

(1) LIAISON REPRESENTATIVE FOR ALL EXTERNAL AUDITS OF DISTRICT GOVERNMENT.—Section 208(a)(3)(B) of such Act (sec. 1–1182.8(a)(3)(B), D.C. Code) is amended by striking "executive branch".

(2) APPLICATION OF GENERALLY ACCEPTED ACCOUNTING PRINCIPLES.—Section 208(b) of such Act (sec. 1–1182.8(b), D.C. Code) is amended by inserting "accounting and" after "accepted".

(3) ACCESS TO ALL NECESSARY RECORDS.—Section 208(c)(1) of such Act (sec. 1–1182.8(c), D.C. Code), as amended by subsection (b)(3), is amended by striking "relating to contracts and procurement".

(4) SUBMISSION OF REPORTS TO AUTHORITY DURING CONTROL YEAR.—Section 208(d) of such Act (sec. 1–1182.8(d), D.C. Code) is amended—

(A) in paragraph (1), by striking "the Mayor and the Council" and inserting "the Authority (or, with respect to a fiscal year which is not a control year, the Mayor and the Council)"; and

(B) in paragraph (2), by striking "the Mayor" and inserting "the Authority, the Mayor,".

(5) MAKING REPORTS PUBLICLY AVAILABLE.—Section 208(d) of such Act (sec. 1–1182.8(d), D.C. Code) is amended by adding at the end the following new paragraph:

"(4) The Inspector General shall make each report submitted under this subsection available to the public, except to the extent that the report contains information determined by the Inspector General to be privileged.".

(6) RESPONDING TO REQUESTS OF AUTHORITY.—Section 208(e) of such Act (sec. 1–1182.8(e), D.C. Code) is amended by striking "the Director" and inserting "the Authority".

(d) DEFINITIONS.—Section 208 of such Act (sec. 1–1182.8, D.C. Code), as amended by subsection (b)(4), is amended by adding at the end the following new subsection:

"(g) In this section—

"(1) the term 'Authority' means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995;

"(2) the term 'control year' has the meaning given such term under section 305(4) of such Act; and

"(3) the term 'District government' has the meaning given such term under section 305(5) of such Act.".

(e) DEADLINE FOR APPOINTMENT.—

(1) IN GENERAL.—Not later than 30 days after its members are appointed, the Authority shall appoint the Inspector General of the District of Columbia pursuant to section 208(a)(1) of the District of Columbia Procurement Practices Act of 1985 (as amended by subsection (a)).

(2) TRANSITION RULE.—The term of service of the individual serving as the Inspector General under section 208(a) of the District of Columbia Procurement Practices Act of 1985 prior to the appointment of the Inspector General by the Authority under section 208(a)(1) of such Act (as amended by subsection (a)) shall expire upon the appointment of the Inspector General by the Authority.

SEC. 304. COUNCIL APPROVAL OF CERTAIN CONTRACTS.

(a) IN GENERAL.—Section 451 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 1–1130, D.C. Code) is amended— 87 Stat. 803.

(1) by amending the heading to read as follows: "SPECIAL RULES REGARDING CERTAIN CONTRACTS";

(2) by striking "No contract" and inserting "(a) CONTRACTS EXTENDING BEYOND ONE YEAR.—No contract"; and

(3) by adding at the end the following new subsection: "(b) CONTRACTS EXCEEDING CERTAIN AMOUNT.—

"(1) IN GENERAL.—No contract involving expenditures in excess of $1,000,000 during a 12-month period may be made unless the Mayor submits the contract to the Council for its approval and the Council approves the contract (in accordance with criteria established by act of the Council).

"(2) DEEMED APPROVAL.—For purposes of paragraph (1), the Council shall be deemed to approve a contract if—

"(A) during the 10-day period beginning on the date the Mayor submits the contract to the Council, no member

of the Council introduces a resolution approving or disapproving the contract; or

"(B) during the 45-calendar day period beginning on the date the Mayor submits the contract to the Council, the Council does not disapprove the contract.".

(b) CLERICAL AMENDMENT.—The table of contents of the District of Columbia Self-Government and Governmental Reorganization Act is amended by amending the item relating to section 451 to read as follows:

87 Stat. 775.

"Sec. 451. Special rules regarding certain contracts.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to contracts made on or after the date of the enactment of this Act.

SEC. 305. DEFINITIONS.

In this Act, the following definitions apply:

(1) The term "Authority" means the District of Columbia Financial Responsibility and Management Assistance Authority established under section 101(a).

(2) The term "Council" means the Council of the District of Columbia.

(3) The term "control period" has the meaning given such term in section 209.

(4) The term "control year" means any fiscal year for which a financial plan and budget approved by the Authority under section 202(b) is in effect, and includes fiscal year 1996.

(5) The term "District government" means the government of the District of Columbia, including any department, agency or instrumentality of the government of the District of Columbia; any independent agency of the District of Columbia established under part F of title IV of the District of Columbia Self-Government and Governmental Reorganization Act or any other agency, board, or commission established by the Mayor or the Council; the courts of the District of Columbia; the Council of the District of Columbia; and any other agency, public authority, or public benefit corporation which has the authority to receive monies directly or indirectly from the District of Columbia (other than monies received from the sale of goods, the provision of services, or the loaning of funds to the District of Columbia), except that such term does not include the Authority.

(6) The term "financial plan and budget" means a financial plan and budget described in subtitle A of title II, and includes the budgets of the District government for the fiscal years which are subject to the financial plan and budget (as described in section 201(b)).

(7) The term "Mayor" means the Mayor of the District of Columbia.

Approved April 17, 1995.

LEGISLATIVE HISTORY—H.R. 1345:

HOUSE REPORTS: No. 104–96 (Comm. on Government Reform and Oversight).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 3, considered and passed House.
Apr. 6, considered and passed Senate, amended.
Apr. 7, House concurred in Senate amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Apr. 17, Presidential remarks.

Public Law 104–9
104th Congress

An Act

Apr. 21, 1995
[S. 178]

To amend the Commodity Exchange Act to extend the authorization for the Commodity Futures Trading Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CFTC Reauthorization Act of 1995.
7 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "CFTC Reauthorization Act of 1995".

SEC. 2. AUTHORIZATION OF APPROPRIATIONS.

Section 12(d) of the Commodity Exchange Act (7 U.S.C. 16(d)) is amended to read as follows:

"(d) There are authorized to be appropriated such sums as are necessary to carry out this Act for each of fiscal years 1995 through 2000.".

Approved April 21, 1995.

LEGISLATIVE HISTORY—S. 178 (H.R. 618):

HOUSE REPORTS: No. 104–104 accompanying H.R. 618 (Comm. on Agriculture).
SENATE REPORTS: No. 104–7 (Comm. on Agriculture, Nutrition, and Forestry).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Feb. 10, considered and passed Senate.
Apr. 6, considered and passed House.

Public Law 104–10
104th Congress

An Act

To amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes.

May 18, 1995
[H.R. 421]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PURCHASE OF SETTLEMENT COMMON STOCK OF COOK INLET REGION.

(a) IN GENERAL.—Section 7(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1606(h)) is amended by adding at the end the following new paragraph:

"(4)(A) As used in this paragraph, the term 'Cook Inlet Regional Corporation' means Cook Inlet Region, Incorporated.

"(B) The Cook Inlet Regional Corporation may, by an amendment to its articles of incorporation made in accordance with the voting standards under section 36(d)(1), purchase Settlement Common Stock of the Cook Inlet Regional Corporation and all rights associated with the stock from the shareholders of Cook Inlet Regional Corporation in accordance with any provisions included in the amendment that relate to the terms, procedures, number of offers to purchase, and timing of offers to purchase.

"(C) Subject to subparagraph (D), and notwithstanding paragraph (1)(B), the shareholders of Cook Inlet Regional Corporation may, in accordance with an amendment made pursuant to subparagraph (B), sell the Settlement Common Stock of the Cook Inlet Regional Corporation to itself.

"(D) No sale or purchase may be made pursuant to this paragraph without the prior approval of the board of directors of Cook Inlet Regional Corporation. Except as provided in subparagraph (E), each sale and purchase made under this paragraph shall be made pursuant to an offer made on the same terms to all holders of Settlement Common Stock of the Cook Inlet Regional Corporation.

"(E) To recognize the different rights that accrue to any class or series of shares of Settlement Common Stock owned by stockholders who are not residents of a Native village (referred to in this paragraph as 'non-village shares'), an amendment made pursuant to subparagraph (B) shall authorize the board of directors (at the option of the board) to offer to purchase—

"(i) the non-village shares, including the right to share in distributions made to shareholders pursuant to subsections (j) and (m) (referred to in this paragraph as 'nonresident distribution rights'), at a price that includes a premium, in addition to the amount that is offered for the purchase of other village shares of Settlement Common Stock of the Cook Inlet

Regional Corporation, that reflects the value of the nonresident distribution rights; or

"(ii) non-village shares without the nonresident distribution rights associated with the shares.

"(F) Any shareholder who accepts an offer made by the board of directors pursuant to subparagraph (E)(ii) shall receive, with respect to each non-village share sold by the shareholder to the Cook Inlet Regional Corporation—

"(i) the consideration for a share of Settlement Common Stock offered to shareholders of village shares; and

"(ii) a security for only the nonresident rights that attach to such share that does not have attached voting rights (referred to in this paragraph as a 'non-voting security').

"(G) An amendment made pursuant to subparagraph (B) shall authorize the issuance of a non-voting security that—

"(i) shall, for purposes of subsections (j) and (m), be treated as a non-village share with respect to—

"(I) computing distributions under such subsections; and

"(II) entitling the holder of the share to the proportional share of the distributions made under such subsections;

"(ii) may be sold to Cook Inlet Region, Inc.; and

"(iii) shall otherwise be subject to the restrictions under paragraph (1)(B).

"(H) Any shares of Settlement Common Stock purchased pursuant to this paragraph shall be canceled on the conditions that—

"(i) non-village shares with the nonresident rights that attach to such shares that are purchased pursuant to this paragraph shall be considered to be—

"(I) outstanding shares; and

"(II) for the purposes of subsection (m), shares of stock registered on the books of the Cook Inlet Regional Corporation in the names of nonresidents of villages;

"(ii) any amount of funds that would be distributable with respect to non-village shares or non-voting securities pursuant to subsection (j) or (m) shall be distributed by Cook Inlet Regional Corporation to itself; and

"(iii) village shares that are purchased pursuant to this paragraph shall be considered to be—

"(I) outstanding shares, and

"(II) for the purposes of subsection (k) shares of stock registered on the books of the Cook Inlet Regional Corporation in the names of the residents of villages.

"(I) Any offer to purchase Settlement Common Stock made pursuant to this paragraph shall exclude from the offer—

"(i) any share of Settlement Common Stock held, at the time the offer is made, by an officer (including a member of the board of directors) of Cook Inlet Regional Corporation or a member of the immediate family of the officer; and

"(ii) any share of Settlement Common Stock held by any custodian, guardian, trustee, or attorney representing a shareholder of Cook Inlet Regional Corporation in fact or law, or any other similar person, entity, or representative.

"(J)(i) The board of directors of Cook Inlet Regional Corporation, in determining the terms of an offer to purchase made under this paragraph, including the amount of any premium paid with

respect to a non-village share, may rely upon the good faith opinion of a recognized firm of investment bankers or valuation experts.

"(ii) Neither Cook Inlet Regional Corporation nor a member of the board of directors or officers of Cook Inlet Regional Corporation shall be liable for damages resulting from terms made in an offer made in connection with any purchase of Settlement Common Stock if the offer was made—

"(I) in good faith;

"(II) in reliance on a determination made pursuant to clause (i); and

"(III) otherwise in accordance with this paragraph.

"(K) The consideration given for the purchase of Settlement Common Stock made pursuant to an offer to purchase that provides for such consideration may be in the form of cash, securities, or a combination of cash and securities, as determined by the board of directors of Cook Inlet Regional Corporation, in a manner consistent with an amendment made pursuant to subparagraph (B).

"(L) Sale of Settlement Common Stock in accordance with this paragraph shall not diminish a shareholder's status as an Alaska Native or descendant of a Native for the purpose of qualifying for those programs, benefits and services or other rights or privileges set out for the benefit of Alaska Natives and Native Americans. Proceeds from the sale of Settlement Common Stock shall not be excluded in determining eligibility for any needs-based programs that may be provided by Federal, State or local agencies.".

(b) CONFORMING AMENDMENT.—Section 8(c) of such Act (43 U.S.C. 1607(c)) is amended by striking "(h)" and inserting "(h) (other than paragraph (4))".

Approved May 18, 1995.

LEGISLATIVE HISTORY—H.R. 421 (S. 444) (S. 719):

HOUSE REPORTS: No. 104–40 (Comm. on Resources).
SENATE REPORTS: Nos. 104–20 accompanying S. 444 and 104–49 accompanying S. 719 (both from Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 14, considered and passed House.
Apr. 25, considered and passed Senate.

Public Law 104–11
104th Congress

An Act

May 18, 1995
[H.R. 517]

To amend title V of Public Law 96–550, designating the Chaco Culture Archeological Protection Sites, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Chacoan Outliers Protection Act of 1995.
Arizona.
New Mexico.
16 USC 410ii note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Chacoan Outliers Protection Act of 1995".

SEC. 2. CONFORMING AMENDMENT.

Section 501(b) of Public Law 96–550 (16 U.S.C. 410ii(b)) is amended by striking "San Juan Basin;" and inserting in lieu thereof, "San Juan Basin and surrounding areas;".

SEC. 3. ADDITIONS TO CHACO CULTURE ARCHEOLOGICAL PROTECTION SITES.

Subsection 502(b) of Public Law 96–550 (16 U.S.C. 410ii–1(b)) is amended to read as follows:

"(b)(1) Thirty-nine outlying sites as generally depicted on a map entitled 'Chaco Culture Archeological Protection Sites', numbered 310/80,033–B and dated September 1991, are hereby designated as 'Chaco Culture Archeological Protection Sites'. The thirty-nine archeological protection sites totaling approximately 14,372 acres identified as follows:

"Name:	Acres
Allentown	380
Andrews Ranch	950
Bee Burrow	480
Bisa'ani	131
Casa del Rio	40
Casamero	160
Chimney Rock	3,160
Coolidge	450
Dalton Pass	135
Dittert	480
Great Bend	26
Greenlee Ruin	60
Grey Hill Spring	23
Guadalupe	115
Halfway House	40

Haystack	565
Hogback	453
Indian Creek	100
Jaquez	66
Kin Nizhoni	726
Lake Valley	30
Manuelito-Atsee Nitsaa	60
Manuelito-Kin Hochoi	116
Morris 41	85
Muddy Water	1,090
Navajo Springs	260
Newcomb	50
Peach Springs	1,046
Pierre's Site	440
Raton Well	23
Salmon Ruin	5
San Mateo	61
Sanostee	1,565
Section 8	10
Skunk Springs/Crumbled House	533
Standing Rock	348
Toh-la-kai	10
Twin Angeles	40
Upper Kin Klizhin	60.

"(2) The map referred to in paragraph (1) shall be kept on file and available for public inspection in the appropriate offices of the National Park Service, the office of the State Director of the Bureau of Land Management located in Santa Fe, New Mexico, the office of the Area Director of the Bureau of Indian Affairs located in Window Rock, Arizona, and the offices of the Arizona and New Mexico State Historic Preservation Officers.".

SEC. 4. ACQUISITIONS.

Section 504(c)(2) of Public Law 96–550 (16 U.S.C. 410ii–3(c)(2)) is amended to read as follows:

"(2) The Secretary shall seek to use a combination of land acquisition authority under this section and cooperative agreements (pursuant to section 505) to accomplish the purposes of archeological resource protection at those sites described in section 502(b) that remain in private ownership.".

SEC. 5. ASSISTANCE TO THE NAVAJO NATION.

Contracts.
Grants.

Section 506 of Public Law 96–550 (16 U.S.C. 410ii–5) is amended by adding the following new subsection at the end thereof:

"(f) The Secretary, acting through the Director of the National Park Service, shall assist the Navajo Nation in the protection and management of those Chaco Culture Archeological Protection Sites located on land under the jurisdiction of the Navajo Nation through a grant, contract, or cooperative agreement entered into pursuant to the Indian Self-Determination and Education Act (Public Law 93–638), as amended, to assist the Navajo Nation in site planning, resource protection, interpretation, resource management actions,

and such other purposes as may be identified in such grant, contract, or cooperative agreement. This cooperative assistance shall include assistance with the development of a Navajo facility to serve those who seek to appreciate the Chacoan Outlier Sites.".

Approved May 18, 1995.

LEGISLATIVE HISTORY—H.R. 517 (S. 226) (S. 719):

HOUSE REPORTS: No. 104–56 (Comm. on Resources).
SENATE REPORTS: Nos. 104–19 accompanying S. 226 and 104–49 accompanying S. 719 (both from Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 14, considered and passed House.
Apr. 27, considered and passed Senate.

Public Law 104–12
104th Congress

An Act

To provide a moratorium on certain class action lawsuits relating to the Truth in Lending Act.

May 18, 1995
[H.R. 1380]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Truth in Lending Class Action Relief Act of 1995.
Courts.
15 USC 1601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Lending Class Action Relief Act of 1995".

SEC. 2. MORATORIUM.

Section 130 of the Truth in Lending Act (15 U.S.C. 1640) is amended by adding at the end the following new subsection:

"(i) CLASS ACTION MORATORIUM.—

"(1) IN GENERAL.—During the period beginning on the date of the enactment of the Truth in Lending Class Action Relief Act of 1995 and ending on October 1, 1995, no court may enter any order certifying any class in any action under this title—

Effective date.

"(A) which is brought in connection with any credit transaction not under an open end credit plan which is secured by a first lien on real property or a dwelling and constitutes a refinancing or consolidation of an existing extension of credit; and

"(B) which is based on the alleged failure of a creditor—

"(i) to include a charge actually incurred (in connection with the transaction) in the finance charge disclosed pursuant to section 128;

"(ii) to properly make any other disclosure required under section 128 as a result of the failure described in clause (i); or

"(iii) to provide proper notice of rescission rights under section 125(a) due to the selection by the creditor of the incorrect form from among the model forms prescribed by the Board or from among forms based on such model forms.

"(2) EXCEPTIONS FOR CERTAIN ALLEGED VIOLATIONS.—Paragraph (1) shall not apply with respect to any action—

"(A) described in clause (i) or (ii) of paragraph (1)(B), if the amount disclosed as the finance charge results in an annual percentage rate that exceeds the tolerance provided in section 107(c); or

"(B) described in paragraph (1)(B)(iii), if—

"(i) no notice relating to rescission rights under section 125(a) was provided in any form; or

"(ii) proper notice was not provided for any reason other than the reason described in such paragraph.

Approved May 18, 1995.

LEGISLATIVE HISTORY—H.R. 1380:

CONGRESSIONAL RECORD, Vol. 141 (1995):

Apr. 4, considered and passed House.

Apr. 24, considered and passed Senate.

Public Law 104–13
104th Congress

An Act

To further the goals of the Paperwork Reduction Act to have Federal agencies become more responsible and publicly accountable for reducing the burden of Federal paperwork on the public, and for other purposes.

May 22, 1995
[S. 244]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Paperwork Reduction Act of 1995.
Information resources management.
44 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Paperwork Reduction Act of 1995".

SEC. 2. COORDINATION OF FEDERAL INFORMATION POLICY.

Chapter 35 of title 44, United States Code, is amended to read as follows:

"CHAPTER 35—COORDINATION OF FEDERAL INFORMATION POLICY

"Sec.
"3501. Purposes.
"3502. Definitions.
"3503. Office of Information and Regulatory Affairs.
"3504. Authority and functions of Director.
"3505. Assignment of tasks and deadlines.
"3506. Federal agency responsibilities.
"3507. Public information collection activities; submission to Director; approval and delegation.
"3508. Determination of necessity for information; hearing.
"3509. Designation of central collection agency.
"3510. Cooperation of agencies in making information available.
"3511. Establishment and operation of Government Information Locator Service.
"3512. Public protection.
"3513. Director review of agency activities; reporting; agency response.
"3514. Responsiveness to Congress.
"3515. Administrative powers.
"3516. Rules and regulations.
"3517. Consultation with other agencies and the public.
"3518. Effect on existing laws and regulations.
"3519. Access to information.
"3520. Authorization of appropriations.

"§ 3501. Purposes

"The purposes of this chapter are to—

"(1) minimize the paperwork burden for individuals, small businesses, educational and nonprofit institutions, Federal contractors, State, local and tribal governments, and other persons resulting from the collection of information by or for the Federal Government;

"(2) ensure the greatest possible public benefit from and maximize the utility of information created, collected, main-

tained, used, shared and disseminated by or for the Federal Government;

"(3) coordinate, integrate, and to the extent practicable and appropriate, make uniform Federal information resources management policies and practices as a means to improve the productivity, efficiency, and effectiveness of Government programs, including the reduction of information collection burdens on the public and the improvement of service delivery to the public;

"(4) improve the quality and use of Federal information to strengthen decisionmaking, accountability, and openness in Government and society;

"(5) minimize the cost to the Federal Government of the creation, collection, maintenance, use, dissemination, and disposition of information;

"(6) strengthen the partnership between the Federal Government and State, local, and tribal governments by minimizing the burden and maximizing the utility of information created, collected, maintained, used, disseminated, and retained by or for the Federal Government;

"(7) provide for the dissemination of public information on a timely basis, on equitable terms, and in a manner that promotes the utility of the information to the public and makes effective use of information technology;

"(8) ensure that the creation, collection, maintenance, use, dissemination, and disposition of information by or for the Federal Government is consistent with applicable laws, including laws relating to—

"(A) privacy and confidentiality, including section 552a of title 5;

"(B) security of information, including the Computer Security Act of 1987 (Public Law 100–235); and

"(C) access to information, including section 552 of title 5;

"(9) ensure the integrity, quality, and utility of the Federal statistical system;

"(10) ensure that information technology is acquired, used, and managed to improve performance of agency missions, including the reduction of information collection burdens on the public; and

"(11) improve the responsibility and accountability of the Office of Management and Budget and all other Federal agencies to Congress and to the public for implementing the information collection review process, information resources management, and related policies and guidelines established under this chapter.

"§ 3502. Definitions

"As used in this chapter—

"(1) the term 'agency' means any executive department, military department, Government corporation, Government controlled corporation, or other establishment in the executive branch of the Government (including the Executive Office of the President), or any independent regulatory agency, but does not include—

"(A) the General Accounting Office;

"(B) Federal Election Commission;

"(C) the governments of the District of Columbia and of the territories and possessions of the United States, and their various subdivisions; or

"(D) Government-owned contractor-operated facilities, including laboratories engaged in national defense research and production activities;

"(2) the term 'burden' means time, effort, or financial resources expended by persons to generate, maintain, or provide information to or for a Federal agency, including the resources expended for—

"(A) reviewing instructions;

"(B) acquiring, installing, and utilizing technology and systems;

"(C) adjusting the existing ways to comply with any previously applicable instructions and requirements;

"(D) searching data sources;

"(E) completing and reviewing the collection of information; and

"(F) transmitting, or otherwise disclosing the information;

"(3) the term 'collection of information'—

"(A) means the obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either—

"(i) answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on, ten or more persons, other than agencies, instrumentalities, or employees of the United States; or

"(ii) answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes; and

"(B) shall not include a collection of information described under section 3518(c)(1);

"(4) the term 'Director' means the Director of the Office of Management and Budget;

"(5) the term 'independent regulatory agency' means the Board of Governors of the Federal Reserve System, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Federal Communications Commission, the Federal Deposit Insurance Corporation, the Federal Energy Regulatory Commission, the Federal Housing Finance Board, the Federal Maritime Commission, the Federal Trade Commission, the Interstate Commerce Commission, the Mine Enforcement Safety and Health Review Commission, the National Labor Relations Board, the Nuclear Regulatory Commission, the Occupational Safety and Health Review Commission, the Postal Rate Commission, the Securities and Exchange Commission, and any other similar agency designated by statute as a Federal independent regulatory agency or commission;

"(6) the term 'information resources' means information and related resources, such as personnel, equipment, funds, and information technology;

"(7) the term 'information resources management' means the process of managing information resources to accomplish agency missions and to improve agency performance, including through the reduction of information collection burdens on the public;

"(8) the term 'information system' means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information;

"(9) the term 'information technology' has the same meaning as the term 'automatic data processing equipment' as defined by section 111(a) (2) and (3)(C) (i) through (v) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(a) (2) and (3)(C) (i) through (v));

"(10) the term 'person' means an individual, partnership, association, corporation, business trust, or legal representative, an organized group of individuals, a State, territorial, tribal, or local government or branch thereof, or a political subdivision of a State, territory, tribal, or local government or a branch of a political subdivision;

"(11) the term 'practical utility' means the ability of an agency to use information, particularly the capability to process such information in a timely and useful fashion;

"(12) the term 'public information' means any information, regardless of form or format, that an agency discloses, disseminates, or makes available to the public;

"(13) the term 'recordkeeping requirement' means a requirement imposed by or for an agency on persons to maintain specified records, including a requirement to—

"(A) retain such records;

"(B) notify third parties, the Federal Government, or the public of the existence of such records;

"(C) disclose such records to third parties, the Federal Government, or the public; or

"(D) report to third parties, the Federal Government, or the public regarding such records; and

"(14) the term 'penalty' includes the imposition by an agency or court of a fine or other punishment; a judgment for monetary damages or equitable relief; or the revocation, suspension, reduction, or denial of a license, privilege, right, grant, or benefit.

Establishment.

"§ 3503. Office of Information and Regulatory Affairs

"(a) There is established in the Office of Management and Budget an office to be known as the Office of Information and Regulatory Affairs.

"(b) There shall be at the head of the Office an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate. The Director shall delegate to the Administrator the authority to administer all functions under this chapter, except that any such delegation shall not relieve the Director of responsibility for the administration of such functions. The Administrator shall serve as principal adviser to the Director on Federal information resources management policy.

"§ 3504. Authority and functions of Director

"(a)(1) The Director shall oversee the use of information resources to improve the efficiency and effectiveness of governmental operations to serve agency missions, including burden reduction and service delivery to the public. In performing such oversight, the Director shall—

"(A) develop, coordinate and oversee the implementation of Federal information resources management policies, principles, standards, and guidelines; and

"(B) provide direction and oversee—

"(i) the review and approval of the collection of information and the reduction of the information collection burden;

"(ii) agency dissemination of and public access to information;

"(iii) statistical activities;

"(iv) records management activities;

"(v) privacy, confidentiality, security, disclosure, and sharing of information; and

"(vi) the acquisition and use of information technology.

"(2) The authority of the Director under this chapter shall be exercised consistent with applicable law.

"(b) With respect to general information resources management policy, the Director shall—

"(1) develop and oversee the implementation of uniform information resources management policies, principles, standards, and guidelines;

"(2) foster greater sharing, dissemination, and access to public information, including through—

"(A) the use of the Government Information Locator Service; and

"(B) the development and utilization of common standards for information collection, storage, processing and communication, including standards for security, interconnectivity and interoperability;

"(3) initiate and review proposals for changes in legislation, regulations, and agency procedures to improve information resources management practices;

"(4) oversee the development and implementation of best practices in information resources management, including training; and

"(5) oversee agency integration of program and management functions with information resources management functions.

"(c) With respect to the collection of information and the control of paperwork, the Director shall—

"(1) review and approve proposed agency collections of information;

"(2) coordinate the review of the collection of information associated with Federal procurement and acquisition by the Office of Information and Regulatory Affairs with the Office of Federal Procurement Policy, with particular emphasis on applying information technology to improve the efficiency and effectiveness of Federal procurement, acquisition and payment, and to reduce information collection burdens on the public;

"(3) minimize the Federal information collection burden, with particular emphasis on those individuals and entities most adversely affected;

"(4) maximize the practical utility of and public benefit from information collected by or for the Federal Government; and

"(5) establish and oversee standards and guidelines by which agencies are to estimate the burden to comply with a proposed collection of information.

"(d) With respect to information dissemination, the Director shall develop and oversee the implementation of policies, principles, standards, and guidelines to—

"(1) apply to Federal agency dissemination of public information, regardless of the form or format in which such information is disseminated; and

"(2) promote public access to public information and fulfill the purposes of this chapter, including through the effective use of information technology.

"(e) With respect to statistical policy and coordination, the Director shall—

"(1) coordinate the activities of the Federal statistical system to ensure—

"(A) the efficiency and effectiveness of the system; and

"(B) the integrity, objectivity, impartiality, utility, and confidentiality of information collected for statistical purposes;

"(2) ensure that budget proposals of agencies are consistent with system-wide priorities for maintaining and improving the quality of Federal statistics and prepare an annual report on statistical program funding;

"(3) develop and oversee the implementation of Governmentwide policies, principles, standards, and guidelines concerning—

"(A) statistical collection procedures and methods;

"(B) statistical data classification;

"(C) statistical information presentation and dissemination;

"(D) timely release of statistical data; and

"(E) such statistical data sources as may be required for the administration of Federal programs;

"(4) evaluate statistical program performance and agency compliance with Governmentwide policies, principles, standards and guidelines;

"(5) promote the sharing of information collected for statistical purposes consistent with privacy rights and confidentiality pledges;

"(6) coordinate the participation of the United States in international statistical activities, including the development of comparable statistics;

"(7) appoint a chief statistician who is a trained and experienced professional statistician to carry out the functions described under this subsection;

Establishment.

"(8) establish an Interagency Council on Statistical Policy to advise and assist the Director in carrying out the functions under this subsection that shall—

"(A) be headed by the chief statistician; and

"(B) consist of—

"(i) the heads of the major statistical programs; and

"(ii) representatives of other statistical agencies under rotating membership; and

"(9) provide opportunities for training in statistical policy functions to employees of the Federal Government under which—

"(A) each trainee shall be selected at the discretion of the Director based on agency requests and shall serve under the chief statistician for at least 6 months and not more than 1 year; and

"(B) all costs of the training shall be paid by the agency requesting training.

"(f) With respect to records management, the Director shall— Records.

"(1) provide advice and assistance to the Archivist of the United States and the Administrator of General Services to promote coordination in the administration of chapters 29, 31, and 33 of this title with the information resources management policies, principles, standards, and guidelines established under this chapter;

"(2) review compliance by agencies with—

"(A) the requirements of chapters 29, 31, and 33 of this title; and

"(B) regulations promulgated by the Archivist of the United States and the Administrator of General Services; and Regulations.

"(3) oversee the application of records management policies, principles, standards, and guidelines, including requirements for archiving information maintained in electronic format, in the planning and design of information systems.

"(g) With respect to privacy and security, the Director shall—

"(1) develop and oversee the implementation of policies, principles, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for agencies;

"(2) oversee and coordinate compliance with sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

"(3) require Federal agencies, consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), to identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

"(h) With respect to Federal information technology, the Director shall—

"(1) in consultation with the Director of the National Institute of Standards and Technology and the Administrator of General Services—

"(A) develop and oversee the implementation of policies, principles, standards, and guidelines for information technology functions and activities of the Federal Government, including periodic evaluations of major information systems; and

"(B) oversee the development and implementation of standards under section 111(d) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 759(d));

"(2) monitor the effectiveness of, and compliance with, directives issued under sections 110 and 111 of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 757 and 759);

"(3) coordinate the development and review by the Office of Information and Regulatory Affairs of policy associated with Federal procurement and acquisition of information technology with the Office of Federal Procurement Policy;

"(4) ensure, through the review of agency budget proposals, information resources management plans and other means—

"(A) agency integration of information resources management plans, program plans and budgets for acquisition and use of information technology; and

"(B) the efficiency and effectiveness of inter-agency information technology initiatives to improve agency performance and the accomplishment of agency missions; and

"(5) promote the use of information technology by the Federal Government to improve the productivity, efficiency, and effectiveness of Federal programs, including through dissemination of public information and the reduction of information collection burdens on the public.

"§ 3505. Assignment of tasks and deadlines

"(a) In carrying out the functions under this chapter, the Director shall—

"(1) in consultation with agency heads, set an annual Governmentwide goal for the reduction of information collection burdens. by at least 10 percent during each of fiscal years 1996 and 1997 and 5 percent during each of fiscal years 1998, 1999, 2000, and 2001, and set annual agency goals to—

"(A) reduce information collection burdens imposed on the public that—

"(i) represent the maximum practicable opportunity in each agency; and

"(ii) are consistent with improving agency management of the process for the review of collections of information established under section 3506(c); and

"(B) improve information resources management in ways that increase the productivity, efficiency and effectiveness of Federal programs, including service delivery to the public;

"(2) with selected agencies and non-Federal entities on a voluntary basis, conduct pilot projects to test alternative policies, practices, regulations, and procedures to fulfill the purposes of this chapter, particularly with regard to minimizing the Federal information collection burden; and

"(3) in consultation with the Administrator of General Services, the Director of the National Institute of Standards and Technology, the Archivist of the United States, and the Director of the Office of Personnel Management, develop and maintain a Governmentwide strategic plan for information resources management, that shall include—

"(A) a description of the objectives and the means by which the Federal Government shall apply information resources to improve agency and program performance;

"(B) plans for—

"(i) reducing information burdens on the public, including reducing such burdens through the elimination of duplication and meeting shared data needs with shared resources;

"(ii) enhancing public access to and dissemination of, information, using electronic and other formats; and

"(iii) meeting the information technology needs of the Federal Government in accordance with the purposes of this chapter; and

"(C) a description of progress in applying information resources management to improve agency performance and the accomplishment of missions.

"(b) For purposes of any pilot project conducted under subsection (a)(2), the Director may, after consultation with the agency head, waive the application of any administrative directive issued by an agency with which the project is conducted, including any directive requiring a collection of information, after giving timely notice to the public and the Congress regarding the need for such waiver.

"§ 3506. Federal agency responsibilities

"(a)(1) The head of each agency shall be responsible for—

"(A) carrying out the agency's information resources management activities to improve agency productivity, efficiency, and effectiveness; and

"(B) complying with the requirements of this chapter and related policies established by the Director.

"(2)(A) Except as provided under subparagraph (B), the head of each agency shall designate a senior official who shall report directly to such agency head to carry out the responsibilities of the agency under this chapter. Reports.

"(B) The Secretary of the Department of Defense and the Secretary of each military department may each designate senior officials who shall report directly to such Secretary to carry out the responsibilities of the department under this chapter. If more than one official is designated, the respective duties of the officials shall be clearly delineated. Reports.

"(3) The senior official designated under paragraph (2) shall head an office responsible for ensuring agency compliance with and prompt, efficient, and effective implementation of the information policies and information resources management responsibilities established under this chapter, including the reduction of information collection burdens on the public. The senior official and employees of such office shall be selected with special attention to the professional qualifications required to administer the functions described under this chapter.

"(4) Each agency program official shall be responsible and accountable for information resources assigned to and supporting the programs under such official. In consultation with the senior official designated under paragraph (2) and the agency Chief Financial Officer (or comparable official), each agency program official shall define program information needs and develop strategies, systems, and capabilities to meet those needs.

"(b) With respect to general information resources management, each agency shall—

"(1) manage information resources to—

"(A) reduce information collection burdens on the public;

"(B) increase program efficiency and effectiveness; and

"(C) improve the integrity, quality, and utility of information to all users within and outside the agency, including capabilities for ensuring dissemination of public information, public access to government information, and protections for privacy and security;

"(2) in accordance with guidance by the Director, develop and maintain a strategic information resources management plan that shall describe how information resources management activities help accomplish agency missions;

"(3) develop and maintain an ongoing process to—

"(A) ensure that information resources management operations and decisions are integrated with organizational planning, budget, financial management, human resources management, and program decisions;

"(B) in cooperation with the agency Chief Financial Officer (or comparable official), develop a full and accurate accounting of information technology expenditures, related expenses, and results; and

"(C) establish goals for improving information resources management's contribution to program productivity, efficiency, and effectiveness, methods for measuring progress towards those goals, and clear roles and responsibilities for achieving those goals;

"(4) in consultation with the Director, the Administrator of General Services, and the Archivist of the United States, maintain a current and complete inventory of the agency's information resources, including directories necessary to fulfill the requirements of section 3511 of this chapter; and

"(5) in consultation with the Director and the Director of the Office of Personnel Management, conduct formal training programs to educate agency program and management officials about information resources management.

"(c) With respect to the collection of information and the control of paperwork, each agency shall—

"(1) establish a process within the office headed by the official designated under subsection (a), that is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved under this chapter, to—

"(A) review each collection of information before submission to the Director for review under this chapter, including—

"(i) an evaluation of the need for the collection of information;

"(ii) a functional description of the information to be collected;

"(iii) a plan for the collection of the information;

"(iv) a specific, objectively supported estimate of burden;

"(v) a test of the collection of information through a pilot program, if appropriate; and

"(vi) a plan for the efficient and effective management and use of the information to be collected, including necessary resources;

"(B) ensure that each information collection—

"(i) is inventoried, displays a control number and, if appropriate, an expiration date;

"(ii) indicates the collection is in accordance with the clearance requirements of section 3507; and

"(iii) informs the person receiving the collection of information of—

"(I) the reasons the information is being collected;

"(II) the way such information is to be used;

"(III) an estimate, to the extent practicable, of the burden of the collection;

"(IV) whether responses to the collection of information are voluntary, required to obtain a benefit, or mandatory; and

"(V) the fact that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid control number; and

"(C) assess the information collection burden of proposed legislation affecting the agency;

"(2)(A) except as provided under subparagraph (B) or section 3507(j), provide 60-day notice in the Federal Register, and otherwise consult with members of the public and affected agencies concerning each proposed collection of information, to solicit comment to— Federal Register, publication.

"(i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility;

"(ii) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information;

"(iii) enhance the quality, utility, and clarity of the information to be collected; and

"(iv) minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques or other forms of information technology; and

"(B) for any proposed collection of information contained in a proposed rule (to be reviewed by the Director under section 3507(d)), provide notice and comment through the notice of proposed rulemaking for the proposed rule and such notice shall have the same purposes specified under subparagraph (A) (i) through (iv); and Regulations.

"(3) certify (and provide a record supporting such certification, including public comments received by the agency) that each collection of information submitted to the Director for review under section 3507—

"(A) is necessary for the proper performance of the functions of the agency, including that the information has practical utility;

"(B) is not unnecessarily duplicative of information otherwise reasonably accessible to the agency;

"(C) reduces to the extent practicable and appropriate the burden on persons who shall provide information to or for the agency, including with respect to small entities,

as defined under section 601(6) of title 5, the use of such techniques as—

"(i) establishing differing compliance or reporting requirements or timetables that take into account the resources available to those who are to respond;

"(ii) the clarification, consolidation, or simplification of compliance and reporting requirements; or

"(iii) an exemption from coverage of the collection of information, or any part thereof;

"(D) is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond;

"(E) is to be implemented in ways consistent and compatible, to the maximum extent practicable, with the existing reporting and recordkeeping practices of those who are to respond;

"(F) indicates for each recordkeeping requirement the length of time persons are required to maintain the records specified;

"(G) contains the statement required under paragraph (1)(B)(iii);

"(H) has been developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected, including the processing of the information in a manner which shall enhance, where appropriate, the utility of the information to agencies and the public;

"(I) uses effective and efficient statistical survey methodology appropriate to the purpose for which the information is to be collected; and

"(J) to the maximum extent practicable, uses information technology to reduce burden and improve data quality, agency efficiency and responsiveness to the public.

Public information.

"(d) With respect to information dissemination, each agency shall—

"(1) ensure that the public has timely and equitable access to the agency's public information, including ensuring such access through—

"(A) encouraging a diversity of public and private sources for information based on government public information;

"(B) in cases in which the agency provides public information maintained in electronic format, providing timely and equitable access to the underlying data (in whole or in part); and

"(C) agency dissemination of public information in an efficient, effective, and economical manner;

"(2) regularly solicit and consider public input on the agency's information dissemination activities;

"(3) provide adequate notice when initiating, substantially modifying, or terminating significant information dissemination products; and

"(4) not, except where specifically authorized by statute—

"(A) establish an exclusive, restricted, or other distribution arrangement that interferes with timely and equitable availability of public information to the public;

"(B) restrict or regulate the use, resale, or redissemination of public information by the public;

"(C) charge fees or royalties for resale or redissemination of public information; or

"(D) establish user fees for public information that exceed the cost of dissemination.

"(e) With respect to statistical policy and coordination, each agency shall—

"(1) ensure the relevance, accuracy, timeliness, integrity, and objectivity of information collected or created for statistical purposes;

"(2) inform respondents fully and accurately about the sponsors, purposes, and uses of statistical surveys and studies;

"(3) protect respondents' privacy and ensure that disclosure policies fully honor pledges of confidentiality;

"(4) observe Federal standards and practices for data collection, analysis, documentation, sharing, and dissemination of information;

"(5) ensure the timely publication of the results of statistical surveys and studies, including information about the quality and limitations of the surveys and studies; and

"(6) make data available to statistical agencies and readily accessible to the public.

"(f) With respect to records management, each agency shall implement and enforce applicable policies and procedures, including requirements for archiving information maintained in electronic format, particularly in the planning, design and operation of information systems. Records.

"(g) With respect to privacy and security, each agency shall— Privacy. Computer technology.

"(1) implement and enforce applicable policies, procedures, standards, and guidelines on privacy, confidentiality, security, disclosure and sharing of information collected or maintained by or for the agency;

"(2) assume responsibility and accountability for compliance with and coordinated management of sections 552 and 552a of title 5, the Computer Security Act of 1987 (40 U.S.C. 759 note), and related information management laws; and

"(3) consistent with the Computer Security Act of 1987 (40 U.S.C. 759 note), identify and afford security protections commensurate with the risk and magnitude of the harm resulting from the loss, misuse, or unauthorized access to or modification of information collected or maintained by or on behalf of an agency.

"(h) With respect to Federal information technology, each agency shall— Science and technology.

"(1) implement and enforce applicable Governmentwide and agency information technology management policies, principles, standards, and guidelines;

"(2) assume responsibility and accountability for information technology investments;

"(3) promote the use of information technology by the agency to improve the productivity, efficiency, and effectiveness of agency programs, including the reduction of information collection burdens on the public and improved dissemination of public information;

"(4) propose changes in legislation, regulations, and agency procedures to improve information technology practices, includ-

ing changes that improve the ability of the agency to use technology to reduce burden; and

"(5) assume responsibility for maximizing the value and assessing and managing the risks of major information systems initiatives through a process that is—

"(A) integrated with budget, financial, and program management decisions; and

"(B) used to select, control, and evaluate the results of major information systems initiatives.

"§ 3507. Public information collection activities; submission to Director; approval and delegation

"(a) An agency shall not conduct or sponsor the collection of information unless in advance of the adoption or revision of the collection of information—

"(1) the agency has—

"(A) conducted the review established under section 3506(c)(1);

"(B) evaluated the public comments received under section 3506(c)(2);

"(C) submitted to the Director the certification required under section 3506(c)(3), the proposed collection of information, copies of pertinent statutory authority, regulations, and other related materials as the Director may specify; and

Federal Register, publication.

"(D) published a notice in the Federal Register—

"(i) stating that the agency has made such submission; and

"(ii) setting forth—

"(I) a title for the collection of information;

"(II) a summary of the collection of information;

"(III) a brief description of the need for the information and the proposed use of the information;

"(IV) a description of the likely respondents and proposed frequency of response to the collection of information;

"(V) an estimate of the burden that shall result from the collection of information; and

"(VI) notice that comments may be submitted to the agency and Director;

"(2) the Director has approved the proposed collection of information or approval has been inferred, under the provisions of this section; and

"(3) the agency has obtained from the Director a control number to be displayed upon the collection of information.

"(b) The Director shall provide at least 30 days for public comment prior to making a decision under subsection (c), (d), or (h), except as provided under subsection (j).

"(c)(1) For any proposed collection of information not contained in a proposed rule, the Director shall notify the agency involved of the decision to approve or disapprove the proposed collection of information.

"(2) The Director shall provide the notification under paragraph (1), within 60 days after receipt or publication of the notice under subsection (a)(1)(D), whichever is later.

"(3) If the Director does not notify the agency of a denial or approval within the 60-day period described under paragraph (2)—

"(A) the approval may be inferred;

"(B) a control number shall be assigned without further delay; and

"(C) the agency may collect the information for not more than 1 year.

"(d)(1) For any proposed collection of information contained in a proposed rule— Proposed rule.

"(A) as soon as practicable, but no later than the date of publication of a notice of proposed rulemaking in the Federal Register, each agency shall forward to the Director a copy of any proposed rule which contains a collection of information and any information requested by the Director necessary to make the determination required under this subsection; and

"(B) within 60 days after the notice of proposed rulemaking is published in the Federal Register, the Director may file public comments pursuant to the standards set forth in section 3508 on the collection of information contained in the proposed rule; Federal Register, publication.

"(2) When a final rule is published in the Federal Register, the agency shall explain— Regulations. Federal Register, publication.

"(A) how any collection of information contained in the final rule responds to the comments, if any, filed by the Director or the public; or

"(B) the reasons such comments were rejected.

"(3) If the Director has received notice and failed to comment on an agency rule within 60 days after the notice of proposed rulemaking, the Director may not disapprove any collection of information specifically contained in an agency rule.

"(4) No provision in this section shall be construed to prevent the Director, in the Director's discretion—

"(A) from disapproving any collection of information which was not specifically required by an agency rule;

"(B) from disapproving any collection of information contained in an agency rule, if the agency failed to comply with the requirements of paragraph (1) of this subsection;

"(C) from disapproving any collection of information contained in a final agency rule, if the Director finds within 60 days after the publication of the final rule that the agency's response to the Director's comments filed under paragraph (2) of this subsection was unreasonable; or

"(D) from disapproving any collection of information contained in a final rule, if—

"(i) the Director determines that the agency has substantially modified in the final rule the collection of information contained in the proposed rule; and

"(ii) the agency has not given the Director the information required under paragraph (1) with respect to the modified collection of information, at least 60 days before the issuance of the final rule.

"(5) This subsection shall apply only when an agency publishes a notice of proposed rulemaking and requests public comments.

"(6) The decision by the Director to approve or not act upon a collection of information contained in an agency rule shall not be subject to judicial review.

"(e)(1) Any decision by the Director under subsection (c), (d), (h), or (j) to disapprove a collection of information, or to instruct the agency to make substantive or material change to a collection of information, shall be publicly available and include an explanation of the reasons for such decision.

"(2) Any written communication between the Administrator of the Office of Information and Regulatory Affairs, or any employee of the Office of Information and Regulatory Affairs, and an agency or person not employed by the Federal Government concerning a proposed collection of information shall be made available to the public.

"(3) This subsection shall not require the disclosure of—

"(A) any information which is protected at all times by procedures established for information which has been specifically authorized under criteria established by an Executive order or an Act of Congress to be kept secret in the interest of national defense or foreign policy; or

"(B) any communication relating to a collection of information which is not approved under this chapter, the disclosure of which could lead to retaliation or discrimination against the communicator.

"(f)(1) An independent regulatory agency which is administered by 2 or more members of a commission, board, or similar body, may by majority vote void—

"(A) any disapproval by the Director, in whole or in part, of a proposed collection of information of that agency; or

"(B) an exercise of authority under subsection (d) of section 3507 concerning that agency.

"(2) The agency shall certify each vote to void such disapproval or exercise to the Director, and explain the reasons for such vote. The Director shall without further delay assign a control number to such collection of information, and such vote to void the disapproval or exercise shall be valid for a period of 3 years.

"(g) The Director may not approve a collection of information for a period in excess of 3 years.

"(h)(1) If an agency decides to seek extension of the Director's approval granted for a currently approved collection of information, the agency shall—

"(A) conduct the review established under section 3506(c), including the seeking of comment from the public on the continued need for, and burden imposed by the collection of information; and

"(B) after having made a reasonable effort to seek public comment, but no later than 60 days before the expiration date of the control number assigned by the Director for the currently approved collection of information, submit the collection of information for review and approval under this section, which shall include an explanation of how the agency has used the information that it has collected.

"(2) If under the provisions of this section, the Director disapproves a collection of information contained in an existing rule, or recommends or instructs the agency to make a substantive or material change to a collection of information contained in an existing rule, the Director shall—

Federal Register, publication.

"(A) publish an explanation thereof in the Federal Register; and

"(B) instruct the agency to undertake a rulemaking within a reasonable time limited to consideration of changes to the collection of information contained in the rule and thereafter to submit the collection of information for approval or disapproval under this chapter.

"(3) An agency may not make a substantive or material modification to a collection of information after such collection has been approved by the Director, unless the modification has been submitted to the Director for review and approval under this chapter.

"(i)(1) If the Director finds that a senior official of an agency designated under section 3506(a) is sufficiently independent of program responsibility to evaluate fairly whether proposed collections of information should be approved and has sufficient resources to carry out this responsibility effectively, the Director may, by rule in accordance with the notice and comment provisions of chapter 5 of title 5, United States Code, delegate to such official the authority to approve proposed collections of information in specific program areas, for specific purposes, or for all agency purposes.

"(2) A delegation by the Director under this section shall not preclude the Director from reviewing individual collections of information if the Director determines that circumstances warrant such a review. The Director shall retain authority to revoke such delegations, both in general and with regard to any specific matter. In acting for the Director, any official to whom approval authority has been delegated under this section shall comply fully with the rules and regulations promulgated by the Director.

"(j)(1) The agency head may request the Director to authorize a collection of information, if an agency head determines that—

"(A) a collection of information—

"(i) is needed prior to the expiration of time periods established under this chapter; and

"(ii) is essential to the mission of the agency; and

"(B) the agency cannot reasonably comply with the provisions of this chapter because—

"(i) public harm is reasonably likely to result if normal clearance procedures are followed;

"(ii) an unanticipated event has occurred; or

"(iii) the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information or is reasonably likely to cause a statutory or court ordered deadline to be missed.

"(2) The Director shall approve or disapprove any such authorization request within the time requested by the agency head and, if approved, shall assign the collection of information a control number. Any collection of information conducted under this subsection may be conducted without compliance with the provisions of this chapter for a maximum of 90 days after the date on which the Director received the request to authorize such collection.

"§ 3508. Determination of necessity for information; hearing

"Before approving a proposed collection of information, the Director shall determine whether the collection of information by the agency is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility. Before making a determination the Director may give the agency and other interested persons an opportunity to be heard

or to submit statements in writing. To the extent, if any, that the Director determines that the collection of information by an agency is unnecessary for any reason, the agency may not engage in the collection of information.

"§ 3509. Designation of central collection agency

"The Director may designate a central collection agency to obtain information for two or more agencies if the Director determines that the needs of such agencies for information will be adequately served by a single collection agency, and such sharing of data is not inconsistent with applicable law. In such cases the Director shall prescribe (with reference to the collection of information) the duties and functions of the collection agency so designated and of the agencies for which it is to act as agent (including reimbursement for costs). While the designation is in effect, an agency covered by the designation may not obtain for itself information for the agency which is the duty of the collection agency to obtain. The Director may modify the designation from time to time as circumstances require. The authority to designate under this section is subject to the provisions of section 3507(f) of this chapter.

"§ 3510. Cooperation of agencies in making information available

"(a) The Director may direct an agency to make available to another agency, or an agency may make available to another agency, information obtained by a collection of information if the disclosure is not inconsistent with applicable law.

"(b)(1) If information obtained by an agency is released by that agency to another agency, all the provisions of law (including penalties) that relate to the unlawful disclosure of information apply to the officers and employees of the agency to which information is released to the same extent and in the same manner as the provisions apply to the officers and employees of the agency which originally obtained the information.

"(2) The officers and employees of the agency to which the information is released, in addition, shall be subject to the same provisions of law, including penalties, relating to the unlawful disclosure of information as if the information had been collected directly by that agency.

"§ 3511. Establishment and operation of Government Information Locator Service

"(a) In order to assist agencies and the public in locating information and to promote information sharing and equitable access by the public, the Director shall—

"(1) cause to be established and maintained a distributed agency-based electronic Government Information Locator Service (hereafter in this section referred to as the 'Service'), which shall identify the major information systems, holdings, and dissemination products of each agency;

"(2) require each agency to establish and maintain an agency information locator service as a component of, and to support the establishment and operation of the Service;

"(3) in cooperation with the Archivist of the United States, the Administrator of General Services, the Public Printer, and the Librarian of Congress, establish an interagency committee

to advise the Secretary of Commerce on the development of technical standards for the Service to ensure compatibility, promote information sharing, and uniform access by the public;

"(4) consider public access and other user needs in the establishment and operation of the Service;

"(5) ensure the security and integrity of the Service, including measures to ensure that only information which is intended to be disclosed to the public is disclosed through the Service; and

"(6) periodically review the development and effectiveness of the Service and make recommendations for improvement, including other mechanisms for improving public access to Federal agency public information.

"(b) This section shall not apply to operational files as defined by the Central Intelligence Agency Information Act (50 U.S.C. 431 et seq.).

"§ 3512. Public protection

"(a) Notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information that is subject to this chapter if—

"(1) the collection of information does not display a valid control number assigned by the Director in accordance with this chapter; or

"(2) the agency fails to inform the person who is to respond to the collection of information that such person is not required to respond to the collection of information unless it displays a valid control number.

"(b) The protection provided by this section may be raised in the form of a complete defense, bar, or otherwise at any time during the agency administrative process or judicial action applicable thereto.

"§ 3513. Director review of agency activities; reporting; agency response

"(a) In consultation with the Administrator of General Services, the Archivist of the United States, the Director of the National Institute of Standards and Technology, and the Director of the Office of Personnel Management, the Director shall periodically review selected agency information resources management activities to ascertain the efficiency and effectiveness of such activities to improve agency performance and the accomplishment of agency missions.

"(b) Each agency having an activity reviewed under subsection (a) shall, within 60 days after receipt of a report on the review, provide a written plan to the Director describing steps (including milestones) to—

"(1) be taken to address information resources management problems identified in the report; and

"(2) improve agency performance and the accomplishment of agency missions.

"§ 3514. Responsiveness to Congress

"(a)(1) The Director shall—

"(A) keep the Congress and congressional committees fully and currently informed of the major activities under this chapter; and

Reports.

"(B) submit a report on such activities to the President of the Senate and the Speaker of the House of Representatives annually and at such other times as the Director determines necessary.

"(2) The Director shall include in any such report a description of the extent to which agencies have—

"(A) reduced information collection burdens on the public, including—

"(i) a summary of accomplishments and planned initiatives to reduce collection of information burdens;

"(ii) a list of all violations of this chapter and of any rules, guidelines, policies, and procedures issued pursuant to this chapter;

"(iii) a list of any increase in the collection of information burden, including the authority for each such collection; and

"(iv) a list of agencies that in the preceding year did not reduce information collection burdens in accordance with section 3505(a)(1), a list of the programs and statutory responsibilities of those agencies that precluded that reduction, and recommendations to assist those agencies to reduce information collection burdens in accordance with that section;

"(B) improved the quality and utility of statistical information;

"(C) improved public access to Government information; and

"(D) improved program performance and the accomplishment of agency missions through information resources management.

"(b) The preparation of any report required by this section shall be based on performance results reported by the agencies and shall not increase the collection of information burden on persons outside the Federal Government.

"§ 3515. Administrative powers

"Upon the request of the Director, each agency (other than an independent regulatory agency) shall, to the extent practicable, make its services, personnel, and facilities available to the Director for the performance of functions under this chapter.

"§ 3516. Rules and regulations

"The Director shall promulgate rules, regulations, or procedures necessary to exercise the authority provided by this chapter.

"§ 3517. Consultation with other agencies and the public

"(a) In developing information resources management policies, plans, rules, regulations, procedures, and guidelines and in reviewing collections of information, the Director shall provide interested agencies and persons early and meaningful opportunity to comment.

"(b) Any person may request the Director to review any collection of information conducted by or for an agency to determine, if, under this chapter, a person shall maintain, provide, or disclose the information to or for the agency. Unless the request is frivolous, the Director shall, in coordination with the agency responsible for the collection of information—

"(1) respond to the request within 60 days after receiving the request, unless such period is extended by the Director to a specified date and the person making the request is given notice of such extension; and

"(2) take appropriate remedial action, if necessary.

"§ 3518. Effect on existing laws and regulations

"(a) Except as otherwise provided in this chapter, the authority of an agency under any other law to prescribe policies, rules, regulations, and procedures for Federal information resources management activities is subject to the authority of the Director under this chapter.

"(b) Nothing in this chapter shall be deemed to affect or reduce the authority of the Secretary of Commerce or the Director of the Office of Management and Budget pursuant to Reorganization Plan No. 1 of 1977 (as amended) and Executive order, relating to telecommunications and information policy, procurement and management of telecommunications and information systems, spectrum use, and related matters.

"(c)(1) Except as provided in paragraph (2), this chapter shall not apply to the collection of information—

"(A) during the conduct of a Federal criminal investigation or prosecution, or during the disposition of a particular criminal matter;

"(B) during the conduct of—

"(i) a civil action to which the United States or any official or agency thereof is a party; or

"(ii) an administrative action or investigation involving an agency against specific individuals or entities;

"(C) by compulsory process pursuant to the Antitrust Civil Process Act and section 13 of the Federal Trade Commission Improvements Act of 1980; or

"(D) during the conduct of intelligence activities as defined in section 3.4(e) of Executive Order No. 12333, issued December 4, 1981, or successor orders, or during the conduct of cryptologic activities that are communications security activities.

"(2) This chapter applies to the collection of information during the conduct of general investigations (other than information collected in an antitrust investigation to the extent provided in subparagraph (C) of paragraph (1)) undertaken with reference to a category of individuals or entities such as a class of licensees or an entire industry.

"(d) Nothing in this chapter shall be interpreted as increasing or decreasing the authority conferred by Public Law 89–306 on the Administrator of the General Services Administration, the Secretary of Commerce, or the Director of the Office of Management and Budget.

"(e) Nothing in this chapter shall be interpreted as increasing or decreasing the authority of the President, the Office of Management and Budget or the Director thereof, under the laws of the United States, with respect to the substantive policies and programs of departments, agencies and offices, including the substantive authority of any Federal agency to enforce the civil rights laws.

"§ 3519. Access to information

"Under the conditions and procedures prescribed in section 716 of title 31, the Director and personnel in the Office of Informa-

tion and Regulatory Affairs shall furnish such information as the Comptroller General may require for the discharge of the responsibilities of the Comptroller General. For the purpose of obtaining such information, the Comptroller General or representatives thereof shall have access to all books, documents, papers and records, regardless of form or format, of the Office.

"§ 3520. Authorization of appropriations

"There are authorized to be appropriated to the Office of Information and Regulatory Affairs to carry out the provisions of this chapter, and for no other purpose, $8,000,000 for each of the fiscal years 1996, 1997, 1998, 1999, 2000, and 2001.".

SEC. 3. BURDEN REDUCTION REGARDING QUARTERLY FINANCIAL REPORT PROGRAM AT BUREAU OF THE CENSUS.

Section 91 of title 13, United States Code, is amended by adding at the end the following new subsection:

"(d)(1) The Secretary shall not select an organization or entity for participation in a survey, if—

"(A) the organization or entity—

"(i) has assets of less than $50,000,000;

"(ii) completed participation in a prior survey in the preceding 10-year period, as determined by the Secretary; and

"(iii) was selected for that prior survey participation after September 30, 1990; or

"(B) the organization or entity—

"(i) has assets of more than $50,000,000 and less than $100,000,000;

"(ii) completed participation in a prior survey in the preceding 2-year period, as determined by the Secretary; and

"(iii) was selected for that prior survey participation after September 30, 1995.

"(2)(A) The Secretary shall furnish advice and similar assistance to ease the burden of a small business concern which is attempting to compile and furnish the business information required of organizations and entities participating in the survey.

"(B) To facilitate the provision of the assistance under subparagraph (A), the Secretary shall establish a toll-free telephone number.

"(C) The Secretary shall expand the use of statistical sampling techniques to select organizations and entities having assets less than $100,000,000 to participate in the survey.

"(3) The Secretary may undertake such additional paperwork burden reduction initiatives with respect to the conduct of the survey as may be deemed appropriate by the Secretary.

"(4) For purposes of this subsection:

"(A) The term 'small business concern' means a business concern that meets the requirements of section 3(a) of the Small Business Act and the regulations promulgated pursuant thereto.

"(B) The term 'survey' means the collection of information by the Secretary pursuant to this section for the purpose of preparing the publication entitled 'Quarterly Financial Report for Manufacturing, Mining, and Trade Corporations'.".

SEC. 4. EFFECTIVE DATE.

44 USC 3501 note.

(a) IN GENERAL.—Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on October 1, 1995.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 3520 of title 44, United States Code, as amended by this Act, shall take effect on the date of enactment of this Act.

(c) DELAYED APPLICATION.—In the case of a collection of information for which there is in effect on September 30, 1995, a control number issued by the Office of Management and Budget under chapter 35 of title 44, United States Code—

(1) the amendments made by this Act shall apply to the collection of information beginning on the earlier of—

(A) the first renewal or modification of that collection of information after September 30, 1995; or

(B) the expiration of its control number after September 30, 1995.

(2) prior to such renewal, modification, or expiration, the collection of information shall be subject to chapter 35 of title 44, United States Code, as in effect on September 30, 1995.

Approved May 22, 1995.

LEGISLATIVE HISTORY—S. 244 (H.R. 830):

HOUSE REPORTS: Nos. 104–37 accompanying H.R. 830 (Comm. on Government Reform and Oversight) and 104–99 (Comm. of Conference).
SENATE REPORTS: No. 104–8 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Feb. 22, H.R. 830 considered and passed House.
Mar. 6, 7, S. 244 considered and passed Senate.
Mar. 10, considered and passed House, amended.
Apr. 6, Senate and House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
May 22, Presidential remarks.

Public Law 104–14
104th Congress

An Act

To provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.

June 3, 1995
[H.R. 1421]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

2 USC note prec. 21.

SECTION 1. REFERENCES IN LAW TO COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

(a) REFERENCES TO COMMITTEES WITH NEW NAMES.—Except as provided in subsection (c), any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on Armed Services of the House of Representatives shall be treated as referring to the Committee on National Security of the House of Representatives;

(2) the Committee on Banking, Finance and Urban Affairs of the House of Representatives shall be treated as referring to the Committee on Banking and Financial Services of the House of Representatives;

(3) the Committee on Education and Labor of the House of Representatives shall be treated as referring to the Committee on Economic and Educational Opportunities of the House of Representatives;

(4) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to the Committee on Commerce of the House of Representatives;

(5) the Committee on Foreign Affairs of the House of Representatives shall be treated as referring to the Committee on International Relations of the House of Representatives;

(6) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;

(7) the Committee on House Administration of the House of Representatives shall be treated as referring to the Committee on House Oversight of the House of Representatives;

(8) the Committee on Natural Resources of the House of Representatives shall be treated as referring to the Committee on Resources of the House of Representatives;

(9) the Committee on Public Works and Transportation of the House of Representatives shall be treated as referring to the Committee on Transportation and Infrastructure of the House of Representatives; and

(10) the Committee on Science, Space, and Technology of the House of Representatives shall be treated as referring to the Committee on Science of the House of Representatives.

(b) REFERENCES TO ABOLISHED COMMITTEES.—Any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on District of Columbia of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives;

(2) the Committee on Post Office and Civil Service of the House of Representatives shall be treated as referring to the Committee on Government Reform and Oversight of the House of Representatives, except that a reference with respect to the House Commission on Congressional Mailings Standards (the "Franking Commission") shall be treated as referring to the Committee on House Oversight of the House of Representatives; and

(3) the Committee on Merchant Marine and Fisheries of the House of Representatives shall be treated as referring to—

(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

(B) the Committee on National Security of the House of Representatives, in the case of a provision of law relating to interoceanic canals, the Merchant Marine Academy and State Maritime Academies, or national security aspects of merchant marine;

(C) the Committee on Resources of the House of Representatives, in the case of a provision of law relating to fisheries, wildlife, international fishing agreements, marine affairs (including coastal zone management) except for measures relating to oil and other pollution of navigable waters, or oceanography;

(D) the Committee on Science of the House of Representatives, in the case of a provision of law relating to marine research; and

(E) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to a matter other than a matter described in any of subparagraphs (A) through (D).

(c) REFERENCES TO COMMITTEES WITH JURISDICTION CHANGES.—Any reference in any provision of law enacted before January 4, 1995, to—

(1) the Committee on Energy and Commerce of the House of Representatives shall be treated as referring to—

(A) the Committee on Agriculture of the House of Representatives, in the case of a provision of law relating to inspection of seafood or seafood products;

(B) the Committee on Banking and Financial Services of the House of Representatives, in the case of a provision of law relating to bank capital markets activities generally or to depository institution securities activities generally; and

(C) the Committee on Transportation and Infrastructure of the House of Representatives, in the case of a provision of law relating to railroads, railway labor, or

railroad retirement and unemployment (except revenue measures related thereto); and

(2) the Committee on Government Operations of the House of Representatives shall be treated as referring to the Committee on the Budget of the House of Representatives in the case of a provision of law relating to the establishment, extension, and enforcement of special controls over the Federal budget.

2 USC note prec. 21.

SEC. 2. REFERENCES IN LAW TO OFFICERS OF THE HOUSE OF REPRESENTATIVES.

Any reference in any provision of law enacted before January 4, 1995, to a function, duty, or authority—

(1) of the Clerk of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives;

(2) of the Doorkeeper of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives;

(3) of the Postmaster of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives; and

(4) of the Director of Non-legislative and Financial Services of the House of Representatives shall be treated as referring, with respect to that function, duty, or authority, to the officer of the House of Representatives exercising that function, duty, or authority, as determined by the Committee on House Oversight of the House of Representatives.

Approved June 3, 1995.

LEGISLATIVE HISTORY—H.R. 1421:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 6, considered and passed House.
May 19, considered and passed Senate.

Public Law 104–15
104th Congress

An Act

To reauthorize appropriations for the Navajo-Hopi Relocation Housing Program.

June 21, 1995
[S. 349]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF APPROPRIATIONS FOR THE NAVAJO-HOPI RELOCATION HOUSING PROGRAM.

Section 25(a)(8) of Public Law 93–531 (25 U.S.C. 640d–24(a)(8)) is amended by striking "1989," and all that follows through "and 1995." and inserting "1995, 1996, and 1997.".

Approved June 21, 1995.

LEGISLATIVE HISTORY—S. 349:

HOUSE REPORTS: No. 104–29 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 26, considered and passed Senate.
June 8, considered and passed House.

Public Law 104–16
104th Congress

An Act

June 21, 1995
[S. 441]

To reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REAUTHORIZATION OF PROGRAMS.

Sections 409(e), 410(h), and 411(i) of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3208(e), 3209(h), and 3210(i), respectively) are each amended by striking "and 1995" and inserting "1995, 1996, and 1997".

Approved June 21, 1995.

LEGISLATIVE HISTORY—S. 441:

HOUSE REPORTS: No. 104–53 (Comm. on Indian Affairs).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 26, considered and passed Senate.
June 8, considered and passed House.

Public Law 104–17
104th Congress

An Act

To extend authorities under the Middle East Peace Facilitation Act of 1994 until August 15, 1995.

July 2, 1995
[S. 962]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITIES.

Section 583 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by striking "July 1, 1995" and inserting in lieu thereof "August 15, 1995". 108 Stat. 488.

Approved July 2, 1995.

LEGISLATIVE HISTORY—S. 962:

CONGRESSIONAL RECORD, Vol. 141 (1995):
June 23, considered and passed Senate.
June 29, considered and passed House.

Public Law 104–18
104th Congress

An Act

July 7, 1995
[H.R. 483]

To amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMITTING MEDICARE SELECT POLICIES TO BE OFFERED IN ALL STATES FOR AN EXTENDED PERIOD.

42 USC 1320c–3 note.

Section 4358(c) of the Omnibus Budget Reconciliation Act of 1990, as amended by section 172(a) of the Social Security Act Amendments of 1994, is amended to read as follows:

"(c) EFFECTIVE DATE.—(1) The amendments made by this section shall only apply—

"(A) in 15 States (as determined by the Secretary of Health and Human Services) and such other States as elect such amendments to apply to them, and

"(B) subject to paragraph (2), during the 6½-year period beginning with 1992.

For purposes of this paragraph, the term 'State' has the meaning given such term by section 210(h) of the Social Security Act (42 U.S.C. 410(h)).

"(2)(A) The Secretary of Health and Human Services shall conduct a study that compares the health care costs, quality of care, and access to services under medicare select policies with that under other medicare supplemental policies. The study shall be based on surveys of appropriate age-adjusted sample populations. The study shall be completed by June 30, 1997.

"(B) Not later than December 31, 1997, the Secretary shall determine, based on the results of the study under subparagraph (A), if any of the following findings are true:

"(i) The amendments made by this section have not resulted in savings of premium costs to those enrolled in medicare select policies (in comparison to their enrollment in medicare supplemental policies that are not medicare select policies and that provide comparable coverage).

"(ii) There have been significant additional expenditures under the medicare program as a result of such amendments.

"(iii) Access to and quality of care has been significantly diminished as a result of such amendments.

"(C) The amendments made by this section shall remain in effect beyond the 6½-year period described in paragraph (1)(B) unless the Secretary determines that any of the findings described in clause (i), (ii), or (iii) of subparagraph (B) are true.

"(3) The Comptroller General shall conduct a study to determine the extent to which individuals who are continuously covered under

a medicare supplemental policy are subject to medical underwriting if they change the policy under which they are covered, and to identify options, if necessary, for modifying the medicare supplemental insurance market to make sure that continuously insured beneficiaries are able to switch plans without medical underwriting. By not later than June 30, 1996, the Comptroller General shall submit to the Congress a report on the study. The report shall include a description of the potential impact on the cost and availability of medicare supplemental policies of each option identified in the study.". Reports.

Approved July 7, 1995.

LEGISLATIVE HISTORY—H.R. 483:

HOUSE REPORTS: Nos. 104–79, Pt. 1 (Comm. on Ways and Means) and Pt. 2 (Comm. on Commerce), and 104–157 (Comm. of Conference).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Apr. 6, considered and passed House.
May 17, considered and passed Senate, amended.
June 26, Senate agreed to conference report.
June 30, House agreed to conference report.

Public Law 104–19
104th Congress

An Act

Making emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes.

July 27, 1995
[H.R. 1944]

Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to provide emergency supplemental appropriations for additional disaster assistance, for anti-terrorism initiatives, for assistance in the recovery from the tragedy that occurred at Oklahoma City, and making rescissions for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I—SUPPLEMENTALS AND RESCISSIONS

CHAPTER I

DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

AGRICULTURAL RESEARCH SERVICE

(TRANSFER OF FUNDS)

Funds made available under this heading in Public Law 103–330 and subsequently transferred to "Nutrition Initiatives" are transferred to the Agricultural Research Service.

FOOD SAFETY AND INSPECTION SERVICE

For an additional amount for salaries and expenses of the Food Safety and Inspection Service, $9,082,000.

AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

SALARIES AND EXPENSES

For an additional amount for salaries and expenses of the Agricultural Stabilization and Conservation Service, $5,000,000.

COMMODITY CREDIT CORPORATION FUND

FOOD FOR PROGRESS

Notwithstanding any other provision of law, no funds of the Commodity Credit Corporation in excess of $50,000,000 for fiscal year 1995 (exclusive of the cost of commodities in the fiscal year) may be used to carry out the Food for Progress Act of 1985 (7 U.S.C. 1736o) with respect to commodities made available under section 416(b) of the Agricultural Act of 1949: *Provided,* That of this amount not more than $20,000,000 may be used without regard to section 110(g) of the Food for Progress Act of 1985 (7 U.S.C. 1736o(g)). The additional costs resulting from this provision shall be financed from funds credited to the Corporation pursuant to section 426 of Public Law 103–465.

RURAL ELECTRIFICATION ADMINISTRATION

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

The second paragraph under this heading in Public Law 103–330 (108 Stat. 2441) is amended by inserting before the period at the end, the following: ": *Provided,* That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 per centum per year".

FOOD AND NUTRITION SERVICE

COMMODITY SUPPLEMENTAL FOOD PROGRAM

The paragraph under this heading in Public Law 103–330 (108 Stat. 2441) is amended by inserting before the period at the end, the following: ": *Provided further,* That twenty per centum of any Commodity Supplemental Food Program funds carried over from fiscal year 1994 shall be available for administrative costs of the program".

GENERAL PROVISION

Section 715 of Public Law 103–330 is amended by deleting "$85,500,000" and by inserting "$110,000,000". The additional costs resulting from this provision shall be financed from funds credited to the Commodity Credit Corporation pursuant to section 426 of Public Law 103–465. 108 Stat. 2468.

OFFICE OF THE SECRETARY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $31,000 are rescinded: *Provided,* That none of the funds made available to the Department of Agriculture may be used to carry out activities under 7 U.S.C. 2257 without prior notification to the Committees on Appropriations.

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $1,500,000 are rescinded.

AGRICULTURAL RESEARCH SERVICE

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330 and other Acts, $1,400,000 are rescinded: *Provided,* That after completion of the construction of the National Swine Research Center Laboratory, all rights and title of the United States in that Center Laboratory shall be conveyed to Iowa State University.

COOPERATIVE STATE RESEARCH SERVICE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $1,051,000 are rescinded, including $524,000 for contracts and grants for agricultural research under the Act of August 4, 1965, as amended (7 U.S.C. 450i(c)); and $527,000 for necessary expenses of Cooperative State Research Service activities: *Provided,* That the amount of "$9,917,000" available under this heading in Public Law 103–330 (108 Stat. 2441) for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890, is amended to read "$9,207,000".

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330 and other Acts, $2,184,000 are rescinded.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $2,000,000 are rescinded.

RURAL DEVELOPMENT ADMINISTRATION AND FARMERS HOME ADMINISTRATION

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $15,500,000 for the cost of section 515 rental housing loans are rescinded.

LOCAL TECHNICAL ASSISTANCE AND PLANNING GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $1,750,000 are rescinded.

ALCOHOL FUELS CREDIT GUARANTEE PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 102–341, $9,000,000 are rescinded.

RURAL ELECTRIFICATION ADMINISTRATION

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $1,500,000 for the cost of 5 per centum rural telephone loans are rescinded.

FOOD AND NUTRITION SERVICE

SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

(RESCISSION)

Of the funds made available under this heading in Public Law 103–111, $20,000,000 are rescinded.

FOREIGN AGRICULTURAL SERVICE

PUBLIC LAW 480 PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–330, $40,000,000 for commodities supplied in connection with dispositions abroad, pursuant to title III of the Agricultural Trade Development and Assistance Act of 1954, as amended, are rescinded.

CHAPTER II

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

RELATED AGENCIES

NATIONAL BANKRUPTCY REVIEW COMMISSION

(TRANSFER OF FUNDS)

For the National Bankruptcy Review Commission as authorized by Public Law 103–394, $1,000,000 shall be made available until expended, to be derived by transfer from unobligated balances of the Working Capital Fund in the Department of Justice.

UNITED STATES INFORMATION AGENCY

INTERNATIONAL BROADCASTING OPERATIONS

For an additional amount for "International Broadcasting Operations", $7,290,000, for transfer to the Board for International Broadcasting to remain available until expended.

DEPARTMENT OF JUSTICE

OFFICE OF JUSTICE PROGRAMS

DRUG COURTS

(RESCISSION)

Of the funds made available under this heading in title VIII of Public Law 103–317, $17,100,000 are rescinded.

OUNCE OF PREVENTION COUNCIL

108 Stat. 1778.

Under this heading in Public Law 103–317, after the word "grants", insert the following: "and administrative expenses". After the word "expended", insert the following: ": *Provided,* That the Council is authorized to accept, hold, administer, and use gifts, both real and personal, for the purpose of aiding or facilitating the work of the Council".

GENERAL ADMINISTRATION

WORKING CAPITAL FUND

(RESCISSION)

Of the unobligated balances in the Working Capital Fund, $5,500,000 are rescinded.

LEGAL ACTIVITIES

ASSETS FORFEITURE FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $5,000,000 are rescinded.

IMMIGRATION AND NATURALIZATION SERVICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $1,000,000 are rescinded.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $28,037,000 are rescinded.

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $17,000,000 are rescinded.

INDUSTRIAL TECHNOLOGY SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $16,300,000 are rescinded.

CONSTRUCTION OF RESEARCH FACILITIES

(RESCISSION)

Of the unobligated balances available under this heading, $30,000,000 are rescinded.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $24,200,000 are rescinded.

CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $15,000,000 are rescinded.

GOES SATELLITE CONTINGENCY FUND

(RESCISSION)

Of the unobligated balances available under this heading, $2,500,000 are rescinded.

TECHNOLOGY ADMINISTRATION

UNDER SECRETARY FOR TECHNOLOGY/OFFICE OF TECHNOLOGY POLICY

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $1,750,000 are rescinded.

NATIONAL TECHNICAL INFORMATION SERVICE

NTIS REVOLVING FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, and from offsetting collections available in the revolving fund, $1,000,000 are rescinded.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

INFORMATION INFRASTRUCTURE GRANTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $4,000,000 are rescinded.

ECONOMIC DEVELOPMENT ADMINISTRATION

ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(RESCISSIONS)

Of the funds made available under this heading in Public Laws 103–75 and 102–368, $5,250,000 are rescinded.

In addition, of the funds made available under this heading in Public Law 103–317, $25,000,000 are rescinded.

THE JUDICIARY

UNITED STATES COURT OF INTERNATIONAL TRADE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $1,000,000 are rescinded.

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

DEFENDER SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $9,500,000 are rescinded.

FEES OF JURORS AND COMMISSIONERS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $5,000,000 are rescinded.

RELATED AGENCIES

SMALL BUSINESS ADMINISTRATION

BUSINESS LOANS PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $6,000,000 are rescinded: *Provided,* That funds appropriated for grants to the National Center for Genome Resources in Public Law 103–121 and Public Law 103–317 shall be available to provide consulting assistance, information, and related services, and shall be available for other purposes, notwithstanding the limitations in said public laws.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

Public Law 104–6 is amended by adding after the word "rescinded" in the paragraph under the heading "Legal Services Corporation, Payment to the Legal Services Corporation, (Rescission)" the following: ", of which $4,802,000 are from funds made available for basic field programs; $523,000 are from funds made available for Native American programs; $1,071,000 are from funds made available for migrant programs; $709,000 are from funds made available for law school clinics; $31,000 are from funds made available for supplemental field programs; $159,000 are from funds made available for regional training centers; $2,691,000 are from funds made available for national support; $2,212,000 are from funds made available for State support; $785,000 are from funds made available for client initiatives; $160,000 are from funds made available for the Clearinghouse; $73,000 are from funds made available for computer assisted legal research regional centers; and $1,784,000 are from funds made available for Corporation management and administration". *Ante,* p. 84.

DEPARTMENT OF STATE

ADMINISTRATION OF FOREIGN AFFAIRS

DIPLOMATIC AND CONSULAR PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $2,250,000 are rescinded.

ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD

(RESCISSION)

Of the unobligated balances available under this heading, $30,000,000 are rescinded.

INTERNATIONAL ORGANIZATIONS AND CONFERENCES

CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $14,617,000 are rescinded.

RELATED AGENCIES

ARMS CONTROL AND DISARMAMENT AGENCY

ARMS CONTROL AND DISARMAMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $4,000,000 are rescinded, of which $2,500,000 are from funds made available for activities related to the implementation of the Chemical Weapons Convention.

BOARD FOR INTERNATIONAL BROADCASTING

ISRAEL RELAY STATION

(RESCISSION)

Of the unobligated balances available under this heading, $2,000,000 are rescinded.

UNITED STATES INFORMATION AGENCY

EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $5,000,000 are rescinded.

RADIO CONSTRUCTION

(RESCISSION)

Of the unobligated balances available under this heading, $16,000,000 are rescinded.

RADIO FREE ASIA

(RESCISSION)

Of the funds made available under this heading in Public Law 103–317, $5,000,000 are rescinded.

CHAPTER III

ENERGY AND WATER DEVELOPMENT

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

GENERAL INVESTIGATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $10,000,000 are rescinded.

CONSTRUCTION, GENERAL

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $60,000,000 are rescinded.

DEPARTMENT OF THE INTERIOR

BUREAU OF RECLAMATION

OPERATION AND MAINTENANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316, $10,000,000 are rescinded.

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $74,000,000 are rescinded.

ATOMIC ENERGY DEFENSE ACTIVITIES

MATERIALS SUPPORT AND OTHER DEFENSE PROGRAMS

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $15,000,000 are rescinded.

DEPARTMENTAL ADMINISTRATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316, $20,000,000 are rescinded.

POWER MARKETING ADMINISTRATIONS

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(RESCISSION)

Of the amounts made available under this heading in Public Law 103–316 and prior years' Energy and Water Development Appropriations Acts, $30,000,000 are rescinded.

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316, $10,000,000 are rescinded.

TENNESSEE VALLEY AUTHORITY

TENNESSEE VALLEY AUTHORITY FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–316, $5,000,000 are rescinded.

CHAPTER IV

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

DEBT RESTRUCTURING

DEBT RELIEF FOR JORDAN

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, as amended, of modifying direct loans to Jordan

issued by the Export-Import Bank or by the Agency for International Development or by the Department of Defense, or for the cost of modifying: (1) concessional loans authorized under title I of the Agricultural Trade Development and Assistance Act of 1954, as amended, and (2) credits owed by Jordan to the Commodity Credit Corporation, as a result of the Corporation's status as a guarantor of credits in connection with export sales to Jordan; as authorized under subsection (a) under the heading, "Debt Relief for Jordan", in title VI of Public Law 103–306, $275,000,000.

MULTILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306, $15,000,000 are rescinded.

BILATERAL ECONOMIC ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

AGENCY FOR INTERNATIONAL DEVELOPMENT

DEVELOPMENT ASSISTANCE FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts, $41,300,000 are rescinded.

POPULATION, DEVELOPMENT ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts, $19,000,000 are rescinded.

DEVELOPMENT FUND FOR AFRICA

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts, $21,000,000 are rescinded.

DEBT RESTRUCTURING UNDER THE ENTERPRISE FOR THE AMERICAS INITIATIVE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–391, $2,400,000 are rescinded.

ECONOMIC SUPPORT FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–87 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts (excluding funds earmarked or otherwise made available to the Camp David countries), $25,000,000 are rescinded.

OPERATING EXPENSES OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts, $2,000,000 are rescinded.

ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE FORMER SOVIET UNION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306 and prior years' Foreign Operations, Export Financing and Related Programs Appropriations Acts for programs or projects to or through the Government of Russia, $25,000,000 are rescinded.

MILITARY ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

PEACEKEEPING OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–306, $3,000,000 are rescinded.

EXPORT ASSISTANCE

FUNDS APPROPRIATED TO THE PRESIDENT

TRADE AND DEVELOPMENT AGENCY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–87 and Public Law 103–306 and prior years' Foreign

Operations, Export Financing and Related Programs Appropriations Acts, $4,000,000 are rescinded.

CHAPTER V

DEPARTMENT OF THE INTERIOR AND RELATED AGENCIES

DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

MANAGEMENT OF LANDS AND RESOURCES

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $70,000 are rescinded, to be derived from amounts available for developing and finalizing the Roswell Resource Management Plan/Environmental Impact Statement and the Carlsbad Resource Management Plan Amendment/Environmental Impact Statement: *Provided,* That none of the funds made available in such Act or any other appropriations Act may be used for finalizing or implementing either such plan.

CONSTRUCTION AND ACCESS

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, Public Law 103–138, and Public Law 102–381, $900,000 are rescinded.

PAYMENTS IN LIEU OF TAXES

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $2,500,000 are rescinded.

LAND ACQUISITION

(RESCISSION)

Of the funds available under this heading in Public Law 102–381, Public Law 101–121, and Public Law 100–446, $1,497,000 are rescinded.

UNITED STATES FISH AND WILDLIFE SERVICE

CONSTRUCTION

(RESCISSION)

Of the funds available under this heading or the heading Construction and Anadromous Fish in Public Law 103–332, Public Law 103–211, Public Law 103–138, Public Law 103–75, Public Law 102–381, Public Law 102–154, Public Law 102–368, Public Law 101–512, Public Law 101–121, Public Law 100–446, and Public Law 100–202, $12,415,000 are rescinded.

LAND ACQUISITION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332 and any unobligated balances from funds appropriated under this heading in prior years, $1,076,000 are rescinded.

NATIONAL BIOLOGICAL SURVEY

RESEARCH, INVENTORIES, AND SURVEYS

(RESCISSION)

Of the funds available under this heading in Public Law 103–332 and Public Law 103–138, $14,549,000 are rescinded.

NATIONAL PARK SERVICE

CONSTRUCTION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332 and any unobligated balances from funds appropriated under this heading in prior years, $20,890,000 are rescinded.

URBAN PARK AND RECREATION FUND

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $7,480,000 are rescinded.

LAND ACQUISITION AND STATE ASSISTANCE

(RESCISSION)

Of the funds available under this heading in Public Law 103–332 and any unobligated balances from funds appropriated under this heading in prior years, $13,634,000 are rescinded.

MINERALS MANAGEMENT SERVICE

ROYALTY AND OFFSHORE MINERALS MANAGEMENT

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $514,000 are rescinded.

BUREAU OF INDIAN AFFAIRS

OPERATION OF INDIAN PROGRAMS

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $4,850,000 are rescinded: *Provided,* That the first proviso under this heading in Public Law 103–332 is amended by striking "$330,111,000" and inserting in lieu thereof "$329,361,000".

108 Stat. 2511.

CONSTRUCTION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332 and any unobligated balances from funds appropriated under this heading in prior years, $9,571,000 are rescinded.

INDIAN DIRECT LOAN PROGRAM ACCOUNT

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $1,700,000 are rescinded.

TERRITORIAL AND INTERNATIONAL AFFAIRS

ADMINISTRATION OF TERRITORIES

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $1,938,000 are rescinded.

TRUST TERRITORY OF THE PACIFIC ISLANDS

(RESCISSION)

Of the funds available under this heading in Public Law 99–591, $32,139,000 are rescinded.

COMPACT OF FREE ASSOCIATION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $1,000,000 are rescinded.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST RESEARCH

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $6,000,000 are rescinded.

STATE AND PRIVATE FORESTRY

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, and Public Law 103–138, $7,800,000 are rescinded.

INTERNATIONAL FORESTRY

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $2,000,000 are rescinded.

NATIONAL FOREST SYSTEM

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $1,650,000 are rescinded.

CONSTRUCTION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, Public Law 103–138, and Public Law 102–381, $6,072,000 are rescinded: *Provided,* That the first proviso under this heading in Public Law 103–332 is amended by striking "1994" and inserting in lieu thereof "1995".

108 Stat. 2520.

LAND ACQUISITION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, Public Law 103–138, and Public Law 102–381, $1,429,000 are rescinded: *Provided,* That the Chief of the Forest Service shall not initiate any new purchases of private land in Washington County, Ohio and Lawrence County, Ohio during fiscal year 1995.

DEPARTMENT OF ENERGY

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $18,100,000 are rescinded.

ENERGY CONSERVATION

(RESCISSIONS)

Of the funds available under this heading in Public Law 103–332, $35,928,000 are rescinded and of the funds available under this heading in Public Law 103–138, $13,700,000 are rescinded.

DEPARTMENT OF EDUCATION

OFFICE OF ELEMENTARY AND SECONDARY EDUCATION

INDIAN EDUCATION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $2,000,000 are rescinded.

OTHER RELATED AGENCIES

SMITHSONIAN INSTITUTION

CONSTRUCTION AND IMPROVEMENTS, NATIONAL ZOOLOGICAL PARK

(RESCISSION)

Of the funds available under this heading in Public Law 102–381 and Public Law 103–138, $1,000,000 are rescinded.

CONSTRUCTION

(RESCISSION)

Of the funds available under this heading in Public Law 102–154, Public Law 102–381, Public Law 103–138, and Public Law 103–332, $11,512,000 are rescinded.

NATIONAL GALLERY OF ART

REPAIR, RESTORATION AND RENOVATION OF BUILDINGS

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $407,000 are rescinded.

JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

CONSTRUCTION

(RESCISSION)

Of the available balances under this heading $3,000,000 are rescinded.

WOODROW WILSON INTERNATIONAL CENTER FOR SCHOLARS

SALARIES AND EXPENSES

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $1,000,000 are rescinded.

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

NATIONAL ENDOWMENT FOR THE ARTS

GRANTS AND ADMINISTRATION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $5,000,000 are rescinded.

NATIONAL ENDOWMENT FOR THE HUMANITIES

GRANTS AND ADMINISTRATION

(RESCISSION)

Of the funds available under this heading in Public Law 103–332, $5,000,000 are rescinded.

GENERAL PROVISIONS

SEC. 501. No funds made available in any appropriations Act may be used by the Department of the Interior, including but not limited to the United States Fish and Wildlife Service and the National Biological Service, to search for the Alabama sturgeon in the Alabama River, the Cahaba River, the Tombigbee River or the Tennessee-Tombigbee Waterway in Alabama or Mississippi.

SEC. 502. (a) No funds available to the Forest Service may be used to implement Habitat Conservation Areas in the Tongass National Forest for species which have not been declared threatened or endangered pursuant to the Endangered Species Act, except that with respect to goshawks the Forest Service may impose interim Goshawk Habitat Conservation Areas not to exceed 300 acres per active nest consistent with the guidelines utilized for national forests in the continental United States.

Notification. Timber.

(b) The Secretary shall notify Congress within 30 days of any timber sales which may be delayed or canceled due to the Goshawk Habitat Conservation Areas described in subsection (a).

SEC. 503. (a) As provided in subsection (b), an environmental impact statement prepared pursuant to the National Environmental Policy Act or a subsistence evaluation prepared pursuant to the Alaska National Interest Lands Conservation Act for a timber sale or offering to one party shall be deemed sufficient if the Forest Service sells the timber to an alternate buyer.

(b) The provision of this section shall apply to the timber specified in the Final Supplement to 1981–86 and 1986–90 Operating Period EIS ("1989 SEIS"), November 1989; in the North and East Kuiu Final Environmental Impact Statement, January 1993; in the Southeast Chichagof Project Area Final Environmental Impact Statement, September 1992; and in the Kelp Bay Environmental Impact Statement, February 1992, and supplemental evaluations related thereto.

SEC. 504. (a) SCHEDULE FOR NEPA COMPLIANCE.—Each National Forest System unit shall establish and adhere to a schedule for the completion of National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) analysis and decisions on all allotments within the National Forest System unit for which NEPA analysis is needed. The schedule shall provide that not more than 20 percent of the allotments shall undergo NEPA analysis and decisions through fiscal year 1996.

(b) REISSUANCE PENDING NEPA COMPLIANCE.—Notwithstanding any other law, term grazing permits which expire or are waived before the NEPA analysis and decision pursuant to the schedule developed by individual Forest Service System units, shall be issued on the same terms and conditions and for the full term of the expired or waived permit. Upon completion of the scheduled NEPA analysis and decision for the allotment, the terms and conditions

of existing grazing permits may be modified or re-issued, if necessary to conform to such NEPA analysis.

(c) EXPIRED PERMITS.—This section shall only apply if a new term grazing permit has not been issued to replace an expired or waived term grazing permit solely because the analysis required by NEPA and other applicable laws has not been completed and also shall include permits that expired or were waived in 1994 and 1995 before the date of enactment of this Act.

CHAPTER VI

DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $1,349,115,000 are rescinded, including $10,000,000 for necessary expenses of construction, rehabilitation, and acquisition of new Job Corps centers, $2,500,000 for the School-to-Work Opportunities Act, $4,293,000 for section 401 of the Job Training Partnership Act, $5,743,000 for section 402 of such Act, $3,861,000 for service delivery areas under section 101(a)(4)(A)(iii) of such Act, $58,000,000 for carrying out title II, part A of such Act, $272,010,000 for carrying out title II, part C of such Act, $2,223,000 for the National Commission for Employment Policy and $500,000 for the National Occupational Information Coordinating Committee: *Provided,* That service delivery areas may transfer up to 50 percent of the amounts allocated for program years 1994 and 1995 between the title II–B and title II–C programs authorized by the Job Training Partnership Act, if such transfers are approved by the Governor.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

(RESCISSIONS)

Of the funds made available in the first paragraph under this heading in Public Law 103–333, $11,263,000 are rescinded.

Of the funds made available in the second paragraph under this heading in Public Law 103–333, $3,177,000 are rescinded.

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $20,000,000 are rescinded, and amounts which may be expended from the Employment Security Administration account in the Unemployment Trust Fund are reduced from $3,269,097,000 to $3,201,397,000.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $700,000 are rescinded.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

HEALTH RESOURCES AND SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $41,350,000 are rescinded.

CENTERS FOR DISEASE CONTROL AND PREVENTION

DISEASE CONTROL, RESEARCH, AND TRAINING

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $2,300,000 are rescinded.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CENTER FOR RESEARCH RESOURCES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for extramural facilities construction grants, $10,000,000 are rescinded.

BUILDINGS AND FACILITIES

(RESCISSION)

Of the available balances under this heading, $60,000,000 are rescinded.

ASSISTANT SECRETARY FOR HEALTH

OFFICE OF THE ASSISTANT SECRETARY FOR HEALTH

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $1,400,000 are rescinded.

AGENCY FOR HEALTH CARE POLICY AND RESEARCH

HEALTH CARE POLICY AND RESEARCH

(RESCISSION)

Of the Federal funds made available under this heading in Public Law 103–333, $3,132,000 are rescinded.

HEALTH CARE FINANCING ADMINISTRATION

PROGRAM MANAGEMENT

(RESCISSION)

Funds made available under this heading in Public Law 103–333 are reduced from $2,207,135,000 to $2,187,435,000, and funds transferred to this account as authorized by section 201(g) of the Social Security Act are reduced to the same amount.

ADMINISTRATION FOR CHILDREN AND FAMILIES

JOB OPPORTUNITIES AND BASIC SKILLS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, there is rescinded an amount equal to the total of the funds within each State's limitation for fiscal year 1995 that are not necessary to pay such State's allowable claims for such fiscal year.

Section 403(k)(3)(E) of the Social Security Act (as amended by Public Law 100–485) is amended by adding before the "and": "reduced by an amount equal to the total of those funds that are within each State's limitation for fiscal year 1995 that are not necessary to pay such State's allowable claims for such fiscal year (except that such amount for such year shall be deemed to be $1,300,000,000 for the purpose of determining the amount of the payment under subsection (l) to which each State is entitled),". 42 USC 603.

LOW INCOME HOME ENERGY ASSISTANCE

(RESCISSION)

Of the funds made available in the third paragraph under this heading in Public Law 103–333, $319,204,000 are rescinded: *Provided,* That of the funds made available in the fourth paragraph under this heading in Public Law 103–333, $300,000,000 shall remain available until September 30, 1996.

STATE LEGALIZATION IMPACT-ASSISTANCE GRANTS

(RESCISSION)

Of the funds made available in the second paragraph under this heading in Public Law 103–333, $2,000,000 are rescinded.

COMMUNITY SERVICES BLOCK GRANT

(RESCISSIONS)

Of the funds made available under this heading in Public Law 103–333, $13,387,000 are rescinded.

Of the funds made available under this heading in Public Law 103–333 and reserved by the Secretary pursuant to section 674(a)(1) of the Community Services Block Grant Act, $1,900,000 are rescinded.

CHILDREN AND FAMILIES SERVICES PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 to be derived from the Violent Crime Reduction Trust Fund, $15,900,000 are rescinded for carrying out the Community Schools Youth Services and Supervision Grant Program Act of 1994: *Provided,* That the funds remaining available for obligation after this rescission for carrying out this Act may only be used for entrepreneurship, academic, or tutorial programs or for work force preparation.

ADMINISTRATION ON AGING

AGING SERVICES PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $899,000 are rescinded.

OFFICE OF THE SECRETARY

POLICY RESEARCH

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $4,018,000 are rescinded.

DEPARTMENT OF EDUCATION

EDUCATION REFORM

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $34,030,000 are rescinded, including $10,000,000 from funds made available for State and local education systemic improvement, and $21,530,000 from funds made available for Federal activities under the Goals 2000: Educate America Act; and $2,500,000 from funds made available under the School-to-Work Opportunities Act for National programs.

EDUCATION FOR THE DISADVANTAGED

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $4,606,000 are rescinded from part E, section 1501 of the Elementary and Secondary Education Act.

SCHOOL IMPROVEMENT PROGRAMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $182,940,000 are rescinded as follows: From the Elementary and Secondary Education Act, title II–B, $69,000,000, title IV, $15,981,000, title V–C, $16,000,000, title IX–B, $3,000,000, title X–D, $1,500,000, title X–G, $1,185,000, section 10602, $1,399,000, title XII, $35,000,000, and title XIII–A, $14,900,000; from the Higher Education Act, section 596, $13,875,000; and from funds derived from the Violent Crime Reduction Trust Fund, $11,100,000.

BILINGUAL AND IMMIGRANT EDUCATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $38,500,000 are rescinded from funding for title VII–A of the Elementary and Secondary Education Act.

VOCATIONAL AND ADULT EDUCATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $90,607,000 are rescinded as follows: From the Carl D. Perkins Vocational and Applied Technology Education Act, title III–A, and III–B, $43,888,000, and from title IV–A, IV–B and IV–C, $23,434,000; from the Adult Education Act, part B–7, $7,787,000 and part C, section 371, $6,000,000; and from the Stewart B. McKinney Homeless Assistance Act, $9,498,000.

STUDENT FINANCIAL ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $85,000,000 are rescinded from funding for the Higher Education Act, title IV, including $65,000,000 from part A–1 and $20,000,000 from part H–1: *Provided,* That of the funds remaining under this heading from Public Law 103–333, $6,178,680,000 shall be for part A–1.

HIGHER EDUCATION

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $43,472,000 are rescinded as follows: From amounts available for Public Law 99–498, $500,000; the Higher Education

Act, title IV–A, chapter 5, $496,000, title V–C, subparts 1 and 3, $16,175,000, title IX–B, $10,100,000, title IX–C, $942,000, title IX–E, $3,520,000, title IX–G, $1,698,000, title X–D, $2,920,000, and title XI–A, $3,000,000; Public Law 102–325, $1,000,000; and the Excellence in Mathematics, Science, and Engineering Education Act of 1990, $3,121,000: *Provided,* That in carrying out title IX–B, the remaining appropriations shall not be available for awards for doctoral study: *Provided further,* That the funds remaining for Public Law 99–498 shall be available only for native Alaskans.

HOWARD UNIVERSITY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $1,800,000 are rescinded.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333 for the costs of direct loans, as authorized under part C of title VII of the Higher Education Act, as amended, $168,000 are rescinded, and the authority to subsidize gross loan obligations is repealed. In addition, $264,000 appropriated for administrative expenses are rescinded.

EDUCATION RESEARCH, STATISTICS, AND IMPROVEMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $30,925,000 are rescinded as follows: From the Elementary and Secondary Education Act, title III–A, $17,500,000, title III–B, $5,000,000, title III–D, $1,125,000, title X–B, $4,600,000 and title XIII–B, $2,700,000: *Provided,* That of the amount made available under this heading in Public Law 103–333, for title III–B, $8,000,000 shall be reserved for additional projects that competed in the most recent competition for statewide fiber-optics projects.

RELATED AGENCIES

CORPORATION FOR PUBLIC BROADCASTING

(RESCISSION)

Of the funds made available under this heading in Public Law 103–112, $37,000,000 are rescinded. Of the funds made available under this heading in Public Law 103–333, $55,000,000 are rescinded.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–333, $7,000,000 are rescinded.

GENERAL PROVISIONS

FEDERAL DIRECT STUDENT LOAN PROGRAM

SEC. 601. Section 458(a) of the Higher Education Act of 1965 (20 U.S.C. 1087h(a)) is amended—

(1) by striking "$345,000,000" and inserting "$284,000,000"; and

(2) by striking "$2,500,000,000" and inserting "$2,439,000,000".

SEC. 602. None of the funds made available in any appropriations Act for fiscal year 1995 may be used by the Occupational Safety and Health Administration to promulgate or issue any proposed or final standard or guideline regarding ergonomic protection. Nothing in this section shall be construed to limit the Occupational Safety and Health Administration from conducting any peer-reviewed risk assessment activity regarding ergonomics, including conducting peer reviews of the scientific basis for establishing any standard or guideline, direct or contracted research, or other activity necessary to fully establish the scientific basis for promulgating any standard or guideline on ergonomic protection.

CHAPTER VII

LEGISLATIVE BRANCH

HOUSE OF REPRESENTATIVES

PAYMENTS TO WIDOWS AND HEIRS OF DECEASED MEMBERS OF CONGRESS

For payment to the family trust of Dean A. Gallo, late a Representative from the State of New Jersey, $133,600. Dean A. Gallo.

JOINT ITEMS

JOINT ECONOMIC COMMITTEE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $460,000 are rescinded.

JOINT COMMITTEE ON PRINTING

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $238,137 are rescinded.

OFFICE OF TECHNOLOGY ASSESSMENT

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $650,000 are rescinded.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $187,000 are rescinded.

ARCHITECT OF THE CAPITOL

CAPITOL BUILDINGS AND GROUNDS

SENATE OFFICE BUILDINGS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $850,000 are rescinded.

CAPITOL POWER PLANT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $1,650,000 are rescinded.

ADMINISTRATIVE PROVISION

SEC. 701. Section 319 of the Legislative Branch Appropriations Act, 1990 (40 U.S.C. 162–1) is amended—

(1) by striking out "Office" each place it appears and inserting in lieu thereof "office";

(2) in the second sentence of subsection (a)(2), by striking out "Commission" and inserting in lieu thereof "commission"; and

(3) in subparagraph (D) of paragraph (2) of subsection (a), by striking out "Administration" and all that follows through the end of the subparagraph, and inserting in lieu thereof "Oversight of the House of Representatives, the Committee on Rules and Administration of the Senate, the Committee on Appropriations of the House of Representatives, and the Committee on Appropriations of the Senate.".

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $5,000,000 are rescinded.

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $600,000 are rescinded.

BOTANIC GARDEN

SALARIES AND EXPENSES

(RESCISSION AND TRANSFER OF FUNDS)

Of the funds made available until expended by transfer under this heading in Public Law 103–283, $4,000,000 are rescinded.

Of the funds made available until expended by transfer under this heading in Public Law 103–283, $3,000,000 shall be transferred to the appropriation "Architect of the Capitol, Capitol Buildings and Grounds, Capitol Complex Security Enhancements", and shall remain available until expended.

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $150,000 are rescinded.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $100,000 are rescinded.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–283, $2,617,000 are rescinded.

ADMINISTRATIVE PROVISION

SEC. 702. The General Accounting Office may for such employees as it deems appropriate authorize a payment to employees who voluntarily separate before October 1, 1995, whether by retirement or resignation, which payment shall be paid in accordance with the provisions of section 5597(d) of title 5, United States Code. 5 USC 5597 note.

CHAPTER VIII

DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

WORKING CAPITAL FUND

(RESCISSION)

The obligation authority under this heading in Public Law 103–331 is hereby reduced by $6,000,000.

PAYMENTS TO AIR CARRIERS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the funds made available under this account, $5,300,000 are rescinded: *Provided,* That the Secretary shall not enter into any contracts for "Small Community Air Service" beyond September 30, 1995, which require compensation fixed and determined under subchapter II of chapter 417 of title 49, United States Code (49 U.S.C. 41731–42) payable by the Department of Transportation.

COAST GUARD

OPERATING EXPENSES

(RESCISSION)

Of the amounts provided under this heading in Public Law 103–331, $4,300,000 are rescinded.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

(RESCISSION)

Of the available balances under this heading, $35,314,000 are rescinded.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

(RESCISSION)

Of the available balances under this heading, $2,500,000 are rescinded.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(RESCISSION)

Of the available balances under this heading, $1,000,000 are rescinded.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, $24,850,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, $7,500,000 are rescinded.

GRANTS-IN-AID FOR AIRPORTS

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available contract authority balances under this account, $2,094,000,000 are rescinded.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

(RESCISSION OF CONTRACT AUTHORIZATION)

The obligation limitation under this heading in Public Law 103–331 is hereby reduced by $54,550,000.

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(RESCISSIONS OF CONTRACT AUTHORIZATION)

The obligation limitation under this heading in Public Law 103–331 is hereby reduced by $132,190,000, of which $27,640,000 shall be deducted from amounts made available for the Applied Research and Technology Program authorized under section 307(e) of title 23, United States Code, and $50,000,000 shall be deducted from the amounts available for the Congestion Pricing Pilot Program authorized under section 1002(b) of Public Law 102–240, and $54,550,000 shall be deducted from the limitation on General Operating Expenses: *Provided,* That the amounts deducted from the aforementioned programs are rescinded. 23 USC 104 note.

FEDERAL-AID HIGHWAYS

EMERGENCY RELIEF PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION)

Of the amounts provided under this heading in Public Law 103–211, $100,000,000 are rescinded.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

(TRANSFER OF FUNDS)

108 Stat. 2496.

Section 341 of Public Law 103–331 is amended by deleting "and received from the Delaware and Hudson Railroad," after "amended,".

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

(RESCISSION)

Of the available balances under this heading, $9,707,000 are rescinded.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT PROGRAM

(HIGHWAY TRUST FUND)

(RESCISSION OF CONTRACT AUTHORIZATION)

Of the available balances of contract authority under this heading, $250,000,000 are rescinded.

FEDERAL TRANSIT ADMINISTRATION

TRANSIT PLANNING AND RESEARCH

(RESCISSION)

Of the available balances under this heading, $7,000,000 are rescinded.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

(RESCISSIONS OF CONTRACT AUTHORIZATION)

Notwithstanding section 313 of Public Law 103–331, the obligation limitations under this heading in the following Department of Transportation and Related Agencies Appropriations Acts are reduced by the following amounts:

Public Law 102–143, $31,681,500, to be distributed as follows:

(a) $1,281,500 is rescinded from amounts made available for replacement, rehabilitation, and purchase of buses and

related equipment and the construction of bus-related facilities: *Provided,* That the foregoing reduction shall be distributed according to the reductions identified in Senate Report 104–17, for which the obligation limitation in Public Law 102–143 was applied; and

(b) $30,400,000 is rescinded from amounts made available for new fixed guideway systems, to be distributed as follows:

$1,000,000, Cleveland Dual Hub Corridor Project;

$465,000, Kansas City-South LRT Project;

$950,000, San Diego Mid-Coast Extension Project;

$17,100,000, Hawthorne-Warwick Commuter Rail Project;

$375,000, New York Staten Island Midtown Ferry Project;

$4,000,000, San Jose-Gilroy Commuter Rail Project;

$1,620,000, Seattle-Tacoma Commuter Rail Project; and

$4,890,000, Detroit LRT Project.

Public Law 101–516, $2,230,000, to be distributed as follows:

(a) $2,230,000 is rescinded from amounts made available for new fixed guideway systems, for the Cleveland Dual Hub Corridor Project.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For an additional amount for liquidation of obligations incurred in carrying out section 5338(b) of title 49, United States Code, $350,000,000, to be derived from the Highway Trust Fund and to remain available until expended.

GENERAL PROVISIONS

(INCLUDING RESCISSIONS)

SEC. 801. Of the funds provided in Public Law 103–331 for the Department of Transportation working capital fund (WCF), $6,000,000 are rescinded, which limits fiscal year 1995 WCF obligational authority for elements of the Department of Transportation funded in Public Law 103–331 to no more than $87,000,000.

SEC. 802. Of the total budgetary resources available to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1995 for civilian and military compensation and benefits and other administrative expenses, $15,000,000 are permanently canceled.

SEC. 803. Section 326 of Public Law 103–122 is hereby amended to delete the words "or previous Acts" each time they appear in that section. 107 Stat. 1222.

CHAPTER IX

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

(TRANSFER OF FUNDS)

Of the funds made available for the Federal Buildings Fund in Public Law 103–329, $5,000,000 shall be made available by the General Services Administration to implement an agreement between the Food and Drug Administration and another entity for space, equipment and facilities related to seafood research.

OFFICE OF PERSONNEL MANAGEMENT

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE BENEFITS

For an additional amount for "Government payment for annuitants, employee life insurance", $9,000,000 to remain available until expended.

DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

108 Stat. 2382. In the paragraph under this heading in Public Law 103–329, delete "of which not less than $6,443,000 and 85 full-time equivalent positions shall be available for enforcement activities;".

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $100,000 are rescinded.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for "Salaries and expenses", $11,000,000, to remain available until September 30, 1996.

108 Stat. 2383. In the paragraph under this heading in Public Law 103–329, delete "first-aid and emergency" and insert "short-term" before "medical services".

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

(RESCISSION)

Of the funds made available for construction at the Davis-Monthan Training Center under Public Law 103–123, $5,000,000

are rescinded. Of the funds made available for construction at the Davis-Monthan Training Center under Public Law 103–329, $6,000,000 are rescinded: *Provided,* That $1,000,000 of the remaining funds made available under Public Law 103–123 shall be used to initiate design and construction of a Burn Building at the Training Center in Glynco, Georgia.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $160,000 are rescinded.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–123, $1,500,000 are rescinded.

UNITED STATES MINT

SALARIES AND EXPENSES

In the paragraph under this heading in Public Law 103–329, insert "not to exceed" after "of which". 108 Stat. 2386.

INTERNAL REVENUE SERVICE

INFORMATION SYSTEMS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $1,490,000 are rescinded.

ADMINISTRATIVE PROVISION—INTERNAL REVENUE SERVICE

In the paragraph under this heading in Public Law 103–329, in section 3, after "$119,000,000", insert "annually". 26 USC 7801 note.

EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

THE WHITE HOUSE OFFICE

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $171,000 are rescinded.

FEDERAL DRUG CONTROL PROGRAMS

SPECIAL FORFEITURE FUND

(INCLUDING RESCISSION AND TRANSFER OF FUNDS)

For activities authorized by Public Law 100–690, an additional amount of $13,200,000, to remain available until expended for transfer to the United States Customs Service, "Salaries and expenses" for carrying out border enforcement activities: *Provided,* That of the funds made available under this heading in Public Law 103–329, $13,200,000 are rescinded.

INDEPENDENT AGENCIES

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON THE AVAILABILITY OF REVENUE

(RESCISSION)

Of the funds made available under this heading in Public Laws 101–136, 101–509, 102–27, 102–141, 102–393, 103–123, 103–329, $631,412,000 are rescinded from the following projects in the following amounts:

Arizona:
Bullhead City, a grant to the Federal Aviation Administration for a runway protection zone, $2,200,000.
Lukeville, commercial lot expansion, $1,219,000.
Nogales, U.S. Border Patrol Sector, headquarters, $2,000,000.
Phoenix, U.S. Courthouse, $12,137,000.
San Luis, primary lane expansion and administrative office space, $3,496,000.
Sierra Vista, U.S. Magistrates office, $1,000,000.
California:
Menlo Park, United States Geological Survey, Office laboratory building, $790,000.
San Francisco, Federal Office Building, $9,701,000.
District of Columbia:
Central and West heating plants, $5,000,000.
Corps of Engineers, headquarters, $37,618,000.
General Services Administration, Southeast Federal Center, headquarters, $25,000,000.
U.S. Secret Service, headquarters, $9,316,000.
Florida:
Tampa, U.S. Courthouse, $5,994,000.
Georgia:
Albany, U.S. Courthouse, $87,000.
Atlanta, Centers for Disease Control, site acquisition and improvement, $25,890,000.
Atlanta, Centers for Disease Control, $14,110,000.
Hawaii:
University of Hawaii-Hilo, Consolidation, $12,000,000.
Illinois:
Chicago, Social Security Administration District Office, $2,130,000.

Chicago, Federal Center, $29,753,000.
Chicago, John C. Kluczynski, Jr., Federal building, $13,414,000.
Maryland:
Avondale, De LaSalle building, $16,671,000.
Montgomery County, FDA consolidation, $228,000,000.
Woodlawn, SSA East High-Low building, $17,292,000.
Massachusetts:
Boston, Federal building-U.S. Courthouse, $4,076,000.
Nevada:
Reno, Federal building-U.S. Courthouse, $1,465,000.
New Hampshire:
Concord, Federal building-U.S. Courthouse, $3,519,000.
New Jersey:
Newark, parking facility, $8,500,000.
New Mexico:
Santa Teresa, Border Station, $4,004,000.
North Dakota:
Fargo, Federal building-U.S. Courthouse, $1,371,000.
Ohio:
Steubenville, U.S. Courthouse, $2,820,000.
Oregon:
Portland, U.S. Courthouse, $5,000,000.
Pennsylvania:
Philadelphia, Veterans Administration, $1,276,000.
Texas:
Ysleta, site acquisition and construction, $1,727,000.
United States Virgin Islands:
Charlotte Amalie, St. Thomas, U.S. Courthouse Annex, $2,184,000.
Washington:
Seattle, U.S. Courthouse, $10,949,000.
Walla Walla, Corps of Engineers building, $2,800,000.
West Virginia:
Wheeling, Federal building and U.S. Courthouse, $28,303,000.
Nationwide:
Chlorofluorocarbons program, $33,300,000.
Energy program, $45,300,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $1,396,000 are rescinded.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–329, $3,140,000 are rescinded.

GENERAL PROVISIONS

SEC. 901. Section 5545a of title 5, United States Code, is amended—

(1) in subsection (a)(2)—

(A) in the matter before subparagraph (A) by striking "is required to" and inserting in lieu thereof "who is required to"; and

(B) by inserting "and" immediately after subparagraph (E)(v); and

(2) by adding at the end thereof the following new subsection:

"(j) Notwithstanding any other provision of this section, any Office of Inspector General which employs fewer than 5 criminal investigators may elect not to cover such criminal investigators under this section.".

SEC. 902. (a) Section 5545a of title 5, United States Code, is amended by inserting at the appropriate place the following new subsection:

"(i) The provisions of subsections (a)–(h) providing for availability pay shall apply to a pilot employed by the United States Customs Service who is a law enforcement officer as defined under section 5541(3). For the purpose of this section, section 5542(d) of this title, and section 13(a)(16) and (b)(30) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(16) and (b)(30)), such pilot shall be deemed to be a criminal investigator as defined in this section. The Office of Personnel Management may prescribe regulations to carry out this subsection.".

Effective date. 5 USC 5545a note.

(b) The amendment made by subsection (a) of this section shall take effect on the first day of the first applicable pay period which begins on or after the 30th day following the date of enactment of this Act.

108 Stat. 2412.

SEC. 903. Section 528 of Public Law 103–329 is amended by adding at the end a new proviso: "*Provided further,* That the amount set forth therefor in the budget estimates may be exceeded by no more than 5 percent in the event of emergency requirements.".

CHAPTER X

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

DISASTER RELIEF

For an additional amount for "Disaster Relief" for necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $3,275,000,000, to remain available until expended: *Provided,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

DISASTER RELIEF EMERGENCY CONTINGENCY FUND

For necessary expenses in carrying out the functions of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), $3,275,000,000, to become available on October 1, 1995, and remain available until expended: *Provided,* That such amount shall be available only to the extent that an official budget request for a specific dollar amount, that includes designation of the entire amount of the request as an emergency requirement as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted by the President to Congress: *Provided further,* That such amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

NATIONAL FLOOD INSURANCE FUND

(TRANSFER OF FUNDS)

Of the funds available from the National Flood Insurance Fund for activities under the National Flood Insurance Reform Act of 1994, an additional amount not to exceed $331,000 shall be transferred as needed to the "Salaries and expenses" appropriation for flood mitigation and flood insurance operations, and an additional amount not to exceed $5,000,000 shall be transferred as needed to the "Emergency management planning and assistance" appropriation for flood mitigation expenses pursuant to the National Flood Insurance Reform Act of 1994.

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $50,000,000 are rescinded: *Provided,* That section 509 of the general provisions carried in title V of Public Law 103–327 regarding personnel compensation and benefits expenditures shall not apply to the funds provided under this heading in such Act.

DEPARTMENTAL ADMINISTRATION

CONSTRUCTION, MAJOR PROJECTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and prior years, $31,000,000 are rescinded.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HOUSING PROGRAMS

NATIONAL HOMEOWNERSHIP TRUST DEMONSTRATION PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $50,000,000 are rescinded.

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and any unobligated balances from funds appropriated under this heading in prior years, $5,131,400,000 are rescinded: *Provided,* That of the total rescinded under this heading, $700,600,000 shall be from amounts earmarked for development or acquisition costs of public housing (including $80,000,000 of funds for public housing for Indian families), except that such rescission shall not apply to funds for priority replacement housing for units demolished or disposed of (including units to be disposed of pursuant to a homeownership program under section 5(h) or title III of the United States Housing Act of 1937, as amended (hereinafter referred to as "the Act")) from the existing public housing inventory, as determined by the Secretary, or to funds related to litigation settlements or court orders, and the Secretary shall not be required to make any remaining funds available pursuant to section 213(d)(1)(A) of the Housing and Community Development Act of 1974 and notwithstanding any other provision of law, the Secretary may recapture unobligated funds for development or acquisition costs of public housing (including public housing for Indians) irrespective of the length of time funds have been reserved or of any time extension previously granted by the Secretary; $1,956,000,000 shall be from amounts earmarked for new incremental rental subsidy contracts under the section 8 existing housing certificate program (42 U.S.C. 1437f) and the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o)), excluding $300,000,000 previously made available for the Economic Development Initiative (EDI), and the remaining authority for such purposes shall be only for units necessary to provide housing assistance for residents to be relocated from existing federally subsidized or assisted housing, for replacement housing for units demolished or disposed of (including units to be disposed of pursuant to a homeownership program under section 5(h) or title III of the United States Housing Act of 1937) from the public housing inventory, for funds related to litigation settlements or court orders, for amendments to contracts to permit continued assistance to participating families, or to enable public housing authorities to implement "mixed population" plans for developments housing primarily elderly residents; $815,000,000 shall be from amounts earmarked for the modernization of existing public housing projects pursuant to section 14 of the United States Housing Act of 1937, and the Secretary shall take actions necessary to assure that such rescission is distributed among public housing authorities, as if such rescission occurred prior to the commencement of the fiscal year; $22,000,000 shall be from amounts earmarked for special purpose grants;

$148,300,000 shall be from amounts earmarked for loan management set-asides; $15,000,000 shall be from amounts earmarked for the family unification program; $15,000,000 shall be from amounts earmarked for the housing opportunities for persons with AIDS program; $34,200,000 shall be from amounts earmarked for lease adjustments; $39,000,000 shall be from amounts previously made available under this head in Public Law 103–327, and previous Acts, which are recaptured (in addition to other sums which are, or may be recaptured); $70,000,000 shall be from amounts earmarked for section 8 counseling; $50,000,000 shall be from amounts earmarked for service coordinators; $66,000,000 shall be from amounts earmarked for family investment centers; $85,300,000 shall be from amounts earmarked for the lead-based paint hazard reduction program; and $1,115,000,000 shall be from funds available for all new incremental units (including funds previously reserved or obligated and recaptured for the development or acquisition costs of public housing (including public housing for Indian families), incremental rental subsidy contracts under the section 8 existing housing certificate program (42 U.S.C. 1437f), and the housing voucher program under section 8(o) of the Act (42 U.S.C. 1437f(o))) and non-incremental, unobligated balances: *Provided further,* That in allocating this $1,115,000,000 rescission, the Secretary may reduce the appropriations needs of the Department by (1) waiving any provision of section 202 of the Housing Act of 1959 and section 811 of the National Affordable Housing Act (including the provisions governing the terms and conditions of project rental assistance) that the Secretary determines is not necessary to achieve the objectives of these programs, or that otherwise impedes the ability to develop, operate or administer projects assisted under these programs, and may make provision for alternative conditions or terms where appropriate and (2) managing and disposing of HUD-owned and HUD-held multifamily properties without regard to any other provision of law: *Provided further,* That the Secretary shall submit to the appropriate committees of the Congress a detailed operating plan of proposed funding levels for activities under this account within 30 days of enactment of this Act, and such funding levels shall not be subject to pre-existing earmarks or set-asides, notwithstanding any other provision of law.

(DEFERRAL)

Of the funds made available under this heading in Public Law 103–327 and any unobligated balances from funds appropriated under this heading in prior years, $405,900,000 of amounts earmarked for the preservation of low-income housing programs (excluding $17,000,000 previously earmarked, plus an additional $5,000,000, for preservation technical assistance grant funds pursuant to section 253 of the Housing and Community Development Act of 1987, as amended) shall not become available for obligation until September 30, 1995: *Provided,* That, notwithstanding any other provision of law, pending the availability of such funds, the Department of Housing and Urban Development may suspend further processing of applications.

ASSISTANCE FOR THE RENEWAL OF EXPIRING SECTION 8 SUBSIDY CONTRACTS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, and in prior years, $1,177,000,000 are rescinded: *Provided,* That renewals of expiring section 8 contracts with funds provided under this heading in Public Law 103–327, and in prior years, may be for a term of two years. In renewing an annual contributions contract with a public housing agency administering the tenant-based existing housing certificate program (42 U.S.C. 1437f) or the housing voucher program under section 8(o) (42 U.S.C. 1437f(o)) of the United States Housing Act of 1937, as amended, the Secretary shall take into account the amount in the project reserve under the contract being renewed in determining the amount of budget authority to obligate under the renewed contract (the total amount available in all such project reserves is estimated to be $427,000,000) and the Secretary may determine not to apply section 8(o)(6)(B) of the Act to renewals of housing vouchers during the remainder of fiscal year 1995.

CONGREGATE SERVICES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and any unobligated balances from funds appropriated under this heading in prior years, $37,000,000 are rescinded.

YOUTHBUILD PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $10,000,000 are rescinded.

HOUSING COUNSELING ASSISTANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $38,000,000 are rescinded.

FLEXIBLE SUBSIDY FUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and any unobligated balances from funds appropriated under this heading in prior years, and excess rental charges, collections and other amounts in the fund, $8,000,000 are rescinded.

NEHEMIAH HOUSING OPPORTUNITIES FUND

(RESCISSION)

Of the funds transferred to this revolving fund in prior years, $10,500,000 are rescinded.

HOMELESS ASSISTANCE

HOMELESS ASSISTANCE GRANTS

(DEFERRAL)

Of the funds made available under this heading in Public Law 103–327, $297,000,000 shall not become available for obligation until September 30, 1995.

ADMINISTRATIVE PROVISIONS

SEC. 1001. (a) Section 14 of the United States Housing Act of 1937 is amended by adding at the end the following new subsection: 42 USC 1437l.

"(q)(1) Notwithstanding any other provision of law, a public housing agency may use modernization assistance provided under section 14 for any eligible activity related to public housing which is currently authorized by this Act or applicable appropriations Acts for a public housing agency, including the demolition of existing units, for replacement housing, modernization activities related to the public housing portion of housing developments held in partnership, or cooperation with non-public housing entities, and for temporary relocation assistance, provided that the assistance provided to the public housing agency under section 14 is principally used for the physical improvement or replacement of public housing and for associated management improvements, except as otherwise approved by the Secretary, and provided the public housing agency consults with the appropriate local government officials (or Indian tribal officials) and with tenants of the public housing developments. The public housing agency shall establish procedures for consultation with local government officials and tenants, and shall follow applicable regulatory procedures as determined by the Secretary.

"(2) The authorization provided under this subsection shall not extend to the use of public housing modernization assistance for public housing operating assistance.".

(b) Subsection (a) shall be effective for assistance appropriated on or before the effective date of this Act. Effective date. 42 USC 1437l note.

SEC. 1002. (a) Section 18 of the United States Housing Act of 1937 is amended by— 42 USC 1437p.

(1) inserting "and" at the end of subsection (b)(1);

(2) striking all that follows after "Act" in subsection (b)(2) and inserting in lieu thereof the following: ", and the public housing agency provides for the payment of the relocation expenses of each tenant to be displaced, ensures that the rent paid by the tenant following relocation will not exceed the amount permitted under this Act and shall not commence demolition or disposition of any unit until the tenant of the unit is relocated.";

(3) striking subsection (b)(3);

(4) striking "(1)" in subsection (c);

(5) striking subsection (c)(2);

(6) inserting before the period at the end of subsection (d) the following: ": *Provided,* That nothing in this section shall prevent a public housing agency from consolidating occupancy within or among buildings of a public housing project, or among projects, or with other housing for the purpose of

improving the living conditions of or providing more efficient services to its tenants";

(7) striking "under section (b)(3)(A)" in each place it occurs in subsection (e);

(8) redesignating existing subsection (f) as subsection (g); and

(9) inserting a new subsection (f) as follows:

"(f) Notwithstanding any other provision of law, replacement housing units for public housing units demolished may be built on the original public housing site or in the same neighborhood if the number of such replacement units is significantly fewer than the number of units demolished.".

42 USC 1437aaa–3.

(b) Section 304(g) of the United States Housing Act of 1937 is hereby repealed.

42 USC 1437c.

(c) Section 5(h) of the United States Housing Act of 1937 is amended by striking the last sentence.

Effective date. 42 USC 1437c note.

(d) Subsections (a), (b), and (c) shall be effective for plans for the demolition, disposition or conversion to homeownership of public housing approved by the Secretary on or before September 30, 1995: *Provided,* That no application for replacement housing submitted by a public housing agency to implement a final order of a court issued, or a settlement approved by a court, before enactment of this Act, shall be affected by such amendments.

42 USC 1437f.

SEC. 1003. Section 8 of the United States Housing Act of 1937 is amended by adding the following new subsection:

"(z) TERMINATION OF SECTION 8 CONTRACTS AND REUSE OF RECAPTURED BUDGET AUTHORITY.—

"(1) GENERAL AUTHORITY.—The Secretary may reuse any budget authority, in whole or part, that is recaptured on account of termination of a housing assistance payments contract (other than a contract for tenant-based assistance) only for one or more of the following:

"(A) TENANT-BASED ASSISTANCE.—Pursuant to a contract with a public housing agency, to provide tenant-based assistance under this section to families occupying units formerly assisted under the terminated contract.

"(B) PROJECT-BASED ASSISTANCE.—Pursuant to a contract with an owner, to attach assistance to one or more structures under this section, for relocation of families occupying units formerly assisted under the terminated contract.

"(2) FAMILIES OCCUPYING UNITS FORMERLY ASSISTED UNDER TERMINATED CONTRACT.—Pursuant to paragraph (1), the Secretary shall first make available tenant- or project-based assistance to families occupying units formerly assisted under the terminated contract. The Secretary shall provide project-based assistance in instances only where the use of tenant-based assistance is determined to be infeasible by the Secretary.

"(3) EFFECTIVE DATE.—This subsection shall be effective for actions initiated by the Secretary on or before September 30, 1995.".

ELIGIBILITY OF STATE AND LOCAL PUBLIC HOUSING UNITS FOR COMPREHENSIVE GRANTS

42 USC 1437l.

SEC. 1003A. The first sentence of section 14(k)(2)(D)(i) of the United States Housing Act of 1937 is amended by striking "shall"

and inserting the following: "shall, except as otherwise agreed by the Secretary and the agency,".

DEPARTMENT OF THE TREASURY

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

PROGRAM ACCOUNT

For grants, loans, and technical assistance to qualifying community development financial institutions, and administrative expenses of the Fund, $50,000,000, to remain available until September 30, 1996: *Provided,* That of the funds made available under this heading not to exceed $4,000,000 may be used for the cost of direct loans, and not to exceed $400,000 may be used for administrative expenses to carry out the direct loan program: *Provided further,* That the cost of direct loans, including the cost of modifying such loans, shall be defined as in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $31,600,000: *Provided further,* That none of these funds shall be used to supplement existing resources provided to the Department for activities such as external affairs, general counsel, administration, finance, or office of inspector general: *Provided further,* That none of these funds shall be available for expenses of an Administrator as defined in section 104 of the Community Development Banking and Financial Institutions Act of 1994 (CDBFI Act): *Provided further,* That the number of staff funded under this heading shall not exceed 10 full-time equivalents: *Provided further,* That notwithstanding any other provision of law, for purposes of administering the Community Development Financial Institutions Fund, the Secretary of the Treasury shall have all powers and rights of the Administrator of the CDBFI Act and the Fund shall be within the Department of the Treasury. 12 USC 4703 note.

INDEPENDENT AGENCIES

CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD

SALARIES AND EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $500,000 are rescinded.

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND

PROGRAM ACCOUNT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $124,000,000 are rescinded and any unobligated funds as of June 30, 1995 are also rescinded.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $105,000,000 are rescinded.

ENVIRONMENTAL PROTECTION AGENCY

RESEARCH AND DEVELOPMENT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $14,635,000 are rescinded.

ABATEMENT, CONTROL, AND COMPLIANCE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $9,806,805 are rescinded: *Provided*, That notwithstanding any other provision of law, the Environmental Protection Agency shall not be required to site a computer to support the regional acid deposition monitoring program in the Bay City, Michigan, vicinity.

BUILDINGS AND FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389 and Public Law 102–139 for the Center for Ecology Research and Training, $83,000,000 are rescinded.

HAZARDOUS SUBSTANCE SUPERFUND

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $100,000,000 are rescinded.

WATER INFRASTRUCTURE/STATE REVOLVING FUNDS

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and Public Law 103–124, $1,077,200,000 are rescinded: *Provided*, That $1,074,000,000 of this amount is to be derived from amounts appropriated for State revolving funds and $3,200,000 is to be derived from amounts appropriated for making grants for the construction of wastewater treatment facilities specified in House Report 103–715.

ADMINISTRATIVE PROVISIONS

SEC. 1004. None of the funds made available in any appropriations Act for fiscal year 1995 may be used by the Environmental Protection Agency to require any State to comply with the require-

ment of section 182 of the Clean Air Act by adopting or implementing a test-only or IM240 enhanced vehicle inspection and maintenance program, except that EPA may approve such a program if a State chooses to submit one to meet that requirement.

SEC. 1005. None of the funds made available in any appropriations Act for fiscal year 1995 may be used by the Environmental Protection Agency to impose or enforce any requirement that a State implement trip reduction measures to reduce vehicular emissions. Section 304 of the Clean Air Act (42 U.S.C. 7604) shall not apply with respect to any such requirement during the period beginning on the date of the enactment of this Act and ending September 30, 1995.

SEC. 1006. None of the funds made available in any appropriations Act for fiscal year 1995 may be used by the Environmental Protection Agency for listing or to list any additional facilities on the National Priorities List established by section 105 of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended (42 U.S.C. 9605), unless the Administrator receives a written request to propose for listing or to list a facility from the Governor of the State in which the facility is located, or unless legislation to reauthorize CERCLA is enacted.

SEC. 1007. None of the funds made available in any appropriations Act for fiscal year 1995 shall be spent by the Environmental Protection Agency to disapprove a State implementation plan (SIP) revision solely on the basis of the Agency's regulatory 50 percent discount for alternative test-and-repair inspection and maintenance programs. Notwithstanding any other provision of EPA's regulatory requirements, the EPA shall assign up to 100 percent credit when such State has provided data for the proposed inspection and maintenance system that demonstrates evidence that such credits are appropriate. The Environmental Protection Agency shall complete and present a technical assessment of the State's demonstration within 45 days after submittal by the State.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS AND TECHNOLOGY

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327 and any unobligated balances from funds appropriated under "Research and Development" in prior years, $95,000,000 are rescinded.

CONSTRUCTION OF FACILITIES

(RESCISSION)

Of the funds made available under this heading in Public Law 102–389, for the Consortium for International Earth Science Information Network, $27,000,000 are rescinded; and of any unobligated balances from funds appropriated under this heading in prior years, $7,000,000 are rescinded.

MISSION SUPPORT

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $32,000,000 are rescinded.

SPACE FLIGHT, CONTROL AND DATA COMMUNICATIONS

(RESCISSION)

Of the available balances under this heading in previous fiscal years, $43,000,000 are rescinded.

ADMINISTRATIVE PROVISIONS

(INCLUDING TRANSFER OF FUNDS)

SEC. 1008. The Administrator is authorized to acquire, for no more than $35,000,000, a certain parcel of land, together with existing facilities, located on the site of the property referred to as the Clear Lake Development Facility, Clear Lake, Texas. The land and facilities in question comprise approximately 13 acres and include a Light Manufacturing Facility, an Avionics Development Facility, and an Assembly and Test Building which shall be modified for use as a Neutral Buoyancy Laboratory in support of human space flight activities.

NATIONAL SCIENCE FOUNDATION

ACADEMIC RESEARCH INFRASTRUCTURE

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $131,867,000 are rescinded.

CORPORATIONS

FEDERAL DEPOSIT INSURANCE CORPORATION

FDIC AFFORDABLE HOUSING PROGRAM

(RESCISSION)

Of the funds made available under this heading in Public Law 103–327, $11,281,034 are rescinded.

TITLE II—GENERAL PROVISIONS

EMERGENCY SALVAGE TIMBER SALE PROGRAM

16 USC 1611 note.

SEC. 2001. (a) DEFINITIONS.—For purposes of this section:

(1) The term "appropriate committees of Congress" means the Committee on Resources, the Committee on Agriculture, and the Committee on Appropriations of the House of Representatives and the Committee on Energy and Natural Resources, the Committee on Agriculture, Nutrition, and Forestry, and the Committee on Appropriations of the Senate.

(2) The term "emergency period" means the period beginning on the date of the enactment of this section and ending on September 30, 1997.

(3) The term "salvage timber sale" means a timber sale for which an important reason for entry includes the removal of disease- or insect-infested trees, dead, damaged, or down trees, or trees affected by fire or imminently susceptible to fire or insect attack. Such term also includes the removal of associated trees or trees lacking the characteristics of a healthy and viable ecosystem for the purpose of ecosystem improvement or rehabilitation, except that any such sale must include an identifiable salvage component of trees described in the first sentence.

(4) The term "Secretary concerned" means—

(A) the Secretary of Agriculture, with respect to lands within the National Forest System; and

(B) the Secretary of the Interior, with respect to Federal lands under the jurisdiction of the Bureau of Land Management.

(b) COMPLETION OF SALVAGE TIMBER SALES.—

(1) SALVAGE TIMBER SALES.—Using the expedited procedures provided in subsection (c), the Secretary concerned shall prepare, advertise, offer, and award contracts during the emergency period for salvage timber sales from Federal lands described in subsection (a)(4). During the emergency period, the Secretary concerned is to achieve, to the maximum extent feasible, a salvage timber sale volume level above the programmed level to reduce the backlogged volume of salvage timber. The preparation, advertisement, offering, and awarding of such contracts shall be performed utilizing subsection (c) and notwithstanding any other provision of law, including a law under the authority of which any judicial order may be outstanding on or after the date of the enactment of this Act. Contracts.

(2) USE OF SALVAGE SALE FUNDS.—To conduct salvage timber sales under this subsection, the Secretary concerned may use salvage sale funds otherwise available to the Secretary concerned.

(3) SALES IN PREPARATION.—Any salvage timber sale in preparation on the date of the enactment of this Act shall be subject to the provisions of this section.

(c) EXPEDITED PROCEDURES FOR EMERGENCY SALVAGE TIMBER SALES.—

(1) SALE DOCUMENTATION.—

(A) PREPARATION.—For each salvage timber sale conducted under subsection (b), the Secretary concerned shall prepare a document that combines an environmental assessment under section 102(2) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)) (including regulations implementing such section) and a biological evaluation under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) and other applicable Federal law and implementing regulations. A document embodying decisions relating to salvage timber sales proposed under authority of this section shall, at the sole discretion of the Secretary concerned and to the extent the Secretary concerned considers appropriate and feasible, consider the environmental effects of the salvage timber

sale and the effect, if any, on threatened or endangered species, and to the extent the Secretary concerned, at his sole discretion, considers appropriate and feasible, be consistent with any standards and guidelines from the management plans applicable to the National Forest or Bureau of Land Management District on which the salvage timber sale occurs.

(B) USE OF EXISTING MATERIALS.—In lieu of preparing a new document under this paragraph, the Secretary concerned may use a document prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) before the date of the enactment of this Act, a biological evaluation written before such date, or information collected for such a document or evaluation if the document, evaluation, or information applies to the Federal lands covered by the proposed sale.

(C) SCOPE AND CONTENT.—The scope and content of the documentation and information prepared, considered, and relied on under this paragraph is at the sole discretion of the Secretary concerned.

(2) REPORTING REQUIREMENTS.—Not later than August 30, 1995, the Secretary concerned shall submit a report to the appropriate committees of Congress on the implementation of this section. The report shall be updated and resubmitted to the appropriate committees of Congress every six months thereafter until the completion of all salvage timber sales conducted under subsection (b). Each report shall contain the following:

(A) The volume of salvage timber sales sold and harvested, as of the date of the report, for each National Forest and each district of the Bureau of Land Management.

(B) The available salvage volume contained in each National Forest and each district of the Bureau of Land Management.

(C) A plan and schedule for an enhanced salvage timber sale program for fiscal years 1995, 1996, and 1997 using the authority provided by this section for salvage timber sales.

(D) A description of any needed resources and personnel, including personnel reassignments, required to conduct an enhanced salvage timber sale program through fiscal year 1997.

(E) A statement of the intentions of the Secretary concerned with respect to the salvage timber sale volume levels specified in the joint explanatory statement of managers accompanying the conference report on H.R. 1158, House Report 104–124.

(3) ADVANCEMENT OF SALES AUTHORIZED.—The Secretary concerned may begin salvage timber sales under subsection (b) intended for a subsequent fiscal year before the start of such fiscal year if the Secretary concerned determines that performance of such salvage timber sales will not interfere with salvage timber sales intended for a preceding fiscal year.

(4) DECISIONS.—The Secretary concerned shall design and select the specific salvage timber sales to be offered under subsection (b) on the basis of the analysis contained in the document or documents prepared pursuant to paragraph (1)

to achieve, to the maximum extent feasible, a salvage timber sale volume level above the program level.

(5) SALE PREPARATION.—

(A) USE OF AVAILABLE AUTHORITIES.—The Secretary concerned shall make use of all available authority, including the employment of private contractors and the use of expedited fire contracting procedures, to prepare and advertise salvage timber sales under subsection (b).

(B) EXEMPTIONS.—The preparation, solicitation, and award of salvage timber sales under subsection (b) shall be exempt from—

(i) the requirements of the Competition in Contracting Act (41 U.S.C. 253 et seq.) and the implementing regulations in the Federal Acquisition Regulation issued pursuant to section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)) and any departmental acquisition regulations; and

(ii) the notice and publication requirements in section 18 of such Act (41 U.S.C. 416) and 8(e) of the Small Business Act (15 U.S.C. 637(e)) and the implementing regulations in the Federal Acquisition Regulations and any departmental acquisition regulations.

(C) INCENTIVE PAYMENT RECIPIENTS; REPORT.—The provisions of section 3(d)(1) of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; 5 U.S.C. 5597 note) shall not apply to any former employee of the Secretary concerned who received a voluntary separation incentive payment authorized by such Act and accepts employment pursuant to this paragraph. The Director of the Office of Personnel Management and the Secretary concerned shall provide a summary report to the appropriate committees of Congress, the Committee on Government Reform and Oversight of the House of Representatives, and the Committee on Governmental Affairs of the Senate regarding the number of incentive payment recipients who were rehired, their terms of reemployment, their job classifications, and an explanation, in the judgment of the agencies involved of how such reemployment without repayment of the incentive payments received is consistent with the original waiver provisions of such Act. This report shall not be conducted in a manner that would delay the rehiring of any former employees under this paragraph, or affect the normal confidentiality of Federal employees.

(6) COST CONSIDERATIONS.—Salvage timber sales undertaken pursuant to this section shall not be precluded because the costs of such activities are likely to exceed the revenues derived from such activities.

(7) EFFECT OF SALVAGE SALES.—The Secretary concerned shall not substitute salvage timber sales conducted under subsection (b) for planned non-salvage timber sales.

(8) REFORESTATION OF SALVAGE TIMBER SALE PARCELS.—The Secretary concerned shall plan and implement reforestation of each parcel of land harvested under a salvage timber sale conducted under subsection (b) as expeditiously as possible after completion of the harvest on the parcel, but in no case

later than any applicable restocking period required by law or regulation.

(9) EFFECT ON JUDICIAL DECISIONS.—The Secretary concerned may conduct salvage timber sales under subsection (b) notwithstanding any decision, restraining order, or injunction issued by a United States court before the date of the enactment of this section.

(d) DIRECTION TO COMPLETE TIMBER SALES ON LANDS COVERED BY OPTION 9.—Notwithstanding any other law (including a law under the authority of which any judicial order may be outstanding on or after the date of enactment of this Act), the Secretary concerned shall expeditiously prepare, offer, and award timber sale contracts on Federal lands described in the "Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents Within the Range of the Northern Spotted Owl", signed by the Secretary of the Interior and the Secretary of Agriculture on April 13, 1994. The Secretary concerned may conduct timber sales under this subsection notwithstanding any decision, restraining order, or injunction issued by a United States court before the date of the enactment of this section. The issuance of any regulation pursuant to section 4(d) of the Endangered Species Act of 1973 (16 U.S.C. 1533(d)) to ease or reduce restrictions on non-Federal lands within the range of the northern spotted owl shall be deemed to satisfy the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)), given the analysis included in the Final Supplemental Impact Statement on the Management of the Habitat for Late Successional and Old Growth Forest Related Species Within the Range of the Northern Spotted Owl, prepared by the Secretary of Agriculture and the Secretary of the Interior in 1994, which is, or may be, incorporated by reference in the administrative record of any such regulation. The issuance of any such regulation pursuant to section 4(d) of the Endangered Species Act of 1973 (16 U.S.C. 1533(d)) shall not require the preparation of an environmental impact statement under section 102(2)(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)).

(e) ADMINISTRATIVE REVIEW.—Salvage timber sales conducted under subsection (b), timber sales conducted under subsection (d), and any decision of the Secretary concerned in connection with such sales, shall not be subject to administrative review.

(f) JUDICIAL REVIEW.—

(1) PLACE AND TIME OF FILING.—A salvage timber sale to be conducted under subsection (b), and a timber sale to be conducted under subsection (d), shall be subject to judicial review only in the United States district court for the district in which the affected Federal lands are located. Any challenge to such sale must be filed in such district court within 15 days after the date of initial advertisement of the challenged sale. The Secretary concerned may not agree to, and a court may not grant, a waiver of the requirements of this paragraph.

(2) EFFECT OF FILING ON AGENCY ACTION.—For 45 days after the date of the filing of a challenge to a salvage timber sale to be conducted under subsection (b) or a timber sale to be conducted under subsection (d), the Secretary concerned shall take no action to award the challenged sale.

(3) PROHIBITION ON RESTRAINING ORDERS, PRELIMINARY INJUNCTIONS, AND RELIEF PENDING REVIEW.—No restraining

order, preliminary injunction, or injunction pending appeal shall be issued by any court of the United States with respect to any decision to prepare, advertise, offer, award, or operate a salvage timber sale pursuant to subsection (b) or any decision to prepare, advertise, offer, award, or operate a timber sale pursuant to subsection (d). Section 705 of title 5, United States Code, shall not apply to any challenge to such a sale.

(4) STANDARD OF REVIEW.—The courts shall have authority to enjoin permanently, order modification of, or void an individual salvage timber sale if it is determined by a review of the record that the decision to prepare, advertise, offer, award, or operate such sale was arbitrary and capricious or otherwise not in accordance with applicable law (other than those laws specified in subsection (i)).

(5) TIME FOR DECISION.—Civil actions filed under this subsection shall be assigned for hearing at the earliest possible date. The court shall render its final decision relative to any challenge within 45 days from the date such challenge is brought, unless the court determines that a longer period of time is required to satisfy the requirement of the United States Constitution. In order to reach a decision within 45 days, the district court may assign all or part of any such case or cases to one or more Special Masters, for prompt review and recommendations to the court.

(6) PROCEDURES.—Notwithstanding any other provision of law, the court may set rules governing the procedures of any proceeding brought under this subsection which set page limits on briefs and time limits on filing briefs and motions and other actions which are shorter than the limits specified in the Federal rules of civil or appellate procedure.

(7) APPEAL.—Any appeal from the final decision of a district court in an action brought pursuant to this subsection shall be filed not later than 30 days after the date of decision.

(g) EXCLUSION OF CERTAIN FEDERAL LANDS.—

(1) EXCLUSION.—The Secretary concerned may not select, authorize, or undertake any salvage timber sale under subsection (b) with respect to lands described in paragraph (2).

(2) DESCRIPTION OF EXCLUDED LANDS.—The lands referred to in paragraph (1) are as follows:

(A) Any area on Federal lands included in the National Wilderness Preservation System.

(B) Any roadless area on Federal lands designated by Congress for wilderness study in Colorado or Montana.

(C) Any roadless area on Federal lands recommended by the Forest Service or Bureau of Land Management for wilderness designation in its most recent land management plan in effect as of the date of the enactment of this Act.

(D) Any area on Federal lands on which timber harvesting for any purpose is prohibited by statute.

(h) RULEMAKING.—The Secretary concerned is not required to issue formal rules under section 553 of title 5, United States Code, to implement this section or carry out the authorities provided by this section.

(i) EFFECT ON OTHER LAWS.—The documents and procedures required by this section for the preparation, advertisement, offering, awarding, and operation of any salvage timber sale subject to sub-

section (b) and any timber sale under subsection (d) shall be deemed to satisfy the requirements of the following applicable Federal laws (and regulations implementing such laws):

(1) The Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.).

(2) The Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.).

(3) The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) The Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(5) The National Forest Management Act of 1976 (16 U.S.C. 472a et seq.).

(6) The Multiple-Use Sustained-Yield Act of 1960 (16 U.S.C. 528 et seq.).

(7) Any compact, executive agreement, convention, treaty, and international agreement, and implementing legislation related thereto.

(8) All other applicable Federal environmental and natural resource laws.

(j) EXPIRATION DATE.—The authority provided by subsections (b) and (d) shall expire on December 31, 1996. The terms and conditions of this section shall continue in effect with respect to salvage timber sale contracts offered under subsection (b) and timber sale contracts offered under subsection (d) until the completion of performance of the contracts.

(k) AWARD AND RELEASE OF PREVIOUSLY OFFERED AND UNAWARDED TIMBER SALE CONTRACTS.—

(1) AWARD AND RELEASE REQUIRED.—Notwithstanding any other provision of law, within 45 days after the date of the enactment of this Act, the Secretary concerned shall act to award, release, and permit to be completed in fiscal years 1995 and 1996, with no change in originally advertised terms, volumes, and bid prices, all timber sale contracts offered or awarded before that date in any unit of the National Forest System or district of the Bureau of Land Management subject to section 318 of Public Law 101–121 (103 Stat. 745). The return of the bid bond of the high bidder shall not alter the responsibility of the Secretary concerned to comply with this paragraph.

(2) THREATENED OR ENDANGERED BIRD SPECIES.—No sale unit shall be released or completed under this subsection if any threatened or endangered bird species is known to be nesting within the acreage that is the subject of the sale unit.

(3) ALTERNATIVE OFFER IN CASE OF DELAY.—If for any reason a sale cannot be released and completed under the terms of this subsection within 45 days after the date of the enactment of this Act, the Secretary concerned shall provide the purchaser an equal volume of timber, of like kind and value, which shall be subject to the terms of the original contract and shall not count against current allowable sale quantities.

(l) EFFECT ON PLANS, POLICIES, AND ACTIVITIES.—Compliance with this section shall not require or permit any administrative action, including revisions, amendment, consultation, supplementation, or other action, in or for any land management plan, standard, guideline, policy, regional guide, or multiforest plan because of implementation or impacts, site-specific or cumulative,

of activities authorized or required by this section, except that any such administrative action with respect to salvage timber sales is permitted to the extent necessary, at the sole discretion of the Secretary concerned, to meet the salvage timber sale goal specified in subsection (b)(1) of this section or to reflect the effects of the salvage program. The Secretary concerned shall not rely on salvage timber sales as the basis for administrative action limiting other multiple use activities nor be required to offer a particular salvage timber sale. No project decision shall be required to be halted or delayed by such documents or guidance, implementation, or impacts.

SEC. 2002. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

DOWNWARD ADJUSTMENTS IN DISCRETIONARY SPENDING LIMITS

SEC. 2003. Upon the enactment of this Act, the Director of the Office of Management and Budget shall make downward adjustments in the discretionary spending limits (new budget authority and outlays) specified in section 601(a)(2) of the Congressional Budget Act of 1974 for each of the fiscal years 1995 through 1998 by the aggregate amount of estimated reductions in new budget authority and outlays for discretionary programs resulting from the provisions of this Act (other than emergency appropriations) for such fiscal year, as calculated by the Director. 2 USC 665 note.

PROHIBITION ON USE OF SAVINGS TO OFFSET DEFICIT INCREASES RESULTING FROM DIRECT SPENDING OR RECEIPTS LEGISLATION

SEC. 2004. Reductions in outlays, and reductions in the discretionary spending limits specified in section 601(a)(2) of the Congressional Budget Act of 1974, resulting from the enactment of this Act shall not be taken into account for purposes of section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 2005. July 27 of each year until the year 2003 is designated as "National Korean War Veterans Armistice Day", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such day with appropriate ceremonies and activities, and to urge the departments and agencies of the United States and interested organizations, groups, and individuals to fly the American flag at half staff on July 27 of each year until the year 2003 in honor of the Americans who died as a result of their service in Korea. 36 USC 169m.

DENIAL OF USE OF FUNDS FOR INDIVIDUALS NOT LAWFULLY WITHIN THE UNITED STATES

SEC. 2006. (a) IN GENERAL.—None of the funds made available in this Act may be used to provide any direct benefit or assistance to any individual in the United States when it is made known to the Federal entity or official to which the funds are made available that—

(1) the individual is not lawfully within the United States; and

(2) the benefit or assistance to be provided is other than search and rescue; emergency medical care; emergency mass care; emergency shelter; clearance of roads and construction

of temporary bridges necessary to the performance of emergency tasks and essential community services; warning of further risk or hazards; dissemination of public information and assistance regarding health and safety measures; provision of food, water, medicine, and other essential needs, including movement of supplies or persons; or reduction of immediate threats to life, property, and public health and safety.

(b) ACTIONS TO DETERMINE LAWFUL STATUS.—Each Federal entity or official receiving funds under this Act shall take reasonable actions to determine whether any individual who is seeking any benefit or assistance subject to the limitation established in subsection (a) is lawfully within the United States.

(c) NONDISCRIMINATION.—In the case of any filing, inquiry, or adjudication of an application for any benefit or assistance subject to the limitation established in subsection (a), no Federal entity or official (or their agent) may discriminate against any individual on the basis of race, color, religion, sex, age, or disability.

FEDERAL ADMINISTRATIVE AND TRAVEL EXPENSES

(RESCISSIONS)

SEC. 2007. (a) Of the funds available to the agencies of the Federal Government, other than the Department of Defense—Military, $325,000,000 are hereby rescinded: *Provided,* That rescissions pursuant to this paragraph shall be taken only from administrative and travel accounts: *Provided further,* That rescissions shall be taken on a pro rata basis from funds available to every Federal agency, department, and office in the Executive Branch, including the Office of the President.

(b) Of the funds available to the Department of Defense—Military, $50,000,000 are hereby rescinded: *Provided,* That rescissions pursuant to this paragraph shall be taken only from administrative and travel accounts: *Provided further,* That rescissions shall be taken on a pro rata basis from funds available to every agency, department, and office.

Listing.

(c) Within 30 days of enactment of this Act, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House and Senate a listing of the amounts by account of the reductions made pursuant to the provisions of subsections (a) and (b) of this section.

TITLE III

EMERGENCY SUPPLEMENTAL APPROPRIATIONS

ANTI-TERRORISM INITIATIVES

OKLAHOMA CITY RECOVERY

CHAPTER I

DEPARTMENTS OF COMMERCE, JUSTICE, AND STATE, THE JUDICIARY, AND RELATED AGENCIES

DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

COUNTERTERRORISM FUND

There is hereby established the Counterterrorism Fund which shall remain available without fiscal year limitation. For necessary expenses, as determined by the Attorney General, $34,220,000, to remain available until expended, is appropriated to the Counterterrorism Fund to reimburse any Department of Justice organization for the costs incurred in reestablishing the operational capability of an office or facility which has been damaged or destroyed as the result of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City or any domestic or international terrorism event: *Provided,* That funds from this appropriation also may be used to reimburse the appropriation account of any Department of Justice agency engaged in, or providing support to, countering, investigating or prosecuting domestic or international terrorism, including payment of rewards in connection with these activities, and to conduct a terrorism threat assessment of Federal agencies and their facilities: *Provided further,* That any amount obligated from appropriations under this heading may be used under the authorities available to the organization reimbursed from this appropriation: *Provided further,* That amounts in excess of the $10,555,000 made available for extraordinary expenses incurred in the Oklahoma City bombing for fiscal year 1995, shall be available only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of Public Law 103–317: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the amount not previously designated by the President as an emergency requirement shall be available only to the extent an official budget request, for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement, as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to Congress. 28 USC 524 note.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For an additional amount for expenses resulting from the bombing of the Alfred P. Murrah Federal Building in Oklahoma City and other anti-terrorism efforts, $2,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the amount not previously designated by the President as an emergency requirement shall be available only to the extent an official budget request, for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement, as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to Congress.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For an additional amount for expenses resulting from the bombing of the Alfred P. Murrah Federal Building in Oklahoma City and other anti-terrorism efforts, including the establishment of a Domestic Counterterrorism Center, $77,140,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further,* That the amount not previously designated by the President as an emergency requirement shall be available only to the extent an official budget request, for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement, as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to Congress.

GENERAL PROVISIONS

18 USC 3059 note.

SEC. 3001. Any funds made available to the Attorney General heretofore or hereafter in any Act shall not be subject to the spending limitations contained in sections 3059 and 3072 of title 18, United States Code: *Provided,* That any reward of $100,000 or more, up to a maximum of $2,000,000, may not be made without the personal approval of the President or the Attorney General, and such approval may not be delegated.

SEC. 3002. Funds made available under this Act for this title for the Department of Justice are subject to the standard notification procedures contained in section 605 of Public Law 103–317.

THE JUDICIARY

COURTS OF APPEALS, DISTRICT COURTS, AND OTHER JUDICIAL SERVICES

COURT SECURITY

For an additional amount for "Court Security" to enhance security of judges and support personnel, $16,640,000, to remain avail-

able until expended, to be expended directly or transferred to the United States Marshals Service: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended: *Provided further*, That the amount not previously designated by the President as an emergency requirement shall be available only to the extent an official budget request, for a specific dollar amount that includes designation of the entire amount of the request as an emergency requirement, as defined in the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, is transmitted to Congress.

CHAPTER II

TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT

DEPARTMENT OF THE TREASURY

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For an additional amount for emergency expenses of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and anti-terrorism efforts, including the President's anti-terrorism initiative, $34,823,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For an additional amount for the Federal response to the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, $1,100,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For an additional amount for emergency expenses of the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, and other anti-terrorism efforts, including the President's anti-terrorism initiative, $6,675,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

UNITED STATES CUSTOM SERVICE

SALARIES AND EXPENSES

For an additional amount for emergency expenses resulting from the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, $1,000,000, to remain available until expended: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCY

GENERAL SERVICES ADMINISTRATION

REAL PROPERTY ACTIVITIES

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

The aggregate limitation on Federal Buildings Fund obligations established under this heading in Public Law 103–329 (as otherwise reduced pursuant to this Act) is hereby increased by $66,800,000, of which $40,400,000 shall remain available until expended for necessary expenses of real property management and related activities (including planning, design, construction, demolition, restoration, repairs, alterations, acquisition, installment acquisition payments, rental of space, building operations, maintenance, protection, moving of governmental agencies, and other activities) in response to the April 19, 1995, terrorist bombing attack at the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma.

In carrying out such activities, the Administrator of General Services may (among other actions) exchange, sell, lease, donate, or otherwise dispose of the site of the Alfred P. Murrah Federal Building (or a portion thereof) to the State of Oklahoma, to the city of Oklahoma City, or to any Oklahoma public trust that has the city of Oklahoma City as its beneficiary and is designated by the city to receive such property. Any such disposal shall not be subject to—

(1) the Public Buildings Act of 1959 (40 U.S.C. 601 et seq.);

(2) the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.); or

(3) any other Federal law establishing requirements or procedures for the disposal of Federal property:

Provided, That these funds shall not be available for expenses in connection with the construction, repair, alteration, or acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for required expenses in connection with the development of a proposed prospectus: *Provided further,* That for additional amounts, to remain available until expended and to be deposited into the Federal Buildings Fund, for emergency expenses resulting from the bombing of the Alfred P. Murrah Federal Building in Oklahoma City: for "Construction", Oklahoma, Oklahoma City, Alfred P. Murrah Federal Building, demolition, $2,300,000; for "Minor Repairs and Alterations", $3,300,000; for

"Rental of Space", $8,300,000, to be used to lease, furnish, and equip replacement space; and for "Buildings Operations", $12,500,000: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

CHAPTER III

DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

MANAGEMENT AND ADMINISTRATION

SALARIES AND EXPENSES

For an additional amount for emergency expenses resulting from the bombing of the Alfred P. Murrah Federal Building in Oklahoma City, $3,200,000, to remain available through September 30, 1996: *Provided,* That the entire amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT GRANTS

For an additional amount for "Community Development Grants", as authorized by title I of the Housing and Community Development Act of 1974, $39,000,000, to remain available until expended to assist property and victims damaged and economic revitalization due to the bombing of the Alfred P. Murrah Federal Building in Oklahoma City on April 19, 1995, primarily in the area bounded on the south by Robert S. Kerr Avenue, on the north by North 13th Street, on the east by Oklahoma Avenue, and on the west by Shartel Avenue, and for reimbursement to the City of Oklahoma City, or any public trust thereof, for the expenditure of other Federal funds used to achieve these same purposes: *Provided,* That in administering these funds, and any Economic Development Grants and loan guarantees under section 108 of such Act used for economic revitalization activities in Oklahoma City, the Secretary may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds or guarantees, except for requirements related to fair housing and nondiscrimination, the environment, and labor standards, upon a finding that such waiver is required to facilitate the use of such funds or guarantees, and would not be inconsistent with the overall purpose of the statute or regulation: *Provided further,* That such funds shall not adversely affect the amount of any formula assistance received by Oklahoma City or any other entity, or any categorical application for other Federal assistance: *Provided further,* That notwithstanding any other provision of law, such funds may be used for the repair and reconstruction of religious institution facili-

ties damaged by the explosion in the same manner as private nonprofit facilities providing public services: *Provided further,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

INDEPENDENT AGENCIES

FEDERAL EMERGENCY MANAGEMENT AGENCY

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses", $3,523,000, to increase Federal, State and local preparedness for mitigating and responding to the consequences of terrorism: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

EMERGENCY MANAGEMENT PLANNING AND ASSISTANCE

For an additional amount for "Emergency Management Planning and Assistance", $3,477,000, to increase Federal, State and local preparedness for mitigating and responding to the consequences of terrorism: *Provided,* That the entire amount is designated by Congress as an emergency requirement pursuant to section 251(b)(2)(D)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

This Act may be cited as the "Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995".

Approved July 27, 1995.

LEGISLATIVE HISTORY—H.R. 1944 (S. 617):

SENATE REPORTS: 104–17 accompanying S. 617 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 141 (1995):
June 29, considered and passed House.
June 30, July 20, 21, considered and passed Senate.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
July 27, Presidential remarks.
July 28, Aug. 4, Presidential statements.

Public Law 104–20
104th Congress

An Act

To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.

July 28, 1995
[S. 523]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AMENDMENTS TO THE COLORADO RIVER BASIN SALINITY CONTROL ACT.

The Colorado River Basin Salinity Control Act (43 U.S.C. 1571 et seq.) is amended—

(1) in section 202(a)— 43 USC 1592.

(A) in the first sentence—

(i) by striking "the following salinity control units" and inserting "the following salinity control units and salinity control program"; and

(ii) by striking the period and inserting a colon; and

(B) by adding at the end the following new paragraph:

"(6) A basinwide salinity control program that the Secretary, acting through the Bureau of Reclamation, shall implement. The Secretary may carry out the purposes of this paragraph directly, or may make grants, commitments for grants, or advances of funds to non-Federal entities under such terms and conditions as the Secretary may require. Such program shall consist of cost-effective measures and associated works to reduce salinity from saline springs, leaking wells, irrigation sources, industrial sources, erosion of public and private land, or other sources that the Secretary considers appropriate. Such program shall provide for the mitigation of incidental fish and wildlife values that are lost as a result of the measures and associated works. The Secretary shall submit a planning report concerning the program established under this paragraph to the appropriate committees of Congress. The Secretary may not expend funds for any implementation measure under the program established under this paragraph before the expiration of a 30-day period beginning on the date on which the Secretary submits such report.";

Reports.

(2) in section 205(a)— 43 USC 1595.

(A) in paragraph (1) by striking "authorized by section 202(a) (4) and (5)" and inserting "authorized by paragraphs (4) through (6) of section 202(a)"; and

(B) in paragraph (4)(i), by striking "sections 202(a)(4) and (5)" each place it appears and inserting "paragraphs (4) through (6) of section 202";

43 USC 1598.

(3) in section 208, by adding at the end the following new subsection:

Appropriation authorization.

"(c) In addition to the amounts authorized to be appropriated under subsection (b), there are authorized to be appropriated $75,000,000 for subsection 202(a), including constructing the works described in paragraph 202(a)(6) and carrying out the measures described in such paragraph. Notwithstanding subsection (b), the Secretary may implement the program under paragraph 202(a)(6) only to the extent and in such amounts as are provided in advance in appropriations Acts."; and

43 USC 1592.

(4) in subsection 202(b)(4) delete "units authorized to be constructed pursuant to paragraphs (1), (2), (3), (4), and (5)" and insert in lieu thereof "units authorized to be constructed or the program pursuant to paragraphs (1), (2), (3), (4), (5), and (6)".

Approved July 28, 1995.

LEGISLATIVE HISTORY—S. 523:

HOUSE REPORTS: No. 104–132 (Comm. on Resources).
SENATE REPORTS: No. 104–24 (Comm. on Energy and Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 27, considered and passed Senate.
July 10, 11, considered and passed House.

Public Law 104–21
104th Congress

An Act

To authorize an increased Federal share of the costs of certain transportation projects in the District of Columbia for fiscal years 1995 and 1996, and for other purposes.

Aug. 4, 1995
[H.R. 2017]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

District of Columbia Emergency Highway Relief Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "District of Columbia Emergency Highway Relief Act".

SEC. 2. DISTRICT OF COLUMBIA EMERGENCY HIGHWAY RELIEF.

(a) TEMPORARY WAIVER OF NON-FEDERAL SHARE.—Notwithstanding any other law, during fiscal years 1995 and 1996, the Federal share of the costs of an eligible project shall be a percentage requested by the District of Columbia, but not to exceed 100 percent of the costs of the project.

(b) ELIGIBLE PROJECTS.—In this section, the term "eligible project" means a highway project in the District of Columbia—

(1) for which the United States—

(A) is obligated to pay the Federal share of the costs of the project under title 23, United States Code, on the date of enactment of this Act; or

(B) becomes obligated to pay the Federal share of the costs of the project under title 23, United States Code, during the period beginning on the date of the enactment of this Act and ending September 30, 1996;

(2) which is—

(A) for a route proposed for inclusion on or designated as part of the National Highway System; or

(B) of regional significance (as determined by the Secretary of Transportation); and

(3) with respect to which the District of Columbia certifies that sufficient funds are not available to pay the non-Federal share of the costs of the project.

SEC. 3. DEDICATED HIGHWAY FUND AND REPAYMENT OF TEMPORARY WAIVER AMOUNTS.

(a) ESTABLISHMENT OF FUND.—Not later than December 31, 1995, the District of Columbia shall establish a dedicated highway fund to be comprised, at a minimum, of amounts equivalent to receipts from motor fuel taxes and, if necessary, motor vehicle taxes and fees collected by the District of Columbia to pay in accordance with this section the cost-sharing requirements established under title 23, United States Code, and to repay the United

States for increased Federal shares of eligible projects paid pursuant to section 2(a). The fund shall be separate from the general fund of the District of Columbia.

(b) PAYMENT OF NON-FEDERAL SHARE.—For fiscal year 1997 and each fiscal year thereafter, amounts in the fund shall be sufficient to pay, at a minimum, the cost-sharing requirements established under title 23, United States Code, for such fiscal year.

(c) REPAYMENT REQUIREMENTS.—

(1) FISCAL YEAR 1996.—By September 30, 1996, the District of Columbia shall pay to the United States from amounts in the fund established under subsection (a), with respect to each project for which an increased Federal share is paid in fiscal year 1995 pursuant to section 2(a), an amount equal to 50 percent of the difference between—

(A) the amount of the costs of the project paid by the United States in such fiscal year pursuant to section 2(a); and

(B) the amount of the costs of the project that would have been paid by the United States but for section 2(a).

(2) FISCAL YEAR 1997.—By September 30, 1997, the District of Columbia shall pay to the United States from amounts in the fund established under subsection (a), with respect to each project for which an increased Federal share is paid in fiscal year 1995 pursuant to section 2(a) and with respect to each project for which an increased Federal share is paid in fiscal year 1996 pursuant to section 2(a), an amount equal to 50 percent of the difference between—

(A) the amount of the costs of the project paid in such fiscal year by the United States pursuant to section 2(a); and

(B) the amount of the costs of the project that would have been paid by the United States but for section 2(a).

(3) FISCAL YEAR 1998.—By September 30, 1998, the District of Columbia shall pay to the United States from amounts in the fund established under subsection (a), with respect to each project for which an increased Federal share is paid in fiscal year 1996 pursuant to section 2(a), an amount equal to 50 percent of the difference between—

(A) the amount of the costs of the project paid in such fiscal year by the United States pursuant to section 2(a); and

(B) the amount of the costs of the project that would have been paid by the United States but for section 2(a).

(4) DEPOSIT OF REPAID FUNDS.—Repayments made under paragraphs (1), (2), and (3) with respect to a project shall be—

(A) deposited in the Highway Trust Fund established by section 9503 of the Internal Revenue Code of 1986; and

(B) credited to the appropriate account of the District of Columbia for the category of the project.

(d) ENFORCEMENT.—If the District of Columbia does not meet any requirement established by subsection (a), (b), or (c) and applicable in a fiscal year, the Secretary of Transportation shall not approve any highway project in the District of Columbia under title 23, United States Code, until the requirement is met.

(e) GAO AUDIT.—Not later than December 31, 1996, and each December 31 thereafter, the Comptroller General of the United States shall audit the financial condition and the operations of the fund established under this section and shall submit to Congress a report on the results of such audit and on the financial condition and the results of the operation of the fund during the preceding fiscal year and on the expected condition and operations of the fund during the next 5 fiscal years. Reports.

SEC. 4. ADDITIONAL REQUIREMENTS.

(a) EXPEDITIOUS PROCESSING AND EXECUTION OF CONTRACTS.—The District of Columbia shall expeditiously process and execute contracts to implement the Federal-aid highway program in the District of Columbia.

(b) REVOLVING FUND ACCOUNT.—The District of Columbia shall establish an independent revolving fund account for Federal-aid highway projects. The account shall be separate from the capital account of the Department of Public Works of the District of Columbia and shall be reserved for the prompt payment of contractors completing highway projects in the District of Columbia under title 23, United States Code.

(c) HIGHWAY PROJECT EXPERTISE AND RESOURCES.—The District of Columbia shall ensure that necessary expertise and resources are available for planning, design, and construction of Federal-aid highway projects in the District of Columbia.

(d) PROGRAMMATIC REFORMS.—The Secretary of Transportation, in consultation with the District of Columbia Financial Responsibility and Management Assistance Authority, may require administrative and programmatic reforms by the District of Columbia to ensure efficient management of the Federal-aid highway program in the District of Columbia.

(e) GAO AUDIT.—The Comptroller General of the United States shall review implementation of the requirements of this section (including requirements imposed under subsection (d)) and report to Congress on the results of such review not later than July 1, 1996. Reports.

Approved August 4, 1995.

LEGISLATIVE HISTORY— H.R. 2017 (S. 1023):

HOUSE REPORTS: No. 104–217, Pt. 1 (Comm. on Transportation and Infrastructure).

SENATE REPORTS: No. 104–111 accompanying S. 1023 (Comm. on Environment and Public Works).

CONGRESSIONAL RECORD, Vol. 141 (1995):
July 20, S. 1023 considered and passed Senate.
July 31, H.R. 2017 considered and passed House and Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Aug. 4, Presidential statement.

Public Law 104–22
104th Congress

An Act

Aug. 14, 1995
[H.R. 2161]

To extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), as amended by Public Law 104–17, is amended by striking "August 15, 1995," and inserting "October 1, 1995,".

Ante, p. 191.

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) prior to August 16, 1995, the written policy justification dated June 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, and the consultations associated with such policy justification, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

Approved August 14, 1995.

LEGISLATIVE HISTORY—H.R. 2161:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 2, considered and passed House.
Aug. 11, considered and passed Senate.

Public Law 104–23
104th Congress

An Act

To direct the Secretary of the Interior to convey the Corning National Fish Hatchery to the State of Arkansas.

Sept. 6, 1995
[H.R. 535]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Corning National Fish Hatchery Conveyance Act.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Corning National Fish Hatchery Conveyance Act".

SEC. 2. CONVEYANCE OF CORNING NATIONAL FISH HATCHERY TO THE STATE OF ARKANSAS.

(a) CONVEYANCE REQUIREMENT.—Within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Arkansas without reimbursement all right, title, and interest of the United States in and to the property described in subsection (b), for use by the Arkansas Game and Fish Commission as part of the State of Arkansas fish culture program.

(b) PROPERTY DESCRIBED.—The property referred to in subsection (a) is the property known as the Corning National Fish Hatchery (popularly known as the William H. Donham State Fish Hatchery), located one mile west of Corning, Arkansas, on Arkansas State Highway 67 in Clay County, Arkansas, consisting of 137.34 acres (more or less), and all improvements and related personal property under the control of the Secretary that is located on that property, including buildings, structures, and equipment.

(c) USE AND REVERSIONARY INTEREST.—The property conveyed to the State of Arkansas pursuant to this section shall be used by the State for purposes of fishery resources management, and if it is used for any other purpose all right, title, and interest in and to all property conveyed pursuant to this section shall revert to the United States. The State of Arkansas shall ensure that the property reverting to the United States is in substantially the same or better condition as at the time of transfer.

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 535:

HOUSE REPORTS: No. 104–34 (Comm. on Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
June 7, considered and passed House.
Aug. 9, considered and passed Senate.

Public Law 104–24
104th Congress

An Act

Sept. 6, 1995
[H.R. 584]

To direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF THE FAIRPORT NATIONAL FISH HATCHERY TO THE STATE OF IOWA.

(a) CONVEYANCE.—Within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Iowa without reimbursement all right, title, and interest of the United States in and to the fish hatchery described in subsection (b) for use by the State for purposes of fishery resources management.

(b) HATCHERY DESCRIBED.—The fish hatchery described in subsection (a) is the Fairport National Fish Hatchery located in Muscatine County, Iowa, adjacent to State Highway 22 west of Davenport, Iowa, including all real property, improvements to real property, and personal property.

(c) USE AND REVERSIONARY INTEREST.—The property conveyed to the State of Iowa pursuant to this section shall be used by the State for purposes of fishery resources management, and if it is used for any other purpose all right, title, and interest in and to all property conveyed pursuant to this section shall revert to the United States.

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 584:

HOUSE REPORTS: No. 104–35 (Comm. on Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
June 7, considered and passed House.
Aug. 9, considered and passed Senate.

Public Law 104–25
104th Congress

An Act

To direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.

Sept. 6, 1995
[H.R. 614]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF NEW LONDON NATIONAL FISH HATCHERY PRODUCTION FACILITY.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding any other provision of law and within 180 days after the date of the enactment of this Act, the Secretary of the Interior shall convey to the State of Minnesota without reimbursement all right, title, and interest of the United States in and to the property comprising the New London National Fish Hatchery production facility, located outside of downtown New London, Minnesota, including—

(1) all easements and water rights relating to that property, and

(2) all land, improvements, and related personal property comprising that production facility.

(b) USE OF PROPERTY.—All property and interests conveyed under this section shall be used by the Minnesota Department of Natural Resources for the Minnesota fishery resources management program.

(c) USE AND REVERSIONARY INTEREST.—The property conveyed to the State of Minnesota pursuant to this section shall be used by the State for purposes of fishery resources management, and if it is used for any other purpose all right, title, and interest in and to all property conveyed pursuant to this section shall revert to the United States. The State of Minnesota shall ensure that the property reverting to the United States is in substantially the same or better condition as at the time of transfer.

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 614:

HOUSE REPORTS: No. 104–36 (Comm. on Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
June 7, considered and passed House.
Aug. 9, considered and passed Senate.

Public Law 104–26
104th Congress

An Act

Sept. 6, 1995
[H.R. 1225]

To amend the Fair Labor Standards Act of 1938 to exempt employees who perform certain court reporting duties from the compensatory time requirements applicable to certain public agencies, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Court Reporter Fair Labor Amendments of 1995.
29 USC 201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Court Reporter Fair Labor Amendments of 1995".

SEC. 2. LIMITATION ON OVERTIME COMPENSATION FOR COURT REPORTERS.

Section 7(o) of the Fair Labor Standards Act of 1938 (29 U.S.C. 207(o)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph:

"(6) The hours an employee of a public agency performs court reporting transcript preparation duties shall not be considered as hours worked for the purposes of subsection (a) if—

"(A) such employee is paid at a per-page rate which is not less than—

"(i) the maximum rate established by State law or local ordinance for the jurisdiction of such public agency,

"(ii) the maximum rate otherwise established by a judicial or administrative officer and in effect on July 1, 1995, or

"(iii) the rate freely negotiated between the employee and the party requesting the transcript, other than the judge who presided over the proceedings being transcribed, and

"(B) the hours spent performing such duties are outside of the hours such employee performs other work (including hours for which the agency requires the employee's attendance) pursuant to the employment relationship with such public agency.

For purposes of this section, the amount paid such employee in accordance with subparagraph (A) for the performance of court reporting transcript preparation duties, shall not be considered in the calculation of the regular rate at which such employee is employed.".

SEC. 3. EFFECTIVE DATE. 29 USC 207 note.

The amendments made by section 2 shall apply after the date of the enactment of this Act and with respect to actions brought in a court after the date of the enactment of this Act.

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 1225:

HOUSE REPORTS: No. 104–219 (Comm. on Economic and Educational Opportunities).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Aug. 1, considered and passed House.

Aug. 5, considered and passed Senate.

Public Law 104–27
104th Congress

An Act

Sept. 6, 1995
[H.R. 2077]

To designate the United States Post Office building located at 33 College Avenue in Waterville, Maine, as the "George J. Mitchell Post Office Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF GEORGE J. MITCHELL POST OFFICE BUILDING.

The United States Post Office building located at 33 College Avenue in Waterville, Maine, shall be known and designated as the "George J. Mitchell Post Office Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States Post Office building referred to in section 1 shall be deemed to be a reference to the "George J. Mitchell Post Office Building".

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 2077:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 4, considered and passed House.
Aug. 9, considered and passed Senate.

Public Law 104–28
104th Congress

An Act

To permit the Washington Convention Center Authority to expend revenues for the operation and maintenance of the existing Washington Convention Center and for preconstruction activities relating to a new convention center in the District of Columbia, to permit a designated authority of the District of Columbia to borrow funds for the preconstruction activities relating to a sports arena in the District of Columbia and to permit certain revenues to be pledged as security for the borrowing of such funds, and for other purposes.

Sept. 6, 1995
[H.R. 2108]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

District of Columbia Convention Center and Sports Arena Authorization Act of 1995.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "District of Columbia Convention Center and Sports Arena Authorization Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CONVENTION CENTER

Sec. 101. Permitting Washington Convention Center Authority to expend revenues for convention center activities.

TITLE II—SPORTS ARENA

Sec. 201. Permitting designated authority to borrow funds for preconstruction activities relating to Gallery Place sports arena.
Sec. 202. Permitting certain District revenues to be pledged as security for borrowing.
Sec. 203. No appropriation necessary for arena preconstruction activities.
Sec. 204. Arena preconstruction activities described.

TITLE III—WAIVER OF CONGRESSIONAL REVIEW

Sec. 301. Waiver of Congressional review of Arena Tax Payment and Use Amendment Act of 1995.

TITLE I—CONVENTION CENTER

SEC. 101. PERMITTING WASHINGTON CONVENTION CENTER AUTHORITY TO EXPEND REVENUES FOR CONVENTION CENTER ACTIVITIES.

(a) PERMITTING EXPENDITURE WITHOUT APPROPRIATION.—The fourth sentence of section 446 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–304, D.C. Code) shall not apply with respect to any revenues of the District of Columbia which are attributable to the enactment of title III of the Washington Convention Center Authority Act of

1994 (D.C. Law 10–188) and which are obligated or expended for the activities described in subsection (b).

(b) ACTIVITIES DESCRIBED.—The activities described in this paragraph are—

(1) the operation and maintenance of the existing Washington Convention Center; and

(2) preconstruction activities with respect to a new convention center in the District of Columbia, including land acquisition and the conducting of environmental impact studies, architecture and design studies, surveys, and site acquisition.

TITLE II—SPORTS ARENA

SEC. 201. PERMITTING DESIGNATED AUTHORITY TO BORROW FUNDS FOR PRECONSTRUCTION ACTIVITIES RELATING TO GALLERY PLACE SPORTS ARENA.

(a) PERMITTING BORROWING.—

(1) IN GENERAL.—The designated authority may borrow funds through the issuance of revenue bonds, notes, or other obligations which are secured by revenues pledged in accordance with paragraph (2) to finance, refinance, or reimburse the costs of arena preconstruction activities described in section 204 if the designated authority is granted the authority to borrow funds for such purposes by the District of Columbia government.

(2) REVENUE REQUIRED TO SECURE BORROWING.—The designated authority may borrow funds under paragraph (1) to finance, refinance, or reimburse the costs of arena preconstruction activities described in section 204 only if such borrowing is secured (in whole or in part) by the pledge of revenues of the District of Columbia which are attributable to the sports arena tax imposed as a result of the enactment of D.C. Law 10–128 (as amended by the Arena Tax Amendment Act of 1994 (D.C. Act 10–315)) and which are transferred by the Mayor of the District of Columbia to the designated authority pursuant to section 302(a–1)(3) of the Omnibus Budget Support Act of 1994 (sec. 47–2752(a–1)(3), D.C. Code) (as amended by section 2(b) of the Arena Tax Payment and Use Amendment Act of 1995).

(b) TREATMENT OF DEBT CREATED.—Any debt created pursuant to subsection (a) shall not—

(1) be considered general obligation debt of the District of Columbia for any purpose, including the limitation on the annual aggregate limit on debt of the District of Columbia under section 603(b) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–313(b), D.C. Code);

(2) constitute the lending of the public credit for private undertakings for purposes of section 602(a)(2) of such Act (sec. 1–233(a)(2), D.C. Code); or

(3) be a pledge of or involve the full faith and credit of the District of Columbia.

(c) DESIGNATED AUTHORITY DEFINED.—The term "designated authority" means the Redevelopment Land Agency or such other District of Columbia government agency or instrumentality des-

ignated by the Mayor of the District of Columbia for purposes of carrying out any arena preconstruction activities.

SEC. 202. PERMITTING CERTAIN DISTRICT REVENUES TO BE PLEDGED AS SECURITY FOR BORROWING.

(a) IN GENERAL.—The District of Columbia (including the designated authority described in section 201(c)) may pledge as security for any borrowing undertaken pursuant to section 201(a) any revenues of the District of Columbia which are attributable to the sports arena tax imposed as a result of the enactment of D.C. Act 10–128 (as amended by the Arena Tax Amendment Act of 1994 (D.C. Law 10–315)), upon the transfer of such revenues by the Mayor of the District of Columbia to the designated authority pursuant to section 302(a–1)(3) of the Omnibus Budget Support Act of 1994 (sec. 47–2752(a–1)(3), D.C. Code) (as amended by section 2(b) of the Arena Tax Payment and Use Amendment Act of 1995).

(b) EXCLUSION OF PLEDGED REVENUES FROM CALCULATION OF ANNUAL AGGREGATE LIMIT ON DEBT.—Any revenues pledged as security by the District of Columbia pursuant to subsection (a) shall be excluded from the determination of the dollar amount equivalent to 14 percent of District revenues under section 603(b)(3)(A) of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–313(b)(3)(A), D.C. Code).

SEC. 203. NO APPROPRIATION NECESSARY FOR ARENA PRECONSTRUCTION ACTIVITIES.

The fourth sentence of section 446 of the District of Columbia Self-Government and Governmental Reorganization Act (sec. 47–304, D.C. Code) shall not apply with respect to any of the following obligations or expenditures:

(1) Borrowing conducted pursuant to section 201(a).

(2) The pledging of revenues as security for such borrowing pursuant to section 202(a).

(3) The payment of principal, interest, premium, debt servicing, contributions to reserves, or other costs associated with such borrowing.

(4) Other obligations or expenditures made to carry out any arena preconstruction activity described in section 204.

SEC. 204. ARENA PRECONSTRUCTION ACTIVITIES DESCRIBED.

The arena preconstruction activities described in this section are as follows:

(1) The acquisition of real property (or rights in real property) to serve as the site of the sports arena and related facilities.

(2) The clearance, preparation, grading, and development of the site of the sports arena and related facilities, including the demolition of existing buildings.

(3) The provision of sewer, water, and other utility facilities and infrastructure related to the sports arena.

(4) The financing of a Metrorail connection to the site and other Metrorail modifications related to the sports arena.

(5) The relocation of employees and facilities of the District of Columbia government displaced by the construction of the sports arena and related facilities.

(6) The use of environmental, legal, and consulting services (including services to obtain regulatory approvals) for the construction of the sports arena.

(7) The financing of administrative and transaction costs incurred in borrowing funds pursuant to section 201(a), including costs incurred in connection with the issuance, sale, and delivery of bonds, notes, or other obligations.

(8) The financing of other activities of the District of Columbia government associated with the development and construction of the sports arena, including the reimbursement of the District of Columbia government or others for costs incurred prior to the date of the enactment of this Act which were related to the sports arena, so long as the designated authority determines that such costs are adequately documented and that the incurring of such costs was reasonable.

TITLE III—WAIVER OF CONGRESSIONAL REVIEW

SEC. 301. WAIVER OF CONGRESSIONAL REVIEW OF ARENA TAX PAYMENT AND USE AMENDMENT ACT OF 1995.

Notwithstanding section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, the Arena Tax Payment and Use Amendment Act of 1995 (D.C. Act 11–115) shall take effect on the date of the enactment of this Act.

Approved September 6, 1995.

LEGISLATIVE HISTORY—H.R. 2108:

HOUSE REPORTS: No. 104–227 (Comm. on Government Reform and Oversight).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 4, considered and passed House.
Aug. 11, considered and passed Senate.

Public Law 104–29
104th Congress

An Act

To amend the Truth in Lending Act to clarify the intent of such Act and to reduce burdensome regulatory requirements on creditors.

Sept. 30, 1995
[H.R. 2399]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Truth in Lending Act Amendments of 1995.
15 USC 1601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Truth in Lending Act Amendments of 1995".

SEC. 2. CERTAIN CHARGES.

(a) THIRD PARTY FEES.—Section 106(a) of the Truth in Lending Act (15 U.S.C. 1605(a)) is amended by adding after the 2d sentence the following new sentence: "The finance charge shall not include fees and amounts imposed by third party closing agents (including settlement agents, attorneys, and escrow and title companies) if the creditor does not require the imposition of the charges or the services provided and does not retain the charges.".

(b) BORROWER-PAID MORTGAGE BROKER FEES.—

(1) INCLUSION IN FINANCE CHARGE.—Section 106(a) of the Truth in Lending Act (15 U.S.C. 1605(a)) is amended by adding at the end the following new paragraph:

"(6) Borrower-paid mortgage broker fees, including fees paid directly to the broker or the lender (for delivery to the broker) whether such fees are paid in cash or financed.".

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on the earlier of— 15 USC 1605 note.

(A) 60 days after the date on which the Board of Governors of the Federal Reserve System issues final regulations under paragraph (3); or

(B) the date that is 12 months after the date of the enactment of this Act.

(3) REGULATIONS IMPLEMENTING BORROWER-PAID MORTGAGE BROKER FEES.—The Board of Governors of the Federal Reserve System shall promulgate regulations implementing the amendment made by paragraph (1) by no later than 6 months after the date of the enactment of this Act. 15 USC 1605 note.

(c) TAXES ON SECURITY INSTRUMENTS OR EVIDENCES OF INDEBTEDNESS.—Section 106(d) of the Truth in Lending Act (15 U.S.C. 1605(d)) is amended by adding at the end the following new paragraph:

"(3) Any tax levied on security instruments or on documents evidencing indebtedness if the payment of such taxes is a precondition for recording the instrument securing the evidence of indebtedness.".

(d) PREPARATION OF LOAN DOCUMENTS.—Section 106(e)(2) of the Truth in Lending Act (15 U.S.C. 1605(e)(2)) is amended to read as follows:

"(2) Fees for preparation of loan-related documents.".

(e) FEES RELATING TO PEST INFESTATIONS, INSPECTIONS, AND HAZARDS.—Section 106(e)(5) of the Truth in Lending Act (15 U.S.C. 1605(e)(5)) is amended by inserting ", including fees related to any pest infestation or flood hazard inspections conducted prior to closing" before the period.

15 USC 1605 note.

(f) ENSURING FINANCE CHARGES REFLECT COST OF CREDIT.—

(1) REPORT.—

(A) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act, the Board of Governors of the Federal Reserve System shall submit to the Congress a report containing recommendations on any regulatory or statutory changes necessary—

(i) to ensure that finance charges imposed in connection with consumer credit transactions more accurately reflect the cost of providing credit; and

(ii) to address abusive refinancing practices engaged in for the purpose of avoiding rescission.

(B) REPORT REQUIREMENTS.—In preparing the report under this paragraph, the Board shall—

(i) consider the extent to which it is feasible to include in finance charges all charges payable directly or indirectly by the consumer to whom credit is extended, and imposed directly or indirectly by the creditor as an incident to the extension of credit (especially those charges excluded from finance charges under section 106 of the Truth in Lending Act as of the date of the enactment of this Act), excepting only those charges which are payable in a comparable cash transaction; and

(ii) consult with and consider the views of affected industries and consumer groups.

Federal Register, publication.

(2) REGULATIONS.—The Board of Governors of the Federal Reserve System shall prescribe any appropriate regulation in order to effect any change included in the report under paragraph (1), and shall publish the regulation in the Federal Register before the end of the 1-year period beginning on the date of enactment of this Act.

SEC. 3. TOLERANCES; BASIS OF DISCLOSURES.

(a) TOLERANCES FOR ACCURACY.—Section 106 of the Truth in Lending Act (15 U.S.C. 1605) is amended by adding at the end the following new subsection:

"(f) TOLERANCES FOR ACCURACY.—In connection with credit transactions not under an open end credit plan that are secured by real property or a dwelling, the disclosure of the finance charge and other disclosures affected by any finance charge—

"(1) shall be treated as being accurate for purposes of this title if the amount disclosed as the finance charge—

"(A) does not vary from the actual finance charge by more than $100; or

"(B) is greater than the amount required to be disclosed under this title; and

"(2) shall be treated as being accurate for purposes of section 125 if—

"(A) except as provided in subparagraph (B), the amount disclosed as the finance charge does not vary from the actual finance charge by more than an amount equal to one-half of one percent of the total amount of credit extended; or

"(B) in the case of a transaction, other than a mortgage referred to in section 103(aa), which—

"(i) is a refinancing of the principal balance then due and any accrued and unpaid finance charges of a residential mortgage transaction as defined in section 103(w), or is any subsequent refinancing of such a transaction; and

"(ii) does not provide any new consolidation or new advance;

if the amount disclosed as the finance charge does not vary from the actual finance charge by more than an amount equal to one percent of the total amount of credit extended.".

(b) BASIS OF DISCLOSURE FOR PER DIEM INTEREST.—Section 121(c) of the Truth in Lending Act (15 U.S.C. 1631(c)) is amended by adding at the end the following new sentence: "In the case of any consumer credit transaction a portion of the interest on which is determined on a per diem basis and is to be collected upon the consummation of such transaction, any disclosure with respect to such portion of interest shall be deemed to be accurate for purposes of this title if the disclosure is based on information actually known to the creditor at the time that the disclosure documents are being prepared for the consummation of the transaction.".

SEC. 4. LIMITATION ON LIABILITY.

(a) IN GENERAL.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by adding at the end the following new section:

"SEC. 139. CERTAIN LIMITATIONS ON LIABILITY. 15 USC 1649.

"(a) LIMITATIONS ON LIABILITY.—For any consumer credit transaction subject to this title that is consummated before the date of the enactment of the Truth in Lending Act Amendments of 1995, a creditor or any assignee of a creditor shall have no civil, administrative, or criminal liability under this title for, and a consumer shall have no extended rescission rights under section 125(f) with respect to—

"(1) the creditor's treatment, for disclosure purposes, of—

"(A) taxes described in section 106(d)(3);

"(B) fees described in section 106(e)(2) and (5);

"(C) fees and amounts referred to in the 3rd sentence of section 106(a); or

"(D) borrower-paid mortgage broker fees referred to in section 106(a)(6);

"(2) the form of written notice used by the creditor to inform the obligor of the rights of the obligor under section 125 if the creditor provided the obligor with a properly dated form of written notice published and adopted by the Board or a comparable written notice, and otherwise complied with all the requirements of this section regarding notice; or

"(3) any disclosure relating to the finance charge imposed with respect to the transaction if the amount or percentage actually disclosed—

"(A) may be treated as accurate for purposes of this title if the amount disclosed as the finance charge does not vary from the actual finance charge by more than $200;

"(B) may, under section 106(f)(2), be treated as accurate for purposes of section 125; or

"(C) is greater than the amount or percentage required to be disclosed under this title.

"(b) EXCEPTIONS.—Subsection (a) shall not apply to—

"(1) any individual action or counterclaim brought under this title which was filed before June 1, 1995;

"(2) any class action brought under this title for which a final order certifying a class was entered before January 1, 1995;

"(3) the named individual plaintiffs in any class action brought under this title which was filed before June 1, 1995; or

"(4) any consumer credit transaction with respect to which a timely notice of rescission was sent to the creditor before June 1, 1995.".

(b) CLERICAL AMENDMENT.—The table of sections for chapter 2 of the Truth in Lending Act is amended by inserting after the item relating to section 138 the following new item:

"139. Certain limitations on liability.".

SEC. 5. LIMITATION ON RESCISSION LIABILITY.

Section 125 of the Truth in Lending Act (15 U.S.C. 1635) is further amended by adding at the end the following new subsection:

"(h) LIMITATION ON RESCISSION.—An obligor shall have no rescission rights arising solely from the form of written notice used by the creditor to inform the obligor of the rights of the obligor under this section, if the creditor provided the obligor the appropriate form of written notice published and adopted by the Board, or a comparable written notice of the rights of the obligor, that was properly completed by the creditor, and otherwise complied with all other requirements of this section regarding notice.".

SEC. 6. CALCULATION OF DAMAGES.

Section 130(a)(2)(A) of the Truth in Lending Act (15 U.S.C. 1640(a)(2)(A)) is amended—

(1) by striking "or (ii)" and inserting "(ii)"; and

(2) by inserting before the semicolon at the end the following: ", or (iii) in the case of an individual action relating to a credit transaction not under an open end credit plan that is secured by real property or a dwelling, not less than $200 or greater than $2,000".

SEC. 7. ASSIGNEE LIABILITY.

(a) VIOLATIONS APPARENT ON THE FACE OF TRANSACTION DOCUMENTS.—Section 131 of the Truth in Lending Act (15 U.S.C. 1641) is amended by adding at the end the following new subsection:

"(e) LIABILITY OF ASSIGNEE FOR CONSUMER CREDIT TRANSACTIONS SECURED BY REAL PROPERTY.—

"(1) IN GENERAL.—Except as otherwise specifically provided in this title, any civil action against a creditor for a violation of this title, and any proceeding under section 108 against a creditor, with respect to a consumer credit transaction secured by real property may be maintained against any assignee of such creditor only if—

"(A) the violation for which such action or proceeding is brought is apparent on the face of the disclosure statement provided in connection with such transaction pursuant to this title; and

"(B) the assignment to the assignee was voluntary.

"(2) VIOLATION APPARENT ON THE FACE OF THE DISCLOSURE DESCRIBED.—For the purpose of this section, a violation is apparent on the face of the disclosure statement if—

"(A) the disclosure can be determined to be incomplete or inaccurate by a comparison among the disclosure statement, any itemization of the amount financed, the note, or any other disclosure of disbursement; or

"(B) the disclosure statement does not use the terms or format required to be used by this title.".

(b) SERVICER NOT TREATED AS ASSIGNEE.—Section 131 of the Truth in Lending Act (15 U.S.C. 1641) is further amended by adding after subsection (e) (as added by subsection (a) of this section) the following new subsection:

"(f) TREATMENT OF SERVICER.—

"(1) IN GENERAL.—A servicer of a consumer obligation arising from a consumer credit transaction shall not be treated as an assignee of such obligation for purposes of this section unless the servicer is or was the owner of the obligation.

"(2) SERVICER NOT TREATED AS OWNER ON BASIS OF ASSIGNMENT FOR ADMINISTRATIVE CONVENIENCE.—A servicer of a consumer obligation arising from a consumer credit transaction shall not be treated as the owner of the obligation for purposes of this section on the basis of an assignment of the obligation from the creditor or another assignee to the servicer solely for the administrative convenience of the servicer in servicing the obligation. Upon written request by the obligor, the servicer shall provide the obligor, to the best knowledge of the servicer, with the name, address, and telephone number of the owner of the obligation or the master servicer of the obligation.

"(3) SERVICER DEFINED.—For purposes of this subsection, the term 'servicer' has the same meaning as in section 6(i)(2) of the Real Estate Settlement Procedures Act of 1974.

"(4) APPLICABILITY.—This subsection shall apply to all consumer credit transactions in existence or consummated on or after the date of the enactment of the Truth in Lending Act Amendments of 1995.".

SEC. 8. RESCISSION RIGHTS IN FORECLOSURE.

Section 125 of the Truth in Lending Act (15 U.S.C. 1635) is amended by inserting after subsection (h) (as added by section 5 of this Act) the following new subsection:

"(i) RESCISSION RIGHTS IN FORECLOSURE.—

"(1) IN GENERAL.—Notwithstanding section 139, and subject to the time period provided in subsection (f), in addition to any other right of rescission available under this section for a transaction, after the initiation of any judicial or nonjudicial

foreclosure process on the primary dwelling of an obligor securing an extension of credit, the obligor shall have a right to rescind the transaction equivalent to other rescission rights provided by this section, if—

"(A) a mortgage broker fee is not included in the finance charge in accordance with the laws and regulations in effect at the time the consumer credit transaction was consummated; or

"(B) the form of notice of rescission for the transaction is not the appropriate form of written notice published and adopted by the Board or a comparable written notice, and otherwise complied with all the requirements of this section regarding notice.

"(2) TOLERANCE FOR DISCLOSURES.—Notwithstanding section 106(f), and subject to the time period provided in subsection (f), for the purposes of exercising any rescission rights after the initiation of any judicial or nonjudicial foreclosure process on the principal dwelling of the obligor securing an extension of credit, the disclosure of the finance charge and other disclosures affected by any finance charge shall be treated as being accurate for purposes of this section if the amount disclosed as the finance charge does not vary from the actual finance charge by more than $35 or is greater than the amount required to be disclosed under this title.

"(3) RIGHT OF RECOUPMENT UNDER STATE LAW.—Nothing in this subsection affects a consumer's right of rescission in recoupment under State law.

"(4) APPLICABILITY.—This subsection shall apply to all consumer credit transactions in existence or consummated on or after the date of the enactment of the Truth in Lending Act Amendments of 1995.".

Approved September 30, 1995.

LEGISLATIVE HISTORY—H.R. 2399:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Sept. 27, considered and passed House.
Sept. 28, considered and passed Senate.

Public Law 104–30
104th Congress

An Act

To extend authorities under the Middle East Peace Facilitation Act of 1994 until November 1, 1995, and for other purposes.

Sept. 30, 1995
[H.R. 2404]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), as amended by Public Law 104–22, is amended by striking "October 1, 1995," and inserting "November 1, 1995,". *Ante*, p. 260.

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) prior to October 5, 1995, the written policy justification dated June 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, and the consultations associated with such policy justification, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

Approved September 30, 1995.

LEGISLATIVE HISTORY—H.R. 2404:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Sept. 28, considered and passed House.
Sept. 29, considered and passed Senate.

Public Law 104–31
104th Congress

An Act

Sept. 30, 1995
[H.J. Res. 108]

Making continuing appropriations for the fiscal year 1996, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996;

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1996, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1996;

The Energy and Water Development Appropriations Act, 1996;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, notwithstanding section 10 of Public Law 91–672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1996;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996;

The Legislative Branch Appropriations Act, 1996;

The Military Construction Appropriations Act, 1996;

The Department of Transportation Appropriations Act, 1996;

The Treasury, Postal Service, and General Government Appropriations Act, 1996;

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of October 1, 1995, is different from that which would be available or granted under such Act as passed by the Senate as of October 1, 1995, the pertinent project or activity shall be continued at a rate for operations not exceeding the average of the rates permitted by the action of the House or the Senate under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is included in only one version of the Act as passed by both Houses as of October 1, 1995, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations that is one-half of that permitted by the action of the one House under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of October 1, 1995, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in applicable appropriations Acts for the fiscal year 1995.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1995 or prior years, for the increase in production rates above those sustained with fiscal year 1995 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P–1 line item in a budget activity within an appropriation account and an R–1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1995: *Provided,* That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

Termination date.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) November 13, 1995, whichever first occurs.

Coverage.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this joint resolution, except section 106, whenever an Act listed in section 101 as passed by both the House and Senate as of October 1, 1995, does not include funding for an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of October 1, 1995, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of the Act, the minimal level means a rate for operations that is reduced from the current rate by 10 percent.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to a level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 113. Notwithstanding any other provision of this joint resolution, except sections 106, 111, and 112, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 114. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 115. Notwithstanding any other provision of this joint resolution, except section 106, the rates for operation for any continuing project or activity provided by section 101 that have not been increased by the provisions of section 111 or section 112 shall be reduced by 5 percent but shall not be reduced below the minimal level defined in section 111 or below the level that would result in a furlough.

SEC. 116. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100–202, shall not apply for this joint resolution. Included in the apportionment for the Federal Payment to the District of Columbia shall be an additional $217,000,000 above the amount otherwise made available by this joint resolution.

SEC. 117. Notwithstanding any other provision of this joint resolution, except section 106, the authority and conditions for the application of appropriations for the Office of Technology Assessment as contained in the Conference Report on the Legislative Branch Appropriations Act, 1996, House Report 104–212, shall be followed when applying the funding made available by this joint resolution.

SEC. 118. Notwithstanding any other provision of this joint resolution, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this joint resolution as the number of days covered by this resolution bears to 366.

SEC. 119.Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall remain in effect during the period of this joint resolution, notwithstanding paragraph (3) of said subsection. 8 USC 1351 note.

SEC. 120. Notwithstanding any other provision of this joint resolution, except section 106, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103–352, which fee rate and offsetting collection authority shall remain in effect during the period of this joint resolution.

SEC. 121. Until enactment of legislation providing funding for the entire fiscal year ending September 30, 1996, for the Department of the Interior and Related Agencies, funds available for necessary expenses of the Bureau of Mines are for continuing limited health and safety and related research, materials partnerships, and minerals information activities; for mineral assessments in Alaska; and for terminating all other activities of the Bureau of Mines.

SEC. 122. Notwithstanding any other provision of this joint resolution, except section 106, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations for projects and activities that would be funded under the heading "International Organizations and Conferences, Contributions to International Organizations" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, shall be the amount provided by the provisions of sections 101, 111, and 112 multiplied by the ratio of the number of days covered by this resolution to 366 and multiplied further by 1.27.

Approved September 30, 1995.

LEGISLATIVE HISTORY—H.J. Res. 108:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Sept. 28, considered and passed House.
Sept. 29, considered and passed Senate.

Public Law 104–32
104th Congress

An Act

Making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

Oct. 3, 1995
[H.R. 1817]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for military construction, family housing, and base realignment and closure functions administered by the Department of Defense, and for other purposes, namely:

Military Construction Appropriations Act, 1996.

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, $633,814,000, to remain available until September 30, 2000: *Provided,* That of this amount, not to exceed $44,034,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, $554,636,000, to remain available until September 30, 2000: *Provided,* That of this amount, not to exceed $50,477,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

(INCLUDING RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, $587,234,000, to remain available until September 30, 2000: *Provided,* That of this amount, not to exceed $26,594,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: *Provided further,* That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–136, $2,765,000 is hereby rescinded: *Provided further,* That of the funds appropriated for "Military Construction, Air Force" under Public Law 102–368, $6,000,000 is hereby rescinded.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS AND RESCISSIONS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, $640,357,000, to remain available until September 30, 2000: *Provided,* That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as he may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided further,* That of the amount appropriated, not to exceed $68,837,000 shall be available for study, planning, design, architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor: *Provided further,* That of the funds appropriated for "Military Construction, Defense Agencies" under Public Law 102–136, $6,800,000 is hereby rescinded: *Provided further,* That of the funds appropriated for "Military Construction, Defense Agencies" under Public Law 102–380, $8,590,000 is hereby rescinded: *Provided further,* That of the funds appropriated for "Military Construction, Defense-wide" under Public Law 103–110, $8,131,000 is hereby rescinded.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, $137,110,000, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

(INCLUDING RESCISSION)

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, $171,272,000, to remain available until September 30, 2000: *Provided,* That of the funds appropriated for "Military Construction, Air National Guard" under Public Law 103–110, $6,700,000 is hereby rescinded.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, $72,728,000, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, NAVAL RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, $19,055,000, to remain available until September 30, 2000.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 133 of title 10, United States Code, and military construction authorization Acts, $36,482,000, to remain available until September 30, 2000.

NORTH ATLANTIC TREATY ORGANIZATION

SECURITY INVESTMENT PROGRAM

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized in military construction authorization Acts and section 2806 of title 10, United States Code, $161,000,000, to remain available until expended.

FAMILY HOUSING, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $116,656,000, to remain available until September

30, 2000; for Operation and maintenance, and for debt payment, $1,335,596,000; in all $1,452,252,000.

FAMILY HOUSING, NAVY AND MARINE CORPS

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $525,058,000, to remain available until September 30, 2000; for Operation and maintenance, and for debt payment, $1,048,329,000; in all $1,573,387,000.

FAMILY HOUSING, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension and alteration and for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, as follows: for Construction, $297,738,000, to remain available until September 30, 2000; for Operation and maintenance, and for debt payment, $849,213,000; in all $1,146,951,000.

FAMILY HOUSING, DEFENSE-WIDE

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for construction, including acquisition, replacement, addition, expansion, extension, and alteration, and for operation and maintenance, leasing, and minor construction, as authorized by law, as follows: for Construction, $3,772,000, to remain available for obligation until September 30, 2000; for Operation and maintenance, $30,467,000; in all $34,239,000.

DEPARTMENT OF DEFENSE FAMILY HOUSING IMPROVEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense Family Housing Improvement Fund, $22,000,000, to remain available until expended: *Provided,* That, subject to thirty days prior notification to the Committees on Appropriations, such additional amounts as may be determined by the Secretary of Defense may be transferred to this Fund from amounts appropriated in this Act for Construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to that Fund: *Provided further,* That appropriations made available to the Fund in this Act shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of, and amendments made by, the National Defense Authorization Act for fiscal year 1996 pertaining to alternative means of acquiring and improving military family housing and supporting facilities.

HOMEOWNERS ASSISTANCE FUND, DEFENSE

For use in the Homeowners Assistance Fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966, as amended (42 U.S.C. 3374), $75,586,000, to remain available until expended.

BASE REALIGNMENT AND CLOSURE ACCOUNT,

PART II

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $964,843,000, to remain available until expended: *Provided,* That not more than $325,800,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

BASE REALIGNMENT AND CLOSURE ACCOUNT,

PART III

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $2,148,480,000, to remain available until expended: *Provided,* That not more than $236,700,000 of the funds appropriated herein shall be available solely for environmental restoration, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of his determination and the reasons therefor.

BASE REALIGNMENT AND CLOSURE ACCOUNT,

PART IV

For deposit into the Department of Defense Base Closure Account 1990 established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991 (Public Law 101–510), $784,569,000, to remain available until expended: *Provided,* That such funds will be available for construction only to the extent detailed budget justification is transmitted to the Committees on Appropriations: *Provided further,* That such funds are available solely for the approved 1995 base realignments and closures.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated in Military Construction Appropriations Acts shall be expended for payments under a cost-plus-a-fixed-fee contract for work, where cost estimates exceed $25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor: *Provided,* That the foregoing

shall not apply in the case of contracts for environmental restoration at an installation that is being closed or realigned where payments are made from a Base Realignment and Closure Account.

SEC. 102. Funds appropriated to the Department of Defense for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds appropriated to the Department of Defense for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds appropriated in this Act may be used to begin construction of new bases inside the continental United States for which specific appropriations have not been made.

SEC. 105. No part of the funds provided in Military Construction Appropriations Acts shall be used for purchase of land or land easements in excess of 100 per centum of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except (a) where there is a determination of value by a Federal court, or (b) purchases negotiated by the Attorney General or his designee, or (c) where the estimated value is less than $25,000, or (d) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds appropriated in Military Construction Appropriations Acts shall be used to (1) acquire land, (2) provide for site preparation, or (3) install utilities for any family housing, except housing for which funds have been made available in annual Military Construction Appropriations Acts.

SEC. 107. None of the funds appropriated in Military Construction Appropriations Acts for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations.

SEC. 108. No part of the funds appropriated in Military Construction Appropriations Acts may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds appropriated in Military Construction Appropriations Acts may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations.

SEC. 111. None of the funds appropriated in Military Construction Appropriations Acts may be obligated for architect and engineer contracts estimated by the Government to exceed $500,000 for projects to be accomplished in Japan, in any NATO member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds appropriated in Military Construction Appropriations Acts for military construction in the United States territories and possessions in the Pacific and on Kwajalein

Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed $1,000,000 to a foreign contractor: *Provided,* That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 per centum.

SEC. 113. The Secretary of Defense is to inform the appropriate Committees of Congress, including the Committees on Appropriations, of the plans and scope of any proposed military exercise involving United States personnel thirty days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed $100,000.

SEC. 114. Not more than 20 per centum of the appropriations in Military Construction Appropriations Acts which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year.

(TRANSFER OF FUNDS)

SEC. 115. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 116. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 117. Notwithstanding any other provision of law, any funds appropriated to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were appropriated if the funds obligated for such project (1) are obligated from funds available for military construction projects, and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law. 10 USC 2860 note.

(TRANSFER OF FUNDS)

SEC. 118. During the five-year period after appropriations available to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense" to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred. 10 USC 2860 note.

SEC. 119. The Secretary of Defense is to provide the Committees on Appropriations of the Senate and the House of Representatives with an annual report by February 15, containing details of the Reports.

specific actions proposed to be taken by the Department of Defense during the current fiscal year to encourage other member nations of the North Atlantic Treaty Organization, Japan, Korea, and United States allies bordering the Arabian Gulf to assume a greater share of the common defense burden of such nations and the United States.

(TRANSFER OF FUNDS)

SEC. 120. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, proceeds deposited to the Department of Defense Base Closure Account established by section 207(a)(1) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526) pursuant to section 207(a)(2)(C) of such Act, may be transferred to the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to be merged with, and to be available for the same purposes and the same time period as that account.

SEC. 121. No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 122. (a) In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

Notice.

(b) In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

(TRANSFER OF FUNDS)

SEC. 123. During the current fiscal year, in addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the account established by section 2906(a)(1) of the Department of Defense Authorization Act, 1991, to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program. Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 124. The Army shall use George Air Force Base as the interim airhead for the National Training Center at Fort Irwin until Barstow-Daggett reaches Initial Operational Capability as the permanent airhead.

Illinois.
Public lands.

SEC. 125. (a) In order to ensure the continued protection and enhancement of the open spaces of Fort Sheridan, the Secretary of the Army shall convey to the Lake County Forest Preserve District, Illinois (in this section referred to as the "District"), all right, title, and interest of the United States to a parcel of surplus real property at Fort Sheridan consisting of approximately 290 acres located north of the southerly boundary line of the historic district at the post, including improvements thereon.

(b) As consideration for the conveyance by the Secretary of the Army of the parcel of real property under subsection (a), the District shall provide maintenance and care to the remaining Fort Sheridan cemetery, pursuant to an agreement to be entered into between the District and the Secretary.

(c) The Secretary of the Army is also authorized to convey the remaining surplus property at former Fort Sheridan to the Fort Sheridan Joint Planning Committee, or its successor, for an amount no less than the fair market value (as determined by the Secretary of the Army) of the property to be conveyed.

(d) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property (including improvements thereon) to be conveyed under subsections (a) and (c) shall be determined by surveys satisfactory to the Secretary. The cost of such surveys shall be borne by the Lake County Forest Preserve District, and the Fort Sheridan Joint Planning Committee, respectively.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under this section as the Secretary considers appropriate to protect the interests of the United States.

This Act may be cited as the "Military Construction Appropriations Act, 1996".

Approved October 3, 1995.

LEGISLATIVE HISTORY—H.R. 1817:

HOUSE REPORTS: Nos. 104–137 (Comm. on Appropriations) and 104–247 (Comm. of Conference).

SENATE REPORTS: No. 104–116 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

June 16, 20, 21, considered and passed House.

July 21, considered and passed Senate, amended.

Sept. 20, House agreed to conference report.

Sept. 21, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Oct. 3, Presidential statement.

Public Law 104–33
104th Congress

An Act

Oct. 3, 1995
[S. 464]

To make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF CIVIL JUSTICE EXPENSE AND DELAY REDUCTION DEMONSTRATION PROGRAMS.

Section 104 of the Civil Justice Reform Act of 1990 (28 U.S.C. 471 note) is amended—

(1) in subsection (a)(1) by striking "4-year period" and inserting "5-year period"; and

(2) in subsection (d) by striking "December 31, 1995," and inserting "December 31, 1996,".

Approved October 3, 1995.

LEGISLATIVE HISTORY—S. 464:

HOUSE REPORTS: No. 104–180 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 30, considered and passed Senate.
Sept. 18, considered and passed House.

Public Law 104–34
104th Congress

An Act

To clarify the rules governing venue, and for other purposes.

Oct. 3, 1995
[S. 532]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. VENUE.

Paragraph (3) of section 1391(a) of title 28, United States Code, is amended by striking "the defendants are" and inserting "any defendant is".

Approved October 3, 1995.

LEGISLATIVE HISTORY—S. 532:

HOUSE REPORTS: No. 104–181 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 30, considered and passed Senate.
Sept. 18, considered and passed House.

Public Law 104–35
104th Congress

An Act

Oct. 12, 1995
[H.R. 2288]

To amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. 2-YEAR EXTENSION OF AUTOMATION DEADLINE.

(a) IN GENERAL.—Section 454(24) of the Social Security Act (42 U.S.C. 654(24)) is amended by striking "1995" and inserting "1997".

(b) TECHNICAL AMENDMENTS RELATED TO THE REPEAL OF FEDERAL FUNDING.—Section 452 of such Act (42 U.S.C. 652) is amended in each of subsections (d)(1)(B), (d)(2)(A), (d)(2)(B), and (e), by striking "455(a)(1)(B)" and inserting "454(16)".

Approved October 12, 1995.

LEGISLATIVE HISTORY—H.R. 2288:

HOUSE REPORTS: No. 104–250 (Comm. on Ways and Means).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Sept. 27, considered and passed House.
Sept. 29, considered and passed Senate.

Public Law 104–36
104th Congress

An Act

To amend the Small Business Act and the Small Business Investment Act of 1958 to reduce the cost to the Federal Government of guaranteeing certain loans and debentures, and for other purposes.

Oct. 12, 1995
[S. 895]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Small Business Lending Enhancement Act of 1995.
15 USC 631 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Lending Enhancement Act of 1995".

SEC. 2. REDUCED LEVEL OF PARTICIPATION IN GUARANTEED LOANS.

Section 7(a)(2) of the Small Business Act (15 U.S.C. 636(a)(2)) is amended to read as follows:

"(2) LEVEL OF PARTICIPATION IN GUARANTEED LOANS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), in an agreement to participate in a loan on a deferred basis under this subsection (including a loan made under the Preferred Lenders Program), such participation by the Administration shall be equal to—

"(i) 75 percent of the balance of the financing outstanding at the time of disbursement of the loan, if such balance exceeds $100,000; or

"(ii) 80 percent of the balance of the financing outstanding at the time of disbursement of the loan, if such balance is less than or equal to $100,000.

"(B) REDUCED PARTICIPATION UPON REQUEST.—

"(i) IN GENERAL.—The guarantee percentage specified by subparagraph (A) for any loan under this subsection may be reduced upon the request of the participating lender.

"(ii) PROHIBITION.—The Administration shall not use the guarantee percentage requested by a participating lender under clause (i) as a criterion for establishing priorities in approving loan guarantee requests under this subsection.

"(C) INTEREST RATE UNDER PREFERRED LENDERS PROGRAM.—

"(i) IN GENERAL.—The maximum interest rate for a loan guaranteed under the Preferred Lenders Program shall not exceed the maximum interest rate, as determined by the Administration, applicable to other loans guaranteed under this subsection.

"(ii) PREFERRED LENDERS PROGRAM DEFINED.—For purposes of this subparagraph, the term 'Preferred

Lenders Program' means any program established by the Administrator, as authorized under the proviso in section 5(b)(7), under which a written agreement between the lender and the Administration delegates to the lender—

"(I) complete authority to make and close loans with a guarantee from the Administration without obtaining the prior specific approval of the Administration; and

"(II) authority to service and liquidate such loans.".

SEC. 3. GUARANTEE FEES.

(a) AMOUNT OF FEES.—Section 7(a)(18) of the Small Business Act (15 U.S.C. 636(a)(18)) is amended to read as follows:

"(18) GUARANTEE FEES.—

"(A) IN GENERAL.—With respect to each loan guaranteed under this subsection (other than a loan that is repayable in 1 year or less), the Administration shall collect a guarantee fee, which shall be payable by the participating lender and may be charged to the borrower, in an amount equal to the sum of—

"(i) 3 percent of the amount of the deferred participation share of the loan that is less than or equal to $250,000;

"(ii) if the deferred participation share of the loan exceeds $250,000, 3.5 percent of the difference between—

"(I) $500,000 or the total deferred participation share of the loan, whichever is less; and

"(II) $250,000; and

"(iii) if the deferred participation share of the loan exceeds $500,000, 3.875 percent of the difference between—

"(I) the total deferred participation share of the loan; and

"(II) $500,000.

"(B) EXCEPTION FOR CERTAIN LOANS.—Notwithstanding subparagraph (A), if the total deferred participation share of a loan guaranteed under this subsection is less than or equal to $80,000, the guarantee fee collected under subparagraph (A) shall be in an amount equal to 2 percent of the total deferred participation share of the loan.".

(b) REPEAL OF PROVISIONS ALLOWING RETENTION OF FEES BY LENDERS.—Section 7(a)(19) of the Small Business Act (15 U.S.C. 636(a)(19)) is amended—

(1) in subparagraph (B)—

(A) by striking "shall (i) develop" and inserting "shall develop"; and

(B) by striking ", and (ii)" and all that follows through the end of the subparagraph and inserting a period; and

(2) by striking subparagraph (C).

SEC. 4. ESTABLISHMENT OF ANNUAL FEE.

(a) IN GENERAL.—Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following new paragraph:

"(23) ANNUAL FEE.—

"(A) IN GENERAL.—With respect to each loan guaranteed under this subsection, the Administration shall, in accordance with such terms and procedures as the Administration shall establish by regulation, assess and collect an annual fee in an amount equal to 0.5 percent of the outstanding balance of the deferred participation share of the loan. Regulations.

"(B) PAYER.—The annual fee assessed under subparagraph (A) shall be payable by the participating lender and shall not be charged to the borrower.".

(b) CONFORMING AMENDMENT.—Section 5(g)(4)(A) of the Small Business Act (15 U.S.C. 634(g)(4)(A)) is amended—

(1) by striking the first sentence and inserting the following: "The Administration may collect a fee for any loan guarantee sold into the secondary market under subsection (f) in an amount equal to not more than 50 percent of the portion of the sale price that exceeds 110 percent of the outstanding principal amount of the portion of the loan guaranteed by the Administration."; and

(2) by striking "fees" each place such term appears and inserting "fee".

SEC. 5. NOTIFICATION REQUIREMENT.

Section 7(a) of the Small Business Act (15 U.S.C. 636(a)) is amended by adding at the end the following new paragraph:

"(24) NOTIFICATION REQUIREMENT.—The Administration shall notify the Committees on Small Business of the Senate and the House of Representatives not later than 15 days before making any significant policy or administrative change affecting the operation of the loan program under this subsection.".

SEC. 6. DEVELOPMENT COMPANY DEBENTURES.

Section 503(b) of the Small Business Investment Act of 1958 (15 U.S.C. 697(b)) is amended—

(1) in paragraph (5), by striking "and" at the end;

(2) in paragraph (6), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(7) with respect to each loan made from the proceeds of such debenture, the Administration—

"(A) assesses and collects a fee, which shall be payable by the borrower, in an amount equal to 0.125 percent per year of the outstanding balance of the loan; and

"(B) uses the proceeds of such fee to offset the cost (as such term is defined in section 502 of the Federal Credit Reform Act of 1990) to the Administration of making guarantees under subsection (a).".

SEC. 7. PILOT PREFERRED SURETY BOND GUARANTEE PROGRAM EXTENSION.

Section 207 of the Small Business Administration Reauthorization and Amendment Act of 1988 (15 U.S.C. 694b note) is amended by striking "September 30, 1995" and inserting "September 30, 1997".

SEC. 8. APPLICABILITY. 15 USC 634 note.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act do not apply with respect to any

loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act.

(b) EXCEPTIONS.—The amendments made by this Act apply to a loan made or guaranteed under the Small Business Act or the Small Business Investment Act of 1958 before the date of enactment of this Act, if the loan is refinanced, extended, restructured, or renewed on or after the date of enactment of this Act.

Approved October 12, 1995.

LEGISLATIVE HISTORY—S. 895 (H.R. 2150):

HOUSE REPORTS: Nos. 104–239 accompanying H.R. 2150 (Comm. on Small Business) and 104–269 (Comm. of Conference).
SENATE REPORTS: No. 104–129 (Comm. on Small Business).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 11, considered and passed Senate.
Sept. 12, H.R. 2150 considered and passed House; S. 895, amended, passed in lieu.
Sept. 28, Senate agreed to conference report.
Sept. 29, House agreed to conference report.

Public Law 104–37
104th Congress

An Act

Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes.

Oct. 21, 1995
[H.R. 1976]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies programs for the fiscal year ending September 30, 1996, and for other purposes, namely:

Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996.

TITLE I

AGRICULTURAL PROGRAMS

PRODUCTION, PROCESSING, AND MARKETING

OFFICE OF THE SECRETARY

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Office of the Secretary of Agriculture, and not to exceed $75,000 for employment under 5 U.S.C. 3109, $10,227,000, of which $7,500,000 to remain available until expended, shall be available for InfoShare: *Provided,* That not to exceed $11,000 of this amount, along with any unobligated balances of representation funds in the Foreign Agricultural Service shall be available for official reception and representation expenses, not otherwise provided for, as determined by the Secretary.

EXECUTIVE OPERATIONS

CHIEF ECONOMIST

For necessary expenses of the Chief Economist, including economic analysis, risk assessment, cost benefit analysis, and the functions of the World Agricultural Outlook Board, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1622g), and including employment pursuant to the second sentence of the section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $3,948,000.

NATIONAL APPEALS DIVISION

For necessary expenses of the National Appeals Division, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $25,000 is for employment under 5 U.S.C. 3109, $11,846,000.

OFFICE OF BUDGET AND PROGRAM ANALYSIS

For necessary expenses of the Office of Budget and Program Analysis, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $5,000 is for employment under 5 U.S.C. 3109, $5,899,000.

CHIEF FINANCIAL OFFICER

For necessary expenses of the Office of the Chief Financial Officer, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109, $4,133,000: *Provided,* That the Chief Financial Officer shall reinstate and market cross-servicing activities of the National Finance Center: *Provided further,* That none of the funds appropriated or otherwise made available by this Act shall be used to obtain, modify, re-engineer, license, operate, implement, or expand commercial off-the-shelf financial management software systems or existing commercial off-the-shelf system financial management contracts, beyond general ledger systems and accounting support software, at the National Finance Center until thirty legislative days after the Secretary of Agriculture submits to the House and Senate Committees on Appropriations a complete and thorough cost-benefit analysis and a certification by the Secretary of Agriculture that this analysis provides a detailed and accurate cost-benefit analysis comparison between obtaining or expanding commercial off-the-shelf software systems and conducting identical or comparable software systems acquisitions, re-engineering, or modifications in-house.

OFFICE OF THE ASSISTANT SECRETARY FOR ADMINISTRATION

For necessary salaries and expenses of the Office of the Assistant Secretary for Administration to carry out the programs funded in this Act, $596,000.

AGRICULTURE BUILDINGS AND FACILITIES AND RENTAL PAYMENTS

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313, including authorities pursuant to the 1984 delegation of authority from the Administrator of General Services to the Department of Agriculture under 40 U.S.C. 486, for programs and activities of the Department which are included in this Act, $110,187,000, of which $20,216,000 shall be retained by the Department for the operation, maintenance, and repair of Agriculture buildings: *Provided,* That in the event an agency within the Department should require modification of space needs, the Secretary

of Agriculture may transfer a share of that agency's appropriation made available by this Act to this appropriation, or may transfer a share of this appropriation to that agency's appropriation, but such transfers shall not exceed 5 percent of the funds made available for space rental and related costs to or from this account. In addition, for construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the programs of the Department, where not otherwise provided, $25,587,000, to remain available until expended; making a total appropriation of $135,774,000.

ADVISORY COMMITTEES (USDA)

For necessary expenses for activities of advisory committees of the Department of Agriculture which are included in this Act, $650,000: *Provided,* That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of advisory committees.

HAZARDOUS WASTE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Department of Agriculture, to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961, $15,700,000, to remain available until expended: *Provided,* That appropriations and funds available herein to the Department for Hazardous Waste Management may be transferred to any agency of the Department for its use in meeting all requirements pursuant to the above Acts on Federal and non-Federal lands.

DEPARTMENTAL ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

For Personnel, Operations, Information Resources Management, Civil Rights Enforcement, Small and Disadvantaged Business Utilization, Administrative Law Judges and Judicial Officer, Disaster Management and Coordination, and Modernization of the Administrative Process, $27,986,000, to provide for necessary expenses for management support services to offices of the Department and for general administration and disaster management of the Department, repairs and alterations, and other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 is for employment under 5 U.S.C. 3109: *Provided,* That this appropriation shall be reimbursed from applicable appropriations in this Act for travel expenses incident to the holding of hearings as required by 5 U.S.C. 551–558.

OFFICE OF THE ASSISTANT SECRETARY FOR CONGRESSIONAL RELATIONS

For necessary salaries and expenses of the Office of the Assistant Secretary for Congressional Relations to carry out the programs funded in this Act, including programs involving intergovernmental affairs and liaison within the executive branch, $3,797,000: *Provided,* That no other funds appropriated to the Department in this Act shall be available to the Department for support of activities of congressional relations: *Provided further,* That not less than $2,355,000 shall be transferred to agencies funded in this Act to maintain personnel at the agency level.

OFFICE OF COMMUNICATIONS

For necessary expenses to carry on services relating to the coordination of programs involving public affairs, for the dissemination of agricultural information, and the coordination of information, work, and programs authorized by Congress in the Department, $8,198,000, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), of which not to exceed $10,000 shall be available for employment under 5 U.S.C. 3109, and not to exceed $2,000,000 may be used for farmers' bulletins.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General, including employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and the Inspector General Act of 1978, as amended, $63,639,000, including such sums as may be necessary for contracting and other arrangements with public agencies and private persons pursuant to section 6(a)(9) of the Inspector General Act of 1978, as amended, including a sum not to exceed $50,000 for employment under 5 U.S.C. 3109; and including a sum not to exceed $95,000 for certain confidential operational expenses including the payment of informants, to be expended under the direction of the Inspector General pursuant to Public Law 95–452 and section 1337 of Public Law 97–98: *Provided,* That funds transferred to the Office of the Inspector General through forfeiture proceedings or from the Department of Justice Assets Forfeiture Fund or the Department of the Treasury Forfeiture Fund, as a participating agency, as an equitable share from the forfeiture of property in investigations in which the Office of Inspector General participates, or through the granting of a Petition for Remission or Mitigation, shall be deposited to the credit of this account for law enforcement activities authorized under the Inspector General Act of 1978, as amended, to remain available until expended.

OFFICE OF THE GENERAL COUNSEL

For necessary expenses of the Office of the General Counsel, $27,860,000.

OFFICE OF THE UNDER SECRETARY FOR RESEARCH, EDUCATION AND ECONOMICS

For necessary salaries and expenses of the Office of the Under Secretary for Research, Education and Economics to administer the laws enacted by the Congress for the Economic Research Service, the National Agricultural Statistics Service, the Agricultural Research Service and the Cooperative State Research, Education, and Extension Service, $520,000.

ECONOMIC RESEARCH SERVICE

For necessary expenses of the Economic Research Service in conducting economic research and analysis, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $53,131,000: *Provided*, That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225).

NATIONAL AGRICULTURAL STATISTICS SERVICE

For necessary expenses of the National Agricultural Statistics Service in conducting statistical reporting and service work, including crop and livestock estimates, statistical coordination and improvements, and marketing surveys, as authorized by the Agricultural Marketing Act of 1946 (7 U.S.C. 1621–1627) and other laws, $81,107,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109.

AGRICULTURAL RESEARCH SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to enable the Agricultural Research Service to perform agricultural research and demonstration relating to production, utilization, marketing, and distribution (not otherwise provided for); home economics or nutrition and consumer use including the acquisition, preservation, and dissemination of agricultural information; and for acquisition of lands by donation, exchange, or purchase at a nominal cost not to exceed $100, $710,000,000: *Provided,* That appropriations hereunder shall be available for temporary employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $115,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That appropriations hereunder shall be available for the operation and maintenance of aircraft and the purchase of not to exceed one for replacement only: *Provided further,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for the construction, alteration, and repair of buildings and improvements, but unless otherwise provided the cost of constructing any one building shall not exceed $250,000, except for headhouses or greenhouses which shall each be limited to $1,000,000, and except for ten buildings to be constructed or improved at a cost not to exceed $500,000 each, and the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building or

7 USC 2254.

7 USC 2254.

$250,000, whichever is greater: *Provided further,* That the limitations on alterations contained in this Act shall not apply to modernization or replacement of existing facilities at Beltsville, Maryland: *Provided further,* That the foregoing limitations shall not apply to replacement of buildings needed to carry out the Act of April 24, 1948 (21 U.S.C. 113a): *Provided further,* That the foregoing limitations shall not apply to the purchase of land at Beckley, West Virginia: *Provided further,* That not to exceed $190,000 of this appropriation may be transferred to and merged with the appropriation for the Office of the Under Secretary for Research, Education and Economics for the scientific review of international issues involving agricultural chemicals and food additives: *Provided further,* That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing or operating any research facility or research project of the Agricultural Research Service, as authorized by law: *Provided further,* That all rights and title of the United States in the property known as USDA Houma Sugar Cane Research Laboratory, consisting of approximately 20 acres in the City of Houma and 150 acres of farmland in Chacahula, Louisiana, including facilities and equipment, shall be conveyed to the American Sugar Cane League Foundation: *Provided further,* That all rights and title of the United States in the Agricultural Research Station at Brawley, California, consisting of 80 acres of land, including facilities and equipment, shall be conveyed to Imperial County, California: *Provided further,* That all rights and title of the United States in the Pecan Genetics and Improvement Research Laboratory, consisting of 84.2 acres of land, including facilities and equipment, shall be conveyed to Texas A&M University: *Provided further,* That the property originally conveyed by the State of Tennessee to the U.S. Department of Agriculture, Agricultural Research Service, in Lewisburg, Tennessee be conveyed to the University of Tennessee.

Public lands. Louisiana. American Sugar Cane League Foundation.

Public lands. California.

Public lands. Texas. Texas A&M University. Public lands. Tennessee. University of Tennessee.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities as necessary to carry out the agricultural research programs of the Department of Agriculture, where not otherwise provided, $30,200,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That funds may be received from any State, other political subdivision, organization, or individual for the purpose of establishing any research facility of the Agricultural Research Service, as authorized by law.

COOPERATIVE STATE RESEARCH, EDUCATION, AND EXTENSION SERVICE

RESEARCH AND EDUCATION ACTIVITIES

For payments to agricultural experiment stations, for cooperative forestry and other research, for facilities, and for other expenses, including $168,734,000 to carry into effect the provisions of the Hatch Act (7 U.S.C. 361a–361i); $20,497,000 for grants for

cooperative forestry research (16 U.S.C. 582a–582–a7); $27,735,000 for payments to the 1890 land-grant colleges, including Tuskegee University (7 U.S.C. 3222); $49,846,000 for special grants for agricultural research (7 U.S.C. 450i(c)); $9,769,000 for special grants for agricultural research on improved pest control (7 U.S.C. 450i(c)); $96,735,000 for competitive research grants (7 U.S.C. 450i(b)); $5,051,000 for the support of animal health and disease programs (7 U.S.C. 3195); $650,000 for supplemental and alternative crops and products (7 U.S.C. 3319d); $500,000 for grants for research pursuant to the Critical Agricultural Materials Act of 1984 (7 U.S.C. 178) and section 1472 of the Food and Agriculture Act of 1977, as amended (7 U.S.C. 3318), to remain available until expended; $475,000 for rangeland research grants (7 U.S.C. 3331–3336); $3,500,000 for higher education graduate fellowships grants (7 U.S.C. 3152(b)(6)), to remain available until expended (7 U.S.C. 2209b); $4,350,000 for higher education challenge grants (7 U.S.C. 3152(b)(1)); $1,000,000 for a higher education minority scholars program (7 U.S.C. 3152(b)(5)), to remain available until expended (7 U.S.C. 2209b); $4,000,000 for aquaculture grants (7 U.S.C. 3322); $8,100,000 for sustainable agriculture research and education (7 U.S.C. 5811); $9,200,000 for a program of capacity building grants to colleges eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321–326 and 328), including Tuskegee University, to remain available until expended (7 U.S.C. 2209b); $1,450,000 for payments to the 1994 Institutions pursuant to section 534(a)(1) of Public Law 103–382; and $10,337,000 for necessary expenses of Research and Education Activities, of which not to exceed $100,000 shall be for employment under 5 U.S.C. 3109; in all, $421,929,000.

None of the funds in the foregoing paragraph shall be available to carry out research related to the production, processing or marketing of tobacco or tobacco products.

NATIVE AMERICAN INSTITUTIONS ENDOWMENT FUND

For establishment of a Native American institutions endowment fund, as authorized by Public Law 130–382 (7 U.S.C. 301 note), $4,600,000.

BUILDINGS AND FACILITIES

For acquisition of land, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities and for grants to States and other eligible recipients for such purposes, as necessary to carry out the agricultural research, extension, and teaching programs of the Department of Agriculture, where not otherwise provided, $57,838,000, to remain available until expended (7 U.S.C. 2209b).

EXTENSION ACTIVITIES

Payments to States, the District of Columbia, Puerto Rico, Guam, the Virgin Islands, Micronesia, Northern Marianas, and American Samoa: For payments for cooperative extension work under the Smith-Lever Act, as amended, to be distributed under sections 3(b) and 3(c) of said Act, and under section 208(c) of Public Law 93–471, for retirement and employees' compensation costs for extension agents and for costs of penalty mail for coopera-

tive extension agents and State extension directors, $268,493,000; payments for the nutrition and family education program for low-income areas under section 3(d) of the Act, $60,510,000; payments for the pest management program under section 3(d) of the Act, $10,783,000; payments for the farm safety program under section 3(d) of the Act, $2,943,000; payments for the pesticide impact assessment program under section 3(d) of the Act, $3,313,000; payments to upgrade 1890 land-grant college research, extension, and teaching facilities as authorized by section 1447 of Public Law 95–113, as amended (7 U.S.C. 3222b), $7,782,000, to remain available until expended; payments for the rural development centers under section 3(d) of the Act, $936,000; payments for a groundwater quality program under section 3(d) of the Act, $11,065,000; payments for the agricultural telecommunications program, as authorized by Public Law 101–624 (7 U.S.C. 5926), $1,203,000; payments for youth-at-risk programs under section 3(d) of the Act, $9,850,000; payments for a food safety program under section 3(d) of the Act, $2,438,000; payments for carrying out the provisions of the Renewable Resources Extension Act of 1978, $3,291,000; payments for Indian reservation agents under section 3(d) of the Act, $1,724,000; payments for sustainable agriculture programs under section 3(d) of the Act, $3,411,000; payments for rural health and safety education as authorized by section 2390 of Public Law 101–624 (7 U.S.C. 2661 note, 2662), $2,709,000; payments for cooperative extension work by the colleges receiving the benefits of the second Morrill Act (7 U.S.C. 321–326, 328) and Tuskegee University, $25,090,000; and for Federal administration and coordination including administration of the Smith-Lever Act, as amended, and the Act of September 29, 1977 (7 U.S.C. 341–349), as amended, and section 1361(c) of the Act of October 3, 1980 (7 U.S.C. 301 note), and to coordinate and provide program leadership for the extension work of the Department and the several States and insular possessions, $12,209,000; in all, $427,750,000: *Provided,* That funds hereby appropriated pursuant to section 3(c) of the Act of June 26, 1953, and section 506 of the Act of June 23, 1972, as amended, shall not be paid to any State, the District of Columbia, Puerto Rico, Guam, or the Virgin Islands, Micronesia, Northern Marianas, and American Samoa prior to availability of an equal sum from non-Federal sources for expenditure during the current fiscal year.

OFFICE OF THE ASSISTANT SECRETARY FOR MARKETING AND REGULATORY PROGRAMS

For necessary salaries and expenses of the Office of the Assistant Secretary for Marketing and Regulatory Programs to administer programs under the laws enacted by the Congress for the Animal and Plant Health Inspection Service, Agricultural Marketing Service, and the Grain Inspection, Packers and Stockyards Administration, $605,000.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

SALARIES AND EXPENSES

(INCLUDING TRANSFERS OF FUNDS)

For expenses, not otherwise provided for, including those pursuant to the Act of February 28, 1947, as amended (21 U.S.C. 114b–

c), necessary to prevent, control, and eradicate pests and plant and animal diseases; to carry out inspection, quarantine, and regulatory activities; to discharge the authorities of the Secretary of Agriculture under the Act of March 2, 1931 (46 Stat. 1468; 7 U.S.C. 426–426b); and to protect the environment, as authorized by law, $331,667,000, of which $4,799,000 shall be available for the control of outbreaks of insects, plant diseases, animal diseases and for control of pest animals and birds to the extent necessary to meet emergency conditions: *Provided,* That in fiscal year 1996, amounts in the agricultural quarantine inspection user fee account shall be available for authorized purposes without further appropriation: *Provided further,* That no funds shall be used to formulate or administer a brucellosis eradication program for the current fiscal year that does not require minimum matching by the States of at least 40 percent: *Provided further,* That this appropriation shall be available for field employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $40,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available for the operation and maintenance of aircraft and the purchase of not to exceed four, of which two shall be for replacement only: *Provided further,* That, in addition, in emergencies which threaten any segment of the agricultural production industry of this country, the Secretary may transfer from other appropriations or funds available to the agencies or corporations of the Department such sums as he may deem necessary, to be available only in such emergencies for the arrest and eradication of contagious or infectious diseases or pests of animals, poultry, or plants, and for expenses in accordance with the Act of February 28, 1947, as amended, and section 102 of the Act of September 21, 1944, as amended, and any unexpended balances of funds transferred for such emergency purposes in the next preceding fiscal year shall be merged with such transferred amounts: *Provided further,* That appropriations hereunder shall be available pursuant to law (7 U.S.C. 2250) for the repair and alteration of leased buildings and improvements, but unless otherwise provided the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building: *Provided further,* That of the funds provided, the Secretary of Agriculture may provide for the funding of all fees or charges under section 2509 of Public Law 101–624, codified at 21 U.S.C. 136a(c), for any service related to the cost of providing import, entry, diagnostic and quarantine services in connection with the 1996 Summer Olympic Games to be held in Atlanta, Georgia.

21 USC 129.

In fiscal year 1996 the agency is authorized to collect fees to cover the total costs of providing technical assistance, goods, or services requested by States, other political subdivisions, domestic and international organizations, foreign governments, or individuals, provided that such fees are structured such that any entity's liability for such fees is reasonably based on the technical assistance, goods, or services provided to the entity by the agency, and such fees shall be credited to this account, to remain available until expended, without further appropriation, for providing such assistance, goods, or services.

BUILDINGS AND FACILITIES

For plans, construction, repair, preventive maintenance, environmental support, improvement, extension, alteration, and purchase of fixed equipment or facilities, as authorized by 7 U.S.C. 2250, and acquisition of land as authorized by 7 U.S.C. 428a, $8,757,000, to remain available until expended.

AGRICULTURAL MARKETING SERVICE

MARKETING SERVICES

For necessary expenses to carry on services related to consumer protection, agricultural marketing and distribution, transportation, and regulatory programs, as authorized by law, and for administration and coordination of payments to States; including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $90,000 for employment under 5 U.S.C. 3109, $46,517,000, including funds for the wholesale market development program for the design and development of wholesale and farmer market facilities for the major metropolitan areas of the country: *Provided*, That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

Fees may be collected for the cost of standardization activities, as established by regulation pursuant to law (31 U.S.C. 9701).

LIMITATION ON ADMINISTRATIVE EXPENSES

Not to exceed $58,461,000 (from fees collected) shall be obligated during the current fiscal year for administrative expenses: *Provided,* That if crop size is understated and/or other uncontrollable events occur, the agency may exceed this limitation by up to 10 percent with notification to the Appropriations Committees.

FUNDS FOR STRENGTHENING MARKETS, INCOME, AND SUPPLY (SECTION 32)

(INCLUDING TRANSFERS OF FUNDS)

Funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) shall be used only for commodity program expenses as authorized therein, and other related operating expenses, except for: (1) transfers to the Department of Commerce as authorized by the Fish and Wildlife Act of August 8, 1956; (2) transfers otherwise provided in this Act; and (3) not more than $10,451,000 for formulation and administration of marketing agreements and orders pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and the Agricultural Act of 1961.

In fiscal year 1996, no more than $23,900,000 in section 32 funds shall be used to promote sunflower and cottonseed oil exports as authorized by section 1541 of Public Law 101–624 (7 U.S.C. 1464 note), and such funds shall be used to facilitate additional sales of such oils in world markets.

PAYMENTS TO STATES AND POSSESSIONS

For payments to departments of agriculture, bureaus and departments of markets, and similar agencies for marketing activities under section 204(b) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1623(b)), $1,200,000.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the United States Grain Standards Act, as amended, for the administration of the Packers and Stockyards Act, for certifying procedures used to protect purchasers of farm products, and the standardization activities related to grain under the Agricultural Marketing Act of 1946, as amended, including field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $25,000 for employment under 5 U.S.C. 3109, $23,058,000: *Provided,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one building during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

INSPECTION AND WEIGHING SERVICES

LIMITATION ON INSPECTION AND WEIGHING SERVICES EXPENSES

Not to exceed $42,784,000 (from fees collected) shall be obligated during the current fiscal year for inspection and weighing services: *Provided,* That if grain export activities require additional supervision and oversight, or other uncontrollable factors occur, this limitation may be exceeded by up to 10 percent with notification to the Appropriations Committees.

OFFICE OF THE UNDER SECRETARY FOR FOOD SAFETY

For necessary salaries and expenses of the Office of the Under Secretary for Food Safety to administer the laws enacted by the Congress for the Food Safety and Inspection Service, $440,000.

FOOD SAFETY AND INSPECTION SERVICE

For necessary expenses to carry on services authorized by the Federal Meat Inspection Act, as amended, the Poultry Products Inspection Act, as amended, and the Egg Products Inspection Act, as amended, $544,906,000, and in addition, $1,000,000 may be credited to this account from fees collected for the cost of laboratory accreditation as authorized by section 1017 of Public Law 102–237: *Provided,* That this appropriation shall not be available for shell egg surveillance under section 5(d) of the Egg Products Inspection Act (21 U.S.C. 1034(d)): *Provided further,* That this appropriation shall be available for field employment pursuant to section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $75,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That this appropriation shall be available pursuant to law (7 U.S.C. 2250) for the alteration and repair of buildings and improvements, but the cost of altering any one build-

ing during the fiscal year shall not exceed 10 percent of the current replacement value of the building.

OFFICE OF THE UNDER SECRETARY FOR FARM AND FOREIGN AGRICULTURAL SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Farm and Foreign Agricultural Services to administer the laws enacted by Congress for the Consolidated Farm Service Agency, Foreign Agricultural Service, and the Commodity Credit Corporation, $549,000.

CONSOLIDATED FARM SERVICE AGENCY

SALARIES AND EXPENSES

For necessary expenses for carrying out the administration and implementation of programs administered by the Consolidated Farm Service Agency, $795,000,000: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities (but not the funds) of the Commodity Credit Corporation to make program payments for all programs administered by the Agency: *Provided further,* That other funds made available to the Agency for authorized activities may be advanced to and merged with this account: *Provided further,* That these funds shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $1,000,000 shall be available for employment under 5 U.S.C. 3109.

STATE MEDIATION GRANTS

For grants pursuant to section 502(b) of the Agricultural Credit Act of 1987, as amended (7 U.S.C. 5101–5106), $2,000,000.

DAIRY INDEMNITY PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses involved in making indemnity payments to dairy farmers for milk or cows producing such milk and manufacturers of dairy products who have been directed to remove their milk or dairy products from commercial markets because it contained residues of chemicals registered and approved for use by the Federal Government, and in making indemnity payments for milk, or cows producing such milk, at a fair market value to any dairy farmer who is directed to remove his milk from commercial markets because of (1) the presence of products of nuclear radiation or fallout if such contamination is not due to the fault of the farmer, or (2) residues of chemicals or toxic substances not included under the first sentence of the Act of August 13, 1968, as amended (7 U.S.C. 450j), if such chemicals or toxic substances were not used in a manner contrary to applicable regulations or labeling instructions provided at the time of use and the contamination is not due to the fault of the farmer, $100,000, to remain available until expended (7 U.S.C. 2209b): *Provided,* That none of the funds contained in this Act shall be used to make indemnity payments to any farmer whose milk was removed from commercial markets as a result of his willful failure to follow procedures prescribed by the Federal Government: *Provided further,*

That this amount shall be transferred to the Commodity Credit Corporation: *Provided further,* That the Secretary is authorized to utilize the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of making dairy indemnity disbursements.

OUTREACH FOR SOCIALLY DISADVANTAGED FARMERS

For grants and contracts pursuant to section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), $1,000,000, to remain available until expended.

AGRICULTURAL CREDIT INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by 7 U.S.C. 1928–1929, to be available from funds in the Agricultural Credit Insurance Fund, as follows: farm ownership loans, $610,000,000, of which $550,000,000 shall be for guaranteed loans; operating loans, $2,450,000,000, of which $1,700,000,000 shall be for unsubsidized guaranteed loans and $200,000,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $750,000; for emergency insured loans, $100,000,000 to meet the needs resulting from natural disasters.

For the cost of direct and guaranteed loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, as follows: farm ownership loans, $34,053,000, of which $20,019,000 shall be for guaranteed loans; operating loans, $111,505,000, of which $18,360,000 shall be for unsubsidized guaranteed loans and $17,960,000 shall be for subsidized guaranteed loans; Indian tribe land acquisition loans as authorized by 25 U.S.C. 488, $206,000; for emergency insured loans, $32,080,000 to meet the needs resulting from natural disasters.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $221,541,000, which shall be transferred to and merged with the following accounts in the following amounts: $208,446,000 to "Salaries and Expenses"; $318,000 to "Rural Utilities Service, Salaries and Expenses"; and $171,000 to "Rural Housing and Community Development Service, Salaries and Expenses".

CORPORATIONS

The following corporations and agencies are hereby authorized to make expenditures, within the limits of funds and borrowing authority available to each such corporation or agency and in accord with law, and to make contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the budget for the current fiscal year for such corporation or agency, except as hereinafter provided.

FEDERAL CROP INSURANCE CORPORATION FUND

For payments as authorized by section 516 of the Federal Crop Insurance Act, as amended, such sums as may be necessary, to remain available until expended (7 U.S.C. 2209b).

COMMODITY CREDIT CORPORATION FUND

REIMBURSEMENT FOR NET REALIZED LOSSES

For fiscal year 1996, such sums as may be necessary to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed (estimated to be $10,400,000,000 in the President's fiscal year 1996 Budget Request (H. Doc. 104–4)), but not to exceed $10,400,000,000, pursuant to section 2 of the Act of August 17, 1961, as amended (15 U.S.C. 713a–11).

OPERATIONS AND MAINTENANCE FOR HAZARDOUS WASTE MANAGEMENT

For fiscal year 1996, the Commodity Credit Corporation shall not expend more than $5,000,000 for expenses to comply with the requirement of section 107(g) of the Comprehensive Environmental Response, Compensation, and Liability Act, as amended, 42 U.S.C. 9607(g), and section 6001 of the Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6961: *Provided,* That expenses shall be for operations and maintenance costs only and that other hazardous waste management costs shall be paid for by the USDA Hazardous Waste Management appropriation in this Act.

TITLE II

CONSERVATION PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR

NATURAL RESOURCES AND ENVIRONMENT

For necessary salaries and expenses of the Office of the Under Secretary for Natural Resources and Environment to administer the laws enacted by the Congress for the Forest Service and the Natural Resources Conservation Service, $677,000.

NATURAL RESOURCES CONSERVATION SERVICE

CONSERVATION OPERATIONS

For necessary expenses for carrying out the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–590f) including preparation of conservation plans and establishment of measures to conserve soil and water (including farm irrigation and land drainage and such special measures for soil and water management as may be necessary to prevent floods and the siltation of reservoirs and to control agricultural related pollutants); operation of conservation plant materials centers; classification and mapping of soil; dissemination of information; acquisition of lands, water, and interests therein for use in the plant materials program by donation,

exchange, or purchase at a nominal cost not to exceed $100 pursuant to the Act of August 3, 1956 (7 U.S.C. 428a); purchase and erection or alteration or improvement of permanent and temporary buildings; and operation and maintenance of aircraft, $629,986,000, to remain available until expended (7 U.S.C. 2209b), of which not less than $5,852,000 is for snow survey and water forecasting and not less than $8,875,000 is for operation and establishment of the plant materials centers: *Provided,* That appropriations hereunder shall be available pursuant to 7 U.S.C. 2250 for construction and improvement of buildings and public improvements at plant materials centers, except that the cost of alterations and improvements to other buildings and other public improvements shall not exceed $250,000: *Provided further,* That when buildings or other structures are erected on non-Federal land, that the right to use such land is obtained as provided in 7 U.S.C. 2250a: *Provided further,* That this appropriation shall be available for technical assistance and related expenses to carry out programs authorized by section 202(c) of title II of the Colorado River Basin Salinity Control Act of 1974, as amended (43 U.S.C. 1592(c)): *Provided further,* That no part of this appropriation may be expended for soil and water conservation operations under the Act of April 27, 1935 (16 U.S.C. 590a–590f) in demonstration projects: *Provided further,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225) and not to exceed $25,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That qualified local engineers may be temporarily employed at per diem rates to perform the technical planning work of the Service (16 U.S.C. 590e–2).

WATERSHED AND FLOOD PREVENTION OPERATIONS

For necessary expenses to carry out preventive measures, including but not limited to research, engineering operations, methods of cultivation, the growing of vegetation, rehabilitation of existing works and changes in use of land, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1005, 1007–1009), the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and in accordance with the provisions of laws relating to the activities of the Department, $100,000,000, to remain available until expended (7 U.S.C. 2209b) (of which $15,000,000 shall be available for the watersheds authorized under the Flood Control Act approved June 22, 1936 (33 U.S.C. 701, 16 U.S.C. 1006a), as amended and supplemented): *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $200,000 shall be available for employment under 5 U.S.C. 3109: *Provided further,* That not to exceed $1,000,000 of this appropriation is available to carry out the purposes of the Endangered Species Act of 1973 (Public Law 93–205), as amended, including cooperative efforts as contemplated by that Act to relocate endangered or threatened species to other suitable habitats as may be necessary to expedite project construction.

RESOURCE CONSERVATION AND DEVELOPMENT

For necessary expenses in planning and carrying out projects for resource conservation and development and for sound land use pursuant to the provisions of section 32(e) of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010–1011; 76 Stat. 607), and the provisions of the Act of April 27, 1935 (16 U.S.C. 590a–f), and the provisions of the Agriculture and Food Act of 1981 (16 U.S.C. 3451–3461), $29,000,000, to remain available until expended (7 U.S.C. 2209): *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $50,000 shall be available for employment under 5 U.S.C. 3109.

FORESTRY INCENTIVES PROGRAM

For necessary expenses, not otherwise provided for, to carry out the program of forestry incentives, as authorized in the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101), including technical assistance and related expenses, $6,325,000, to remain available until expended, as authorized by that Act.

COLORADO RIVER BASIN SALINITY CONTROL PROGRAM

For necessary expenses for carrying out a voluntary cooperative salinity control program pursuant to section 202(c) of title II of the Colorado River Basin Salinity Control Act, as amended (43 U.S.C. 1592(c)), to be used to reduce salinity in the Colorado River and to enhance the supply and quality of water available for use in the United States and the Republic of Mexico, $2,681,000, to remain available until expended (7 U.S.C. 2209b), to be used for the establishment of on-farm irrigation management systems, including lateral improvement measures, for making cost-share payments to agricultural landowners and operators, Indian tribes, irrigation districts and associations, local governmental and nongovernmental entities, and other landowners to aid them in carrying out approved conservation practices as determined and recommended by the Secretary, and for associated costs of program planning, information and education, and program monitoring and evaluation.

WATERSHED SURVEYS AND PLANNING

For necessary expenses to conduct research, investigation, and surveys of watersheds of rivers and other waterways, and for small watershed investigations and planning, in accordance with the Watershed Protection and Flood Prevention Act approved August 4, 1954, as amended (16 U.S.C. 1001–1009), $14,000,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $110,000 shall be available for employment under 5 U.S.C. 3109.

WETLANDS RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the wetlands reserve program pursuant to subchapter C of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837), $77,000,000, to remain available until expended: *Provided,* That the Secretary is authorized to use the services, facilities, and authorities of the Commodity Credit Corporation for the purpose of carrying out the wetlands reserve program.

CONSOLIDATED FARM SERVICE AGENCY

AGRICULTURAL CONSERVATION PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry into effect the program authorized in sections 7 to 15, 16(a), 16(f), and 17 of the Soil Conservation and Domestic Allotment Act approved February 29, 1936, as amended and supplemented (16 U.S.C. 590g–590o, 590p(a), 590p(f), and 590q), and sections 1001–1004, 1006–1008, and 1010 of the Agricultural Act of 1970, as added by the Agriculture and Consumer Protection Act of 1973 (16 U.S.C. 1501–1504, 1506–1508, and 1510), and including not to exceed $15,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States, $75,000,000, to remain available until expended (16 U.S.C. 590o), for agreements, excluding administration but including technical assistance and related expenses (16 U.S.C. 590o), except that no participant in the agricultural conservation program shall receive more than $3,500 per year, except where the participants from two or more farms or ranches join to carry out approved practices designed to conserve or improve the agricultural resources of the community, or where a participant has a long-term agreement, in which case the total payment shall not exceed the annual payment limitation multiplied by the number of years of the agreement: *Provided,* That no portion of the funds for the current year's program may be utilized to provide financial or technical assistance for drainage on wetlands now designated as Wetlands Types 3 (III) through 20 (XX) in United States Department of the Interior, Fish and Wildlife Circular 39, Wetlands of the United States, 1956: *Provided further,* That such amounts shall be available for the purchase of seeds, fertilizers, lime, trees, or any other conservation materials, or any soil-terracing services, and making grants thereof to agricultural producers to aid them in carrying out approved farming practices as authorized by the Soil Conservation and Domestic Allotment Act, as amended, as determined and recommended by the county committees, approved by the State committees and the Secretary, under programs provided for herein: *Provided further,* That such assistance will not be used for carrying out measures and practices that are primarily production-oriented or that have little or no conservation or pollution abatement benefits: *Provided further,* That not to exceed 5 percent of the allocation for the current year's program for any county may, on the recommendation of such county committee and approval of the State committee, be withheld and allotted to the Natural Resources Conservation Service for services

of its technicians in formulating and carrying out the agricultural conservation program in the participating counties, and shall not be utilized by the Natural Resources Conservation Service for any purpose other than technical and other assistance in such counties, and in addition, on the recommendation of such county committee and approval of the State committee, not to exceed 1 percent may be made available to any other Federal, State, or local public agency for the same purpose and under the same conditions: *Provided further,* That not to exceed $11,000,000 of the amount appropriated shall be used for water quality payments and practices in the same manner as permitted under the program for water quality authorized in chapter 2 of subtitle D of title XII of the Food Security Act of 1985, as amended (16 U.S.C. 3838 et seq.).

CONSERVATION RESERVE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the conservation reserve program pursuant to the Food Security Act of 1985 (16 U.S.C. 3831–3845), $1,781,785,000, to remain available until expended, to be used for Commodity Credit Corporation expenditures for cost-share assistance for the establishment of conservation practices provided for in approved conservation reserve program contracts, for annual rental payments provided in such contracts, and for technical assistance.

TITLE III

RURAL ECONOMIC AND COMMUNITY DEVELOPMENT PROGRAMS

Office of the Under Secretary for Rural Economic and Community Development

For necessary salaries and expenses of the Office of the Under Secretary for Rural Economic and Community Development to administer programs under the laws enacted by the Congress for the Rural Housing and Community Development Service, Rural Business and Cooperative Development Service, and the Rural Utilities Service of the Department of Agriculture, $568,000.

Rural Housing and Community Development Service

SALARIES AND EXPENSES

For necessary expenses of the Rural Housing and Community Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended, title V of the Housing Act of 1949, as amended, and cooperative agreements, $46,583,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed $500,000 may be used for employment under 5 U.S.C. 3109.

RURAL HOUSING INSURANCE FUND PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949, as amended, to be available from funds in the rural housing insurance fund, as follows: $2,700,000,000 for loans to section 502 borrowers, as determined by the Secretary, of which $1,700,000,000 shall be for unsubsidized guaranteed loans; $35,000,000 for section 504 housing repair loans; $15,000,000 for section 514 farm labor housing; $150,000,000 for section 515 rental housing; $600,000 for site loans: *Provided,* That notwithstanding section 520 of the Housing Act of 1949, the Secretary of Agriculture may make loans under section 502 of such Act for properties in the Pine View West Subdivision, located in Gibsonville, North Carolina, in the same manner as provided under such section for properties in rural areas.

For the cost of direct and guaranteed loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, as follows: section 502 loans, $148,723,000, of which $2,890,000 shall be for unsubsidized guaranteed loans; section 504 housing repair loans, $14,193,000; section 514 farm labor housing, $8,629,000; section 515 rental housing, $82,035,000: *Provided,* That no funds for new construction may be available for fiscal year 1996 until the program is authorized.

In addition, for the cost (as defined in section 502 of the Congressional Budget Act of 1974) of guaranteed loans under a demonstration program of loan guarantees for multifamily rental housing in rural areas, $1,000,009, to be derived from the amount made available under this heading for the cost of low-income section 515 loans and to become available for obligation only upon the enactment of authorizing legislation.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $385,889,000, of which $372,897,000 shall be transferred to and merged with the appropriation for "Rural Housing and Community Development Service, Salaries and Expenses".

RENTAL ASSISTANCE PROGRAM

For rental assistance agreements entered into or renewed pursuant to the authority under section 521(a)(2) or agreements entered into in lieu of forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Housing Act of 1949, as amended, $540,900,000; and in addition such sums as may be necessary, as authorized by section 521(c) of the Act, to liquidate debt incurred prior to fiscal year 1992 to carry out the rental assistance program under section 521(a)(2) of the Act: *Provided,* That of this amount not more than $5,900,000 shall be available for debt forgiveness or payments for eligible households as authorized by section 502(c)(5)(D) of the Act, and not to exceed $10,000 per project for advances to nonprofit organizations or public agencies to cover direct costs (other than purchase price) incurred in purchasing projects pursuant to section 502(c)(5)(C) of the Act: *Provided further,* That agreements entered into or renewed during fiscal year 1996 shall be funded for a five-year period, although

the life of any such agreement may be extended to fully utilize amounts obligated.

SELF-HELP HOUSING LAND DEVELOPMENT FUND

For the principal amount of direct loans, as authorized by section 523(b)(1)(B) of the Housing Act of 1949, as amended (42 U.S.C. 1490c), $603,000.

For the cost of direct loans, including the cost of modifying loans, as defined in section 502 of the Congressional Budget Act of 1974, $31,000.

COMMUNITY FACILITY LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, $34,880,000, and for the cost of guaranteed loans, $3,555,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661–664, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $200,000,000 and total loan principal, any part of which is to be guaranteed, not to exceed $75,000,000: *Provided further,* That of the amounts available for the cost of direct loans not to exceed $1,208,000, to subsidize gross obligations for the principal amount not to exceed $6,930,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they remain available for other authorized purposes under this head.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $8,836,000, of which $8,731,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".

VERY LOW-INCOME HOUSING REPAIR GRANTS

For grants to the very low-income elderly for essential repairs to dwellings pursuant to section 504 of the Housing Act of 1949, as amended, $24,900,000, to remain available until expended.

RURAL HOUSING FOR DOMESTIC FARM LABOR

For financial assistance to eligible nonprofit organizations for housing for domestic farm labor, pursuant to section 516 of the Housing Act of 1949, as amended (42 U.S.C. 1486), $10,000,000, to remain available until expended.

MUTUAL AND SELF-HELP HOUSING GRANTS

For grants and contracts pursuant to section 523(b)(1)(A) of the Housing Act of 1949 (42 U.S.C. 1490c), $12,650,000, to remain available until expended (7 U.S.C. 2209b).

RURAL COMMUNITY FIRE PROTECTION GRANTS

For grants pursuant to section 7 of the Cooperative Forestry Assistance Act of 1978 (Public Law 95–313), $2,000,000 to fund up to 50 percent of the cost of organizing, training, and equipping rural volunteer fire departments.

COMPENSATION FOR CONSTRUCTION DEFECTS

For compensation for construction defects as authorized by section 509(c) of the Housing Act of 1949, as amended, $495,000, to remain available until expended.

RURAL HOUSING PRESERVATION GRANTS

For grants for rural housing preservation as authorized by section 552 of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98–181), $11,000,000.

RURAL BUSINESS AND COOPERATIVE DEVELOPMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Rural Business and Cooperative Development Service, including administering the programs authorized by the Consolidated Farm and Rural Development Act, as amended; section 1323 of the Food Security Act of 1985; the Cooperative Marketing Act of 1926; for activities relating to the marketing aspects of cooperatives, including economic research findings, as authorized by the Agricultural Marketing Act of 1946; for activities with institutions concerning the development and operation of agricultural cooperatives; and cooperative agreements; $9,013,000: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed $250,000 may be used for employment under 5 U.S.C. 3109.

RURAL BUSINESS AND INDUSTRY LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the cost of guaranteed loans, $6,437,000, as authorized by 7 U.S.C. 1928 and 86 Stat. 661–664, as amended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That such sums shall remain available until expended for the disbursement of loans obligated in fiscal year 1996: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of guaranteed loans of $500,000,000: *Provided further,* That of the amounts available for the cost of guaranteed loans including the cost of modifying loans, $148,000, to subsidize gross obligations for the loan principal, any part of which is guaranteed, not to exceed $10,842,000, shall be available for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they remain available for other authorized activities under this head.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, $14,868,000, of which $14,747,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".

RURAL DEVELOPMENT LOAN FUND PROGRAM ACCOUNT

For the cost of direct loans, $22,395,000, as authorized by the Rural Development Loan Fund (42 U.S.C. 9812(a)): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans of $37,544,000: *Provided further,* That through June 30, 1996, of these amounts, $4,322,000 shall be available for the cost of direct loans, for empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconcilation Act of 1993, to subsidize gross obligations for the principal amount of direct loans, $7,246,000.

In addition, for administrative expenses necessary to carry out the direct loan programs, $1,476,000, of which $1,470,000 shall be transferred to and merged with the appropriation for "Salaries and Expenses".

RURAL ECONOMIC DEVELOPMENT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For the principal amount of direct loans, as authorized under section 313 of the Rural Electrification Act, for the purpose of promoting rural economic development and job creation projects, $12,865,000.

For the cost of direct loans, including the cost of modifying loans as defined in section 502 of the Congressional Budget Act of 1974, $3,729,000.

In addition, for administrative expenses necessary to carry out the direct loan program, $654,000, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

ALTERNATIVE AGRICULTURAL RESEARCH AND COMMERCIALIZATION REVOLVING FUND

For necessary expenses to carry out the Alternative Agricultural Research and Commercialization Act of 1990 (7 U.S.C. 5901–5908), $6,500,000 is appropriated to the alternative agricultural research and commercialization revolving fund.

RURAL BUSINESS ENTERPRISE GRANTS

For grants authorized under section 310B(c) and 310B(j) (7 U.S.C. 1932) of the Consolidated Farm and Rural Development Act to any qualified public or private nonprofit organization, $45,000,000, of which $8,381,000 shall be available through June 30, 1996, for assistance to empowerment zones and enterprise communities, as authorized by title XIII of the Omnibus Budget Reconciliation Act of 1993, after which any funds not obligated shall remain available for other authorized purposes under this head: *Provided,* That $500,000 shall be available for grants to qualified nonprofit organizations to provide technical assistance

and training for rural communities needing improved passenger transportation systems or facilities in order to promote economic development.

RURAL TECHNOLOGY AND COOPERATIVE DEVELOPMENT GRANTS

For grants pursuant to section 310(f) of the Consolidated Farm and Rural Development Act, as amended (7 U.S.C. 1932), $2,300,000, of which up to $1,300,000 may be available for the appropriate technology transfer for rural areas program.

RURAL UTILITIES SERVICE

RURAL ELECTRIFICATION AND TELEPHONE LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

Insured loans pursuant to the authority of section 305 of the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), shall be made as follows: 5 percent rural electrification loans, $90,000,000; 5 percent rural telephone loans, $70,000,000; cost of money rural telephone loans, $300,000,000; municipal rate rural electric loans, $525,000,000; and loans made pursuant to section 306 of that Act, $420,000,000, to remain available until expended.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct and guaranteed loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), as follows: cost of direct loans, $35,126,000; cost of municipal rate loans, $56,858,000; cost of money rural telephone loans, $60,000; cost of loans guaranteed pursuant to section 306, $2,520,000: *Provided,* That notwithstanding section 305(d)(2) of the Rural Electrification Act of 1936, borrower interest rates may exceed 7 percent per year.

In addition, for administrative expenses necessary to carry out the direct and guaranteed loan programs, $29,982,000, which shall be transferred to and merged with the appropriation for "Salaries and Expenses".

RURAL TELEPHONE BANK PROGRAM ACCOUNT

The Rural Telephone Bank is hereby authorized to make such expenditures, within the limits of funds available to such corporation in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out its authorized programs for the current fiscal year. During fiscal year 1996 and within the resources and authority available, gross obligations for the principal amount of direct loans shall be $175,000,000.

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, including the cost of modifying loans, of direct loans authorized by the Rural Electrification Act of 1936, as amended (7 U.S.C. 935), $5,023,000.

In addition, for administrative expenses necessary to carry out the loan programs, $3,541,000.

DISTANCE LEARNING AND MEDICAL LINK GRANTS

For necessary expenses to carry into effect the programs authorized in sections 2331–2335 of Public Law 101–624, $7,500,000, to remain available until expended.

RURAL UTILITIES ASSISTANCE PROGRAM

(INCLUDING TRANSFERS OF FUNDS)

For the cost of direct loans, loan guarantees, and grants, as authorized by 7 U.S.C. 1926, 1928, and 1932, $487,868,000, to remain available until expended, to be available for loans and grants for rural water and waste disposal and solid waste management grants: *Provided,* That the costs of direct loans and loan guarantees, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That of the total amount appropriated, not to exceed $4,500,000 shall be available for contracting with the National Rural Water Association or equally qualified national organizations for a circuit rider program to provide technical assistance for rural water systems: *Provided further,* That of the total amount appropriated, not to exceed $18,700,000 shall be available for water and waste disposal systems to benefit the Colonias along the United States/Mexico border, including grants pursuant to section 306C: *Provided further,* That of the total amount appropriated, $18,688,000 shall be for empowerment zones and enterprise communities, as authorized by Public Law 103–66: *Provided further,* That if such funds are not obligated for empowerment zones and enterprise communities by June 30, 1996, they shall remain available for other authorized purposes under this head.

In addition, for administrative expenses necessary to carry out direct loans, loan guarantees, and grants, $12,740,000, of which $12,623,000 shall be transferred to and merged with "Rural Utilities Service, Salaries and Expenses".

SALARIES AND EXPENSES

For necessary expenses of the Rural Utilities Service, including administering the programs authorized by the Rural Electrification Act of 1936, as amended, and the Consolidated Farm and Rural Development Act, as amended, $18,449,000, of which $7,000 shall be available for financial credit reports: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of 706(a) of the Organic Act of 1944, and not to exceed $103,000 may be used for employment under 5 U.S.C. 3109.

TITLE IV

DOMESTIC FOOD PROGRAMS

OFFICE OF THE UNDER SECRETARY FOR FOOD, NUTRITION AND CONSUMER SERVICES

For necessary salaries and expenses of the Office of the Under Secretary for Food, Nutrition and Consumer Services to administer the laws enacted by the Congress for the Food and Consumer Service, $440,000.

FOOD AND CONSUMER SERVICE

CHILD NUTRITION PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the National School Lunch Act (42 U.S.C. 1751–1769b), and the applicable provisions other than section 21 of the National School Lunch Act and sections 17 and 19 of the Child Nutrition Act of 1966 (42 U.S.C. 1772–1785, and 1789); $7,946,024,000, to remain available through September 30, 1997, of which $2,348,166,000 is hereby appropriated and $5,597,858,000 shall be derived by transfer from funds available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c): *Provided,* That up to $3,964,000 shall be available for independent verification of school food service claims.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses to carry out the special supplemental nutrition program as authorized by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), $3,729,807,000, to remain available through September 30, 1997: *Provided,* That for fiscal year 1996, $20,000,000 that would otherwise be available to States for nutrition services and administration shall be made available for food benefits: *Provided further,* That $4,000,000 from unobligated balances for supervisory and technical assistance grants may be transferred to and merged with this account: *Provided further,* That up to $6,750,000 may be used to carry out the farmers' market nutrition program from any funds not needed to maintain current caseload levels: *Provided further,* That none of the funds in this Act shall be available to pay administrative expenses of WIC clinics except those that have an announced policy of prohibiting smoking within the space used to carry out the program: *Provided further,* That once the amount for fiscal year 1995 carryover funds has been determined by the Secretary, any funds in excess of $100,000,000 may be transferred by the Secretary of Agriculture to the Rural Utilities Assistance Program and shall remain available until expended: *Provided further,* That none of the funds provided in this account shall be available for the purchase of infant formula except in accordance with the cost containment and competitive bidding requirements specified in section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786).

FOOD STAMP PROGRAM

For necessary expenses to carry out the Food Stamp Act (7 U.S.C. 2011–2029), $27,597,828,000: *Provided,* That funds provided herein shall remain available through September 30, 1996, in accordance with section 18(a) of the Food Stamp Act: *Provided further,* That $500,000,000 of the foregoing amount shall be placed in reserve for use only in such amounts and at such times as may become necessary to carry out program operations: *Provided further,* That funds provided herein shall be expended in accordance with section 16 of the Food Stamp Act: *Provided further,* That this appropriation shall be subject to any work registration or

workfare requirements as may be required by law: *Provided further,* That $1,143,000,000 of the foregoing amount shall be available for nutrition assistance for Puerto Rico as authorized by 7 U.S.C. 2028.

COMMODITY ASSISTANCE PROGRAM

For necessary expenses to carry out the commodity supplemental food program as authorized by section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c(note)), the Emergency Food Assistance Act of 1983, as amended, and section 110 of the Hunger Prevention Act of 1988, $166,000,000, to remain available through September 30, 1997: *Provided,* That none of these funds shall be available to reimburse the Commodity Credit Corporation for commodities donated to the program: *Provided further,* That none of the funds in this Act or any other Act may be used for demonstration projects in the emergency food assistance program.

FOOD DONATIONS PROGRAMS FOR SELECTED GROUPS

For necessary expenses to carry out section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c (note)), section 4(b) of the Food Stamp Act (7 U.S.C. 2013(b)), and section 311 of the Older Americans Act of 1965, as amended (42 U.S.C. 3030a), $215,000,000, to remain available through September 30, 1997: *Provided,* That hereafter notwithstanding any other provision of law, for meals provided pursuant to the Older Americans Act of 1965, a maximum rate of reimbursement to States will be established by the Secretary, subject to reduction if obligations would exceed the amount of available funds, with any unobligated funds to remain available only for obligation in the fiscal year beginning October 1, 1996.

42 USC 3030a note.

FOOD PROGRAM ADMINISTRATION

For necessary administrative expenses of the domestic food programs funded under this Act, $107,769,000, of which $5,000,000 shall be available only for simplifying procedures, reducing overhead costs, tightening regulations, improving food stamp coupon handling, and assistance in the prevention, identification, and prosecution of fraud and other violations of law: *Provided,* That this appropriation shall be available for employment pursuant to the second sentence of section 706(a) of the Organic Act of 1944 (7 U.S.C. 2225), and not to exceed $150,000 shall be available for employment under 5 U.S.C. 3109.

TITLE V

FOREIGN ASSISTANCE AND RELATED PROGRAMS

FOREIGN AGRICULTURAL SERVICE

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of the Foreign Agricultural Service, including carrying out title VI of the Agricultural Act of 1954, as amended (7 U.S.C. 1761–1768), market development activities abroad, and for enabling the Secretary to coordinate and integrate

activities of the Department in connection with foreign agricultural work, including not to exceed $128,000 for representation allowances and for expenses pursuant to section 8 of the Act approved August 3, 1956 (7 U.S.C. 1766), $124,775,000, of which $5,176,000 may be transferred from Commodity Credit Corporation funds, $2,792,000 may be transferred from the Commodity Credit Corporation program account in this Act, and $1,005,000 may be transferred from the Public Law 480 program account in this Act: *Provided,* That the Service may utilize advances of funds, or reimburse this appropriation for expenditures made on behalf of Federal agencies, public and private organizations and institutions under agreements executed pursuant to the agricultural food production assistance programs (7 U.S.C. 1736) and the foreign assistance programs of the International Development Cooperation Administration (22 U.S.C. 2392): *Provided further,* That none of the funds made available by this Act may be used to carry out activities of the market promotion program (7 U.S.C. 5623) which provides direct grants to any for-profit corporation that is not recognized as a small business concern under section 3(a) of the Small Business Act (15 U.S.C. 632(a)), excluding cooperatives and associations as described in 7 U.S.C. 291 and non-profit trade associations: *Provided further,* That funds available to trade associations, cooperatives, and small businesses may be used for individual branded promotions; with the beneficiaries having matched the cost of such promotions.

None of the funds in the foregoing paragraph shall be available to promote the sale or export of tobacco or tobacco products.

PUBLIC LAW 480 PROGRAM AND GRANT ACCOUNTS

(INCLUDING TRANSFERS OF FUNDS)

For expenses during the current fiscal year, not otherwise recoverable, and unrecovered prior years' costs, including interest thereon, under the Agricultural Trade Development and Assistance Act of 1954, as amended (7 U.S.C. 1691, 1701–1715, 1721–1726, 1727–1727f, 1731–1736g), as follows: (1) $291,342,000 for Public Law 480 title I credit, including Food for Progress programs; (2) $25,000,000 is hereby appropriated for ocean freight differential costs for the shipment of agricultural commodities pursuant to title I of said Act and the Food for Progress Act of 1985, as amended; (3) $821,100,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title II of said Act, of which $60,000,000 shall be financed from funds credited to the Commodity Credit Corporation pursuant to section 426 of Public Law 103–465; and (4) $50,000,000 is hereby appropriated for commodities supplied in connection with dispositions abroad pursuant to title III of said Act: *Provided,* That not to exceed 15 percent of the funds made available to carry out any title of said Act may be used to carry out any other title of said Act: *Provided further,* That such sums shall remain available until expended (7 U.S.C. 2209b).

For the cost, as defined in section 502 of the Congressional Budget Act of 1974, of direct credit agreements as authorized by the Agricultural Trade Development and Assistance Act of 1954, as amended, and the Food for Progress Act of 1985, as amended, including the cost of modifying credit agreements under said Act, $236,162,000.

In addition, for administrative expenses to carry out the Public Law 480 title I credit program, and the Food for Progress Act of 1985, as amended, to the extent funds appropriated for Public Law 480 are utilized, $1,750,000.

SHORT-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $5,200,000,000 in credit guarantees under its export credit guarantee program for short-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202(a) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

INTERMEDIATE-TERM EXPORT CREDIT

The Commodity Credit Corporation shall make available not less than $500,000,000 in credit guarantees under its export credit guarantee program for intermediate-term credit extended to finance the export sales of United States agricultural commodities and the products thereof, as authorized by section 202(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5641).

COMMODITY CREDIT CORPORATION EXPORT LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFERS OF FUNDS)

For administrative expenses to carry out the Commodity Credit Corporation's export guarantee program, GSM–102 and GSM–103, $3,381,000; to cover common overhead expenses as permitted by section 11 of the Commodity Credit Corporation Charter Act and in conformity with the Federal Credit Reform Act of 1990, of which not to exceed $2,792,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Foreign Agricultural Service, and of which not to exceed $589,000 may be transferred to and merged with the appropriation for the salaries and expenses of the Consolidated Farm Service Agency.

TITLE VI

RELATED AGENCIES AND FOOD AND DRUG ADMINISTRATION

DEPARTMENT OF HEALTH AND HUMAN SERVICES

FOOD AND DRUG ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Food and Drug Administration, including hire and purchase of passenger motor vehicles; for rental of special purpose space in the District of Columbia or elsewhere; and for miscellaneous and emergency expenses of enforcement activities, authorized and approved by the Secretary and to be accounted for solely on the Secretary's certificate, not to exceed $25,000; $904,694,000, of which not to exceed $84,723,000 in fees pursuant to section 736 of the Federal Food, Drug, and Cosmetic Act may be credited to this appropriation and remain available until expended: *Provided,* That fees derived from applications

received during fiscal year 1996 shall be subject to the fiscal year 1996 limitation: *Provided further,* That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701.

In addition, fees pursuant to section 354 of the Public Health Service Act may be credited to this account, to remain available until expended.

BUILDINGS AND FACILITIES

For plans, construction, repair, improvement, extension, alteration, and purchase of fixed equipment or facilities of or used by the Food and Drug Administration, where not otherwise provided, $12,150,000, to remain available until expended (7 U.S.C. 2209b).

RENTAL PAYMENTS (FDA)

(INCLUDING TRANSFERS OF FUNDS)

For payment of space rental and related costs pursuant to Public Law 92–313 for programs and activities of the Food and Drug Administration which are included in this Act, $46,294,000: *Provided,* That in the event the Food and Drug Administration should require modification of space needs, a share of the salaries and expenses appropriation may be transferred to this appropriation, or a share of this appropriation may be transferred to the salaries and expenses appropriation, but such transfers shall not exceed 5 percent of the funds made available for rental payments (FDA) to or from this account.

DEPARTMENT OF THE TREASURY

FINANCIAL MANAGEMENT SERVICE

PAYMENTS TO THE FARM CREDIT SYSTEM FINANCIAL ASSISTANCE CORPORATION

For necessary payments to the Farm Credit System Financial Assistance Corporation by the Secretary of the Treasury, as authorized by section 6.28(c) of the Farm Credit Act of 1971, as amended, for reimbursement of interest expenses incurred by the Financial Assistance Corporation on obligations issued through 1994, as authorized, $15,453,000.

INDEPENDENT AGENCIES

COMMODITY FUTURES TRADING COMMISSION

For necessary expenses to carry out the provisions of the Commodity Exchange Act, as amended (7 U.S.C. 1 et seq.), including the purchase and hire of passenger motor vehicles; the rental of space (to include multiple year leases) in the District of Columbia and elsewhere; and not to exceed $25,000 for employment under 5 U.S.C. 3109; $53,601,000, including not to exceed $1,000 for official reception and representation expenses: *Provided,* That the Commission is authorized to charge reasonable fees to attendees of Commission sponsored educational events and symposia to cover the Commission's costs of providing those events and symposia,

and notwithstanding 31 U.S.C. 3302, said fees shall be credited to this account, to be available without further appropriation.

FARM CREDIT ADMINISTRATION

ADMINISTRATIVE PROVISION

Health and health care.
5 USC 8901 note.

SEC. 601. (a) For purposes of the administration of chapter 89 of title 5, United States Code, any period of enrollment under a health benefits plan administered by the Farm Credit Administration prior to the effective date of this Act shall be deemed to be a period of enrollment in a health benefits plan under chapter 89 of such title.

(b)(1) An individual who, on September 30, 1995, is covered by a health benefits plan administered by the Farm Credit Administration may enroll in an approved health benefits plan described under section 8903 or 8903a of title 5, United States Code—

(A) either as an individual or for self and family, if such individual is an employee, annuitant, or former spouse as defined under section 8901 of such title; and

(B) for coverage effective on and after September 30, 1995.

(2) An individual who, on September 30, 1995, is entitled to continued coverage under a health benefits plan administered by the Farm Credit Administration—

(A) shall be deemed to be entitled to continued coverage under section 8905a of title 5, United States Code, for the same period that would have been permitted under the plan administered by the Farm Credit Administration; and

(B) may enroll in an approved health benefits plan described under sections 8903 or 8903a of such title in accordance with section 8905A of such title for coverage effective on and after September 30, 1995.

(3) An individual who, on September 30, 1995, is covered as an unmarried dependent child under a health benefits plan administered by the Farm Credit Administration and who is not a member of family as defined under section 8901(5) of title 5, United States Code—

(A) shall be deemed to be entitled to continued coverage under section 8905a of such title as though the individual had, on September 30, 1995, ceased to meet the requirements for being considered an unmarried dependent child under chapter 89 of such title; and

(B) may enroll in an approved health benefits plan described under section 8903 or 8903a of such title in accordance with section 8905a for continued coverage on and after September 30, 1995.

(c) The Farm Credit Administration shall transfer to the Federal Employees Health Benefits Fund established under section 8909 of title 5, United States Code, amounts determined by the Director of the Office of Personnel Management, after consultation with the Farm Credit Administration, to be necessary to reimburse the Fund for the cost of providing benefits under this section not otherwise paid for by the individuals covered by this section. The amount so transferred shall be held in the Fund and used by the Office in addition to the amounts available under section 8906(g)(1) of such title.

(d) The Office of Personnel Management—

(1) shall administer the provisions of this section to provide for—

(A) a period of notice and open enrollment for individuals affected by this section; and

(B) no lapse of health coverage for individuals who enroll in a health benefits plan under chapter 89 of title 5, United States Code, in accordance with this section; and

(2) may prescribe regulations to implement this section.

TITLE VII—GENERAL PROVISIONS

SEC. 701. Within the unit limit of cost fixed by law, appropriations and authorizations made for the Department of Agriculture for the fiscal year 1996 under this Act shall be available for the purchase, in addition to those specifically provided for, of not to exceed 665 passenger motor vehicles, of which 642 shall be for replacement only, and for the hire of such vehicles.

SEC. 702. Funds in this Act available to the Department of Agriculture shall be available for uniforms or allowances therefor as authorized by law (5 U.S.C. 5901–5902).

SEC. 703. Not less than $1,500,000 of the appropriations of the Department of Agriculture in this Act for research and service work authorized by the Acts of August 14, 1946, and July 28, 1954 (7 U.S.C. 427, 1621–1629), and by chapter 63 of title 31, United States Code, shall be available for contracting in accordance with said Acts and chapter. 7 USC 1623a.

SEC. 704. The cumulative total of transfers to the Working Capital Fund for the purpose of accumulating growth capital for data services and National Finance Center operations shall not exceed $2,000,000: *Provided,* That no funds in this Act appropriated to an agency of the Department shall be transferred to the Working Capital Fund without the approval of the agency administrator.

SEC. 705. New obligational authority provided for the following appropriation items in this Act shall remain available until expended (7 U.S.C. 2209b): Animal and Plant Health Inspection Service, the contingency fund to meet emergency conditions, and integrated systems acquisition project; Consolidated Farm Service Agency, salaries and expenses funds made available to county committees; and Foreign Agricultural Service, middle-income country training program. 7 USC 2209b.

New obligational authority for the boll weevil program; up to 10 percent of the screwworm program of the Animal and Plant Health Inspection Service; Food Safety and Inspection Service, field automation and information management project; funds appropriated for rental payments; funds for the Native American institutions endowment fund in the Cooperative State Research, Education, and Extension Service, and funds for the competitive research grants (7 U.S.C. 450i(b)) shall remain available until expended.

SEC. 706. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 707. Not to exceed $50,000 of the appropriations available to the Department of Agriculture in this Act shall be available to provide appropriate orientation and language training pursuant to Public Law 94–449.

SEC. 708. No funds appropriated by this Act may be used to pay negotiated indirect cost rates on cooperative agreements or similar arrangements between the United States Department of Agriculture and nonprofit institutions in excess of 10 percent of the total direct cost of the agreement when the purpose of such cooperative arrangements is to carry out programs of mutual interest between the two parties. This does not preclude appropriate payment of indirect costs on grants and contracts with such institutions when such indirect costs are computed on a similar basis for all agencies for which appropriations are provided in this Act.

7 USC 612c note.

SEC. 709. Notwithstanding any other provision of this Act, commodities acquired by the Department in connection with Commodity Credit Corporation and section 32 price support operations may be used, as authorized by law (15 U.S.C. 714c and 7 U.S.C. 612c), to provide commodities to individuals in cases of hardship as determined by the Secretary of Agriculture.

SEC. 710. None of the funds in this Act shall be available to reimburse the General Services Administration for payment of space rental and related costs in excess of the amounts specified in this Act; nor shall this or any other provision of law require a reduction in the level of rental space or services below that of fiscal year 1995 or prohibit an expansion of rental space or services with the use of funds otherwise appropriated in this Act. Further, no agency of the Department of Agriculture, from funds otherwise available, shall reimburse the General Services Administration for payment of space rental and related costs provided to such agency at a percentage rate which is greater than is available in the case of funds appropriated in this Act.

SEC. 711. None of the funds in this Act shall be available to restrict the authority of the Commodity Credit Corporation to lease space for its own use or to lease space on behalf of other agencies of the Department of Agriculture when such space will be jointly occupied.

SEC. 712. With the exception of grants awarded under the Small Business Innovation Development Act of 1982, Public Law 97–219, as amended (15 U.S.C. 638), none of the funds in this Act shall be available to pay indirect costs on research grants awarded competitively by the Cooperative State Research, Education, and Extension Service that exceed 14 percent of total Federal funds provided under each award.

SEC. 713. Notwithstanding any other provisions of this Act, all loan levels provided in this Act shall be considered estimates, not limitations.

SEC. 714. Appropriations to the Department of Agriculture for the cost of direct and guaranteed loans made available in fiscal year 1996 shall remain available until expended to cover obligations made in fiscal year 1996 for the following accounts: the rural development loan fund program account; the Rural Telephone Bank program account; the rural electrification and telecommunications loans program account; and the rural economic development loans program account.

SEC. 715. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded by this Act shall be absorbed within the levels appropriated in this Act.

SEC. 716. (a) COMPLIANCE WITH BUY AMERICAN ACT.—None of the funds made available in this Act may be expended by an entity unless the entity agrees that in expending the funds the

entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the "Buy American Act").

(b) SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—

(1) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available in this Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products.

(2) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance using funds made available in this Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by the Congress.

(c) PROHIBITION OF CONTRACTS WITH PERSONS FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 717. Notwithstanding the Federal Grant and Cooperative Agreement Act, marketing services of the Agricultural Marketing Service may use cooperative agreements to reflect a relationship between Agricultural Marketing Service and a State or Cooperator to carry out agricultural marketing programs.

SEC. 718. PROHIBITION ON USE OF FUNDS FOR HONEY PAYMENTS OR LOAN FORFEITURES.—Notwithstanding any other provision of this Act, none of the funds appropriated or otherwise made available by this Act shall be used by the Secretary of Agriculture to provide for a total amount of payments and/or total amount of loan forfeitures to a person to support the price of honey under section 207 of the Agricultural Act of 1949 (7 U.S.C. 1446h) and section 405A of such Act (7 U.S.C. 1425a) in excess of zero dollars in the 1994, 1995, and 1996 crop years. 7 USC 1446h note.

SEC. 719. None of the funds in this Act may be used to retire more than 5% of the Class A stock of the Rural Telephone Bank.

SEC. 720. None of the funds appropriated or otherwise made available by this Act may be used to provide benefits to households whose benefits are calculated using a standard deduction greater than the standard deduction in effect for fiscal year 1995.

SEC. 721. None of the funds made available in this Act may be used for any program, project, or activity when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any applicable Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 722. None of the funds made available in this Act shall be used to increase, from the fiscal year 1995 level, the level of Full Time Equivalency Positions (whether through new hires or by transferring full time equivalents from other offices) in any

of the following Food and Drug Administration offices: Office of the Commissioner, Office of Policy, Office of External Affairs (Immediate Office, as well as Office of Health Affairs, Office of Legislative Affairs, Office of Consumer Affairs, and Office of Public Affairs), and the Office of Management and Systems (Immediate Office, as well as Office of Planning and Evaluation and Office of Management).

SEC. 723. None of the funds made available in this Act may be used to provide assistance to, or to pay the salaries of personnel who carry out a market promotion program pursuant to section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) that provides assistance to, the U.S. Mink Export Development Council or any mink industry trade association.

SEC. 724. None of the funds appropriated or otherwise made available by this Act shall be used to enroll in excess of 100,000 acres in the fiscal year 1996 wetlands reserve program, as authorized by 16 U.S.C. 3837.

SEC. 725. None of the funds appropriated or otherwise made available by this Act shall be used to enroll additional acres in the Conservation Reserve Program authorized by 16 U.S.C. 3831–3845: *Provided,* That 1,579,000 new acres shall be enrolled in the program in the year beginning January 1, 1997.

SEC. 726. None of the funds appropriated or otherwise made available by this Act may be used to develop compliance guidelines, implement or enforce a regulation promulgated by the Food Safety and Inspection Service on August 25, 1995 (60 Fed. Reg. 44396): *Provided,* That this regulation shall take effect only if legislation is enacted into law which directs the Secretary of Agriculture to promulgate such regulation, or the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry receive and approve a proposed revised regulation submitted by the Secretary of Agriculture.

SEC. 727. None of the funds appropriated or made available to the Food and Drug Administration by this Act shall be used to operate the Board of Tea Experts.

SEC. 728. None of the funds available in this Act shall be used for any action, including the development or assertion of any position or recommendation by or on behalf of the Forest Service, that directly or indirectly results in the loss of or restriction on the diversion and use of water from existing water supply facilities located on National Forest lands by the owners of such facilities, or result in a material increase in the cost of such yield to the owners of the water supply: *Provided,* That nothing in this section shall preclude a mutual agreement between any agency of the Department of Agriculture and a State or local governmental entity or private entity or individual.

Effective date.

SEC. 729. Upon the date of enactment of this Act, the Secretary of Agriculture shall not enforce Federal regulation 36 CFR Part 223 promulgated on September 8, 1995, for a period of no less than 120 days: *Provided,* That during such time the Secretary shall take notice and public comment on the regulations and make the necessary revisions to reflect public comment. Any fines assessed pursuant to 36 CFR Part 223, from the effective date of said regulation to the date of enactment of this Act, shall be null and void. During the 120 day period, the interim regulatory guidelines published pursuant to 55 CFR 48572 and 56 CFR 65834 shall remain in effect.

This Act may be cited as the "Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996".

Approved October 21, 1995.

LEGISLATIVE HISTORY—H.R. 1976:

HOUSE REPORTS: Nos. 104–172 (Comm. on Appropriations) and 104–268 (Comm. of Conference).
SENATE REPORTS: No. 104–142 (Comm. on Appropriations).
CONGRESSIONAL RECORD, Vol. 141 (1995):
July 19–21, considered and passed House.
Sept. 18–20, considered and passed Senate, amended.
Oct. 12, House and Senate agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Oct. 27, Presidential statement.

Public Law 104–38
104th Congress

An Act

Oct. 30, 1995
[S. 1254]

To disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

28 USC 994 note.

SECTION 1. DISAPPROVAL OF AMENDMENTS RELATING TO LOWERING OF CRACK SENTENCES AND SENTENCES FOR MONEY LAUNDERING AND TRANSACTIONS IN PROPERTY DERIVED FROM UNLAWFUL ACTIVITY.

In accordance with section 994(p) of title 28, United States Code, amendments numbered 5 and 18 of the "Amendments to the Sentencing Guidelines, Policy Statements, and Official Commentary", submitted by the United States Sentencing Commission to Congress on May 1, 1995, are hereby disapproved and shall not take effect.

28 USC 994 note.

SEC. 2. REDUCTION OF SENTENCING DISPARITY.

(a) RECOMMENDATIONS.—

(1) IN GENERAL.—The United States Sentencing Commission shall submit to Congress recommendations (and an explanation therefor), regarding changes to the statutes and sentencing guidelines governing sentences for unlawful manufacturing, importing, exporting, and trafficking of cocaine, and like offenses, including unlawful possession, possession with intent to commit any of the forgoing offenses, and attempt and conspiracy to commit any of the forgoing offenses. The recommendations shall reflect the following considerations—

(A) the sentence imposed for trafficking in a quantity of crack cocaine should generally exceed the sentence imposed for trafficking in a like quantity of powder cocaine;

(B) high-level wholesale cocaine traffickers, organizers, and leaders, of criminal activities should generally receive longer sentences than low-level retail cocaine traffickers and those who played a minor or minimal role in such criminal activity;

(C) if the Government establishes that a defendant who traffics in powder cocaine has knowledge that such cocaine will be converted into crack cocaine prior to its distribution to individual users, the defendant should be treated at sentencing as though the defendant had trafficked in crack cocaine; and

(D) an enhanced sentence should generally be imposed on a defendant who, in the course of an offense described in this subsection—

(i) murders or causes serious bodily injury to an individual;

(ii) uses a dangerous weapon;

(iii) uses or possesses a firearm;

(iv) involves a juvenile or a woman who the defendant knows or should know to be pregnant;

(v) engages in a continuing criminal enterprise or commits other criminal offenses in order to facilitate his drug trafficking activities;

(vi) knows, or should know, that he is involving an unusually vulnerable person;

(vii) restrains a victim;

(viii) traffics in cocaine within 500 feet of a school;

(ix) obstructs justice;

(x) has a significant prior criminal record; or

(xi) is an organizer or leader of drug trafficking activities involving five or more persons.

(2) RATIO.—The recommendations described in the preceding subsection shall propose revision of the drug quantity ratio of crack cocaine to powder cocaine under the relevant statutes and guidelines in a manner consistent with the ratios set for other drugs and consistent with the objectives set forth in section 3553(a) of title 28 United States Code.

(b) STUDY.—No later than May 1, 1996, the Department of Justice shall submit to the Judiciary Committees of the Senate and House of Representatives a report on the charging and plea practices of Federal prosecutors with respect to the offense of money laundering. Such study shall include an account of the steps taken or to be taken by the Justice Department to ensure consistency and appropriateness in the use of the money laundering statute. The Sentencing Commission shall submit to the Judiciary Committees comments on the study prepared by the Department of Justice.

Approved October 30, 1995.

LEGISLATIVE HISTORY—S. 1254 (H.R. 2259):

HOUSE REPORTS: No. 104–272 accompanying H.R. 2259 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Sept. 29, considered and passed Senate.

Oct. 18, H.R. 2259 and S. 1254 considered and passed House.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Oct. 30, Presidential statement.

Public Law 104–39
104th Congress

An Act

Nov. 1, 1995
[S. 227]

To amend title 17, United States Code, to provide an exclusive right to perform sound recordings publicly by means of digital transmissions, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Digital Performance Right in Sound Recordings Act of 1995.
Copyrights.
Communications.
17 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Digital Performance Right in Sound Recordings Act of 1995".

SEC. 2. EXCLUSIVE RIGHTS IN COPYRIGHTED WORKS.

Section 106 of title 17, United States Code, is amended—

(1) in paragraph (4) by striking "and" after the semicolon;

(2) in paragraph (5) by striking the period and inserting "; and"; and

(3) by adding at the end the following:

"(6) in the case of sound recordings, to perform the copyrighted work publicly by means of a digital audio transmission.".

SEC. 3. SCOPE OF EXCLUSIVE RIGHTS IN SOUND RECORDINGS.

Section 114 of title 17, United States Code, is amended—

(1) in subsection (a) by striking "and (3)" and inserting "(3) and (6)";

(2) in subsection (b) in the first sentence by striking "phonorecords, or of copies of motion pictures and other audiovisual works," and inserting "phonorecords or copies";

(3) by striking subsection (d) and inserting:

"(d) LIMITATIONS ON EXCLUSIVE RIGHT.—Notwithstanding the provisions of section 106(6)—

"(1) EXEMPT TRANSMISSIONS AND RETRANSMISSIONS.—The performance of a sound recording publicly by means of a digital audio transmission, other than as a part of an interactive service, is not an infringement of section 106(6) if the performance is part of—

"(A)(i) a nonsubscription transmission other than a retransmission;

"(ii) an initial nonsubscription retransmission made for direct reception by members of the public of a prior or simultaneous incidental transmission that is not made for direct reception by members of the public; or

"(iii) a nonsubscription broadcast transmission;

"(B) a retransmission of a nonsubscription broadcast transmission: *Provided*, That, in the case of a retransmission of a radio station's broadcast transmission—

"(i) the radio station's broadcast transmission is not willfully or repeatedly retransmitted more than a radius of 150 miles from the site of the radio broadcast transmitter, however—

"(I) the 150 mile limitation under this clause shall not apply when a nonsubscription broadcast transmission by a radio station licensed by the Federal Communications Commission is retransmitted on a nonsubscription basis by a terrestrial broadcast station, terrestrial translator, or terrestrial repeater licensed by the Federal Communications Commission; and

"(II) in the case of a subscription retransmission of a nonsubscription broadcast retransmission covered by subclause (I), the 150 mile radius shall be measured from the transmitter site of such broadcast retransmitter;

"(ii) the retransmission is of radio station broadcast transmissions that are—

"(I) obtained by the retransmitter over the air;

"(II) not electronically processed by the retransmitter to deliver separate and discrete signals; and

"(III) retransmitted only within the local communities served by the retransmitter;

"(iii) the radio station's broadcast transmission was being retransmitted to cable systems (as defined in section 111(f)) by a satellite carrier on January 1, 1995, and that retransmission was being retransmitted by cable systems as a separate and discrete signal, and the satellite carrier obtains the radio station's broadcast transmission in an analog format: *Provided*, That the broadcast transmission being retransmitted may embody the programming of no more than one radio station; or

"(iv) the radio station's broadcast transmission is made by a noncommercial educational broadcast station funded on or after January 1, 1995, under section 396(k) of the Communications Act of 1934 (47 U.S.C. 396(k)), consists solely of noncommercial educational and cultural radio programs, and the retransmission, whether or not simultaneous, is a nonsubscription terrestrial broadcast retransmission; or

"(C) a transmission that comes within any of the following categories—

"(i) a prior or simultaneous transmission incidental to an exempt transmission, such as a feed received by and then retransmitted by an exempt transmitter: *Provided*, That such incidental transmissions do not include any subscription transmission directly for reception by members of the public;

"(ii) a transmission within a business establishment, confined to its premises or the immediately surrounding vicinity;

"(iii) a retransmission by any retransmitter, including a multichannel video programming distributor as

defined in section 602(12) of the Communications Act of 1934 (47 U.S.C. 522(12)), of a transmission by a transmitter licensed to publicly perform the sound recording as a part of that transmission, if the retransmission is simultaneous with the licensed transmission and authorized by the transmitter; or

"(iv) a transmission to a business establishment for use in the ordinary course of its business: *Provided*, That the business recipient does not retransmit the transmission outside of its premises or the immediately surrounding vicinity, and that the transmission does not exceed the sound recording performance complement. Nothing in this clause shall limit the scope of the exemption in clause (ii).

"(2) SUBSCRIPTION TRANSMISSIONS.—In the case of a subscription transmission not exempt under subsection (d)(1), the performance of a sound recording publicly by means of a digital audio transmission shall be subject to statutory licensing, in accordance with subsection (f) of this section, if—

"(A) the transmission is not part of an interactive service;

"(B) the transmission does not exceed the sound recording performance complement;

"(C) the transmitting entity does not cause to be published by means of an advance program schedule or prior announcement the titles of the specific sound recordings or phonorecords embodying such sound recordings to be transmitted;

"(D) except in the case of transmission to a business establishment, the transmitting entity does not automatically and intentionally cause any device receiving the transmission to switch from one program channel to another; and

"(E) except as provided in section 1002(e) of this title, the transmission of the sound recording is accompanied by the information encoded in that sound recording, if any, by or under the authority of the copyright owner of that sound recording, that identifies the title of the sound recording, the featured recording artist who performs on the sound recording, and related information, including information concerning the underlying musical work and its writer.

"(3) LICENSES FOR TRANSMISSIONS BY INTERACTIVE SERVICES.—

"(A) No interactive service shall be granted an exclusive license under section 106(6) for the performance of a sound recording publicly by means of digital audio transmission for a period in excess of 12 months, except that with respect to an exclusive license granted to an interactive service by a licensor that holds the copyright to 1,000 or fewer sound recordings, the period of such license shall not exceed 24 months: *Provided, however*, That the grantee of such exclusive license shall be ineligible to receive another exclusive license for the performance of that sound recording for a period of 13 months from the expiration of the prior exclusive license.

"(B) The limitation set forth in subparagraph (A) of this paragraph shall not apply if—

"(i) the licensor has granted and there remain in effect licenses under section 106(6) for the public performance of sound recordings by means of digital audio transmission by at least 5 different interactive services: *Provided, however,* That each such license must be for a minimum of 10 percent of the copyrighted sound recordings owned by the licensor that have been licensed to interactive services, but in no event less than 50 sound recordings; or

"(ii) the exclusive license is granted to perform publicly up to 45 seconds of a sound recording and the sole purpose of the performance is to promote the distribution or performance of that sound recording.

"(C) Notwithstanding the grant of an exclusive or nonexclusive license of the right of public performance under section 106(6), an interactive service may not publicly perform a sound recording unless a license has been granted for the public performance of any copyrighted musical work contained in the sound recording: *Provided,* That such license to publicly perform the copyrighted musical work may be granted either by a performing rights society representing the copyright owner or by the copyright owner.

"(D) The performance of a sound recording by means of a retransmission of a digital audio transmission is not an infringement of section 106(6) if—

"(i) the retransmission is of a transmission by an interactive service licensed to publicly perform the sound recording to a particular member of the public as part of that transmission; and

"(ii) the retransmission is simultaneous with the licensed transmission, authorized by the transmitter, and limited to that particular member of the public intended by the interactive service to be the recipient of the transmission.

"(E) For the purposes of this paragraph—

"(i) a 'licensor' shall include the licensing entity and any other entity under any material degree of common ownership, management, or control that owns copyrights in sound recordings; and

"(ii) a 'performing rights society' is an association or corporation that licenses the public performance of nondramatic musical works on behalf of the copyright owner, such as the American Society of Composers, Authors and Publishers, Broadcast Music, Inc., and SESAC, Inc.

"(4) RIGHTS NOT OTHERWISE LIMITED.—

"(A) Except as expressly provided in this section, this section does not limit or impair the exclusive right to perform a sound recording publicly by means of a digital audio transmission under section 106(6).

"(B) Nothing in this section annuls or limits in any way—

"(i) the exclusive right to publicly perform a musical work, including by means of a digital audio transmission, under section 106(4);

"(ii) the exclusive rights in a sound recording or the musical work embodied therein under sections 106(1), 106(2) and 106(3); or

"(iii) any other rights under any other clause of section 106, or remedies available under this title, as such rights or remedies exist either before or after the date of enactment of the Digital Performance Right in Sound Recordings Act of 1995.

"(C) Any limitations in this section on the exclusive right under section 106(6) apply only to the exclusive right under section 106(6) and not to any other exclusive rights under section 106. Nothing in this section shall be construed to annul, limit, impair or otherwise affect in any way the ability of the owner of a copyright in a sound recording to exercise the rights under sections 106(1), 106(2) and 106(3), or to obtain the remedies available under this title pursuant to such rights, as such rights and remedies exist either before or after the date of enactment of the Digital Performance Right in Sound Recordings Act of 1995."; and

(4) by adding after subsection (d) the following:

"(e) AUTHORITY FOR NEGOTIATIONS.—

"(1) Notwithstanding any provision of the antitrust laws, in negotiating statutory licenses in accordance with subsection (f), any copyright owners of sound recordings and any entities performing sound recordings affected by this section may negotiate and agree upon the royalty rates and license terms and conditions for the performance of such sound recordings and the proportionate division of fees paid among copyright owners, and may designate common agents on a nonexclusive basis to negotiate, agree to, pay, or receive payments.

"(2) For licenses granted under section 106(6), other than statutory licenses, such as for performances by interactive services or performances that exceed the sound recording performance complement—

"(A) copyright owners of sound recordings affected by this section may designate common agents to act on their behalf to grant licenses and receive and remit royalty payments: *Provided,* That each copyright owner shall establish the royalty rates and material license terms and conditions unilaterally, that is, not in agreement, combination, or concert with other copyright owners of sound recordings; and

"(B) entities performing sound recordings affected by this section may designate common agents to act on their behalf to obtain licenses and collect and pay royalty fees: *Provided,* That each entity performing sound recordings shall determine the royalty rates and material license terms and conditions unilaterally, that is, not in agreement, combination, or concert with other entities performing sound recordings.

"(f) LICENSES FOR NONEXEMPT SUBSCRIPTION TRANSMISSIONS.—

Federal Register, publication.

"(1) No later than 30 days after the enactment of the Digital Performance Right in Sound Recordings Act of 1995,

the Librarian of Congress shall cause notice to be published in the Federal Register of the initiation of voluntary negotiation proceedings for the purpose of determining reasonable terms and rates of royalty payments for the activities specified by subsection (d)(2) of this section during the period beginning on the effective date of such Act and ending on December 31, 2000. Such terms and rates shall distinguish among the different types of digital audio transmission services then in operation. Any copyright owners of sound recordings or any entities performing sound recordings affected by this section may submit to the Librarian of Congress licenses covering such activities with respect to such sound recordings. The parties to each negotiation proceeding shall bear their own costs.

"(2) In the absence of license agreements negotiated under paragraph (1), during the 60-day period commencing 6 months after publication of the notice specified in paragraph (1), and upon the filing of a petition in accordance with section 803(a)(1), the Librarian of Congress shall, pursuant to chapter 8, convene a copyright arbitration royalty panel to determine and publish in the Federal Register a schedule of rates and terms which, subject to paragraph (3), shall be binding on all copyright owners of sound recordings and entities performing sound recordings. In addition to the objectives set forth in section 801(b)(1), in establishing such rates and terms, the copyright arbitration royalty panel may consider the rates and terms for comparable types of digital audio transmission services and comparable circumstances under voluntary license agreements negotiated as provided in paragraph (1). The Librarian of Congress shall also establish requirements by which copyright owners may receive reasonable notice of the use of their sound recordings under this section, and under which records of such use shall be kept and made available by entities performing sound recordings.

Federal Register, publication.

Records.

"(3) License agreements voluntarily negotiated at any time between one or more copyright owners of sound recordings and one or more entities performing sound recordings shall be given effect in lieu of any determination by a copyright arbitration royalty panel or decision by the Librarian of Congress.

"(4)(A) Publication of a notice of the initiation of voluntary negotiation proceedings as specified in paragraph (1) shall be repeated, in accordance with regulations that the Librarian of Congress shall prescribe—

Regulations.

"(i) no later than 30 days after a petition is filed by any copyright owners of sound recordings or any entities performing sound recordings affected by this section indicating that a new type of digital audio transmission service on which sound recordings are performed is or is about to become operational; and

"(ii) in the first week of January, 2000 and at 5-year intervals thereafter.

"(B)(i) The procedures specified in paragraph (2) shall be repeated, in accordance with regulations that the Librarian of Congress shall prescribe, upon the filing of a petition in accordance with section 803(a)(1) during a 60-day period commencing—

"(I) six months after publication of a notice of the initiation of voluntary negotiation proceedings under paragraph (1) pursuant to a petition under paragraph (4)(A)(i); or

"(II) on July 1, 2000 and at 5-year intervals thereafter.

"(ii) The procedures specified in paragraph (2) shall be concluded in accordance with section 802.

"(5)(A) Any person who wishes to perform a sound recording publicly by means of a nonexempt subscription transmission under this subsection may do so without infringing the exclusive right of the copyright owner of the sound recording—

Regulations.

"(i) by complying with such notice requirements as the Librarian of Congress shall prescribe by regulation and by paying royalty fees in accordance with this subsection; or

"(ii) if such royalty fees have not been set, by agreeing to pay such royalty fees as shall be determined in accordance with this subsection.

"(B) Any royalty payments in arrears shall be made on or before the twentieth day of the month next succeeding the month in which the royalty fees are set.

"(g) PROCEEDS FROM LICENSING OF SUBSCRIPTION TRANSMISSIONS.—

"(1) Except in the case of a subscription transmission licensed in accordance with subsection (f) of this section—

"(A) a featured recording artist who performs on a sound recording that has been licensed for a subscription transmission shall be entitled to receive payments from the copyright owner of the sound recording in accordance with the terms of the artist's contract; and

"(B) a nonfeatured recording artist who performs on a sound recording that has been licensed for a subscription transmission shall be entitled to receive payments from the copyright owner of the sound recording in accordance with the terms of the nonfeatured recording artist's applicable contract or other applicable agreement.

"(2) The copyright owner of the exclusive right under section 106(6) of this title to publicly perform a sound recording by means of a digital audio transmission shall allocate to recording artists in the following manner its receipts from the statutory licensing of subscription transmission performances of the sound recording in accordance with subsection (f) of this section:

"(A) 2½ percent of the receipts shall be deposited in an escrow account managed by an independent administrator jointly appointed by copyright owners of sound recordings and the American Federation of Musicians (or any successor entity) to be distributed to nonfeatured musicians (whether or not members of the American Federation of Musicians) who have performed on sound recordings.

"(B) 2½ percent of the receipts shall be deposited in an escrow account managed by an independent administrator jointly appointed by copyright owners of sound recordings and the American Federation of Television and Radio Artists (or any successor entity) to be distributed to nonfeatured vocalists (whether or not members of the

American Federation of Television and Radio Artists) who have performed on sound recordings.

"(C) 45 percent of the receipts shall be allocated, on a per sound recording basis, to the recording artist or artists featured on such sound recording (or the persons conveying rights in the artists' performance in the sound recordings).

"(h) LICENSING TO AFFILIATES.—

"(1) If the copyright owner of a sound recording licenses an affiliated entity the right to publicly perform a sound recording by means of a digital audio transmission under section 106(6), the copyright owner shall make the licensed sound recording available under section 106(6) on no less favorable terms and conditions to all bona fide entities that offer similar services, except that, if there are material differences in the scope of the requested license with respect to the type of service, the particular sound recordings licensed, the frequency of use, the number of subscribers served, or the duration, then the copyright owner may establish different terms and conditions for such other services.

"(2) The limitation set forth in paragraph (1) of this subsection shall not apply in the case where the copyright owner of a sound recording licenses—

"(A) an interactive service; or

"(B) an entity to perform publicly up to 45 seconds of the sound recording and the sole purpose of the performance is to promote the distribution or performance of that sound recording.

"(i) NO EFFECT ON ROYALTIES FOR UNDERLYING WORKS.—License fees payable for the public performance of sound recordings under section 106(6) shall not be taken into account in any administrative, judicial, or other governmental proceeding to set or adjust the royalties payable to copyright owners of musical works for the public performance of their works. It is the intent of Congress that royalties payable to copyright owners of musical works for the public performance of their works shall not be diminished in any respect as a result of the rights granted by section 106(6).

"(j) DEFINITIONS.—As used in this section, the following terms have the following meanings:

"(1) An 'affiliated entity' is an entity engaging in digital audio transmissions covered by section 106(6), other than an interactive service, in which the licensor has any direct or indirect partnership or any ownership interest amounting to 5 percent or more of the outstanding voting or non-voting stock.

"(2) A 'broadcast' transmission is a transmission made by a terrestrial broadcast station licensed as such by the Federal Communications Commission.

"(3) A 'digital audio transmission' is a digital transmission as defined in section 101, that embodies the transmission of a sound recording. This term does not include the transmission of any audiovisual work.

"(4) An 'interactive service' is one that enables a member of the public to receive, on request, a transmission of a particular sound recording chosen by or on behalf of the recipient. The ability of individuals to request that particular sound recordings be performed for reception by the public at large

does not make a service interactive. If an entity offers both interactive and non-interactive services (either concurrently or at different times), the non-interactive component shall not be treated as part of an interactive service.

"(5) A 'nonsubscription' transmission is any transmission that is not a subscription transmission.

"(6) A 'retransmission' is a further transmission of an initial transmission, and includes any further retransmission of the same transmission. Except as provided in this section, a transmission qualifies as a 'retransmission' only if it is simultaneous with the initial transmission. Nothing in this definition shall be construed to exempt a transmission that fails to satisfy a separate element required to qualify for an exemption under section 114(d)(1).

"(7) The 'sound recording performance complement' is the transmission during any 3-hour period, on a particular channel used by a transmitting entity, of no more than—

"(A) 3 different selections of sound recordings from any one phonorecord lawfully distributed for public performance or sale in the United States, if no more than 2 such selections are transmitted consecutively; or

"(B) 4 different selections of sound recordings—

"(i) by the same featured recording artist; or

"(ii) from any set or compilation of phonorecords lawfully distributed together as a unit for public performance or sale in the United States,

if no more than three such selections are transmitted consecutively:

Provided, That the transmission of selections in excess of the numerical limits provided for in clauses (A) and (B) from multiple phonorecords shall nonetheless qualify as a sound recording performance complement if the programming of the multiple phonorecords was not willfully intended to avoid the numerical limitations prescribed in such clauses.

"(8) A 'subscription' transmission is a transmission that is controlled and limited to particular recipients, and for which consideration is required to be paid or otherwise given by or on behalf of the recipient to receive the transmission or a package of transmissions including the transmission.

"(9) A 'transmission' includes both an initial transmission and a retransmission.".

SEC. 4. MECHANICAL ROYALTIES IN DIGITAL PHONORECORD DELIVERIES.

Section 115 of title 17, United States Code, is amended—

(1) in subsection (a)(1)—

(A) in the first sentence by striking out "any other person" and inserting in lieu thereof "any other person, including those who make phonorecords or digital phonorecord deliveries,"; and

(B) in the second sentence by inserting before the period ", including by means of a digital phonorecord delivery";

(2) in subsection (c)(2) in the second sentence by inserting "and other than as provided in paragraph (3)," after "For this purpose,";

(3) by redesignating paragraphs (3), (4), and (5) of subsection (c) as paragraphs (4), (5), and (6), respectively, and by inserting after paragraph (2) the following new paragraph:

"(3)(A) A compulsory license under this section includes the right of the compulsory licensee to distribute or authorize the distribution of a phonorecord of a nondramatic musical work by means of a digital transmission which constitutes a digital phonorecord delivery, regardless of whether the digital transmission is also a public performance of the sound recording under section 106(6) of this title or of any nondramatic musical work embodied therein under section 106(4) of this title. For every digital phonorecord delivery by or under the authority of the compulsory licensee—

"(i) on or before December 31, 1997, the royalty payable by the compulsory licensee shall be the royalty prescribed under paragraph (2) and chapter 8 of this title; and

"(ii) on or after January 1, 1998, the royalty payable by the compulsory licensee shall be the royalty prescribed under subparagraphs (B) through (F) and chapter 8 of this title.

"(B) Notwithstanding any provision of the antitrust laws, any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a)(1) may negotiate and agree upon the terms and rates of royalty payments under this paragraph and the proportionate division of fees paid among copyright owners, and may designate common agents to negotiate, agree to, pay or receive such royalty payments. Such authority to negotiate the terms and rates of royalty payments includes, but is not limited to, the authority to negotiate the year during which the royalty rates prescribed under subparagraphs (B) through (F) and chapter 8 of this title shall next be determined.

"(C) During the period of June 30, 1996, through December 31, 1996, the Librarian of Congress shall cause notice to be published in the Federal Register of the initiation of voluntary negotiation proceedings for the purpose of determining reasonable terms and rates of royalty payments for the activities specified by subparagraph (A) during the period beginning January 1, 1998, and ending on the effective date of any new terms and rates established pursuant to subparagraph (C), (D) or (F), or such other date (regarding digital phonorecord deliveries) as the parties may agree. Such terms and rates shall distinguish between (i) digital phonorecord deliveries where the reproduction or distribution of a phonorecord is incidental to the transmission which constitutes the digital phonorecord delivery, and (ii) digital phonorecord deliveries in general. Any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a)(1) may submit to the Librarian of Congress licenses covering such activities. The parties to each negotiation proceeding shall bear their own costs. Federal Register, publication.

"(D) In the absence of license agreements negotiated under subparagraphs (B) and (C), upon the filing of a petition in accordance with section 803(a)(1), the Librarian of Congress shall, pursuant to chapter 8, convene a copyright arbitration royalty panel to determine and publish in the Federal Register a schedule of rates and terms which, subject to subparagraph Federal Register, publication.

(E), shall be binding on all copyright owners of nondramatic musical works and persons entitled to obtain a compulsory license under subsection (a)(1) during the period beginning January 1, 1998, and ending on the effective date of any new terms and rates established pursuant to subparagraph (C), (D) or (F), or such other date (regarding digital phonorecord deliveries) as may be determined pursuant to subparagraphs (B) and (C). Such terms and rates shall distinguish between (i) digital phonorecord deliveries where the reproduction or distribution of a phonorecord is incidental to the transmission which constitutes the digital phonorecord delivery, and (ii) digital phonorecord deliveries in general. In addition to the objectives set forth in section 801(b)(1), in establishing such rates and terms, the copyright arbitration royalty panel may consider rates and terms under voluntary license agreements negotiated as provided in subparagraphs (B) and (C). The royalty rates payable for a compulsory license for a digital phonorecord delivery under this section shall be established de novo and no precedential effect shall be given to the amount of the royalty payable by a compulsory licensee for digital phonorecord deliveries on or before December 31, 1997. The Librarian of Congress shall also establish requirements by which copyright owners may receive reasonable notice of the use of their works under this section, and under which records of such use shall be kept and made available by persons making digital phonorecord deliveries.

Records.

"(E)(i) License agreements voluntarily negotiated at any time between one or more copyright owners of nondramatic musical works and one or more persons entitled to obtain a compulsory license under subsection (a)(1) shall be given effect in lieu of any determination by the Librarian of Congress. Subject to clause (ii), the royalty rates determined pursuant to subparagraph (C), (D) or (F) shall be given effect in lieu of any contrary royalty rates specified in a contract pursuant to which a recording artist who is the author of a nondramatic musical work grants a license under that person's exclusive rights in the musical work under sections 106 (1) and (3) or commits another person to grant a license in that musical work under sections 106 (1) and (3), to a person desiring to fix in a tangible medium of expression a sound recording embodying the musical work.

"(ii) The second sentence of clause (i) shall not apply to—

"(I) a contract entered into on or before June 22, 1995, and not modified thereafter for the purpose of reducing the royalty rates determined pursuant to subparagraph (C), (D) or (F) or of increasing the number of musical works within the scope of the contract covered by the reduced rates, except if a contract entered into on or before June 22, 1995, is modified thereafter for the purpose of increasing the number of musical works within the scope of the contract, any contrary royalty rates specified in the contract shall be given effect in lieu of royalty rates determined pursuant to subparagraph (C), (D) or (F) for the number of musical works within the scope of the contract as of June 22, 1995; and

"(II) a contract entered into after the date that the sound recording is fixed in a tangible medium of expression

substantially in a form intended for commercial release, if at the time the contract is entered into, the recording artist retains the right to grant licenses as to the musical work under sections 106(1) and 106(3).

"(F) The procedures specified in subparagraphs (C) and (D) shall be repeated and concluded, in accordance with regulations that the Librarian of Congress shall prescribe, in each fifth calendar year after 1997, except to the extent that different years for the repeating and concluding of such proceedings may be determined in accordance with subparagraphs (B) and (C). Regulations.

"(G) Except as provided in section 1002(e) of this title, a digital phonorecord delivery licensed under this paragraph shall be accompanied by the information encoded in the sound recording, if any, by or under the authority of the copyright owner of that sound recording, that identifies the title of the sound recording, the featured recording artist who performs on the sound recording, and related information, including information concerning the underlying musical work and its writer.

"(H)(i) A digital phonorecord delivery of a sound recording is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506 and section 509, unless—

"(I) the digital phonorecord delivery has been authorized by the copyright owner of the sound recording; and

"(II) the owner of the copyright in the sound recording or the entity making the digital phonorecord delivery has obtained a compulsory license under this section or has otherwise been authorized by the copyright owner of the musical work to distribute or authorize the distribution, by means of a digital phonorecord delivery, of each musical work embodied in the sound recording.

"(ii) Any cause of action under this subparagraph shall be in addition to those available to the owner of the copyright in the nondramatic musical work under subsection (c)(6) and section 106(4) and the owner of the copyright in the sound recording under section 106(6).

"(I) The liability of the copyright owner of a sound recording for infringement of the copyright in a nondramatic musical work embodied in the sound recording shall be determined in accordance with applicable law, except that the owner of a copyright in a sound recording shall not be liable for a digital phonorecord delivery by a third party if the owner of the copyright in the sound recording does not license the distribution of a phonorecord of the nondramatic musical work.

"(J) Nothing in section 1008 shall be construed to prevent the exercise of the rights and remedies allowed by this paragraph, paragraph (6), and chapter 5 in the event of a digital phonorecord delivery, except that no action alleging infringement of copyright may be brought under this title against a manufacturer, importer or distributor of a digital audio recording device, a digital audio recording medium, an analog recording device, or an analog recording medium, or against a consumer, based on the actions described in such section.

"(K) Nothing in this section annuls or limits (i) the exclusive right to publicly perform a sound recording or the musical

work embodied therein, including by means of a digital transmission, under sections 106(4) and 106(6), (ii) except for compulsory licensing under the conditions specified by this section, the exclusive rights to reproduce and distribute the sound recording and the musical work embodied therein under sections 106(1) and 106(3), including by means of a digital phonorecord delivery, or (iii) any other rights under any other provision of section 106, or remedies available under this title, as such rights or remedies exist either before or after the date of enactment of the Digital Performance Right in Sound Recordings Act of 1995.

"(L) The provisions of this section concerning digital phonorecord deliveries shall not apply to any exempt transmissions or retransmissions under section 114(d)(1). The exemptions created in section 114(d)(1) do not expand or reduce the rights of copyright owners under section 106 (1) through (5) with respect to such transmissions and retransmissions."; and

(5) by adding after subsection (c) the following:

"(d) DEFINITION.—As used in this section, the following term has the following meaning: A 'digital phonorecord delivery' is each individual delivery of a phonorecord by digital transmission of a sound recording which results in a specifically identifiable reproduction by or for any transmission recipient of a phonorecord of that sound recording, regardless of whether the digital transmission is also a public performance of the sound recording or any nondramatic musical work embodied therein. A digital phonorecord delivery does not result from a real-time, non-interactive subscription transmission of a sound recording where no reproduction of the sound recording or the musical work embodied therein is made from the inception of the transmission through to its receipt by the transmission recipient in order to make the sound recording audible.".

SEC. 5. CONFORMING AMENDMENTS.

(a) DEFINITIONS.—Section 101 of title 17, United States Code, is amended by inserting after the definition of "device", "machine", or "process" the following:

"A 'digital transmission' is a transmission in whole or in part in a digital or other non-analog format.".

(b) LIMITATIONS ON EXCLUSIVE RIGHTS: SECONDARY TRANSMISSIONS.—Section 111(c)(1) of title 17, United States Code, is amended in the first sentence by inserting "and section 114(d)" after "of this subsection".

(c) LIMITATIONS ON EXCLUSIVE RIGHTS: SECONDARY TRANSMISSIONS OF SUPERSTATIONS AND NETWORK STATIONS FOR PRIVATE HOME VIEWING.—

(1) Section 119(a)(1) of title 17, United States Code, is amended in the first sentence by inserting "and section 114(d)" after "of this subsection".

(2) Section 119(a)(2)(A) of title 17, United States Code, is amended in the first sentence by inserting "and section 114(d)" after "of this subsection".

(d) COPYRIGHT ARBITRATION ROYALTY PANELS.—

(1) Section 801(b)(1) of title 17, United States Code, is amended in the first and second sentences by striking "115" each place it appears and inserting "114, 115,".

(2) Section 802(c) of title 17, United States Code, is amended in the third sentence by striking "section 111, 116, or 119," and inserting "section 111, 114, 116, or 119, any person entitled to a compulsory license under section 114(d), any person entitled to a compulsory license under section 115,".

(3) Section 802(g) of title 17, United States Code, is amended in the third sentence by inserting "114," after "111,".

(4) Section 802(h)(2) of title 17, United States Code, is amended by inserting "114," after "111,".

(5) Section 803(a)(1) of title 17, United States Code, is amended in the first sentence by striking "115" and inserting "114, 115" and by striking "and (4)" and inserting "(4) and (5)".

(6) Section 803(a)(3) of title 17, United States Code, is amended by inserting before the period "or as prescribed in section 115(c)(3)(D)".

(7) Section 803(a) of title 17, United States Code, is amended by inserting after paragraph (4) the following new paragraph:

"(5) With respect to proceedings under section 801(b)(1) concerning the determination of reasonable terms and rates of royalty payments as provided in section 114, the Librarian of Congress shall proceed when and as provided by that section.".

SEC. 6. EFFECTIVE DATE. 17 USC 101 note.

This Act and the amendments made by this Act shall take effect 3 months after the date of enactment of this Act, except that the provisions of sections 114(e) and 114(f) of title 17, United States Code (as added by section 3 of this Act) shall take effect immediately upon the date of enactment of this Act.

Approved November 1, 1995.

LEGISLATIVE HISTORY—S. 227 (H.R. 1506):

HOUSE REPORTS: No. 104–274 accompanying H.R. 1506 (Comm. on the Judiciary).
SENATE REPORTS: No. 104–128 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 8, considered and passed Senate.
Oct. 17, H.R. 1506 and S. 227 considered and passed House.

Public Law 104–40
104th Congress

An Act

Nov. 1, 1995
[S. 268]

To authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

16 USC 2804 note.

SECTION 1. COLLECTION OF FEES FOR TRIPLOID GRASS CARP CERTIFICATION INSPECTIONS.

(a) IN GENERAL.—The Secretary of the Interior, acting through the Director of the Fish and Wildlife Service (referred to in this section as the "Director"), may charge reasonable fees for expenses to the Federal Government for triploid grass carp certification inspections requested by a person who owns or operates an aquaculture facility.

(b) AVAILABILITY.—All fees collected under subsection (a) shall be available to the Director until expended, without further appropriations.

(c) USE.—The Director shall use all fees collected under subsection (a) to carry out the activities referred to in subsection (a).

Approved November 1, 1995.

LEGISLATIVE HISTORY—S. 268:

HOUSE REPORTS: No. 104–189 (Comm. on Resources).
SENATE REPORTS: No. 104–51 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 26, considered and passed Senate.
Oct. 17, considered and passed House.

Public Law 104–41
104th Congress

An Act

To amend title 35, United States Code, with respect to patents on biotechnological processes.

Nov. 1, 1995
[S. 1111]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. BIOTECHNOLOGICAL PROCESS PATENTS; CONDITIONS FOR PATENTABILITY; NONOBVIOUS SUBJECT MATTER.

Section 103 of title 35, United States Code, is amended—

(1) by designating the first paragraph as subsection (a);

(2) by designating the second paragraph as subsection (c); and

(3) by inserting after the first paragraph the following:

"(b)(1) Notwithstanding subsection (a), and upon timely election by the applicant for patent to proceed under this subsection, a biotechnological process using or resulting in a composition of matter that is novel under section 102 and nonobvious under subsection (a) of this section shall be considered nonobvious if—

"(A) claims to the process and the composition of matter are contained in either the same application for patent or in separate applications having the same effective filing date; and

"(B) the composition of matter, and the process at the time it was invented, were owned by the same person or subject to an obligation of assignment to the same person.

"(2) A patent issued on a process under paragraph (1)—

"(A) shall also contain the claims to the composition of matter used in or made by that process, or

"(B) shall, if such composition of matter is claimed in another patent, be set to expire on the same date as such other patent, notwithstanding section 154.

"(3) For purposes of paragraph (1), the term 'biotechnological process' means—

"(A) a process of genetically altering or otherwise inducing a single- or multi-celled organism to—

"(i) express an exogenous nucleotide sequence,

"(ii) inhibit, eliminate, augment, or alter expression of an endogenous nucleotide sequence, or

"(iii) express a specific physiological characteristic not naturally associated with said organism;

"(B) cell fusion procedures yielding a cell line that expresses a specific protein, such as a monoclonal antibody; and

"(C) a method of using a product produced by a process defined by subparagraph (A) or (B), or a combination of subparagraphs (A) and (B).".

SEC. 2. PRESUMPTION OF VALIDITY; DEFENSES.

Section 282 of title 35, United States Code, is amended by inserting after the second sentence of the first paragraph the following: "Notwithstanding the preceding sentence, if a claim to a composition of matter is held invalid and that claim was the basis of a determination of nonobviousness under section 103(b)(1), the process shall no longer be considered nonobvious solely on the basis of section 103(b)(1).".

35 USC 103 note.

SEC. 3. EFFECTIVE DATE.

The amendments made by section 1 shall apply to any application for patent filed on or after the date of enactment of this Act and to any application for patent pending on such date of enactment, including (in either case) an application for the reissuance of a patent.

Approved November 1, 1995.

LEGISLATIVE HISTORY—S. 1111 (H.R. 587):

HOUSE REPORTS: No. 104–178 accompanying H.R. 587 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Sept. 28, considered and passed Senate.
Oct. 17, H.R. 587 and S. 1111 considered and passed House.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Nov. 1, Presidential statement.

Public Law 104–42
104th Congress

An Act

To amend the Alaska Native Claims Settlement Act, and for other purposes.

Nov. 2, 1995
[H.R. 402]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ALASKA NATIVE CLAIMS SETTLEMENT

SECTION 101. RATIFICATION OF CERTAIN CASWELL AND MONTANA CREEK NATIVE ASSOCIATIONS CONVEYANCES.

The conveyance of approximately 11,520 acres to Montana Creek Native Association, Inc., and the conveyance of approximately 11,520 acres to Caswell Native Association, Inc., by Cook Inlet Region, Inc. in fulfillment of the agreement of February 3, 1976, and subsequent letter agreement of March 26, 1982, among the 3 parties are hereby adopted and ratified as a matter of Federal law. The conveyances shall be deemed to be conveyances pursuant to section 14(h)(2) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)(2)). The group corporations for Montana Creek and Caswell are hereby declared to have received their full entitlement and shall not be entitled to receive any additional lands under the Alaska Native Claims Settlement Act. The ratification of these conveyances shall not have any effect on section 14(h) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(h)) or upon the duties and obligations of the United States to any Alaska Native Corporation. This ratification shall not be for any claim to land or money by the Caswell or Montana Creek group corporations or any other Alaska Native Corporation against the State of Alaska, the United States, or Cook Inlet Region, Incorporated.

SEC. 102. MINING CLAIMS ON LANDS CONVEYED TO ALASKA REGIONAL CORPORATIONS.

Section 22(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1621(c)) is amended by adding at the end the following:

"(3) This section shall apply to lands conveyed by interim conveyance or patent to a regional corporation pursuant to this Act which are made subject to a mining claim or claims located under the general mining laws, including lands conveyed prior to enactment of this paragraph. Effective upon the date of enactment of this paragraph, the Secretary, acting through the Bureau of Land Management and in a manner

Effective date.

consistent with section 14(g), shall transfer to the regional corporation administration of all mining claims determined to be entirely within lands conveyed to that corporation. Any person holding such mining claim or claims shall meet such requirements of the general mining laws and section 314 of the Federal Land Management and Policy Act of 1976 (43 U.S.C. 1744), except that any filings that would have been made with the Bureau of Land Management if the lands were within Federal ownership shall be timely made with the appropriate regional corporation. The validity of any such mining claim or claims may be contested by the regional corporation, in place of the United States. All contest proceedings and appeals by the mining claimants of adverse decisions made by the regional corporation shall be brought in Federal District Court for the District of Alaska. Neither the United States nor any Federal agency or official shall be named or joined as a party in such proceedings or appeals. All revenues from such mining claims received after passage of this paragraph shall be remitted to the regional corporation subject to distribution pursuant to section 7(i) of this Act, except that in the event that the mining claim or claims are not totally within the lands conveyed to the regional corporation, the regional corporation shall be entitled only to that proportion of revenues, other than administrative fees, reasonably allocated to the portion of the mining claim so conveyed.".

SEC. 103. SETTLEMENT OF CLAIMS ARISING FROM HAZARDOUS SUBSTANCE CONTAMINATION OF TRANSFERRED LANDS.

The Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.) is amended by adding at the end the following:

"CLAIMS ARISING FROM CONTAMINATION OF TRANSFERRED LANDS

43 USC 1629f.

"SEC. 40. (a) As used in this section the term 'contaminant' means hazardous substance harmful to public health or the environment, including friable asbestos.

Reports.

"(b) Within 18 months of enactment of this section, and after consultation with the Secretary of Agriculture, State of Alaska, and appropriate Alaska Native Corporations and organizations, the Secretary shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate, a report addressing issues presented by the presence of contaminants on lands conveyed or prioritized for conveyance to such corporations pursuant to this Act. Such report shall consist of—

"(1) existing information concerning the nature and types of contaminants present on such lands prior to conveyance to Alaska Native Corporations;

"(2) existing information identifying to the extent practicable the existence and availability of potentially responsible parties for the removal or remediation of the effects of such contaminants;

"(3) identification of existing remedies;

"(4) recommendations for any additional legislation that the Secretary concludes is necessary to remedy the problem of contaminants on the lands; and

"(5) in addition to the identification of contaminants, identification of structures known to have asbestos present and rec-

ommendations to inform Native landowners on the containment of asbestos.".

SEC. 104. AUTHORIZATION OF APPROPRIATIONS FOR THE PURPOSES OF IMPLEMENTING REQUIRED RECONVEYANCES.

Section 14(c) of the Alaska Native Claims Settlement Act (43 U.S.C. 1613(c)) is amended by adding at the end the following:

"There is authorized to be appropriated such sums as may be necessary for the purpose of providing technical assistance to Village Corporations established pursuant to this Act in order that they may fulfill the reconveyance requirements of section 14(c) of this Act. The Secretary may make funds available as grants to ANCSA or nonprofit corporations that maintain in-house land planning and management capabilities.".

SEC. 105. NATIVE ALLOTMENTS.

Section 1431(o) of the Alaska National Interest Lands Conservation Act (94 Stat. 2542) is amended by adding at the end the following:

"(5) Following the exercise by Arctic Slope Regional Corporation of its option under paragraph (1) to acquire the subsurface estate beneath lands within the National Petroleum Reserve—Alaska selected by Kuukpik Corporation, where such subsurface estate entirely surrounds lands subject to a Native allotment application approved under section 905 of this Act, and the oil and gas in such lands have been reserved to the United States, Arctic Slope Regional Corporation, at its further option and subject to the concurrence of Kuukpik Corporation, shall be entitled to receive a conveyance of the reserved oil and gas, including all rights and privileges therein reserved to the United States, in such lands. Upon the receipt of a conveyance of such oil and gas interests, the entitlement of Arctic Slope Regional Corporation to in-lieu subsurface lands under section 12(a)(1) of the Alaska Native Claims Settlement Act (43 U.S.C. 1611(a)(1)) shall be reduced by the amount of acreage determined by the Secretary to be conveyed to Arctic Slope Regional Corporation pursuant to this paragraph.".

SEC. 106. REPORT CONCERNING OPEN SEASON FOR CERTAIN NATIVE ALASKA VETERANS FOR ALLOTMENTS.

(a) IN GENERAL.—No later than 9 months after the date of enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Agriculture, the State of Alaska and appropriate Native corporations and organizations, shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report which shall include, but not be limited to, the following:

(1) The number of Vietnam era veterans, as defined in section 101 of title 38, United States Code, who were eligible for but did not apply for an allotment of not to exceed 160 acres under the Act of May 17, 1906 (chapter 2469, 34 Stat. 197), as the Act was in effect before December 18, 1971.

(2) An assessment of the potential impacts of additional allotments on conservation system units as that term is defined in section 102(4) of the Alaska National Interest Lands Conservation Act (94 Stat. 2375).

(3) Recommendations for any additional legislation that the Secretary concludes is necessary.

(b) REQUIREMENT.—The Secretary of Veterans Affairs shall release to the Secretary of the Interior information relevant to the report required under subsection (a).

SEC. 107. TRANSFER OF WRANGELL INSTITUTE.

(a) PROPERTY TRANSFER.—In order to effect a recision of the ANCSA settlement conveyance to Cook Inlet Region, Incorporated of the approximately 134.49 acres and structures located thereon ("property") known as the Wrangell Institute in Wrangell, Alaska, upon certification to the Secretary by Cook Inlet Region, Incorporated, that the Wrangell Institute property has been offered for transfer to the City of Wrangell, property bidding credits in an amount of $475,000, together with adjustments from January 1, 1976 made pursuant to the methodology used to establish the Remaining Obligation Entitlement in the Memorandum of Understanding Between the United States Department of the Interior and Cook Inlet Region, Incorporated dated April 11, 1986, shall be restored to the Cook Inlet Region, Incorporated, property account in the Treasury established under section 12(b) of the Act of January 2, 1976 (Public Law 94–204, 43 U.S.C. 1611 note), as amended, referred to in such section as the "Cook Inlet Region, Incorporated, property account". Acceptance by the City of Wrangell, Alaska of the property shall constitute a waiver by the City of Wrangell of any claims for the costs of remediation related to asbestos, whether in the nature of participation or reimbursement, against the United States or Cook Inlet Region, Incorporated. The acceptance of the property bidding credits by Cook Inlet Region, Incorporated, Alaska of the property shall constitute a waiver by Cook Inlet Region, Incorporated of any claims for the costs of remediation related to asbestos, whether in the nature of participation or reimbursement, against the United States. In no event shall the United States be required to take title to the property. Such restored property bidding credits may be used in the same manner as any other portion of the account.

(b) HOLD HARMLESS.—Upon acceptance of the property bidding credits by Cook Inlet Region, Inc., the United States shall defend and hold harmless Cook Inlet Region, Incorporated, and its subsidiaries in any and all claims arising from asbestos or any contamination existing at the Wrangell Institute property at the time of transfer of ownership of the property from the United States to Cook Inlet Region, Incorporated.

SEC. 108. SHISHMAREF AIRPORT AMENDMENT.

The Shishmaref Airport, conveyed to the State of Alaska on January 5, 1967, in Patent No. 1240529, is subject to reversion to the United States, pursuant to the terms of that patent for nonuse as an airport. The Administrator of the Federal Aviation Administration is hereby directed to exercise said reverter in Patent No. 1240529 in favor of the United States within twelve months of the date of enactment of this section. Upon revesting of title, notwithstanding any other provision of law, the United States shall immediately thereafter transfer all right, title, and interest of the United States in the subject lands to the Shishmaref Native Corporation. Nothing in this section shall relieve the State, the United States, or any other potentially responsible party of liability, if any, under existing law for the cleanup of hazardous or solid wastes on the property, nor shall the United States or Shishmaref Native Corporation become liable for the cleanup of the property solely

by virtue of acquiring title from the State of Alaska or from the United States.

SEC. 109. DEFINITION OF REVENUES.

(a) Section 7(i) of the Alaska Native Claims Settlement Act, Public Law 92–203 (43 U.S.C. 1606(i)), is amended—

(1) by inserting "(1)" after "(i)"; and

(2) by adding at the end the following new paragraph:

"(2) For purposes of this subsection, the term 'revenues' does not include any benefit received or realized for the use of losses incurred or credits earned by a Regional Corporation.".

(b) This amendment shall be effective as of the date of enactment of the Alaska Native Claims Settlement Act, Public Law 92–203 (43 U.S.C. 1601, et seq.). Effective date.

TITLE II—HAWAIIAN HOME LANDS

Hawaiian Home Lands Recovery Act. 48 USC note prec. 491.

SEC. 201. SHORT TITLE

This title may be cited as the "Hawaiian Home Lands Recovery Act".

SEC. 202. DEFINITIONS.

As used in this title:

(1) AGENCY.—The term "agency" includes—

(A) any instrumentality of the United States;

(B) any element of an agency; and

(C) any wholly owned or mixed-owned corporation of the United States Government.

(2) BENEFICIARY.—The term "beneficiary" has the same meaning as is given the term "native Hawaiian" under section 201(7) of the Hawaiian Homes Commission Act.

(3) CHAIRMAN.—The term "Chairman" means the Chairman of the Hawaiian Homes Commission of the State of Hawaii.

(4) COMMISSION.—The term "Commission" means the Hawaiian Homes Commission established by section 202 of the Hawaiian Homes Commission Act.

(5) HAWAIIAN HOMES COMMISSION ACT.—The term "Hawaiian Homes Commission Act" means the Hawaiian Homes Commission Act, 1920 (42 Stat. 108 et. seq., chapter 42).

(6) HAWAII STATE ADMISSION ACT.—The term "Hawaii State Admission Act" means the Act entitled "An Act to provide for the admission of the State of Hawaii into the Union", approved March 18, 1959 (73 Stat. 4, chapter 339; 48 U.S.C. note prec. 491).

(7) LOST USE.—The term "lost use" means the value of the use of the land during the period when beneficiaries or the Hawaiian Homes Commission have been unable to use lands as authorized by the Hawaiian Homes Commission Act because of the use of such lands by the Federal Government after August 21, 1959.

(8) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

SEC. 203. SETTLEMENT OF FEDERAL CLAIMS.

(a) DETERMINATION.—

(1) The Secretary shall determine the value of the following:

(A) Lands under the control of the Federal Government that—

(i) were initially designated as available lands under section 203 of the Hawaiian Homes Commission Act (as in effect on the date of enactment of such Act); and

(ii) were nevertheless transferred to or otherwise acquired by the Federal Government.

(B) The lost use of lands described in subparagraph (A).

(2)(A) Except as provided in subparagraph (B), the determinations of value made under this subsection shall be made not later than 1 year after the date of enactment of this Act. In carrying out this subsection, the Secretary shall use a method of determining value that—

(i) is acceptable to the Chairman; and

(ii) is in the best interest of the beneficiaries.

(B) The Secretary and the Chairman may mutually agree to extend the deadline for making determinations under this subparagraph beyond the date specified in subparagraph (A).

(3) The Secretary and the Chairman may mutually agree, with respect to the determinations of value described in subparagraphs (A) and (B) of paragraph (1), to provide—

(A) for making any portion of the determinations of value pursuant to subparagraphs (A) and (B) of paragraph (1); and

(B) for making the remainder of the determinations with respect to which the Secretary and the Chairman do not exercise the option described in subparagraph (A), pursuant to an appraisal conducted under paragraph (4).

(4)(A) Except as provided in subparagraph (C), if the Secretary and the Chairman do not agree on the determinations of value made by the Secretary under subparagraphs (A) and (B) of paragraph (1), or, pursuant to paragraph (3), mutually agree to determine the value of certain lands pursuant to this subparagraph, such values shall be determined by an appraisal. An appraisal conducted under this subparagraph shall be conducted in accordance with appraisal standards that are mutually agreeable to the Secretary and the Chairman.

(B) If an appraisal is conducted pursuant to this subparagraph, during the appraisal process—

(i) the Chairman shall have the opportunity to present evidence of value to the Secretary;

(ii) the Secretary shall provide the Chairman a preliminary copy of the appraisal;

(iii) the Chairman shall have a reasonable and sufficient opportunity to comment on the preliminary copy of the appraisal; and

(iv) the Secretary shall give consideration to the comments and evidence of value submitted by the Chairman under this subparagraph.

(C) The Chairman shall have the right to dispute the determinations of values made by an appraisal conducted under this subparagraph. If the Chairman disputes the appraisal, the Secretary and the Chairman may mutually agree to employ a process of bargaining, mediation, or other means of dispute

resolution to make the determinations of values described in subparagraphs (A) and (B) of paragraph (1).

(b) AUTHORIZATION.—

(1) EXCHANGE.—Subject to paragraphs (2) and (5), the Secretary may convey Federal lands described in paragraph (5) to the Department of Hawaiian Home Lands in exchange for the continued retention by the Federal Government of lands described in subsection (a)(1)(A).

(2) VALUE OF LANDS.—(A) The value of any lands conveyed to the Department of Hawaiian Home Lands by the Federal Government in accordance with an exchange made under paragraph (1) may not be less than the value of the lands retained by the Federal Government pursuant to such exchange.

(B) For the purposes of this subsection, the value of any lands exchanged pursuant to paragraph (1) shall be determined as of the date the exchange is carried out, or any other date determined by the Secretary, with the concurrence of the Chairman.

(3) LOST USE.—Subject to paragraphs (4) and (5), the Secretary may convey Federal lands described in paragraph (5) to the Department of Hawaiian Home Lands as compensation for the lost use of lands determined under subsection (a)(1)(B).

(4) VALUE OF LOST USE.—(A) the value of any lands conveyed to the Department of Hawaiian Home Lands by the Federal Government as compensation under paragraph (3) may not be less than the value of the lost use of lands determined under subsection (a)(1)(B).

(B) For the purposes of this subparagraph, the value of any lands conveyed pursuant to paragraph (3) shall be determined as of the date that the conveyance occurs, or any other date determined by the Secretary, with the concurrence of the Chairman.

(5) FEDERAL LANDS FOR EXCHANGE.—(A) Subject to subparagraphs (B) and (C), Federal lands located in Hawaii that are under the control of an agency (other than lands within the National Park System or the National Wildlife Refuge System) may be conveyed to the Department of Hawaiian Home Lands under paragraphs (1) and (3). To assist the Secretary in carrying out this Act, the head of an agency may transfer to the Department of the Interior, without reimbursement, jurisdiction and control over any lands and any structures that the Secretary determines to be suitable for conveyance to the Department of Hawaiian Home Lands pursuant to an exchange conducted under this section.

(B) No Federal lands that the Federal Government is required to convey to the State of Hawaii under section 5 of the Hawaii State Admission Act may be conveyed under paragraph (1) or (3).

(C) No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to an exchange made under this paragraph to the Department of Hawaiian Home Lands.

(c) AVAILABLE LANDS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), the Secretary shall require that lands conveyed to the Department of Hawaiian Home Lands under this Act shall have the status of available lands under the Hawaiian Homes Commission Act.

(2) SUBSEQUENT EXCHANGE OF LANDS.—Notwithstanding any other provision of law, lands conveyed to the Department of Hawaiian Home Lands under this paragraph may subsequently be exchanged pursuant to section 204(3) of the Hawaiian Home Commission Act.

(3) SALE OF CERTAIN LANDS.—Notwithstanding any other provision of law, the Chairman may, at the time that lands are conveyed to the Department of Hawaiian Home Lands as compensation for lost use under this Act, designate lands to be sold. The Chairman is authorized to sell such land under terms and conditions that are in the best interest of the beneficiaries. The proceeds of such a sale may only be used for the purposes described in section 207(a) of the Hawaiian Homes Commission Act.

(d) CONSULTATION.—In carrying out their respective responsibilities under this section, the Secretary and the Chairman shall—

(1) consult with the beneficiaries and organizations representing the beneficiaries; and

(2) report to such organizations on a regular basis concerning the progress made to meet the requirements of this section.

(e) HOLD HARMLESS.—Notwithstanding any other provision of law, the United States shall defend and hold harmless the Department of Hawaiian Home Lands, the employees of the Department, and the beneficiaries with respect to any claim arising from the ownership of any land or structure that is conveyed to the Department pursuant to an exchange made under this section prior to the conveyance to the Department of such land or structure.

(f) SCREENING.—

Notification.

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Defense and the Administrator of General Services shall, at the same time as notice is provided to Federal agencies that excess real property is being screened pursuant to applicable Federal laws (including regulations) for possible transfer to such agencies, notify the Chairman of any such screening of real property that is located within the State of Hawaii.

(2) RESPONSE TO NOTIFICATION.—Notwithstanding any other provision of law, not later than 90 days after receiving a notice under paragraph (1), the Chairman may select for appraisal real property, or at the election of the Chairman, portions of real property, that is the subject of a screening.

(3) SELECTION.—Notwithstanding any other provision of law, with respect to any real property located in the State of Hawaii that, as of the date of enactment of this Act, is being screened pursuant to applicable Federal laws for possible transfer (as described in paragraph (1)) or has been screened for such purpose, but has not been transferred or declared to be surplus real property, the Chairman may select all, or any portion of, such real property to be appraised pursuant to paragraph (4).

(4) APPRAISAL.—Notwithstanding any other provision of law, the Secretary of Defense or the Administrator of General Services shall appriase the real property or portions of real property selected by the Chairman using the Uniform Standards for Federal Land Acquisition developed by the Interagency Land Acquisition Conference, or such other standard as the Chairman agrees to.

(5) REQUEST FOR CONVEYANCE.—Notwithstanding any other provision of law, not later than 30 days after the date of completion of such appraisal, the Chairman may request the conveyance to the Department of Hawaiian Home Lands of—

(A) the appraised property; or

(B) a portion of the appraised property, to the Department of Hawaiian Home Lands.

(6) CONVEYANCE.—Notwithstanding any other provision of law, upon receipt of a request from the Chairman, the Secretary of Defense or the Administrator of the General Services Administration shall convey, without reimbursement, the real property that is the subject of the request to the Department of Hawaiian Home Lands as compensation for lands identified under subsection (a)(1)(A) or lost use identified under subsection (a)(1)(B).

(7) REAL PROPERTY NOT SUBJECT TO RECOUPMENT.—Notwithstanding any other provision of law, any real property conveyed pursuant to paragraph (6) shall not be subject to recoupment based upon the sale or lease of the land by the Chairman.

(8) VALUATION.—Notwithstanding any other provision of law, the Secretary shall reduce the value identified under subparagraph (A) or (B) of subsection (a)(1), as determined pursuant to such subsection, by an amount equal to the appraised value of any excess lands conveyed pursuant to paragraph (6).

(9) LIMITATION.—No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to this subsection to the Department of Hawaiian Home Lands.

SEC. 204. PROCEDURE FOR APPROVAL OF AMENDMENTS TO HAWAIIAN HOMES COMMISSION ACT.

(a) NOTICE TO THE SECRETARY.—Not later than 120 days after a proposed amendment to the Hawaiian Homes Commission Act is approved in the manner provided in section 4 of the Hawaii State Admission Act, the Chairman shall submit to the Secretary—

(1) a copy of the proposed amendment;

(2) the nature of the change proposed to be made by the amendment; and

(3) an opinion regarding whether the proposed amendment requires the approval of Congress under section 4 of the Hawaii State Admission Act.

(b) DETERMINATION BY SECRETARY.—Not later than 60 days after receiving the materials required to be submitted by the Chairman pursuant to subsection (a), the Secretary shall determine whether the proposed amendment requires the approval of Congress under section 4 of the Hawaii State Admission Act, and shall notify the Chairman and Congress of the determination of the Secretary. Notification.

(c) CONGRESSIONAL APPROVAL REQUIRED.—If, pursuant to subsection (b), the Secretary determines that the proposed amendment requires the approval of Congress, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives—

(1) a draft joint resolution approving the amendment;

(2) a description of the change made by the proposed amendment and an explanation of how the amendment advances the interests of the beneficiaries;

(3) a comparison of the existing law (as of the date of submission of the proposed amendment) that is the subject of the amendment with the proposed amendment;

(4) a recommendation concerning the advisability of approving the proposed amendment; and

(5) any documentation concerning the amendments received from the Chairman.

SEC. 205. LAND EXCHANGES.

Reports.

(a) NOTICE TO THE SECRETARY.—If the Chairman recommends for approval an exchange of Hawaiian Home Lands, the Chairman shall submit a report to the Secretary on the proposed exchange. The report shall contain—

(1) a description of the acreage and fair market value of the lands involved in the exchange;

(2) surveys and appraisals prepared by the Department of Hawaiian Home Lands, if any; and

(3) an identification of the benefits to the parties of the proposed exchange.

(b) APPROVAL OR DISAPPROVAL.—

(1) IN GENERAL.—Not later than 120 days after receiving the information required to be submitted by the Chairman pursuant to subsection (a), the Secretary shall approve or disapprove the proposed exchange.

(2) NOTIFICATION.—The Secretary shall notify the Chairman, the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources of the House of Representatives of the reasons for the approval or disapproval of the proposed exchange.

(c) EXCHANGES INITIATED BY SECRETARY.—

Reports.

(1) IN GENERAL.—The Secretary may recommend to the Chairman an exchange of Hawaiian Home Lands for Federal lands described in section 203(b)(5), other than lands described in subparagraphs (B) and (C) of such section. If the Secretary initiates a recommendation for such an exchange, the Secretary shall submit a report to the Chairman on the proposed exchange that meets the requirements of a report described in subsection (a).

Notification.

(2) APPROVAL BY CHAIRMAN.—Not later than 120 days after receiving a recommendation for an exchange from the Secretary under paragraph (1), the Chairman shall provide written notification to the Secretary of the approval or disapproval of a proposed exchange. If the Chairman approves the proposed exchange, upon receipt of the written notification, the Secretary shall notify the Committee on Energy and Natural Resources of the Senate, and the Committee on Resources of the House of Representatives of the approval of the Chairman of the proposed exchange.

(3) EXCHANGE.—Upon providing notification pursuant to paragraph (2) of a proposed exchange that has been approved by the Chairman pursuant to this section, the Secretary may carry out the exchange.

(d) SELECTION AND EXCHANGE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may—

(A) select real property that is the subject of screening activities conducted by the Secretary of Defense or the Administrator of General Services pursuant to applicable Federal laws (including regulations) for possible transfer to Federal agencies; and

(B) make recommendations to the Chairman concerning making an exchange under subsection (c) that includes such real property.

(2) TRANSFER.—Notwithstanding any other provision of law, if the Chairman approves an exchange proposed by the Secretary under paragraph (1)—

(A) the Secretary of Defense or the Administrator of General Services shall transfer the real property described in paragraph (1)(A) that is the subject of the exchange to the Secretary without reimbursement; and

(B) the Secretary shall carry out the exchange.

(3) LIMITATION.—No Federal lands that generate income (or would be expected to generate income) for the Federal Government may be conveyed pursuant to this subsection to the Department of Hawaiian Home Lands.

(e) SURVEYS AND APPRAISALS.—

(1) REQUIREMENT.—The Secretary shall conduct a survey of all Hawaiian Home Lands based on the report entitled "Survey Needs for the Hawaiian Home Lands", issued by the Bureau of Land Management of the Department of the Interior, and dated July 1991.

(2) OTHER SURVEYS.—The Secretary is authorized to conduct such other surveys and appraisals as may be necessary to make an informed decision regarding approval or disapproval of a proposed exchange.

SEC. 206. ADMINISTRATION OF ACTS BY UNITED STATES.

(a) DESIGNATION.—

(1) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Secretary shall designate an individual from within the Department of the Interior to administer the responsibilities of the United States under this title and the Hawaiian Homes Commission Act.

(2) DEFAULT.—If the Secretary fails to make an appointment by the date specified in paragraph (1), or if the position is vacant at any time thereafter, the Assistant Secretary for Policy, Budget, and Administration of the Department of the Interior shall exercise the responsibilities for the Department in accordance with subsection (b).

(b) RESPONSIBILITIES.—The individual designated pursuant to subsection (a) shall, in administering the laws referred to in such subsection—

(1) advance the interests of the beneficiaries; and

(2) assist the beneficiaries and the Department of Hawaiian Home Lands in obtaining assistance from programs of the Department of the Interior and other Federal agencies that will promote homesteading opportunities, economic self-sufficiency, and social well-being of the beneficiaries.

SEC. 207. ADJUSTMENT.

The Act of July 1, 1932 (47 Stat. 564, chapter 369; 25 U.S.C. 386a) is amended by striking the period at the end and adding the following: ": *Provided further,* That the Secretary shall adjust or eliminate charges, defer collection of construction costs, and make no assessment on behalf of such charges for beneficiaries that hold leases on Hawaiian home lands, to the same extent as is permitted for individual Indians or tribes of Indians under this section.".

SEC. 208. REPORT.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Chairman shall report to the Secretary concerning any claims that—

(1) involve the transfer of lands designated as available lands under section 203 of the Hawaiian Homes Commission Act (as in effect on the date of enactment of such Act); and

(2) are not otherwise covered under this title.

(b) REVIEW.—Not later than 180 days after receiving the report submitted under subsection (a), the Secretary shall make a determination with respect to each claim referred to in subsection (a), whether, on the basis of legal and equitable considerations, compensation should be granted to the Department of Hawaiian Home Lands.

(c) COMPENSATION.—If the Secretary makes a determination under subsection (b) that compensation should be granted to the Department of Hawaiian Home Lands, the Secretary shall determine the value of the lands and lost use in accordance with the process established under section 203(a), and increase the determination of value made under subparagraphs (A) and (B) of section 203(a)(1) by the value determined under this subsection.

SEC. 209. AUTHORIZATION.

There are authorized to be appropriated such sums as may be necessary for compensation to the Department of Hawaiian Home Lands for the value of the lost use of lands determined under section 203. Compensation received by the Department of Hawaiian Home Lands from funds made available pursuant to this section may only be used for the purposes described in section 207(a) of the Hawaiian Homes Commission Act. To the extent

that amounts are made available by appropriations pursuant to this section for compensation paid to the Department of Hawaiian Home Lands for lost use, the Secretary shall reduce the determination of value established under section 203(a)(1)(B) by such amount.

Approved November 2, 1995.

LEGISLATIVE HISTORY—H.R. 402:

HOUSE REPORTS: No. 104–73 (Comm. on Resources).
SENATE REPORTS: No. 104–119 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 14, considered and passed House.
Aug. 3, considered and passed Senate, amended.
Sept. 18, 19, House considered and concurred in Senate amendment.

Public Law 104–43
104th Congress

An Act

Nov. 3, 1995
[H.R. 716]

To amend the Fishermen's Protective Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Fisheries Act of 1995.
Conservation.
16 USC 5501 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fisheries Act of 1995".

SEC. 2. TABLE OF CONTENTS.

The Table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—HIGH SEAS FISHING COMPLIANCE

Sec. 101. Short title.
Sec. 102. Purpose.
Sec. 103. Definitions.
Sec. 104. Permitting.
Sec. 105. Responsibilities of the Secretary.
Sec. 106. Unlawful activities.
Sec. 107. Enforcement provisions.
Sec. 108. Civil penalties and permit sanctions.
Sec. 109. Criminal offenses.
Sec. 110. Forfeitures.
Sec. 111. Effective date.

TITLE II—IMPLEMENTATION OF CONVENTION ON FUTURE MULTILATERAL COOPERATION IN THE NORTHWEST ATLANTIC FISHERIES

Sec. 201. Short title.
Sec. 202. Representation of United States under convention.
Sec. 203. Requests for scientific advice.
Sec. 204. Authorities of Secretary of State with respect to convention.
Sec. 205. Interagency cooperation.
Sec. 206. Rulemaking.
Sec. 207. Prohibited acts and penalties.
Sec. 208. Consultative committee.
Sec. 209. Administrative matters.
Sec. 210. Definitions.
Sec. 211. Authorization of appropriations.

TITLE III—ATLANTIC TUNAS CONVENTION ACT

Sec. 301. Short title.
Sec. 302. Research and monitoring activities.
Sec. 303. Definitions.
Sec. 304. Advisory committee procedures.
Sec. 305. Regulations and enforcement of Convention.
Sec. 306. Fines and permit sanctions.
Sec. 307. Authorization of appropriations.
Sec. 308. Report and savings clause.
Sec. 309. Management and Atlantic yellowfin tuna.
Sec. 310. Study of bluefin tuna regulations.
Sec. 311. Sense of the Congress with respect to ICCAT negotiations.

TITLE IV—FISHERMEN'S PROTECTIVE ACT

Sec. 401. Findings.

Sec. 402. Amendment to the Fishermen's Protective Act of 1967.
Sec. 403. Reauthorization.
Sec. 404. Technical corrections.

TITLE V—FISHERIES ENFORCEMENT IN CENTRAL SEA OF OKHOTSK

Sec. 501. Short title.
Sec. 502. Fishing prohibition.

TITLE VI—DRIFTNET MORATORIUM

Sec. 601. Short title.
Sec. 602. Findings.
Sec. 603. Prohibition.
Sec. 604. Negotiations.
Sec. 605. Certification.
Sec. 606. Enforcement.

TITLE VII—YUKON RIVER SALMON ACT

Sec. 701. Short title.
Sec. 702. Purposes.
Sec. 703. Definitions.
Sec. 704. Panel.
Sec. 705. Advisory committee.
Sec. 706. Exemption.
Sec. 707. Authority and responsibility.
Sec. 708. Continuation of agreement.
Sec. 709. Administrative matters.
Sec. 710. Authorization of appropriations.

TITLE VIII—MISCELLANEOUS

Sec. 801. South Pacific tuna amendment.
Sec. 802. Foreign fishing for Atlantic herring and Atlantic mackerel.

TITLE I—HIGH SEAS FISHING COMPLIANCE

High Seas Fishing Compliance Act of 1995. 16 USC 5501 note.

SEC. 101. SHORT TITLE.

This title may be cited as the "High Seas Fishing Compliance Act of 1995".

16 USC 5501.

SEC. 102. PURPOSE.

It is the purpose of this Act—

(1) to implement the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations on November 24, 1993; and

(2) to establish a system of permitting, reporting, and regulation for vessels of the United States fishing on the high seas.

16 USC 5502.

SEC. 103. DEFINITIONS.

As used in this Act—

(1) The term "Agreement" means the Agreement to Promote Compliance with International Conservation and Management Measures by Fishing Vessels on the High Seas, adopted by the Conference of the Food and Agriculture Organization of the United Nations on November 24, 1993.

(2) The term "FAO" means the Food and Agriculture Organization of the United Nations.

(3) The term "high seas" means the waters beyond the territorial sea or exclusive economic zone (or the equivalent) of any nation, to the extent that such territorial sea or exclusive economic zone (or the equivalent) is recognized by the United States.

(4) The term "high seas fishing vessel" means any vessel of the United States used or intended for use—

(A) on the high seas;

(B) for the purpose of the commercial exploitation of living marine resources; and

(C) as a harvesting vessel, as a mother ship, or as any other support vessel directly engaged in a fishing operation.

(5) The term "international conservation and management measures" means measures to conserve or manage one or more species of living marine resources that are adopted and applied in accordance with the relevant rules of international law, as reflected in the 1982 United Nations Convention on the Law of the Sea, and that are recognized by the United States. Such measures may be adopted by global, regional, or subregional fisheries organizations, subject to the rights and obligations of their members, or by treaties or other international agreements.

(6) The term "length" means—

(A) for any high seas fishing vessel built after July 18, 1982, 96 percent of the total length on a waterline at 85 percent of the least molded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that is greater, except that in ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline; and

(B) for any high seas fishing vessel built before July 18, 1982, registered length as entered on the vessel's documentation.

(7) The term "person" means any individual (whether or not a citizen or national of the United States), any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State), and any Federal, State, local, or foreign government or any entity of any such government.

(8) The term "Secretary" means the Secretary of Commerce.

(9) The term "vessel of the United States" means—

(A) a vessel documented under chapter 121 of title 46, United States Code, or numbered in accordance with chapter 123 of title 46, United States Code;

(B) a vessel owned in whole or part by—

(i) the United States or a territory, commonwealth, or possession of the United States;

(ii) a State or political subdivision thereof;

(iii) a citizen or national of the United States; or

(iv) a corporation created under the laws of the United States or any State, the District of Columbia, or any territory, commonwealth, or possession of the United States; unless the vessel has been granted the nationality of a foreign nation in accordance with article 92 of the 1982 United Nations Convention on the Law of the Sea and a claim of nationality or registry for the vessel is made by the master or individual in charge at the time of the enforcement action by an officer or employee of the United States authorized

to enforce applicable provisions of the United States law; and

(C) a vessel that was once documented under the laws of the United States and, in violation of the laws of the United States, was either sold to a person not a citizen of the United States or placed under foreign registry or a foreign flag, whether or not the vessel has been granted the nationality of a foreign nation.

(10) The terms "vessel subject to the jurisdiction of the United States" and "vessel without nationality" have the same meaning as in section 3(c) of the Maritime Drug Law Enforcement Act (46 U.S.C. 1903(c)).

SEC. 104. PERMITTING. 16 USC 5503.

(a) IN GENERAL.—No high seas fishing vessel shall engage in harvesting operations on the high seas unless the vessel has on board a valid permit issued under this section.

(b) ELIGIBILITY.—

(1) Any vessel of the United States is eligible to receive a permit under this section, unless the vessel was previously authorized to be used for fishing on the high seas by a foreign nation, and

(A) the foreign nation suspended such authorization because the vessel undermined the effectiveness of international conservation and management measures, and the suspension has not expired; or

(B) the foreign nation, within the last three years preceding application for a permit under this section, withdrew such authorization because the vessel undermined the effectiveness of international conservation and management measures.

(2) The restriction in paragraph (1) does not apply if ownership of the vessel has changed since the vessel undermined the effectiveness of international conservation and management measures, and the new owner has provided sufficient evidence to the Secretary demonstrating that the previous owner or operator has no further legal, beneficial or financial interest in, or control of, the vessel.

(3) The restriction in paragraph (1) does not apply if the Secretary makes a determination that issuing a permit would not subvert the purposes of the Agreement.

(4) The Secretary may not issue a permit to a vessel unless the Secretary is satisfied that the United States will be able to exercise effectively its responsibilities under the Agreement with respect to that vessel.

(c) APPLICATION.—

(1) The owner or operator of a high seas fishing vessel may apply for a permit under this section by completing an application form prescribed by the Secretary.

(2) The application form shall contain—

(A) the vessel's name, previous names (if known), official numbers, and port of record;

(B) the vessel's previous flags (if any);

(C) the vessel's International Radio Call Sign (if any);

(D) the names and addresses of the vessel's owners and operators;

(E) where and when the vessel was built;

(F) the type of vessel;

(G) the vessel's length; and

(H) any other information the Secretary requires for the purposes of implementing the Agreement.

(d) CONDITIONS.—The Secretary shall establish such conditions and restrictions on each permit issued under this section as are necessary and appropriate to carry out the obligations of the United States under the Agreement, including but not limited to the following:

(1) The vessel shall be marked in accordance with the FAO Standard Specifications for the Marking and Identification of Fishing Vessels, or with regulations issued under section 305 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1855); and

(2) The permit holder shall report such information as the Secretary by regulation requires, including area of fishing operations and catch statistics. The Secretary shall promulgate regulations concerning conditions under which information submitted under this paragraph may be released.

Regulations.

Regulations.

(e) FEES.—

(1) The Secretary shall by regulation establish the level of fees to be charged for permits issued under this section. The amount of any fee charged for a permit issued under this section shall not exceed the administrative costs incurred in issuing such permits. The permitting fee may be in addition to any fee required under any regional permitting regime applicable to high seas fishing vessels.

(2) The fees authorized by paragraph (1) shall be collected and credited to the Operations, Research and Facilities account of the National Oceanic and Atmospheric Administration. Fees collected under this subsection shall be available for the necessary expenses of the National Oceanic and Atmospheric Administration in implementing this Act, and shall remain available until expended.

(f) DURATION.—A permit issued under this section is valid for 5 years. A permit issued under this section is void in the event the vessel is no longer eligible for United States documentation, such documentation is revoked or denied, or the vessel is deleted from such documentation.

16 USC 5504.

SEC. 105. RESPONSIBILITIES OF THE SECRETARY.

(a) RECORD.—The Secretary shall maintain an automated file or record of high seas fishing vessels issued permits under section 104, including all information submitted under section 104(c)(2).

(b) INFORMATION TO FAO.—The Secretary, in cooperation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, shall—

(1) make available to FAO information contained in the record maintained under subsection (a);

(2) promptly notify FAO of changes in such information;

(3) promptly notify FAO of additions to or deletions from the record, and the reason for any deletion;

(4) convey to FAO information relating to any permit granted under section 104(b)(3), including the vessel's identity, owner or operator, and factors relevant to the Secretary's determination to issue the permit;

(5) report promptly to FAO all relevant information regarding any activities of high seas fishing vessels that undermine the effectiveness of international conservation and management measures, including the identity of the vessels and any sanctions imposed; and

(6) provide the FAO a summary of evidence regarding any activities of foreign vessels that undermine the effectiveness of international conservation and management measures.

(c) INFORMATION TO FLAG NATIONS.—If the Secretary, in cooperation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, has reasonable grounds to believe that a foreign vessel has engaged in activities undermining the effectiveness of international conservation and management measures, the Secretary shall—

(1) provide to the flag nation information, including appropriate evidentiary material, relating to those activities; and

(2) when such foreign vessel is voluntarily in a United States port, promptly notify the flag nation and, if requested by the flag nation, make arrangements to undertake such lawful investigatory measures as may be considered necessary to establish whether the vessel has been used contrary to the provisions of the Agreement.

(d) REGULATIONS.—The Secretary, after consultation with the Secretary of State and the Secretary of the department in which the Coast Guard is operating, may promulgate such regulations, in accordance with section 553 of title 5, United States Code, as may be necessary to carry out the purposes of the Agreement and this title. The Secretary shall coordinate such regulations with any other entities regulating high seas fishing vessels, in order to minimize duplication of permit application and reporting requirements. To the extent practicable, such regulations shall also be consistent with regulations implementing fishery management plans under the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(e) NOTICE OF INTERNATIONAL CONSERVATION AND MANAGEMENT MEASURES.—The Secretary, in consultation with the Secretary of State, shall publish in the Federal Register, from time to time, a notice listing international conservation and management measures recognized by the United States. Federal Register, publication.

SEC. 106. UNLAWFUL ACTIVITIES. 16 USC 5505.

It is unlawful for any person subject to the jurisdiction of the United States—

(1) to use a high seas fishing vessel on the high seas in contravention of international conservation and management measures described in section 105(e);

(2) to use a high seas fishing vessel on the high seas, unless the vessel has on board a valid permit issued under section 104;

(3) to use a high seas fishing vessel in violation of the conditions or restrictions of a permit issued under section 104;

(4) to falsify any information required to be reported, communicated, or recorded pursuant to this title or any regulation issued under this title, or to fail to submit in a timely fashion any required information, or to fail to report to the Secretary immediately any change in circumstances that has

the effect of rendering any such information false, incomplete, or misleading;

(5) to refuse to permit an authorized officer to board a high seas fishing vessel subject to such person's control for purposes of conducting any search or inspection in connection with the enforcement of this title or any regulation issued under this title;

(6) to forcibly assault, resist, oppose, impede, intimidate, or interfere with an authorized officer in the conduct of any search or inspection described in paragraph (5);

(7) to resist a lawful arrest or detention for any act prohibited by this section;

(8) to interfere with, delay, or prevent, by any means, the apprehension, arrest, or detection of another person, knowing that such person has committed any act prohibited by this section;

(9) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any living marine resource taken or retained in violation of this title or any regulation or permit issued under this title; or

(10) to violate any provision of this title or any regulation or permit issued under this title.

16 USC 5506.

SEC. 107. ENFORCEMENT PROVISIONS.

(a) DUTIES OF SECRETARIES.—This title shall be enforced by the Secretary of Commerce and the Secretary of the department in which the Coast Guard is operating. Such Secretaries may by agreement utilize, on a reimbursable basis or otherwise, the personnel, services, equipment (including aircraft and vessels), and facilities of any other Federal agency, or of any State agency, in the performance of such duties. Such Secretaries shall, and the head of any Federal or State agency that has entered into an agreement with either such Secretary under this section may (if the agreement so provides), authorize officers to enforce the provisions of this title or any regulation or permit issued under this title.

(b) DISTRICT COURT JURISDICTION.—The district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under the provisions of this title. In the case of Guam, and any Commonwealth, territory, or possession of the United States in the Pacific Ocean, the appropriate court is the United States District Court for the District of Guam, except that in the case of American Samoa, the appropriate court is the United States District Court for the District of Hawaii.

(c) POWERS OF ENFORCEMENT OFFICERS.—

(1) Any officer who is authorized under subsection (a) to enforce the provisions of this title may—

(A) with or without a warrant or other process—

(i) arrest any person, if the officer has reasonable cause to believe that such person has committed an act prohibited by paragraph (6), (7), (8), or (9) of section 106;

(ii) board, and search or inspect, any high seas fishing vessel;

(iii) seize any high seas fishing vessel (together with its fishing gear, furniture, appurtenances, stores, and cargo) used or employed in, or with respect to which it reasonably appears that such vessel was used

or employed in, the violation of any provision of this title or any regulation or permit issued under this title;

(iv) seize any living marine resource (wherever found) taken or retained, in any manner, in connection with or as a result of the commission of any act prohibited by section 106;

(v) seize any other evidence related to any violation of any provision of this title or any regulation or permit issued under this title;

(B) execute any warrant or other process issued by any court of competent jurisdiction; and

(C) exercise any other lawful authority.

(2) Subject to the direction of the Secretary, a person charged with law enforcement responsibilities by the Secretary who is performing a duty related to enforcement of a law regarding fisheries or other marine resources may make an arrest without a warrant for an offense against the United States committed in his presence, or for a felony cognizable under the laws of the United States, if he has reasonable grounds to believe that the person to be arrested has committed or is committing a felony.

(d) ISSUANCE OF CITATIONS.—If any authorized officer finds that a high seas fishing vessel is operating or has been operated in violation of any provision of this title, such officer may issue a citation to the owner or operator of such vessel in lieu of proceeding under subsection (c). If a permit has been issued pursuant to this title for such vessel, such officer shall note the issuance of any citation under this subsection, including the date thereof and the reason therefor, on the permit. The Secretary shall maintain a record of all citations issued pursuant to this subsection. Records.

(e) LIABILITY FOR COSTS.—Any person assessed a civil penalty for, or convicted of, any violation of this Act shall be liable for the cost incurred in storage, care, and maintenance of any living marine resource or other property seized in connection with the violation.

SEC. 108. CIVIL PENALTIES AND PERMIT SANCTIONS. 16 USC 5507.

(a) CIVIL PENALTIES.—

(1) Any person who is found by the Secretary, after notice and opportunity for a hearing in accordance with section 554 of title 5, United States Code, to have committed an act prohibited by section 106 shall be liable to the United States for a civil penalty. The amount of the civil penalty shall not exceed $100,000 for each violation. Each day of a continuing violation shall constitute a separate offense. The amount of such civil penalty shall be assessed by the Secretary by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violation, the degree of culpability, any history of prior offenses, and such other matters as justice may require.

(2) The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that is subject to imposition or that has been imposed under this section.

(b) PERMIT SANCTIONS.—

(1) In any case in which—

(A) a vessel of the United States has been used in the commission of an act prohibited under section 106;

(B) the owner or operator of a vessel or any other person who has been issued or has applied for a permit under section 104 has acted in violation of section 106; or

(C) any amount in settlement of a civil forfeiture imposed on a high seas fishing vessel or other property, or any civil penalty or criminal fine imposed on a high seas fishing vessel or on an owner or operator of such a vessel or on any other person who has been issued or has applied for a permit under any fishery resource statute enforced by the Secretary, has not been paid and is overdue, the Secretary may—

(i) revoke any permit issued to or applied for by such vessel or person under this title, with or without prejudice to the issuance of subsequent permits;

(ii) suspend such permit for a period of time considered by the Secretary to be appropriate;

(iii) deny such permit; or

(iv) impose additional conditions and restrictions on such permit.

(2) In imposing a sanction under this subsection, the Secretary shall take into account—

(A) the nature, circumstances, extent, and gravity of the prohibited acts for which the sanction is imposed; and

(B) with respect to the violator, the degree of culpability, any history of prior offenses, and such other matters as justice may require.

(3) Transfer of ownership of a high seas fishing vessel, by sale or otherwise, shall not extinguish any permit sanction that is in effect or is pending at the time of transfer of ownership. Before executing the transfer of ownership of a vessel, by sale or otherwise, the owner shall disclose in writing to the prospective transferee the existence of any permit sanction that will be in effect or pending with respect to the vessel at the time of the transfer. The Secretary may waive or compromise a sanction in the case of a transfer pursuant to court order.

(4) In the case of any permit that is suspended under this subsection for nonpayment of a civil penalty or criminal fine, the Secretary shall reinstate the permit upon payment of the penalty or fine and interest thereon at the prevailing rate.

(5) No sanctions shall be imposed under this subsection unless there has been prior opportunity for a hearing on the facts underlying the violation for which the sanction is imposed, either in conjunction with a civil penalty proceeding under this section or otherwise.

(c) HEARING.—For the purposes of conducting any hearing under this section, the Secretary may issue subpoenas for the attendance and testimony of witnesses and the production of relevant papers, books, and documents, and may administer oaths. Witnesses summoned shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States. In case of contempt or refusal to obey a subpoena served upon any person pursuant to this subsection, the district court of the

United States for any district in which such person is found, resides, or transacts business, upon application by the United States and after notice to such person, shall have jurisdiction to issue an order requiring such person to appear and give testimony before the Secretary or to appear and produce documents before the Secretary, or both, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

(d) JUDICIAL REVIEW.—Any person against whom a civil penalty is assessed under subsection (a) or against whose vessel a permit sanction is imposed under subsection (b) (other than a permit suspension for nonpayment of penalty or fine) may obtain review thereof in the United States district court for the appropriate district by filing a complaint against the Secretary in such court within 30 days from the date of such penalty or sanction. The Secretary shall promptly file in such court a certified copy of the record upon which such penalty or sanction was imposed, as provided in section 2112 of title 28, United States Code. The findings and order of the Secretary shall be set aside by such court if they are not found to be supported by substantial evidence, as provided in section 706(2) of title 5, United States Code.

(e) COLLECTION.—

(1) If any person fails to pay an assessment of a civil penalty after it has become a final and unappealable order, or after the appropriate court has entered final judgment in favor of the Secretary, the matter shall be referred to the Attorney General, who shall recover the amount assessed in any appropriate district court of the United States. In such action the validity and appropriateness of the final order imposing the civil penalty shall not be subject to review.

(2) A high seas fishing vessel (including its fishing gear, furniture, appurtenances, stores, and cargo) used in the commission of an act prohibited by section 106 shall be liable in rem for any civil penalty assessed for such violation under subsection (a) and may be proceeded against in any district court of the United States having jurisdiction thereof. Such penalty shall constitute a maritime lien on such vessel that may be recovered in an action in rem in the district court of the United States having jurisdiction over the vessel.

SEC. 109. CRIMINAL OFFENSES. 16 USC 5508.

(a) OFFENSES.—A person is guilty of an offense if the person commits any act prohibited by paragraph (6), (7), (8), or (9) of section 106.

(b) PUNISHMENT.—Any offense described in subsection (a) is a class A misdemeanor punishable by a fine under title 18, United States Code, or imprisonment for not more than one year, or both; except that if in the commission of any offense the person uses a dangerous weapon, engages in conduct that causes bodily injury to any authorized officer, or places any such officer in fear of imminent bodily injury, the offense is a felony punishable by a fine under title 18, United States Code, or imprisonment for not more than 10 years, or both.

SEC. 110. FORFEITURES. 16 USC 5509.

(a) IN GENERAL.—Any high seas fishing vessel (including its fishing gear, furniture, appurtenances, stores, and cargo) used, and any living marine resources (or the fair market value thereof) taken or retained, in any manner, in connection with or as a

result of the commission of any act prohibited by section 106 (other than an act for which the issuance of a citation under section 107 is a sufficient sanction) shall be subject to forfeiture to the United States. All or part of such vessel may, and all such living marine resources (or the fair market value thereof) shall, be forfeited to the United States pursuant to a civil proceeding under this section.

(b) JURISDICTION OF DISTRICT COURTS.—Any district court of the United States shall have jurisdiction, upon application of the Attorney General on behalf of the United States, to order any forfeiture authorized under subsection (a) and any action provided for under subsection (d).

(c) JUDGMENT.—If a judgment is entered for the United States in a civil forfeiture proceeding under this section, the Attorney General may seize any property or other interest declared forfeited to the United States, which has not previously been seized pursuant to this title or for which security has not previously been obtained. The provisions of the customs laws relating to—

(1) the seizure, forfeiture, and condemnation of property for violation of the customs law;

(2) the disposition of such property or the proceeds from the sale thereof; and

(3) the remission or mitigation of any such forfeiture;

shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this title, unless such provisions are inconsistent with the purposes, policy, and provisions of this title.

(d) PROCEDURE.—

(1) Any officer authorized to serve any process in rem that is issued by a court under section 107(b) shall—

(A) stay the execution of such process; or

(B) discharge any living marine resources seized pursuant to such process;

upon receipt of a satisfactory bond or other security from any person claiming such property. Such bond or other security shall be conditioned upon such person delivering such property to the appropriate court upon order thereof, without any impairment of its value, or paying the monetary value of such property pursuant to an order of such court. Judgment shall be recoverable on such bond or other security against both the principal and any sureties in the event that any condition thereof is breached, as determined by such court.

(2) Any living marine resources seized pursuant to this title may be sold, subject to the approval of the appropriate court, for not less than the fair market value thereof. The proceeds of any such sale shall be deposited with such court pending the disposition of the matter involved.

(e) REBUTTABLE PRESUMPTION.—For purposes of this section, all living marine resources found on board a high seas fishing vessel and which are seized in connection with an act prohibited by section 106 are presumed to have been taken or retained in violation of this title, but the presumption can be rebutted by an appropriate showing of evidence to the contrary.

16 USC 5501 note.

SEC. 111. EFFECTIVE DATE.

This title shall take effect 120 days after the date of enactment of this Act.

TITLE II—IMPLEMENTATION OF CONVENTION ON FUTURE MULTILATERAL COOPERATION IN THE NORTHWEST ATLANTIC FISHERIES

Northwest Atlantic Fisheries Convention Act of 1995. 16 USC 5601 note.

SEC. 201. SHORT TITLE.

This title may be cited as the "Northwest Atlantic Fisheries Convention Act of 1995".

SEC. 202. REPRESENTATION OF UNITED STATES UNDER CONVENTION.

16 USC 5601.

(a) COMMISSIONERS.—

(1) APPOINTMENTS, GENERALLY.—The Secretary shall appoint not more than 3 individuals to serve as the representatives of the United States on the General Council and the Fisheries Commission, who shall each—

(A) be known as a "United States Commissioner to the Northwest Atlantic Fisheries Organization"; and

(B) serve at the pleasure of the Secretary.

(2) REQUIREMENTS FOR APPOINTMENTS.—

(A) The Secretary shall ensure that of the individuals serving as Commissioners—

(i) at least 1 is appointed from among representatives of the commercial fishing industry;

(ii) 1 (but no more than 1) is an official of the Government; and

(iii) 1, other than the individual appointed under clause (ii), is a voting member of the New England Fishery Management Council.

(B) The Secretary may not appoint as a Commissioner an individual unless the individual is knowledgeable and experienced concerning the fishery resources to which the Convention applies.

(3) TERMS.—

(A) The term of an individual appointed as a Commissioner—

(i) shall be specified by the Secretary at the time of appointment; and

(ii) may not exceed 4 years.

(B) An individual who is not a Government official may not serve more than 2 consecutive terms as a Commissioner.

(b) ALTERNATE COMMISSIONERS.—

(1) APPOINTMENT.—The Secretary may, for any anticipated absence of a duly appointed Commissioner at a meeting of the General Council or the Fisheries Commission, designate an individual to serve as an Alternate Commissioner.

(2) FUNCTIONS.—An Alternate Commissioner may exercise all powers and perform all duties of the Commissioner for whom the Alternate Commissioner is designated, at any meeting of the General Council or the Fisheries Commission for which the Alternate Commissioner is designated.

(c) REPRESENTATIVES.—

(1) APPOINTMENT.—The Secretary shall appoint not more than 3 individuals to serve as the representatives of the United States on the Scientific Council, who shall each be known as a "United States Representative to the Northwest Atlantic Fisheries Organization Scientific Council".

(2) ELIGIBILITY FOR APPOINTMENT.—

(A) The Secretary may not appoint an individual as a Representative unless the individual is knowledgeable and experienced concerning the scientific issues dealt with by the Scientific Council.

(B) The Secretary shall appoint as a Representative at least 1 individual who is an official of the Government.

(3) TERM.—An individual appointed as a Representative—

(A) shall serve for a term of not to exceed 4 years, as specified by the Secretary at the time of appointment;

(B) may be reappointed; and

(C) shall serve at the pleasure of the Secretary.

(d) ALTERNATE REPRESENTATIVES.—

(1) APPOINTMENT.—The Secretary may, for any anticipated absence of a duly appointed Representative at a meeting of the Scientific Council, designate an individual to serve as an Alternate Representative.

(2) FUNCTIONS.—An Alternate Representative may exercise all powers and perform all duties of the Representative for whom the Alternate Representative is designated, at any meeting of the Scientific Council for which the Alternate Representative is designated.

(e) EXPERTS AND ADVISERS.—The Commissioners, Alternate Commissioners, Representatives, and Alternate Representatives may be accompanied at meetings of the Organization by experts and advisers.

(f) COORDINATION AND CONSULTATION.—

(1) IN GENERAL.—In carrying out their functions under the Convention, Commissioners, Alternate Commissioners, Representatives, and Alternate Representatives shall—

(A) coordinate with the appropriate Regional Fishery Management Councils established by section 302 of the Magnuson Act (16 U.S.C. 1852); and

(B) consult with the committee established under section 208.

(2) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to coordination and consultations under this subsection.

16 USC 5602.

SEC. 203. REQUESTS FOR SCIENTIFIC ADVICE.

(a) RESTRICTION.—The Representatives may not make a request or specification described in subsection (b) (1) or (2), respectively, unless the Representatives have first—

(1) consulted with the appropriate Regional Fishery Management Councils; and

(2) received the consent of the Commissioners for that action.

(b) REQUESTS AND TERMS OF REFERENCE DESCRIBED.—The requests and specifications referred to in subsection (a) are, respectively—

(1) any request, under Article VII(1) of the Convention, that the Scientific Council consider and report on a question pertaining to the scientific basis for the management and conservation of fishery resources in waters under the jurisdiction of the United States within the Convention Area; and

(2) any specification, under Article VIII(2) of the Convention, of the terms of reference for the consideration of a question

referred to the Scientific Council pursuant to Article VII(1) of the Convention.

SEC. 204. AUTHORITIES OF SECRETARY OF STATE WITH RESPECT TO CONVENTION. 16 USC 5603.

The Secretary of State may, on behalf of the Government of the United States—

(1) receive and transmit reports, requests, recommendations, proposals, and other communications of and to the Organization and its subsidiary organs;

(2) object, or withdraw an objection, to the proposal of the Fisheries Commission;

(3) give or withdraw notice of intent not to be bound by a measure of the Fisheries Commission;

(4) object or withdraw an objection to an amendment to the Convention; and

(5) act upon, or refer to any other appropriate authority, any other communication referred to in paragraph (1).

SEC. 205. INTERAGENCY COOPERATION. 16 USC 5604.

(a) AUTHORITIES OF SECRETARY.—In carrying out the provisions of the Convention and this title, the Secretary may arrange for cooperation with other agencies of the United States, the States, the New England and the Mid-Atlantic Fishery Management Councils, and private institutions and organizations.

(b) OTHER AGENCIES.—The head of any Federal agency may—

(1) cooperate in the conduct of scientific and other programs, and furnish facilities and personnel, for the purposes of assisting the Organization in carrying out its duties under the Convention; and

(2) accept reimbursement from the Organization for providing such services, facilities, and personnel.

SEC. 206. RULEMAKING. 16 USC 5605.

The Secretary shall promulgate regulations as may be necessary to carry out the purposes and objectives of the Convention and this title. Any such regulation may be made applicable, as necessary, to all persons and all vessels subject to the jurisdiction of the United States, wherever located.

SEC. 207. PROHIBITED ACTS AND PENALTIES. 16 USC 5606.

(a) PROHIBITION.—It is unlawful for any person or vessel that is subject to the jurisdiction of the United States—

(1) to violate any regulation issued under this title or any measure that is legally binding on the United States under the Convention;

(2) to refuse to permit any authorized enforcement officer to board a fishing vessel that is subject to the person's control for purposes of conducting any search or inspection in connection with the enforcement of this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention;

(3) forcibly to assault, resist, oppose, impede, intimidate, or interfere with any authorized enforcement officer in the conduct of any search or inspection described in paragraph (2);

(4) to resist a lawful arrest for any act prohibited by this section;

(5) to ship, transport, offer for sale, sell, purchase, import, export, or have custody, control, or possession of, any fish taken or retained in violation of this section; or

(6) to interfere with, delay, or prevent, by any means, the apprehension or arrest of another person, knowing that the other person has committed an act prohibited by this section.

(b) CIVIL PENALTY.—Any person who commits any act that is unlawful under subsection (a) shall be liable to the United States for a civil penalty, or may be subject to a permit sanction, under section 308 of the Magnuson Act (16 U.S.C. 1858).

(c) CRIMINAL PENALTY.—Any person who commits an act that is unlawful under paragraph (2), (3), (4), or (6) of subsection (a) shall be guilty of an offense punishable under section 309(b) of the Magnuson Act (16 U.S.C. 1859(b)).

(d) CIVIL FORFEITURES.—

(1) IN GENERAL.—Any vessel (including its gear, furniture, appurtenances, stores, and cargo) used in the commission of an act that is unlawful under subsection (a), and any fish (or the fair market value thereof) taken or retained, in any manner, in connection with or as a result of the commission of any act that is unlawful under subsection (a), shall be subject to seizure and forfeiture as provided in section 310 of the Magnuson Act (16 U.S.C. 1860).

Regulations.

(2) DISPOSAL OF FISH.—Any fish seized pursuant to this title may be disposed of pursuant to the order of a court of competent jurisdiction or, if perishable, in a manner prescribed by regulations issued by the Secretary.

(e) ENFORCEMENT.—The Secretary and the Secretary of the department in which the Coast Guard is operating shall enforce the provisions of this title and shall have the authority specified in sections 311 (a), (b)(1), and (c) of the Magnuson Act (16 U.S.C. 1861 (a), (b)(1), and (c)) for that purpose.

(f) JURISDICTION OF COURTS.—The district courts of the United States shall have exclusive jurisdiction over any case or controversy arising under this section and may, at any time—

(1) enter restraining orders or prohibitions;

(2) issue warrants, process in rem, or other process;

(3) prescribe and accept satisfactory bonds or other security; and

(4) take such other actions as are in the interests of justice.

16 USC 5607.

SEC. 208. CONSULTATIVE COMMITTEE.

(a) ESTABLISHMENT.—The Secretary of State and the Secretary, shall jointly establish a consultative committee to advise the Secretaries on issues related to the Convention.

(b) MEMBERSHIP.—

(1) The membership of the Committee shall include representatives from the New England and Mid-Atlantic Fishery Management Councils, the States represented on those Councils, the Atlantic States Marine Fisheries Commission, the fishing industry, the seafood processing industry, and others knowledgeable and experienced in the conservation and management of fisheries in the Northwest Atlantic Ocean.

(2) TERMS AND REAPPOINTMENT.—Each member of the consultative committee shall serve for a term of two years and shall be eligible for reappointment.

(c) DUTIES OF THE COMMITTEE.—Members of the consultative committee may attend—

(1) all public meetings of the General Council or the Fisheries Commission;

(2) any other meetings to which they are invited by the General Council or the Fisheries Commission; and

(3) all nonexecutive meetings of the United States Commissioners.

(d) RELATIONSHIP TO OTHER LAW.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the consultative committee established under this section.

SEC. 209. ADMINISTRATIVE MATTERS. 16 USC 5608.

(a) PROHIBITION ON COMPENSATION.—A person shall not receive any compensation from the Government by reason of any service of the person as—

(1) a Commissioner, Alternate Commissioner, Representative, or Alternative Representative;

(2) an expert or adviser authorized under section 202(e); or

(3) a member of the consultative committee established by section 208.

(b) TRAVEL AND EXPENSES.—The Secretary of State shall, subject to the availability of appropriations, pay all necessary travel and other expenses of persons described in subsection (a)(1) and of not more than six experts and advisers authorized under section 202(e) with respect to their actual performance of their official duties pursuant to this title, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code.

(c) STATUS AS FEDERAL EMPLOYEES.—A person shall not be considered to be a Federal employee by reason of any service of the person in a capacity described in subsection (a), except for purposes of injury compensation and tort claims liability under chapter 81 of title 5, United States Code, and chapter 17 of title 28, United States Code, respectively.

SEC. 210. DEFINITIONS. 16 USC 5609.

In this title the following definitions apply:

(1) AUTHORIZED ENFORCEMENT OFFICER.—The term "authorized enforcement officer" means a person authorized to enforce this title, any regulation issued under this title, or any measure that is legally binding on the United States under the Convention.

(2) COMMISSIONER.—The term "Commissioner" means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 202(a).

(3) CONVENTION.—The term "Convention" means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978.

(4) FISHERIES COMMISSION.—The term "Fisheries Commission" means the Fisheries Commission provided for by Articles II, XI, XII, XIII, and XIV of the Convention.

(5) GENERAL COUNCIL.—The term "General Council" means the General Council provided for by Article II, III, IV, and V of the Convention.

(6) MAGNUSON ACT.—The term "Magnuson Act" means the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

(7) ORGANIZATION.—The term "Organization" means the Northwest Atlantic Fisheries Organization provided for by Article II of the Convention.

(8) PERSON.—The term "person" means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

(9) REPRESENTATIVE.—The term "Representative" means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 202(c).

(10) SCIENTIFIC COUNCIL.—The term "Scientific Council" means the Scientific Council provided for by Articles II, VI, VII, VIII, IX, and X of the Convention.

(11) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

16 USC 5610.

SEC. 211. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this title, including use for payment as the United States contribution to the Organization as provided in Article XVI of the Convention, $500,000 for each of the fiscal years 1995, 1996, 1997, and 1998.

TITLE III—ATLANTIC TUNAS CONVENTION ACT

Atlantic Tunas Convention Authorization Act of 1995.
16 USC 971 note.

SEC. 301. SHORT TITLE.

This title may be cited as the "Atlantic Tunas Convention Authorization Act of 1995".

SEC. 302. RESEARCH AND MONITORING ACTIVITIES.

(a) REPORT TO CONGRESS.—The Secretary of Commerce shall, within 90 days after the date of enactment of this Act, submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives—

(1) identifying current governmental and nongovernmental research and monitoring activities on Atlantic bluefin tuna and other highly migratory species;

(2) describing the personnel and budgetary resources allocated to such activities; and

(3) explaining how each activity contributes to the conservation and management of Atlantic bluefin tuna and other highly migratory species.

(b) RESEARCH AND MONITORING PROGRAM.—Section 3 of the Act of September 4, 1980 (16 U.S.C. 971i) is amended—

(1) by amending the section heading to read as follows:

"SEC. 3. RESEARCH ON ATLANTIC HIGHLY MIGRATORY SPECIES.";

(2) by striking the last sentence;

(3) by inserting "(a) BIENNIAL REPORT ON BLUEFIN TUNA.—" before "The Secretary of Commerce shall"; and

(4) by adding at the end the following:

"(b) HIGHLY MIGRATORY SPECIES RESEARCH AND MONITORING.—

"(1) Within 6 months after the date of enactment of the Atlantic Tunas Convention Authorization Act of 1995, the Secretary of Commerce, in cooperation with the advisory committee established under section 4 of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971b) and in consultation with the United States Commissioners on the International Commission for the Conservation of Atlantic Tunas (referred to elsewhere in this section as the 'Commission') and the Secretary of State, shall develop and implement a comprehensive research and monitoring program to support the conservation and management of Atlantic bluefin tuna and other highly migratory species that shall—

"(A) identify and define the range of stocks of highly migratory species in the Atlantic Ocean, including Atlantic bluefin tuna; and

"(B) provide for appropriate participation by nations which are members of the Commission.

"(2) The program shall provide for, but not be limited to—

"(A) statistically designed cooperative tagging studies;

"(B) genetic and biochemical stock analyses;

"(C) population censuses carried out through aerial surveys of fishing grounds and known migration areas;

"(D) adequate observer coverage and port sampling of commercial and recreational fishing activity;

"(E) collection of comparable real-time data on commercial and recreational catches and landings through the use of permits, logbooks, landing reports for charter operations and fishing tournaments, and programs to provide reliable reporting of the catch by private anglers;

"(F) studies of the life history parameters of Atlantic bluefin tuna and other highly migratory species;

"(G) integration of data from all sources and the preparation of data bases to support management decisions; and

"(H) other research as necessary.

"(3) In developing a program under this section, the Secretary shall—

"(A) ensure that personnel and resources of each regional research center shall have substantial participation in the stock assessments and monitoring of highly migratory species that occur in the region;

"(B) provide for comparable monitoring of all United States fishermen to which the Atlantic Tunas Convention Act applies with respect to effort and species composition of catch and discards;

"(C) consult with relevant Federal and State agencies, scientific and technical experts, commercial and recreational fishermen, and other interested persons, public and private, and shall publish a proposed plan in the Federal Register for the purpose of receiving public comment on the plan; and

Intergovernmental relations.

Federal Register, publication.

"(D) through the Secretary of State, encourage other member nations to adopt a similar program.".

SEC. 303. DEFINITIONS.

Section 2 of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971) is amended—

(1) by designating paragraphs (3) through (10) as (4) through (11), respectively, and inserting after paragraph (2) the following:

"(3) The term 'conservation recommendation' means any recommendation of the Commission made pursuant to Article VIII of the Convention and acted upon favorably by the Secretary of State under section 5(a) of this Act.";

(2) by striking paragraph (5), as redesignated, and inserting the following:

"(4) The term 'exclusive economic zone' means an exclusive economic zone as defined in section 3 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1802).";

16 USC 971c, 971d.

(3) by striking "fisheries zone" wherever it appears in the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.) and inserting "exclusive economic zone".

SEC. 304. ADVISORY COMMITTEE PROCEDURES.

Section 4 of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971b) is amended—

(1) by inserting "(a)" before "There"; and

(2) by adding at the end the following:

"(b)(1) A majority of the members of the advisory committee shall constitute a quorum, but one or more such members designated by the advisory committee may hold meetings to provide for public participation and to discuss measures relating to the United States implementation of Commission recommendations.

"(2) The advisory committee shall elect a Chairman for a 2-year term from among its members.

"(3) The advisory committee shall meet at appropriate times and places at least twice a year, at the call of the Chairman or upon the request of the majority of its voting members, the United States Commissioners, the Secretary, or the Secretary of State. Meetings of the advisory committee, except when in executive session, shall be open to the public, and prior notice of meetings shall be made public in a timely fashion.

Public information.

"(4)(A) The Secretary shall provide to the advisory committee in a timely manner such administrative and technical support services as are necessary for the effective functioning of the committee.

"(B) The Secretary and the Secretary of State shall furnish the advisory committee with relevant information concerning fisheries and international fishery agreements.

"(5) The advisory committee shall determine its organization, and prescribe its practices and procedures for carrying out its functions under this Act, the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), and the Convention. The advisory committee shall publish and make available to the public a statement of its organization, practices, and procedures.

Publication. Public information.

"(6) The advisory committee shall, to the maximum extent practicable, consist of an equitable balance among the various groups concerned with the fisheries covered by the Convention and shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).".

SEC. 305. REGULATIONS AND ENFORCEMENT OF CONVENTION.

Section 6(c) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971d(c)) is amended—

(1) by inserting "AND OTHER MEASURES" after "REGULATIONS" in the section caption;

(2) by inserting "or fishing mortality level" after "quota of fish" in the last sentence of paragraph (3); and

(3) by inserting the following after paragraph (5):

"(6) IDENTIFICATION AND NOTIFICATION.—

"(A) Not later than July 1, 1996, and annually thereafter, the Secretary, in consultation with the Secretary of State, the Commissioners, and the advisory committee, shall—

"(i) identify those nations whose fishing vessels are fishing, or have fished during the preceding calendar year, within the convention area in a manner or under circumstances that diminish the effectiveness of a conservation recommendation;

"(ii) notify the President and the nation so identified, including an explanation of the reasons therefor; and

"(iii) publish a list of those Nations identified under subparagraph (A). Publication.

In identifying those Nations, the Secretary shall consider, based on the best available information, whether those Nations have measures in place for reporting, monitoring, and enforcement, and whether those measures diminish the effectiveness of any conservation recommendation.

"(7) CONSULTATION.—Not later than 30 days after a Nation is notified under paragraph (6), the President may enter into consultations with the Government of that Nation for the purpose of obtaining an agreement that will—

"(A) effect the immediate termination and prevent the resumption of any fishing operation by vessels of that Nation within the Convention area which is conducted in a manner or under circumstances that diminish the effectiveness of the conservation recommendation;

"(B) when practicable, require actions by that Nation, or vessels of that Nation, to mitigate the negative impacts of fishing operations on the effectiveness of the conservation recommendation involved, including but not limited to, the imposition of subsequent-year deductions for quota overages; and

"(C) result in the establishment, if necessary, by such Nation of reporting, monitoring, and enforcement measures that are adequate to ensure the effectiveness of conservation recommendations.".

SEC. 306. FINES AND PERMIT SANCTIONS.

Section 7(e) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971(e)) is amended to read as follows: 16 USC 971e.

"(e) The civil penalty and permit sanctions of section 308 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1858) are hereby made applicable to violations of this section as if they were violations of section 307 of that Act.".

SEC. 307. AUTHORIZATION OF APPROPRIATIONS.

Section 10 of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971h) is amended to read as follows:

"AUTHORIZATION OF APPROPRIATIONS

"SEC. 10. There are authorized to be appropriated to carry out this Act, including use for payment of the United States share of the joint expenses of the Commission as provided in Article X of the Convention, the following sums:

"(1) For fiscal year 1995, $4,103,000, of which $50,000 are authorized in the aggregate for the advisory committee established under section 4 and the species working groups established under section 4A, and $2,890,000 are authorized for research activities under this Act and the Act of September 4, 1980 (16 U.S.C. 971i).

"(2) For fiscal year 1996, $5,453,000, of which $50,000 are authorized in the aggregate for such advisory committee and such working groups, and $4,240,000 are authorized for such research activities.

"(3) For fiscal year 1997, $5,465,000 of which $62,000 are authorized in the aggregate for such advisory committee and such working groups, and $4,240,000 are authorized for such research activities.

"(4) For fiscal year 1998, $5,465,000 of which $75,000 are authorized in the aggregate for such advisory committee and such working groups, and $4,240,000 are authorized for such research activities.".

SEC. 308. REPORT AND SAVINGS CLAUSE.

The Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971 et seq.) is amended by adding at the end thereof the following:

16 USC 971j.

"§ 11. Annual report

"Not later than April 1, 1996, and annually thereafter, the Secretary shall prepare and transmit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report, that—

"(1) details for the previous 10-year period the catches and exports to the United States of highly migratory species (including tunas, swordfish, marlin and sharks) from Nations fishing on Atlantic stocks of such species that are subject to management by the Commission;

"(2) identifies those fishing Nations whose harvests are inconsistent with conservation and management recommendations of the Commission;

"(3) describes reporting requirements established by the Secretary to ensure that imported fish products are in compliance with all international management measures, including minimum size requirements, established by the Commission and other international fishery organizations to which the United States is a party; and

"(4) describes actions taken by the Secretary under section 6.

"§ 12. Savings clause 16 USC 971k.

"Nothing in this Act shall have the effect of diminishing the rights and obligations of any Nation under Article VIII(3) of the Convention.".

SEC. 309. MANAGEMENT OF ATLANTIC YELLOWFIN TUNA.

(a) Not later than 90 days after the date of the enactment of this Act, the Secretary of Commerce in accordance with this section shall publish a preliminary determination of the level of the United States recreational and commercial catch of Atlantic yellowfin tuna on an annual basis since 1980. The Secretary shall publish a preliminary determination in the Federal Register for comment for a period not to exceed 60 days. The Secretary shall publish a final determination not later than 140 days from the date of the enactment of this section. Publication. Federal Register, publication.

(b) Not later than July 1, 1996, the Secretary of Commerce shall implement the recommendations of the International Commission for the Conservation of Atlantic Tunas regarding yellowfin tuna made pursuant to Article VIII of the International Convention for the Conservation of Atlantic Tunas and acted upon favorably by the Secretary of State under section 5(a) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971c(a)). 16 USC 971c note.

SEC. 310. STUDY OF BLUEFIN TUNA REGULATIONS. Reports.

Not later than 270 days after the date of enactment of this Act, the Secretary of Commerce shall submit to the Committee on Commerce, Science and Transportation of the Senate and to the Committee on Resources of the House of Representatives a report on the historic rationale, effectiveness, and biological and economic efficiency of existing bluefin tuna regulations for United States Atlantic fisheries. Specifically, the biological rationale for each regional and category allocation, including directed and incidental categories, should be described in light of the average size, age, and maturity of bluefin tuna caught in each fishery and the effect of this harvest on stock rebuilding and sustainable yield. The report should examine the history and evaluate the level of wasteful discarding, and evaluate the effectiveness of non-quota regulations at constraining harvests within regions. Further, comments should be provided on levels of participation in specific fisheries in terms of vessels and trips, enforcement implications, and the importance of monitoring information provided by these allocations on the precision of the stock assessment estimates.

SEC. 311. SENSE OF THE CONGRESS WITH RESPECT TO ICCAT NEGOTIATIONS.

(a) SHARING OF CONSERVATION BURDEN.—It is the sense of the Congress that in future negotiations of the International Commission for the Conservation of Atlantic Tunas (hereafter in this section referred to as "ICCAT"), the Secretary of Commerce shall ensure that the conservation actions recommended by international commissions and implemented by the Secretary for United States commercial and recreational fishermen provide fair and equitable sharing of the conservation burden among all contracting harvesters in negotiations with those commissions.

(b) ENFORCEMENT PROVISIONS.—It is further the sense of the Congress that, during 1995 ICCAT negotiations on swordfish and other Highly Migratory Species managed by ICCAT, the Congress

encourages the United States Commissioners to add enforcement provisions similar to those applicable to bluefin tuna.

(c) ENHANCED MONITORING.—It is further the sense of the Congress that the National Oceanic and Atmospheric Administration and the United States Customs Service should enhance monitoring activities to ascertain what specific stocks are being imported into the United States and the country of origin.

(d) MULTILATERAL ENFORCEMENT PROCESS.—It is further the sense of the Congress that the United States Commissioners should pursue as a priority the establishment and implementation prior to December 31, 1996, an effective multilateral process that will enable ICCAT nations to enforce the conservation recommendations of the Commission.

TITLE IV—FISHERMEN'S PROTECTIVE ACT

22 USC 1980a note.

SEC. 401. FINDINGS.

The Congress finds that—

(1) customary international law and the United Nations Convention on the Law of the Sea guarantee the right of passage, including innocent passage, to vessels through the waters commonly referred to as the "Inside Passage" off the Pacific Coast of Canada;

(2) in 1994 Canada required all commercial fishing vessels of the United States to pay 1,500 Canadian dollars to obtain a "license which authorizes transit" through the Inside Passage;

(3) this action was inconsistent with international law, including the United Nations Convention on the Law of the Sea, and, in particular, Article 26 of that Convention, which specifically prohibits such fees, and threatened the safety of United States commercial fishermen who sought to avoid the fee by traveling in less protected waters;

(4) the Fishermen's Protective Act of 1967 provides for the reimbursement of vessel owners who are forced to pay a license fee to secure the release of a vessel which has been seized, but does not permit reimbursement of a fee paid by the owner in advance in order to prevent a seizure;

(5) Canada required that the license fee be paid in person in 2 ports on the Pacific Coast of Canada, or in advance by mail;

(6) significant expense and delay was incurred by commercial fishing vessels of the United States that had to travel from the point of seizure back to one of those ports in order to pay the license fee required by Canada, and the costs of that travel and delay cannot be reimbursed under the Fishermen's Protective Act;

(7) the Fishermen's Protective Act of 1967 should be amended to permit vessel owners to be reimbursed for fees required by a foreign government to be paid in advance in order to navigate in the waters of that foreign country if the United States considers that fee to be inconsistent with international law;

(8) the Secretary of State should seek to recover from Canada any amounts paid by the United States to reimburse vessel owners who paid the transit license fee;

(9) the United States should review its current policy with respect to anchorage by commercial fishing vessels of Canada

in waters of the United States off Alaska, including waters in and near the Dixon Entrance, and should accord such vessels the same treatment that commercial fishing vessels of the United States are accorded for anchorage in the waters of Canada off British Columbia;

(10) the President should ensure that, consistent with international law, the United States Coast Guard has available adequate resources in the Pacific Northwest and Alaska to provide for the safety of United States citizens, the enforcement of United States law, and to protect the rights of the United States and keep the peace among vessels operating in disputed waters;

(11) the President should continue to review all agreements between the United States and Canada to identify other actions that may be taken to convince Canada that any reinstatement of the transit license fee would be against Canada's long-term interests, and should immediately implement any actions which the President deems appropriate if Canada reinstates the fee;

(12) the President should continue to convey to Canada in the strongest terms that the United States will not now, nor at any time in the future, tolerate any action by Canada which would impede or otherwise restrict the right of passage of vessels of the United States in a manner inconsistent with international law; and

(13) the United States should continue its efforts to seek expeditious agreement with Canada on appropriate fishery conservation and management measures that can be implemented through the Pacific Salmon Treaty to address issues of mutual concern.

SEC. 402. AMENDMENT TO THE FISHERMEN'S PROTECTIVE ACT OF 1967.

(a) The Fishermen's Protective Act of 1967 (22 U.S.C. 1971 et seq.) is amended by adding at the end the following new section:

"SEC. 11. (a) In any case on or after June 15, 1994, in which a vessel of the United States exercising its right of passage is charged a fee by the government of a foreign country to engage in transit passage between points in the United States (including a point in the exclusive economic zone or in an area over which jurisdiction is in dispute), and such fee is regarded by the United States as being inconsistent with international law, the Secretary of State shall, subject to the availability of appropriated funds, reimburse the vessel owner for the amount of any such fee paid under protest. 22 USC 1980a.

"(b) In seeking such reimbursement, the vessel owner shall provide, together with such other information as the Secretary of State may require—

"(1) a copy of the receipt for payment;

"(2) an affidavit attesting that the owner or the owner's agent paid the fee under protest; and

"(3) a copy of the vessel's certificate of documentation.

"(c) Requests for reimbursement shall be made to the Secretary of State within 120 days after the date of payment of the fee, or within 90 days after the date of enactment of this section, whichever is later.

"(d) Such funds as may be necessary to meet the requirements of this section may be made available from the unobligated balance

of previously appropriated funds remaining in the Fishermen's Protective Fund established under section 9. To the extent that requests for reimbursement under this section exceed such funds, there are authorized to be appropriated such sums as may be needed for reimbursements authorized under subsection (a), which shall be deposited in the Fishermen's Protective Fund established under section 9.

Claims.

"(e) The Secretary of State shall take such action as the Secretary deems appropriate to make and collect claims against the foreign country imposing such fee for any amounts reimbursed under this section.

"(f) For purposes of this section, the term 'owner' includes any charterer of a vessel of the United States.".

(b) The Fishermen's Protective Act of 1967 (22 U.S.C. 1971 et seq.) is further amended by adding at the end the following:

Certification.
22 USC 1980b.

"SEC. 12. (a) If the Secretary of State finds that the government of any nation imposes conditions on the operation or transit of United States fishing vessels which the United States regards as being inconsistent with international law or an international agreement, the Secretary of State shall certify that fact to the President.

President.

"(b) Upon receipt of a certification under subsection (a), the President shall direct the heads of Federal agencies to impose similar conditions on the operation or transit of fishing vessels registered under the laws of the nation which has imposed conditions on United States fishing vessels.

"(c) For the purposes of this section, the term 'fishing vessel' has the meaning given that term in section 2101(11a) of title 46, United States Code.

"(d) It is the sense of the Congress that any action taken by any Federal agency under subsection (b) should be commensurate with any conditions certified by the Secretary of State under subsection (a).".

(c) Notwithstanding any other provision of law, the Secretary of State shall reimburse the owner of any vessel of the United States for costs incurred due to the seizure of such vessel in 1994 by Canada on the basis of a claim to jurisdiction over sedentary species which was not recognized by the United States at the time of such seizure. Any such reimbursement shall cover, in addition to amounts reimbursable under section 3 of the Fishermen's Protective Act of 1967 (22 U.S.C. 1973), legal fees and travel costs incurred by the owner of any such vessel that were necessary to secure the prompt release of the vessel and crew. Total reimbursements under this subsection may not exceed $25,000 and may be made available from the unobligated balances of previously appropriated funds remaining in the Fishermen's Protective Fund established under section 9 of the Fishermen's Protective Act (22 U.S.C. 1979).

SEC. 403. REAUTHORIZATION.

(a) Section 7(c) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(c)) is amended by striking the third sentence.

(b) Section 7(e) of the Fishermen's Protective Act of 1967 (22 U.S.C. 1977(e)) is amended by striking "October 1, 1993" and inserting "October 1, 2000".

SEC. 404. TECHNICAL CORRECTIONS.

16 USC 1383a.

(a)(1) Section 15(a) of Public Law 103–238 is amended by striking "April 1, 1994," and inserting "May 1, 1994.".

(2) The amendment made by paragraph (1) shall be effective on and after April 30, 1994. Effective date. 16 USC 1383a note.

(b) Section 803(13)(C) of Public Law 102–567 (16 U.S.C. 5002(13)(C)) is amended to read as follows:

"(C) any vessel supporting a vessel described in subparagraph (A) or (B).".

TITLE V—FISHERIES ENFORCEMENT IN CENTRAL SEA OF OKHOTSK

Sea of Okhotsk Fisheries Enforcement Act of 1995. 16 USC 1823 note.

SEC. 501. SHORT TITLE.

This title may be cited as the "Sea of Okhotsk Fisheries Enforcement Act of 1995".

SEC. 502. FISHING PROHIBITION.

(a) ADDITION OF CENTRAL SEA OF OKHOTSK.—Section 302 of the Central Bering Sea Fisheries Enforcement Act of 1992 (16 U.S.C. 1823 note) is amended by inserting "and the Central Sea of Okhotsk" after "Central Bering Sea".

(b) DEFINITION.—Section 306 of such Act is amended— 16 USC 1823 note.

(1) by redesignating paragraphs (2), (3), (4), (5), and (6) as paragraphs (3), (4), (5), (6), and (7), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) CENTRAL SEA OF OKHOTSK.—The term 'Central Sea of Okhotsk' means the Central Sea of Okhotsk area which is more than two hundred nautical miles seaward of the baseline from which the breadth of the territorial sea of the Russian Federation is measured.".

TITLE VI—DRIFTNET MORATORIUM

High Seas Driftnet Fishing Moratorium Protection Act. 16 USC 1801 note.

SEC. 601. SHORT TITLE.

This title may be cited as the "High Seas Driftnet Fishing Moratorium Protection Act".

SEC. 602. FINDINGS.

16 USC 1826d note.

The Congress finds that—

(1) Congress has enacted and the President has signed into law numerous Acts to control or prohibit large-scale driftnet fishing both within the jurisdiction of the United States and beyond the exclusive economic zone of any nation, including the Driftnet Impact Monitoring, Assessment, and Control Act of 1987 (title IV, Public Law 100–220), the Driftnet Act Amendments of 1990 (Public Law 101–627), and the High Seas Driftnet Fisheries Enforcement Act (title I, Public Law 102–582);

(2) the United States is a party to the Convention for the Prohibition of Fishing with Long Driftnets in the South Pacific, also known as the Wellington Convention;

(3) the General Assembly of the United Nations has adopted three resolutions and three decisions which established and reaffirm a global moratorium on large-scale driftnet fishing on the high seas, beginning with Resolution 44/225 in 1989 and most recently in Decision 48/445 in 1993;

(4) the General Assembly of the United Nations adopted these resolutions and decisions at the request of the United States and other concerned nations;

(5) the best scientific information demonstrates the wastefulness and potentially destructive impacts of large-scale driftnet fishing on living marine resources and seabirds; and

(6) Resolution 46/215 of the United Nations General Assembly calls on all nations, both individually and collectively, to prevent large-scale driftnet fishing on the high seas.

16 USC 1826d.

SEC. 603. PROHIBITION.

The United States, or any agency or official acting on behalf of the United States, may not enter into any international agreement with respect to the conservation and management of living marine resources or the use of the high seas by fishing vessels that would prevent full implementation of the global moratorium on large-scale driftnet fishing on the high seas, as such moratorium is expressed in Resolution 46/215 of the United Nations General Assembly.

16 USC 1826e.

SEC. 604. NEGOTIATIONS.

The Secretary of State, on behalf of the United States, shall seek to enhance the implementation and effectiveness of the United Nations General Assembly resolutions and decisions regarding the moratorium on large-scale driftnet fishing on the high seas through appropriate international agreements and organizations.

16 USC 1826f.

SEC. 605. CERTIFICATION.

The Secretary of State shall determine in writing prior to the signing or provisional application by the United States of any international agreement with respect to the conservation and management of living marine resources or the use of the high seas by fishing vessels that the prohibition contained in section 603 will not be violated if such agreement is signed or provisionally applied.

President.
16 USC 1826g.

SEC. 606. ENFORCEMENT.

The President shall utilize appropriate assets of the Department of Defense, the United States Coast Guard, and other Federal agencies to detect, monitor, and prevent violations of the United Nations moratorium on large-scale driftnet fishing on the high seas for all fisheries under the jurisdiction of the United States and, in the case of fisheries not under the jurisdiction of the United States, to the fullest extent permitted under international law.

TITLE VII—YUKON RIVER SALMON ACT

Yukon River Salmon Act of 1995.
International agreements.
Canada.
16 USC 5701 note.

SEC. 701. SHORT TITLE.

This title may be cited as the "Yukon River Salmon Act of 1995".

16 USC 5701.

SEC. 702. PURPOSES.

It is the purpose of this title—

(1) to implement the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995;

(2) to provide for representation by the United States on the Yukon River Panel established under such agreement; and

(3) to authorize to be appropriated sums necessary to carry out the responsibilities of the United States under such agreement.

SEC. 703. DEFINITIONS. 16 USC 5702.

As used in this title—

(1) The term "Agreement" means the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995.

(2) The term "Panel" means the Yukon River Panel established by the Agreement.

(3) The term "Yukon River Joint Technical Committee" means the technical committee established by paragraph C.2 of the Memorandum of Understanding concerning the Pacific Salmon Treaty between the Government of the United States and the Government of Canada recorded January 28, 1985.

SEC. 704. PANEL. 16 USC 5703.

(a) REPRESENTATION.—The United States shall be represented on the Panel by six individuals, of whom—

(1) one shall be an official of the United States Government with expertise in salmon conservation and management;

(2) one shall be an official of the State of Alaska with expertise in salmon conservation and management; and Alaska.

(3) four shall be knowledgeable and experienced with regard to the salmon fisheries on the Yukon River.

(b) APPOINTMENTS.—Panel members shall be appointed as follows:

(1) The Panel member described in subsection (a)(1) shall be appointed by the Secretary of State.

(2) The Panel member described in subsection (a)(2) shall be appointed by the Governor of Alaska.

(3) The Panel members described in subsection (a)(3) shall be appointed by the Secretary of State from a list of at least 3 individuals nominated for each position by the Governor of Alaska. The Governor of Alaska may consider suggestions for nominations provided by organizations with expertise in Yukon River salmon fisheries. The Governor of Alaska may make appropriate nominations to allow for, and the Secretary of State shall appoint, at least one member under subsection (a)(3) who is qualified to represent the interests of Lower Yukon River fishing districts, and at least one member who is qualified to represent the interests of Upper Yukon River fishing districts. At least one of the Panel members under subsection (a)(3) shall be an Alaska Native.

(c) ALTERNATES.—The Secretary of State may designate an alternate Panel member for each Panel member the Secretary appoints under subsections (b) (1) and (3), who meets the same qualifications, to serve in the absence of the Panel member. The Governor of the State of Alaska may designate an alternative Panel member for the Panel member appointed under subsection (b)(2), who meets the same qualifications, to serve in the absence of that Panel member.

(d) TERM LENGTH.—Panel members and alternate Panel members shall serve four-year terms. Any individual appointed to fill

a vacancy occurring before the expiration of any term shall be appointed for the remainder of that term.

(e) REAPPOINTMENT.—Panel members and alternate Panel members shall be eligible for reappointment.

(f) DECISIONS.—Decisions by the United States section of the Panel shall be made by the consensus of the Panel members appointed under paragraphs (2) and (3) of subsection (a).

(g) CONSULTATION.—In carrying out their functions under the Agreement, Panel members may consult with such other interested parties as they consider appropriate.

16 USC 5704.

SEC. 705. ADVISORY COMMITTEE.

(a) APPOINTMENTS.—The Governor of Alaska may appoint an Advisory Committee of not less than eight, but not more than twelve, individuals who are knowledgeable and experienced with regard to the salmon fisheries on the Yukon River. At least 2 of the Advisory Committee members shall be Alaska Natives. Members of the Advisory Committee may attend all meetings of the United States section of the Panel, and shall be given the opportunity to examine and be heard on any matter under consideration by the United States section of the Panel.

Alaska.

(b) COMPENSATION.—The members of such Advisory Committee shall receive no compensation for their services.

(c) TERM LENGTH.—Advisory Committee members shall serve two-year terms. Any individual appointed to fill a vacancy occurring before the expiration of any term shall be appointed for the remainder of that term.

(d) REAPPOINTMENT.—Advisory Committee members shall be eligible for reappointment.

16 USC 5705.

SEC. 706. EXEMPTION.

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Panel, the Yukon River Joint Technical Committee, or the Advisory Committee created under section 705 of this title.

16 USC 5706.

SEC. 707. AUTHORITY AND RESPONSIBILITY.

Alaska.

(a) RESPONSIBLE MANAGEMENT ENTITY.—The State of Alaska Department of Fish and Game shall be the responsible management entity for the United States for the purposes of the Agreement.

(b) EFFECT OF DESIGNATION.—The designation under subsection (a) shall not be considered to expand, diminish, or change the management authority of the State of Alaska or the Federal Government with respect to fishery resources.

(c) RECOMMENDATIONS OF PANEL.—In addition to recommendations made by the Panel to the responsible management entities in accordance with the Agreement, the Panel may make recommendations concerning the conservation and management of salmon originating in the Yukon River to the Department of the Interior, Department of Commerce, Department of State, North Pacific Fishery Management Council, and other Federal or State entities as appropriate. Recommendations by the Panel shall be advisory in nature.

16 USC 5707.

SEC. 708. CONTINUATION OF AGREEMENT.

In the event that the Treaty between Canada and the United States of America concerning Pacific Salmon, signed at Ottawa, January 28, 1985, terminates prior to the termination of the Agreement, and the functions of the Panel are assumed by the "Yukon

River Salmon Commission" referenced in the Agreement, the provisions of this title which apply to the Panel shall thereafter apply to the Yukon River Salmon Commission, and the other provisions of this title shall remain in effect.

SEC. 709. ADMINISTRATIVE MATTERS. 16 USC 5708.

(a) Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS–15 of the General Schedule when engaged in the actual performance of duties.

(b) Travel and other necessary expenses shall be paid for all Panel members, alternate Panel members, United States members of the Joint Technical Committee, and members of the Advisory Committee when engaged in the actual performance of duties.

(c) Except for officials of the United States Government, individuals described in subsection (b) shall not be considered to be Federal employees while engaged in the actual performance of duties, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5, United States Code, and chapter 71 of title 28, United States Code.

SEC. 710. AUTHORIZATION OF APPROPRIATIONS. 16 USC 5709.

There are authorized to be appropriated $4,000,000 for each fiscal year for carrying out the purposes and provisions of the Agreement and this title including—

(1) necessary travel expenses of Panel members, alternate Panel members, United States members of the Joint Technical Committee, and members of the Advisory Committee in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5, United States Code;

(2) the United States share of the joint expenses of the Panel and the Joint Technical Committee: *Provided,* That Panel members and alternate Panel members shall not, with respect to commitments concerning the United States share of the joint expenses, be subject to section 262(b) of title 22, United States Code, insofar as it limits the authority of United States representatives to international organizations with respect to such commitments;

(3) not more than $3,000,000 for each fiscal year to the Department of the Interior and to the Department of Commerce for survey, restoration, and enhancement activities related to Yukon River salmon; and

(4) $400,000 in each of fiscal years 1996, 1997, 1998, and 1999 to be contributed to the Yukon River Restoration and Enhancement Fund and used in accordance with the Agreement.

TITLE VIII—MISCELLANEOUS

SEC. 801. SOUTH PACIFIC TUNA AMENDMENT. Dolphins. Marine mammals.

Section 9 of the South Pacific Tuna Act of 1988 (16 U.S.C. 973g) is amended by adding at the end thereof the following:

"(h) Notwithstanding the requirements of—

"(1) section 1 of the Act of August 26, 1983 (97 Stat. 587; 46 U.S.C. 12108);

"(2) the general permit issued on December 1, 1980, to the American Tunaboat Association under section 104(h)(1) of the Marine Mammal Protection Act (16 U.S.C. 1374(h)(1)); and

"(3) sections 104(h)(2) and 306(a) of the Marine Mammal Protection Act (16 U.S.C. 1374(h)(2) and 1416(a))—

any vessel documented under the laws of the United States as of the date of enactment of the Fisheries Act of 1995 for which a license has been issued under subsection (a) may fish for tuna in the Treaty Area, including those waters subject to the jurisdiction of the United States in accordance with international law, subject to the provisions of the treaty and this Act, provided that no such vessel fishing in the Treaty Area intentionally deploys a purse seine net to encircle any dolphin or other marine mammal in the course of fishing under the provisions of the Treaty or this Act.".

16 USC 1821 note.

SEC. 802. FOREIGN FISHING FOR ATLANTIC HERRING AND ATLANTIC MACKEREL.

Notwithstanding any other provision of law—

(1) no allocation may be made to any foreign nation or vessel under section 201 of the Magnuson Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) in any fishery for which there is not a fishery management plan implemented in accordance with that Act; and

(2) the Secretary of Commerce may not approve the portion of any permit application submitted under section 204(b) of the Act which proposes fishing by a foreign vessel for Atlantic mackerel or Atlantic herring unless—

(A) the appropriate regional fishery management council recommends under section 204(b)(5) of that Act that the Secretary approve such fishing, and

(B) the Secretary of Commerce includes in the permit any conditions or restrictions recommended by the appropriate regional fishery management council with respect to such fishing.

Approved November 3, 1995.

LEGISLATIVE HISTORY—H.R. 716 (S. 267):

HOUSE REPORTS: No. 104–47 (Comm. on Resources).

SENATE REPORTS: No. 104–91 accompanying S. 267 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Apr. 3, considered and passed House.

June 30, considered and passed Senate, amended, in lieu of S. 267.

Oct. 25, House concurred in Senate amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 3, Presidential statement.

Public Law 104–44
104th Congress

An Act

To designate the United States Post Office building located at 201 East Pikes Peak Avenue in Colorado Springs, Colorado, as the "Winfield Scott Stratton Post Office".

Nov. 3, 1995
[H.R. 1026]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States Post Office building located at 201 East Pikes Peak Avenue, Colorado Springs, Colorado, shall be known and designated as the "Winfield Scott Stratton Post Office".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Winfield Scott Stratton Post Office".

Approved November 3, 1995

LEGISLATIVE HISTORY—H.R. 1026:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 17, considered and passed House.
Oct. 24, considered and passed Senate.

Public Law 104–45
104th Congress

An Act

Nov. 8, 1995
[S. 1322]

To provide for the relocation of the United States Embassy in Israel to Jerusalem, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Jerusalem Embassy Act of 1995.
Foreign relations.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Jerusalem Embassy Act of 1995".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Each sovereign nation, under international law and custom, may designate its own capital.

(2) Since 1950, the city of Jerusalem has been the capital of the State of Israel.

(3) The city of Jerusalem is the seat of Israel's President, Parliament, and Supreme Court, and the site of numerous government ministries and social and cultural institutions.

(4) The city of Jerusalem is the spiritual center of Judaism, and is also considered a holy city by the members of other religious faiths.

(5) From 1948–1967, Jerusalem was a divided city and Israeli citizens of all faiths as well as Jewish citizens of all states were denied access to holy sites in the area controlled by Jordan.

(6) In 1967, the city of Jerusalem was reunited during the conflict known as the Six Day War.

(7) Since 1967, Jerusalem has been a united city administered by Israel, and persons of all religious faiths have been guaranteed full access to holy sites within the city.

(8) This year marks the 28th consecutive year that Jerusalem has been administered as a unified city in which the rights of all faiths have been respected and protected.

(9) In 1990, the Congress unanimously adopted Senate Concurrent Resolution 106, which declares that the Congress "strongly believes that Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected".

(10) In 1992, the United States Senate and House of Representatives unanimously adopted Senate Concurrent Resolution 113 of the One Hundred Second Congress to commemorate the 25th anniversary of the reunification of Jerusalem, and reaffirming congressional sentiment that Jerusalem must remain an undivided city.

(11) The September 13, 1993, Declaration of Principles on Interim Self-Government Arrangements lays out a timetable for the resolution of "final status" issues, including Jerusalem.

(12) The Agreement on the Gaza Strip and the Jericho Area was signed May 4, 1994, beginning the five-year transitional period laid out in the Declaration of Principles.

(13) In March of 1995, 93 members of the United States Senate signed a letter to Secretary of State Warren Christopher encouraging "planning to begin now" for relocation of the United States Embassy to the city of Jerusalem.

(14) In June of 1993, 257 members of the United States House of Representatives signed a letter to the Secretary of State Warren Christopher stating that the relocation of the United States Embassy to Jerusalem "should take place no later than . . . 1999".

(15) The United States maintains its embassy in the functioning capital of every country except in the case of our democratic friend and strategic ally, the State of Israel.

(16) The United States conducts official meetings and other business in the city of Jerusalem in de facto recognition of its status as the capital of Israel.

(17) In 1996, the State of Israel will celebrate the 3,000th anniversary of the Jewish presence in Jerusalem since King David's entry.

SEC. 3. TIMETABLE.

(a) STATEMENT OF THE POLICY OF THE UNITED STATES.—

(1) Jerusalem should remain an undivided city in which the rights of every ethnic and religious group are protected;

(2) Jerusalem should be recognized as the capital of the State of Israel; and

(3) the United States Embassy in Israel should be established in Jerusalem no later than May 31, 1999.

(b) OPENING DETERMINATION.—Not more than 50 percent of the funds appropriated to the Department of State for fiscal year 1999 for "Acquisition and Maintenance of Buildings Abroad" may be obligated until the Secretary of State determines and reports to Congress that the United States Embassy in Jerusalem has officially opened. Reports.

SEC. 4. FISCAL YEARS 1996 AND 1997 FUNDING.

(a) FISCAL YEAR 1996.—Of the funds authorized to be appropriated for "Acquisition and Maintenance of Buildings Abroad" for the Department of State in fiscal year 1996, not less than $25,000,000 should be made available until expended only for construction and other costs associated with the establishment of the United States Embassy in Israel in the capital of Jerusalem.

(b) FISCAL YEAR 1997.—Of the funds authorized to be appropriated for "Acquisition and Maintenance of Buildings Abroad" for the Department of State in fiscal year 1997, not less than $75,000,000 should be made available until expended only for construction and other costs associated with the establishment of the United States Embassy in Israel in the capital of Jerusalem.

SEC. 5. REPORT ON IMPLEMENTATION.

Not later than 30 days after the date of enactment of this Act, the Secretary of State shall submit a report to the Speaker of the House of Representatives and the Committee on Foreign

Relations of the Senate detailing the Department of State's plan to implement this Act. Such report shall include—

(1) estimated dates of completion for each phase of the establishment of the United States Embassy, including site identification, land acquisition, architectural, engineering and construction surveys, site preparation, and construction; and

(2) an estimate of the funding necessary to implement this Act, including all costs associated with establishing the United States Embassy in Israel in the capital of Jerusalem.

SEC. 6. SEMIANNUAL REPORTS.

At the time of the submission of the President's fiscal year 1997 budget request, and every six months thereafter, the Secretary of State shall report to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate on the progress made toward opening the United States Embassy in Jerusalem.

SEC. 7. PRESIDENTIAL WAIVER.

Reports.

(a) WAIVER AUTHORITY.—(1) Beginning on October 1, 1998, the President may suspend the limitation set forth in section 3(b) for a period of six months if he determines and reports to Congress in advance that such suspension is necessary to protect the national security interests of the United States.

(2) The President may suspend such limitation for an additional six month period at the end of any period during which the suspension is in effect under this subsection if the President determines and reports to Congress in advance of the additional suspension that the additional suspension is necessary to protect the national security interests of the United States.

(3) A report under paragraph (1) or (2) shall include—

(A) a statement of the interests affected by the limitation that the President seeks to suspend; and

(B) a discussion of the manner in which the limitation affects the interests.

(b) APPLICABILITY OF WAIVER TO AVAILABILITY OF FUNDS.—If the President exercises the authority set forth in subsection (a) in a fiscal year, the limitation set forth in section 3(b) shall apply to funds appropriated in the following fiscal year for the purpose set forth in such section 3(b) except to the extent that the limitation is suspended in such following fiscal year by reason of the exercise of the authority in subsection (a).

SEC. 8. DEFINITION.

As used in this Act, the term "United States Embassy" means the offices of the United States diplomatic mission and the residence of the United States chief of mission.

[Note by the Office of the Federal Register: The foregoing Act, having been presented to the President of the United States on Thursday, October 26, 1995, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become law without his signature on November 8, 1995.]

LEGISLATIVE HISTORY—S. 1322:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 23, 24, considered and passed Senate.
Oct. 24, considered and passed House.

Public Law 104–46
104th Congress

An Act

Nov. 13, 1995
[H.R. 1905]

Making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes.

Energy and Water Development Appropriations Act, 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for energy and water development, and for other purposes, namely:

TITLE I

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CORPS OF ENGINEERS—CIVIL

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to rivers and harbors, flood control, beach erosion, and related purposes.

GENERAL INVESTIGATIONS

For expenses necessary for the collection and study of basic information pertaining to river and harbor, flood control, shore protection, and related projects, restudy of authorized projects, miscellaneous investigations, and, when authorized by laws, surveys and detailed studies and plans and specifications of projects prior to construction, $121,767,000, to remain available until expended, of which funds are provided for the following projects in the amounts specified:

Norco Bluffs, California, $375,000;
Ohio River Greenway, Indiana, $500,000;
Kentucky Lock and Dam, Kentucky, $2,000,000;
Mussers Dam, Middle Creek, Snyder County, Pennsylvania, $300,000; and
West Virginia Port Development, West Virginia, $300,000:

Provided, That the Secretary of the Army, acting through the Chief of Engineers, is directed to undertake a study of water supply and associated needs in the vicinity of Hazard, Kentucky, using $500,000 of the funds appropriated under this heading in Public Law 103–316 for Hazard, Kentucky.

CONSTRUCTION, GENERAL

For the prosecution of river and harbor, flood control, shore protection, and related projects authorized by laws; and detailed studies, and plans and specifications, of projects (including those for development with participation or under consideration for participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such studies shall not constitute a commitment of the Government to construction), $804,573,000, to remain available until expended, of which such sums as are necessary pursuant to Public Law 99–662 shall be derived from the Inland Waterways Trust Fund, for one-half of the costs of construction and rehabilitation of inland waterways projects, including rehabilitation costs for the Lock and Dam 25, Mississippi River, Illinois and Missouri, Lock and Dam 14, Mississippi River, Iowa, Lock and Dam 24, Mississippi River, Illinois and Missouri, and GIWW-Brazos River Floodgates, Texas, projects, and of which funds are provided for the following projects in the amounts specified:

Homer Spit, Alaska, repair and extend project, $3,800,000;

McClellan-Kerr Arkansas River Navigation System, Arkansas, $6,000,000: *Provided,* That $4,900,000 of such amount shall be used for activities relating to Montgomery Point Lock and Dam, Arkansas;

Red River Emergency Bank Protection, Arkansas and Louisiana, $6,600,000;

Sacramento River Flood Control Project (Glenn-Colusa Irrigation District), California, $300,000;

San Timoteo Creek (Santa Ana River Mainstem), California, $5,000,000;

Indiana Shoreline Erosion, Indiana, $1,500,000;

Arkansas City flood control project, Kansas, $700,000, except that for the purposes of the project, section 902 of Public Law 99–662 is waived;

Winfield, Kansas, $670,000;

Harlan (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $12,000,000;

Williamsburg (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $4,100,000;

Middlesboro (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), Kentucky, $1,600,000;

Salyersville, Kentucky, $500,000;

Lake Pontchartrain and Vicinity (Hurricane Protection), Louisiana, $13,348,000;

Ouachita River Levees, Louisiana, $2,300,000;

Red River below Denison Dam Levee and Bank Stabilization, Louisiana, Arkansas, and Texas, $2,500,000;

Roughans Point, Massachusetts, $710,000;

Marshall, Minnesota, $850,000;

Ste. Genevieve, Missouri, $1,000,000;

Broad Top Region, Pennsylvania, $4,100,000;

Glen Foerd, Pennsylvania, $200,000;

South Central Pennsylvania Environmental Restoration, Pennsylvania, $3,500,000;

Wallisville Lake, Texas, $5,000,000;

Virginia Beach Erosion Control and Hurricane Protection, Virginia, $1,100,000;

Hatfield Bottom (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, $200,000; and

Upper Mingo (Levisa and Tug Forks of the Big Sandy River and Upper Cumberland River), West Virginia, $2,000,000: *Provided,* That the Secretary of the Army, acting through the Chief of Engineers, shall transfer $1,120,000 of the Construction, General funds appropriated in this Act to the Secretary of the Interior and the Secretary of the Interior shall accept and expend such funds for performing operation and maintenance activities at the Columbia River Fishing Access Sites to be constructed by the Department of the Army at Cascade Locks, Oregon; Lone Pine, Oregon; Underwood, Washington; and the Bonneville Treaty Fishing Access Site, Washington: *Provided further,* That using funds appropriated in Public Law 103–316 for the Sacramento River Flood Control Project (Deficiency Correction), California, project and funds appropriated herein for the Sacramento Urban Area Levee Reconstruction, California, project, the Secretary of the Army, acting through the Chief of Engineers, is directed to acquire all or part of the Little Holland Tract, with any and all appurtenant water rights, for wetland and fish and wildlife activities pursuant to the authority of section 906 of Public Law 99–662 and conditioned on a determination made by the Secretary, pursuant to section 906, that acquisition is in the Federal interest.

FLOOD CONTROL, MISSISSIPPI RIVER AND TRIBUTARIES, ARKANSAS, ILLINOIS, KENTUCKY, LOUISIANA, MISSISSIPPI, MISSOURI, AND TENNESSEE

For expenses necessary for prosecuting work of flood control, and rescue work, repair, restoration, or maintenance of flood control projects threatened or destroyed by flood, as authorized by law (33 U.S.C. 702a, 702g–1), $307,885,000, to remain available until expended.

OPERATION AND MAINTENANCE, GENERAL

For expenses necessary for the preservation, operation, maintenance, and care of existing river and harbor, flood control, and related works, including such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality or other public agency, outside of harbor lines, and serving essential needs of general commerce and navigation; surveys and charting of northern and northwestern lakes and connecting waters; clearing and straightening channels; and removal of obstructions to navigation, $1,703,697,000, to remain available until expended, of which such sums as become available in the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662, may be derived from that fund, and of which such sums as become available from the special account established by the Land and Water Conservation Act of 1965, as amended (16 U.S.C. 460l), may be derived from that fund for construction, operation, and maintenance of outdoor recreation facilities: *Provided,* That not to exceed $5,000,000 shall be available for obligation for national emergency preparedness programs: *Provided further,* That $5,926,000 of the funds appropriated herein are provided for the Raystown Lake, Pennsylvania, project: *Provided further,* That the Secretary of the Army is directed during

fiscal year 1996 to maintain a minimum conservation pool level of 475.5 at Wister Lake in Oklahoma.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, $101,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary for emergency flood control, hurricane, and shore protection activities, as authorized by section 5 of the Flood Control Act approved August 18, 1941, as amended, $10,000,000, to remain available until expended.

OIL SPILL RESEARCH

For expenses necessary to carry out the purposes of the Oil Spill Liability Trust Fund, pursuant to title VII of the Oil Pollution Act of 1990, $850,000, to be derived from the Fund and to remain available until expended.

GENERAL EXPENSES

For expenses necessary for general administration and related functions in the Office of the Chief of Engineers and offices of the Division Engineers; activities of the Coastal Engineering Research Board, the Humphreys Engineer Center Support Activity, the Engineering Strategic Studies Center, and the Water Resources Support Center, $151,500,000, to remain available until expended: *Provided,* That not to exceed $62,000,000 of the funds provided in this Act shall be available for general administration and related functions in the Office of the Chief of Engineers: *Provided further,* That no part of any other appropriation provided in title I of this Act shall be available to fund the activities of the Office of the Chief of Engineers or the executive direction and management activities of the Division Offices: *Provided further,* That with funds provided herein and notwithstanding any other provision of law, the Secretary of the Army shall develop and submit to the Congress (including the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives) within 60 days of enactment of this Act, a plan which reduces the number of division offices within the United States Army Corps of Engineers to no less than 6 and no more than 8, with each division responsible for at least 4 district offices, but does not close or change any civil function of any district office: *Provided further,* That notwithstanding any other provision of law, the Secretary of the Army is directed to begin implementing the division office plan on August 15, 1996, and such plan shall be implemented prior to October 1, 1997.

ADMINISTRATIVE PROVISIONS

Appropriations in this title shall be available for official reception and representation expenses (not to exceed $5,000); and during the current fiscal year the revolving fund, Corps of Engineers, shall be available for purchase (not to exceed 100 for replacement only) and hire of passenger motor vehicles.

GENERAL PROVISIONS

CORPS OF ENGINEERS—CIVIL

Contracts.

SEC. 101. (a) In fiscal year 1996, the Secretary of the Army shall advertise for competitive bid at least 7,500,000 cubic yards of the hopper dredge volume accomplished with government owned dredges in fiscal year 1992.

(b) Notwithstanding the provisions of this section, the Secretary is authorized to use the dredge fleet of the Corps of Engineers to undertake projects when industry does not perform as required by the contract specifications or when the bids are more than 25 percent in excess of what the Secretary determines to be a fair and reasonable estimated cost of a well equipped contractor doing the work or to respond to emergency requirements.

(c) None of the funds appropriated herein or otherwise made available to the Army Corps of Engineers, including amounts contained in the Revolving Fund of the Army Corps of Engineers, may be used to study, design or undertake improvements or major repair of the Federal vessel, McFARLAND, except for normal maintenance and repair necessary to maintain the vessel McFARLAND's current operational condition.

(d) If any of the four Corps of Engineers hopper dredges is removed from normal service for repair or rehabilitation and such repair prevents the dredge from accomplishing its volume of work regularly carried out in each of the past three years, the Secretary shall not significantly alter the operating schedules of the remaining Federal hopper dredges established in accordance with the requirements of subsection (a) above.

SEC. 102. (a) SAND AND STONE CAP IN NAVIGATION PROJECT AT MANISTIQUE HARBOR, MICHIGAN.—The project for navigation, Manistique Harbor, Schoolcraft County, Michigan, authorized by the first section of the Act entitled "An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", approved March 3, 1905 (33 Stat. 1136), is modified to permit installation of a sand and stone cap over sediments affected by polychlorinated biphenyls in accordance with an administrative order of the Environmental Protection Agency.

(b) PROJECT DEPTH.—The project described in subsection (a) is modified to provide for an authorized depth of 12.5 feet.

(c) NAVIGATION CHANNEL (MODIFIED).—The reauthorized project navigation channel shall be defined by the following coordinates: 2911N–2239E, 3240N–2504E, 3964N–2874E, 4182N–2891E, 4469N–2808E, 4692N–2720E, 4879N–2615E, 4952N–2778E, 4438N–2980E, 4227N–3097E, 3720N–3068E, 3076N–2798E, 2996N–2706E, 2783N–2450E.

(d) HARBOR OF REFUGE.—The project described in subsection (a), including the breakwalls, pier and authorized depth of the project (as modified by subsection (b)), shall continue to be maintained as a harbor of refuge.

SEC. 103. With the exception of the use of funds to process any required Department of the Army permits, none of the funds appropriated herein or otherwise available to the Army Corps of Engineers may be used to assist, guide, coordinate, administer, prepare for occupancy of, or acquire furnishings for or in preparation of a movement to the Southeast Federal Center.

SEC. 104. The project for flood control for Petersburg, West Virginia, authorized by section 101(a)(26) of the Water Resources Development Act of 1990 (Public Law 101–640, 104 Stat. 4611) is modified to authorize the Secretary of the Army to construct the project at a total cost not to exceed $26,600,000, with an estimated first Federal cost of $19,195,000 and an estimated first non-Federal cost of $7,405,000.

SEC. 105. (a) The Secretary of the Army is authorized to accept from a non-Federal sponsor an amount of additional lands not to exceed 300 acres which are contiguous to the Cooper Lake and Channels Project, Texas, authorized by the River and Harbor Act of 1965 and the Water Resources Development Act of 1986, and which provide habitat value at least equal to that provided by the lands authorized to be redesignated in subsection (b).

(b) Upon the completion of subsection (a), the Secretary is further authorized to redesignate an amount of mitigation land not to exceed 300 acres to recreation purposes.

(c) The cost of all work to be undertaken pursuant to this section, including but not limited to real estate appraisals, cultural and environmental surveys, and all development necessary to avoid net mitigation losses, to the extent such actions are required, shall be borne by the donating sponsor.

SEC. 106. Using $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Indianapolis, Indiana, project, authorized in section 5 of Public Law 74–738, as amended, and as modified to include certain riverfront alterations as described in the Central Indianapolis Waterfront Concept Master Plan, dated February, 1994, at a total cost of $65,975,000 with an estimated first Federal cost of $39,975,000 and an estimated first non-Federal cost of $26,000,000.

SEC. 107. SOUTH CENTRAL PENNSYLVANIA.

(a) IN GENERAL.—Section 313 of the Water Resources Development Act of 1992 (106 Stat. 4845–4847) is amended—

(1) in the heading to subsection (c) by striking "With SARCD COUNCIL";

(2) in subsection (c) by inserting "with State, regional, and local officials, including, where applicable," after "consult";

(3) in subsection (d)(2)(A) by inserting ",where applicable," after "Council";

(4) in subsection (g)(1) by striking "$17,000,000" and inserting "$50,000,000"; and

(5) in subsection (h)(2) by striking "Bedford, Blair, Cambria, Fulton, Huntingdon, and Somerset" and inserting "Armstrong, Bedford, Blair, Cambria, Clearfield, Fayette, Franklin, Fulton, Huntingdon, Indiana, Juniata, Mifflin, Somerset, Snyder, and Westmoreland".

(b) COST SHARING.—Section 313(d)(3) of the Water Resources Development Act of 1992 (106 Stat. 4846) is amended to read as follows:

"(3) COST SHARING.—

"(A) IN GENERAL.—Total project costs under each local cooperation agreement entered into under this subsection shall be shared at 75 percent Federal and 25 percent non-Federal. The non-Federal interest shall receive credit for the reasonable costs of design work completed by such

interest prior to entering into a local cooperation agreement with the Secretary for a project. The Federal share may in the form of grants or reimbursements of project costs.

"(B) INTEREST.—In the event of delays in reimbursement of the non-Federal share of a project, the non-Federal interest shall receive credit for reasonable interest to provide the non-Federal share of a project's cost.

"(C) LANDS, EASEMENTS, AND RIGHTS-OF-WAY CREDIT.—The non-Federal interest shall receive credit for lands, easements, rights-of-way, and relocations toward its share of project costs, including direct costs associated with obtaining permits necessary for the placement of such project on public owned or controlled lands, but not to exceed 25 percent of total project costs.

"(D) OPERATION AND MAINTENANCE CREDIT.—Operation and maintenance costs for projects constructed with assistance provided under this section shall be 100 percent non-Federal.".

SEC. 108. Using $2,000,000 of the funds appropriated herein, the Secretary of the Army, acting through the Chief of Engineers, is authorized and directed to proceed with engineering, design, and construction of projects to provide for flood control and improvements to rainfall drainage systems in Jefferson, Orleans, and St. Tammany Parishes, Louisiana, in accordance with the following reports of the New Orleans District Engineer: Jefferson and Orleans Parishes, Louisiana, Urban Flood Control and Water Quality Management, July 1992; Tangipahoa, Techefuncte and Tickfaw Rivers, Louisiana, June 1991; and Schneider Canal, Slidell, Louisiana, Hurricane Protection, May 1990. There is authorized to be appropriated $25,000,000 for the initiation and partial accomplishment of projects described in these reports. The cost of any work performed by the non-Federal interests subsequent to the above cited reports, as determined by the Secretary of the Army to be a compatible and integral part of the projects, shall be credited toward the non-Federal share of the projects.

Public lands.
Kentucky.

SEC. 109. (a) IN GENERAL.—Subject to the provisions of this section, the Secretary of the Army shall convey to the City of Prestonsburg, Kentucky, all right, title, and interest of the United States, in and to the land described in the Supplemental Agreement—Modification No. 2 to the Department of the Army lease #DACW69–1–76–0186, executed by and between the Department of the Army and the Commonwealth of Kentucky, together with any improvements thereon.

(b) CONDITIONS.—The conveyance authorized by this section is subject to the following conditions:

(1) The City shall ensure that the land conveyed by this section will be used for public use recreational purposes and to further the regional economic development.

(2) The City shall use all proceeds derived from the sale or lease of any mineral rights conveyed pursuant to this section for the development, operation, and maintenance of recreational facilities on the lands conveyed in accordance with this section.

(3) The City shall accept the property in its condition at the time of the conveyance. The Secretary shall not be required to make any improvements in the property's condition, and the City shall hold and save the United States free from any claims or damages arising from any activities on the con-

veyed land either on the date of the conveyance or any subsequent date.

(4) If the City uses the land conveyed under this section for any purpose other than those specified in this paragraph, the Secretary shall notify the City of such failure. If the City does not correct such nonconforming use during the 1-year period beginning on the date of such notification, the Secretary shall have a right of reverter to reclaim possession and title to the land conveyed under this section.

SEC. 110. Using funds appropriated herein the Secretary of the Army, acting through the Chief of Engineers, is authorized to undertake the Coos Bay, Oregon project in accordance with the Report of the Chief of Engineers, dated June 30, 1994, at a total cost of $14,541,000, with an estimated Federal cost of $10,777,000 and an estimated non-Federal cost of $3,764,000.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For the purpose of carrying out provisions of the Central Utah Project Completion Act, Public Law 102–575 (106 Stat. 4605), and for feasibility studies of alternatives to the Uintah and Upalco Units, $42,893,000, to remain available until expended, of which $23,503,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account: *Provided,* That of the amounts deposited into the Account, $5,000,000 shall be considered the Federal Contribution authorized by paragraph 402(b)(2) of the Act and $18,503,000 shall be available to the Utah Reclamation Mitigation and Conservation Commission to carry out activities authorized under the Act.

In addition, for necessary expenses incurred in carrying out responsibilities of the Secretary of the Interior under the Act, $1,246,000, to remain available until expended.

BUREAU OF RECLAMATION

For carrying out the functions of the Bureau of Reclamation as provided in the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto) and other Acts applicable to that Bureau as follows:

GENERAL INVESTIGATIONS

For engineering and economic investigations of proposed Federal reclamation projects and studies of water conservation and development plans and activities preliminary to the reconstruction, rehabilitation and betterment, financial adjustment, or extension of existing projects, to remain available until expended, $12,684,000: *Provided,* That, of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further,* That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contrib-

uted as though specifically appropriated for said purposes, and such amounts shall remain available until expended.

CONSTRUCTION PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For construction and rehabilitation of projects and parts thereof (including power transmission facilities for Bureau of Reclamation use) and for other related activities as authorized by law, to remain available until expended, $411,046,000, of which $27,049,000 shall be available for transfer to the Upper Colorado River Basin Fund authorized by section 5 of the Act of April 11, 1956 (43 U.S.C. 620d), and $94,225,000 shall be available for transfer to the Lower Colorado River Basin Development Fund authorized by section 403 of the Act of September 30, 1968 (43 U.S.C. 1543), and such amounts as may be necessary shall be considered as though advanced to the Colorado River Dam Fund for the Boulder Canyon Project as authorized by the Act of December 21, 1928, as amended: *Provided,* That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund: *Provided further,* That transfers to the Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund may be increased or decreased by transfers within the overall appropriation under this heading: *Provided further,* That funds contributed by non-Federal entities for purposes similar to this appropriation shall be available for expenditure for the purposes for which contributed as though specifically appropriated for said purposes, and such funds shall remain available until expended: *Provided further,* That all costs of the safety of dams modification work at Coolidge Dam, San Carlos Irrigation Project, Arizona, performed under the authority of the Reclamation Safety of Dams Act of 1978 (43 U.S.C. 506), as amended, are in addition to the amount authorized in section 5 of said Act.

OPERATION AND MAINTENANCE

For operation and maintenance of reclamation projects or parts thereof and other facilities, as authorized by law; and for a soil and moisture conservation program on lands under the jurisdiction of the Bureau of Reclamation, pursuant to law, to remain available until expended, $273,076,000: *Provided,* That of the total appropriated, the amount for program activities which can be financed by the reclamation fund shall be derived from that fund, and the amount for program activities which can be derived from the special fee account established pursuant to the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), may be derived from that fund: *Provided further,* That funds advanced by water users for operation and maintenance of reclamation projects or parts thereof shall be deposited to the credit of this appropriation and may be expended for the same purpose and in the same manner as sums appropriated herein may be expended, and such advances shall remain available until expended: *Provided further,* That revenues in the Upper Colorado River Basin Fund shall be available for performing examination of existing structures on participating projects of the Colorado River Storage Project.

BUREAU OF RECLAMATION LOAN PROGRAM ACCOUNT

For the cost of direct loans and/or grants, $11,243,000, to remain available until expended, as authorized by the Small Reclamation Projects Act of August 6, 1956, as amended (43 U.S.C. 422a–422l): *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $37,000,000.

In addition, for administrative expenses necessary to carry out the program for direct loans and/or grants, $425,000: *Provided,* That of the total sums appropriated, the amount of program activities which can be financed by the reclamation fund shall be derived from the fund.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, and habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, to remain available until expended, such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), 3405(f) and 3406(c)(1) of Public Law 102–575: *Provided,* That the Bureau of Reclamation is directed to levy additional mitigation and restoration payments totaling $30,000,000 (October 1992 price levels) on a three-year rolling average basis, as authorized by section 3407(d) of Public Law 102–575.

GENERAL ADMINISTRATIVE EXPENSES

For necessary expenses of general administration and related functions in the office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, $48,150,000, of which $1,400,000 shall remain available until expended, the total amount to be derived from the reclamation fund and to be nonreimbursable pursuant to the Act of April 19, 1945 (43 U.S.C. 377): *Provided,* That no part of any other appropriation in this Act shall be available for activities or functions budgeted for the current fiscal year as general administrative expenses.

SPECIAL FUNDS

(TRANSFER OF FUNDS)

Sums herein referred to as being derived from the reclamation fund or special fee account are appropriated from the special funds in the Treasury created by the Act of June 17, 1902 (43 U.S.C. 391) or the Act of December 22, 1987 (16 U.S.C. 460l–6a, as amended), respectively. Such sums shall be transferred, upon request of the Secretary, to be merged with and expended under the heads herein specified; and the unexpended balances of sums transferred for expenditure under the head "General Administrative Expenses" shall revert and be credited to the reclamation fund.

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed 9 passenger motor vehicles for replacement only.

TITLE III

DEPARTMENT OF ENERGY

ENERGY SUPPLY, RESEARCH AND DEVELOPMENT ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for energy supply, research and development activities, and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 25, of which 19 are for replacement only), $2,727,407,000, to remain available until expended.

URANIUM SUPPLY AND ENRICHMENT ACTIVITIES

For expenses of the Department of Energy in connection with operating expenses; the purchase, construction, and acquisition of plant and capital equipment and other expenses incidental thereto necessary for uranium supply and enrichment activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.) and the Energy Policy Act (Public Law 102–486, section 901), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; purchase of electricity as necessary; $64,197,000, to remain available until expended: *Provided,* That revenues received by the Department for uranium programs and estimated to total $34,903,000 in fiscal year 1996 shall be retained and used for the specific purpose of offsetting costs incurred by the Department for such activities notwithstanding the provisions of 31 U.S.C. 3302(b) and 42 U.S.C. 2296(b)(2): *Provided further,* That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $29,294,000.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For necessary expenses in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions and other activities of title II of the Atomic Energy Act of 1954 and title X, subtitle A of the Energy Policy Act of 1992, $278,807,000, to be derived from the fund, to remain available until expended: *Provided,* That at least $42,000,000 of amounts derived from the fund for such expenses shall be expended in accordance with title X, subtitle A, of the Energy Policy Act of 1992.

GENERAL SCIENCE AND RESEARCH ACTIVITIES

For expenses of the Department of Energy activities including the purchase, construction and acquisition of plant and capital equipment and other expenses incidental thereto necessary for general science and research activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or facility or for plant or facility acquisition, construction, or expansion; purchase of passenger motor vehicles (not to exceed 12 for replacement only), $981,000,000, to remain available until expended.

NUCLEAR WASTE DISPOSAL FUND

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $151,600,000, to remain available until expended, to be derived from the Nuclear Waste Fund.

ATOMIC ENERGY DEFENSE ACTIVITIES

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 79, of which 76 are for replacement only, including one police-type vehicle), $3,460,314,000, to remain available until expended.

DEFENSE ENVIRONMENTAL RESTORATION AND WASTE MANAGEMENT

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense environmental restoration and waste management activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion; and the purchase of passenger motor vehicles (not to exceed 7 for replacement only), $5,557,532,000, to remain available until expended.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense, other defense activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, $1,373,212,000, to remain available until expended.

DEFENSE NUCLEAR WASTE DISPOSAL

For nuclear waste disposal activities to carry out the purposes of Public Law 97–425, as amended, including the acquisition of real property or facility construction or expansion, $248,400,000, to remain available until expended: *Provided,* That of the amount herein appropriated, $85,000,000 shall be available for obligation and expenditure only for an interim storage facility and only upon the enactment of specific statutory authority.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for Departmental Administration and other activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including the hire of passenger motor vehicles and official reception and representation expenses (not to exceed $35,000), $366,697,000, to remain available until expended, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511, et seq.): *Provided,* That such increases in cost of work are offset by revenue increases of the same or greater amount, to remain available until expended: *Provided further*, That moneys received by the Department for miscellaneous revenues estimated to total $122,306,000 in fiscal year 1996 may be retained and used for operating expenses within this account, and may remain available until expended, as authorized by section 201 of Public Law 95–238, notwithstanding the provisions of section 3302 of title 31, United States Code: *Provided further,* That the sum herein appropriated shall be reduced by the amount of miscellaneous revenues received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $244,391,000.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, $25,000,000, to remain available until expended.

POWER MARKETING ADMINISTRATIONS

OPERATION AND MAINTENANCE, ALASKA POWER ADMINISTRATION

For necessary expenses of operation and maintenance of projects in Alaska and of marketing electric power and energy, $4,260,000, to remain available until expended.

BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93–454, are approved for official reception and representation expenses in an amount not to exceed $3,000.

During fiscal year 1996, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy pursuant to the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, $19,843,000, to remain available until expended.

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For necessary expenses of operation and maintenance of power transmission facilities and of marketing electric power and energy, and for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed $1,500 connected therewith, in carrying out the provisions of section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southwestern power area, $29,778,000, to remain available until expended; in addition, notwithstanding the provisions of 31 U.S.C. 3302, not to exceed $4,272,000 in reimbursements, to remain available until expended.

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

(INCLUDING TRANSFER OF FUNDS)

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7101, et seq.), and other related activities including conservation and renewable resources programs as authorized, including official reception and representation expenses in an amount not to exceed $1,500, $257,652,000, to remain available until expended, of which $245,151,000 shall be derived from the Department of the Interior Reclamation fund: *Provided,* That of the amount herein appropriated, $5,283,000 is for deposit into the Utah Reclamation Mitigation and Conservation Account pursuant to title IV of the Reclamation Projects Authorization and Adjustment Act of 1992: *Provided further,* That the Secretary of the Treasury is authorized to transfer from the Colorado River Dam Fund to the Western Area Power Administration $4,556,000 to carry out the power marketing and transmission activities of the Boulder Canyon project as provided in section 104(a)(4) of the Hoover Power Plant Act of 1984, to remain available until expended.

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, $1,000,000, to remain available until expended and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 423 of the Foreign Relations Authorization Act, fiscal years 1994 and 1995.

FEDERAL ENERGY REGULATORY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101, et seq.), including services as authorized by 5 U.S.C. 3109, including the hire of passenger motor vehicles; official reception and representation expenses (not to exceed $3,000); $131,290,000, to remain available until expended: *Provided,* That notwithstanding any other provision of law, not to exceed $131,290,000 of revenues from fees and annual charges, and other services and collections in fiscal year 1996, shall be retained and used for necessary expenses in this account, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced as revenues are received during fiscal year 1996 so as to result in a final fiscal year 1996 appropriation estimated at not more than $0.

42 USC 7171 note.

TITLE IV

INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, as amended, notwithstanding section 405 of said Act, and for necessary expenses for the Federal Co-Chairman and the alternate on the Appalachian Regional Commission and for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by section 3109 of title 5, United States Code, and hire of passenger motor vehicles, to remain available until expended, $170,000,000.

40 USC app. 401 note.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100–456, section 1441, $17,000,000, to remain available until expended.

DELAWARE RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Delaware River Basin Commission, as authorized by law (75 Stat. 716), $343,000.

CONTRIBUTION TO DELAWARE RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Delaware River Basin Commission, as authorized by law (75 Stat. 706, 707), $428,000.

INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

CONTRIBUTION TO INTERSTATE COMMISSION ON THE POTOMAC RIVER BASIN

To enable the Secretary of the Treasury to pay in advance to the Interstate Commission on the Potomac River Basin the Federal contribution toward the expenses of the Commission during the current fiscal year in the administration of its business in the conservancy district established pursuant to the Act of July 11, 1940 (54 Stat. 748), as amended by the Act of September 25, 1970 (Public Law 91–407), $511,000.

NUCLEAR REGULATORY COMMISSION

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Commission in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including the employment of aliens; services authorized by section 3109 of title 5, United States Code; publication and dissemination of atomic information; purchase, repair, and cleaning of uniforms, official representation expenses (not to exceed $20,000); reimbursements to the General Services Administration for security guard services; hire of passenger motor vehicles and aircraft, $468,300,000, to remain available until expended, of which $11,000,000 shall be derived from the Nuclear Waste Fund: *Provided,* That from this appropriation, transfer of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further,* That moneys received by the Commission for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, including criminal history checks under section 149 of the Atomic Energy Act of 1954, as amended, may be retained and used for salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That revenues from licensing fees, inspection services, and other services and collections estimated at $457,300,000 in fiscal year 1996 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1996 from licensing fees, inspection services and other services and collections, excluding those moneys received for the cooperative nuclear safety research program, services rendered to foreign governments and international organizations, and the material and information access authorization programs, so as to result in a final fiscal year 1996 appropriation estimated at not more than $11,000,000.

OFFICE OF INSPECTOR GENERAL

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, including services authorized by section 3109 of title 5, United States Code, $5,000,000, to remain available until expended; and in addition, an amount not to exceed 5 percent of this sum may be transferred from Salaries and Expenses, Nuclear Regulatory Commission: *Provided,* That notice of such transfers shall be given to the Committees on Appropriations of the House and Senate: *Provided further,* That from this appropriation, transfers of sums may be made to other agencies of the Government for the performance of the work for which this appropriation is made, and in such cases the sums so transferred may be merged with the appropriation to which transferred: *Provided further,* That revenues from licensing fees, inspection services, and other services and collections shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further,* That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 1996 from licensing fees, inspection services, and other services and collections, so as to result in a final fiscal year 1996 appropriation estimated at not more than $0.

Notice.

NUCLEAR WASTE TECHNICAL REVIEW BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Nuclear Waste Technical Review Board, as authorized by Public Law 100–203, section 5051, $2,531,000, to be transferred from the Nuclear Waste Fund and to remain available until expended.

SUSQUEHANNA RIVER BASIN COMMISSION

SALARIES AND EXPENSES

For expenses necessary to carry out the functions of the United States member of the Susquehanna River Basin Commission as authorized by law (84 Stat. 1541), $318,000.

CONTRIBUTION TO SUSQUEHANNA RIVER BASIN COMMISSION

For payment of the United States share of the current expenses of the Susquehanna River Basin Commission, as authorized by law (84 Stat. 1530, 1531), $250,000.

TENNESSEE VALLEY AUTHORITY

TENNESSEE VALLEY AUTHORITY FUND

For the purpose of carrying out the provisions of the Tennessee Valley Authority Act of 1933, as amended (16 U.S.C. ch. 12A), including purchase, hire, maintenance, and operation of aircraft,

and purchase and hire of passenger motor vehicles, $109,169,000, to remain available until expended. The Tennessee Valley Authority shall, not later than March 30, 1996, submit to Congress a preliminary plan for funding the environmental research center from sources other than direct appropriations to the Tennessee Valley Authority after fiscal year 1996.

TITLE V

GENERAL PROVISIONS

SEC. 501. Section 510 of Public Law 101–514, the Fiscal Year 1991 Energy and Water Development Appropriations Act, is repealed. 42 USC 7133 note.

SEC. 502. Notwithstanding the provisions of any other law, the report referred to in title 30 of Public Law 102–575 shall be submitted within five years from the date of enactment of that Act. Reports. 43 USC 371 note.

SEC. 503. Without fiscal year limitation and notwithstanding section 502(b)(5) of the Nuclear Waste Policy Act, as amended, or any other provision of law, a member of the Nuclear Waste Technical Review Board whose term has expired may continue to serve as a member of the Board until such member's successor has taken office. 42 USC 10262 note.

SEC. 504. Section 4(a) of the Act entitled "An Act to provide for the restoration of the fish and wildlife in the Trinity River Basin, California, and for other purposes", approved October 24, 1984 (98 Stat. 2723), is amended—

(a) in paragraph (1), by striking "October 1, 1995" and inserting in lieu thereof "October 1, 1996"; and

(b) in paragraph (2), by striking "ten-year" and inserting in lieu thereof "eleven-year".

SEC. 505. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 506. None of the funds made available in this Act may be used to revise the Missouri River Master Water Control Manual when it is made known to the Federal entity or official to which the funds are made available that such revision provides for an increase in the springtime water release program during the spring heavy rainfall and snow melt period in States that have rivers draining into the Missouri River below the Gavins Point Dam.

SEC. 507. In order to ensure the timely implementation of the Colorado Ute Indian Water Rights Settlement Act of 1988, the Secretary of the Interior is directed to proceed without delay with construction of those facilities in conformance with the final Biological Opinion for the Animas-La Plata project, Colorado and New Mexico, dated October 25, 1991.

SEC. 508. (a) DEFINITIONS.—In this section: 16 USC 832m.

(1) ADMINISTRATOR.—The term "Administrator" means the Administrator of the Bonneville Power Administration.

(2) COUNCIL.—The term "Council" means the Northwest Power and Conservation Planning Council.

(3) EXCESS FEDERAL POWER.—The term "excess Federal power" means such electric power that has become surplus to the firm contractual obligations of the Administrator under section 5(f) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c(f)) due to either—

(A) any reduction in the quantity of electric power that the Administrator is contractually required to supply under subsections (b) and (d) of section 5 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c), due to the election by customers of the Bonneville Power Administration to purchase electric power from other suppliers, as compared to the quantity of electric power that the Administrator was contractually required to supply as of January 1, 1995; or

(B) those operations of the Federal Columbia River Power System that are primarily for the benefit of fish and wildlife affected by the development, operation, or management of the System.

(b) SALE OF EXCESS FEDERAL POWER.—Notwithstanding section 2, subsections (a), (b), and (c) of section 3, and section 7 of Public Law 88–552 (16 U.S.C. 837a, 837b, and 837f), and section 9(c) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839f(c)), the Administrator may, as permitted by otherwise applicable law, sell or otherwise dispose of excess Federal power—

(1) outside the Pacific Northwest on a firm basis for a contract term of not to exceed 7 years, if the excess Federal power is first offered for a reasonable period of time and under the same essential rate, terms and conditions to those Pacific Northwest public body, cooperative and investor-owned utilities and those direct service industrial customers identified in subsection (b) or (d)(1)(A) of section 5 of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839c); and

(2) in any region without the prohibition on resale established by the second sentence of section 5(a) of the Act entitled "An Act to authorize the completion, maintenance, and operation of Bonneville project for navigation, and for other purposes", approved August 20, 1937 (commonly known as the "Bonneville Project Act of 1937") (16 U.S.C. 832d(a)).

Reports.

(c) STUDY BY COUNCIL.—(1) Within 180 days of enactment of this Act, the Council shall review and report to Congress regarding the most appropriate governance structure to allow more effective regional control over efforts to conserve and enhance anadromous and resident fish and wildlife within the Federal Columbia River Power System.

(d) CORPS OF ENGINEERS PROCUREMENT.—The Assistant Secretary of the Army for Civil Works, acting through the North Pacific Division of the Corps of Engineers, is authorized to place orders for goods and services related to facilities for electric power generation and fish and wildlife mitigation associated with the Federal Columbia River Power System with and through the Administrator using the authorities available to the Administrator.

(e) RESIDENTIAL EXCHANGE.—Notwithstanding the establishment, confirmation and approval of rates pursuant to 16 U.S.C.

839e, and notwithstanding the provisions of 16 U.S.C. 839c(c), the cost benefits of eligible utilities' total purchase and exchange sales under 16 U.S.C. 839c(c)(1) shall be $145,000,000 for fiscal year 1997, and the net benefits paid to each eligible electric utility shall be $145,000,000 multiplied by the percentage of the total of such net benefits paid by the Administrator to such utility for fiscal year 1995.

(f) PERSONNEL FLEXIBILITY.—The Administrator may offer employees voluntary separation incentives as deemed necessary which shall not exceed $25,000. Recipients who accept employment with the United States within five years after separation shall repay the entire amount to the Bonneville Power Administration.

(g) SAVINGS.—Unless superseded by an Act of Congress, the authority provided by this section is expressly intended to extend beyond the fiscal year.

SEC. 509. Section 7 of the Magnetic Fusion Energy Engineering Act (42 U.S.C. 9396) is repealed. 42 USC 9306.

SEC. 510. WATER LEVELS IN RAINY LAKE AND NAMAKAN LAKE.—

(a) FINDINGS.—Congress finds that—

(1) the Rainy Lake and Namakan Reservoir Water Level International Steering Committee conducted a 2-year analysis in which public comments on the water levels in Rainy Lake and Namakan Lake revealed significant problems with the current regulation of water levels and resulted in Steering Committee recommendations in November 1993; and

(2) maintaining water levels closer to those recommended by the Steering Committee will help ensure the enhancement of water quality, fish and wildlife, and recreational resources in Rainy Lake and Namakan Lake.

(b) DEFINITIONS.—In this section:

(1) EXISTING RULE CURVE.—The term "existing rule curve" means each of the rule curves promulgated by the International Joint Commission to regulate water levels in Rainy Lake and Namakan Lake in effect as of the date of enactment of this Act.

(2) PROPOSED RULE CURVE.—The term "proposed rule curve" means each of the rule curves recommended by the Rainy Lake and Namakan Reservoir International Steering Committee for regulation of water levels in Rainy Lake and Namakan Lake in the publication entitled "Final Report and Recommendations" published in November 1993.

(c) WATER LEVELS.—The dams at International Falls and Kettle Falls, Minnesota, in Rainy Lake and Namakan Lake, respectively, shall be operated so as to maintain water levels as follows:

(1) COINCIDENT RULE CURVES.—In each instance in which an existing rule curve coincides with a proposed rule curve, the water level shall be maintained within the range of such coincidence.

(2) NONCOINCIDENT RULE CURVES.—In each instance in which an existing rule curve does not coincide with a proposed rule curve, the water level shall be maintained at the limit of the existing rule curve that is closest to the proposed rule curve.

(d) ENFORCEMENT.—

(1) IN GENERAL.—The Federal Energy Regulatory Commission shall enforce this section as though the provisions were

included in the license issued by the Commission on December 31, 1987, for Commission Project No. 5223–001.

(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require the Commission to alter the license for Commission Project No. 5223–001 in any way.

(e) SUNSET.—This section shall remain in effect until the International Joint Commission review of and decision on the Steering Committee's recommendations are completed.

This Act may be cited as the "Energy and Water Development Appropriations Act, 1996".

Approved November 13, 1995.

LEGISLATIVE HISTORY—H.R. 1905:

HOUSE REPORTS: Nos. 104–149 (Comm. on Appropriations) and 104–293 (Comm. of Conference).

SENATE REPORTS: No. 104–120 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

July 11, 12, considered and passed House.

July 31, Aug. 1, considered and passed Senate, amended.

Oct. 31, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 13, Presidential statement.

Public Law 104–47
104th Congress

An Act

To extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes.

Nov. 13, 1995
[H.R. 2589]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), as amended by Public Law 104–30, is amended by striking "November 1, 1995" and inserting "December 31, 1995".

Ante, p. 277.

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) prior to November 14, 1995, the written policy justification dated June 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, and the consultations associated with such policy justification, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

Approved November 13, 1995.

LEGISLATIVE HISTORY—H.R. 2589:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 7, considered and passed House.
Nov. 9, considered and passed Senate.

Public Law 104–48
104th Congress

An Act

Nov. 15, 1995
[H.R. 1103]

To amend the Perishable Agricultural Commodities Act, 1930, to modernize, streamline, and strengthen the operation of the Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Perishable Agricultural Commodities Act Amendments of 1995.
7 USC 499a note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Perishable Agricultural Commodities Act Amendments of 1995".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Addition of definitions of retailer and grocery wholesaler.
Sec. 3. Gradual elimination of annual license fee for retailers and grocery wholesalers that are dealers.
Sec. 4. Establishment and alteration of license fees for commission merchants, dealers (other than retailers and grocery wholesalers), and brokers.
Sec. 5. Increase in penalties for operating without a license and increase in late renewal fee.
Sec. 6. Statutory trust on commodities and sale proceeds.
Sec. 7. Authority of Department of Agriculture regarding possible violations.
Sec. 8. Filing and handling fees for reparation complaints.
Sec. 9. Consideration of collateral fees and expenses.
Sec. 10. Clarification of misbranding prohibition.
Sec. 11. Imposition of civil penalty in lieu of license suspension or revocation.
Sec. 12. Extension of sanctions to persons responsibly connected to a commission merchant, dealer, or broker.

SEC. 2. ADDITION OF DEFINITIONS OF RETAILER AND GROCERY WHOLESALER.

Section 1(b) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)), is amended by adding at the end the following new paragraphs:

"(11) The term 'retailer' means a person that is a dealer engaged in the business of selling any perishable agricultural commodity at retail.

"(12) The term 'grocery wholesaler' means a person that is a dealer primarily engaged in the full-line wholesale distribution and resale of grocery and related nonfood items (such as perishable agricultural commodities, dry groceries, general merchandise, meat, poultry, and seafood, and health and beauty care items) to retailers. However, such term does not include a person described in the preceding sentence if the person is primarily engaged in the wholesale distribution and resale of perishable agricultural commodities rather than other grocery and related nonfood items.".

SEC. 3. GRADUAL ELIMINATION OF ANNUAL LICENSE FEE FOR RETAILERS AND GROCERY WHOLESALERS THAT ARE DEALERS.

(a) ELIMINATION OF ANNUAL FEES OVER THREE-YEAR PERIOD.—Subsection (b) of section 3 of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499c), is amended—

(1) by inserting "(1) APPLICATION FOR LICENSE.—" before the start of the first sentence and adjusting the margin to conform to paragraph (3);

(2) by striking the third and fourth sentences;

(3) by inserting "(5) PERISHABLE AGRICULTURAL COMMODITIES ACT FUND.—" before the start of the fifth sentence and adjusting the margin to conform to paragraph (3);

(4) by striking the last sentence; and

(5) by inserting before paragraph (5) (as so designated) the following new paragraphs:

"(3) ONE-TIME FEE FOR RETAILERS AND GROCERY WHOLESALERS THAT ARE DEALERS.—During the three-year period beginning on the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995, a retailer or grocery wholesaler making an initial application for a license under this section shall pay the license fee required under subparagraph (A), (B), or (C) of paragraph (4) for license renewals in the year in which the initial application is made. After the end of such period, a retailer or grocery wholesaler making an initial application for a license under this section shall pay an administrative fee equal to $100. In either case, a retailer or grocery wholesaler paying a fee under this paragraph shall not be required to pay any fee for renewal of the license for subsequent years.

"(4) GRADUAL ELIMINATION OF ANNUAL FEES FOR RETAILERS AND GROCERY WHOLESALERS THAT ARE DEALERS.—In the case of a retailer or grocery wholesaler that holds a license under this section as of the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995, payments for the renewal of the license shall be made pursuant to the following schedule:

"(A) For anniversary dates occurring during the one-year period beginning on the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995, the licensee shall pay a renewal fee in an amount equal to 100 percent of the applicable renewal fee (subject to the $4,000 aggregate limit on such payments) in effect under this subsection on the day before such enactment date.

"(B) For anniversary dates occurring during the one-year period beginning at the end of the period in subparagraph (A), the licensee shall pay a renewal fee in an amount equal to 75 percent of the amount paid by the licensee under subparagraph (A).

"(C) For anniversary dates occurring during the one-year period beginning at the end of the period in subparagraph (B), the licensee shall pay a renewal fee in an amount equal to 50 percent of the amount paid by the licensee under subparagraph (A).

"(D) After the end of the three-year period beginning on the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995, the licensee shall

not be required to pay any fee if the licensee seeks renewal of the license.".

(b) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) by striking the section heading and "SEC. 3. (a)" and inserting the following:

"SEC. 3. LICENSES.

"(a) LICENSE REQUIRED; PENALTIES FOR VIOLATIONS.—";

(2) in subsection (b), by inserting "APPLICATION AND FEES FOR LICENSES.—" after "(b)"; and

(3) in subsection (c), by inserting "USE OF TRADE NAMES.—" after "(c)".

SEC. 4. ESTABLISHMENT AND ALTERATION OF LICENSE FEES FOR COMMISSION MERCHANTS, DEALERS (OTHER THAN RETAILERS AND GROCERY WHOLESALERS), AND BROKERS.

(a) DISCRETION OF SECRETARY TO ESTABLISH AND ALTER FEES.—Section 3(b) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499c(b)), is amended by inserting after paragraph (1), as designated by section 3(a)(1), the following new paragraph:

"(2) LICENSE FEES.—Upon the filing of an application under paragraph (1), the applicant shall pay such license fees, both individually and in the aggregate, as the Secretary determines necessary to meet the reasonably anticipated expenses for administering this Act and the Act to prevent the destruction or dumping of farm produce, approved March 3, 1927 (7 U.S.C. 491–497). Thereafter, the licensee shall pay such license fees annually or at such longer interval as the Secretary may prescribe. The Secretary shall take due account of savings to the program when determining an appropriate interval for renewal of licenses. The Secretary shall establish and alter license fees only by rulemaking under section 553 of title 5, United States Code, except that the Secretary may not alter the fees required under paragraph (3) or (4) for retailers and grocery wholesalers that are dealers. Effective on the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995 and until such time as the Secretary alters such fees by rule, an individual license fee shall equal $550 per year, plus $200 for each branch or additional business facility operated by the applicant in excess of nine such facilities, as determined by the Secretary, subject to an annual aggregate limit of $4,000 per licensee. Any increase in license fees prescribed by the Secretary under this paragraph shall not take effect unless the Secretary determines that, without such increase, the funds on hand as of the end of the fiscal year in which the increase takes effect will be less than 25 percent of the projected budget to administer such Acts for the next fiscal year. In no case may a license fee increase by the Secretary take effect before the end of the three-year period beginning on the date of the enactment of the Perishable Agricultural Commodities Act Amendments of 1995.".

Effective date.

(b) REPEAL OF CURRENT CAP ON RESERVE FUNDS.—Paragraph (5) of such section, as designated by section 3(a)(3), is amended by striking the sentence that begins with "The amount of money".

(c) CONFORMING AMENDMENTS REGARDING THIS SECTION AND SECTION 3.—Section 4(a) of such Act (7 U.S.C. 499d(a)) is amended—

(1) in the matter preceding the provisos, by striking "any anniversary date thereof unless the annual fee has been paid" and inserting "the anniversary date of the license at the end of the annual or multiyear period covered by the license fee unless the licensee submits the required renewal application and pays the applicable renewal fee (if such fee is required)";

(2) in the first proviso, by striking "the necessity of paying the annual fee" and inserting "the necessity of renewing the license and of paying the renewal fee (if such fee is required)"; and

(3) in the second proviso, by striking "annual fee" and inserting "renewal fee (if required)".

SEC. 5. INCREASE IN PENALTIES FOR OPERATING WITHOUT A LICENSE AND INCREASE IN LATE RENEWAL FEE.

(a) LICENSE PENALTIES.—Section 3(a) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499c(a)), as amended by section 3(b)(1), is further amended—

(1) by striking "$500" and inserting "$1,000"; and

(2) by striking "$25" both places it appears and inserting "$250".

(b) LATE FILING FEES.—Section 4(a) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499d(a)), as amended by section 4(c), is further amended in the second proviso by striking "plus $5" and inserting "plus $50".

SEC. 6. STATUTORY TRUST ON COMMODITIES AND SALE PROCEEDS.

(a) REPEAL OF SECRETARIAL NOTIFICATION REQUIREMENT.—Paragraph (3) of section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499e(c)), is amended in the first sentence by striking "and has filed such notice with the Secretary".

(b) CLARIFICATION OF CONTENT OF NOTIFICATION.—Such paragraph is further amended by inserting after the first sentence the following new sentence: "The written notice to the commission merchant, dealer, or broker shall set forth information in sufficient detail to identify the transaction subject to the trust.".

(c) ADDITIONAL METHOD OF NOTIFICATION FOR LICENSEES.—Such section is further amended—

(1) by redesignating paragraph (4) as paragraph (5); and

(2) by inserting after paragraph (3) the following new paragraph:

"(4) In addition to the method of preserving the benefits of the trust specified in paragraph (3), a licensee may use ordinary and usual billing or invoice statements to provide notice of the licensee's intent to preserve the trust. The bill or invoice statement must include the information required by the last sentence of paragraph (3) and contain on the face of the statement the following: 'The perishable agricultural commodities listed on this invoice are sold subject to the statutory trust authorized by section 5(c) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499e(c)). The seller of these commodities retains a trust claim over these commodities, all inventories of food or other products derived from these commodities, and any receivables or proceeds from the sale of these commodities until full payment is received.'.".

SEC. 7. AUTHORITY OF DEPARTMENT OF AGRICULTURE REGARDING POSSIBLE VIOLATIONS.

(a) DISCIPLINARY VIOLATIONS.—Subsection (b) of section 6 of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499f), is amended to read as follows:

Rules.

"(b) DISCIPLINARY VIOLATIONS.—Any officer or agency of any State or Territory having jurisdiction over commission merchants, dealers, or brokers in such State or Territory and any other interested person (other than an employee of an agency of the Department of Agriculture administering this Act) may file, in accordance with rules prescribed by the Secretary, a written notification of any alleged violation of this Act by any commission merchant, dealer, or broker. In addition, any official certificates of the United States Government or States or Territories of the United States and trust notices filed pursuant to section 5 shall constitute written notification for the purposes of conducting an investigation under subsection (c). The identity of any person filing a written notification under this subsection shall be considered to be confidential information. The identity of such person, and any portion of the notification to the extent that it would indicate the identity of such person, are specifically exempt from disclosure under section 552 of title 5, United States Code (commonly known as the Freedom of Information Act), as provided in subsection (b)(3) of such section.".

(b) GROUNDS AND PROCESS OF INVESTIGATIONS.—Subsection (c) of such section is amended to read as follows:

"(c) INVESTIGATION OF COMPLAINTS AND NOTIFICATIONS.—

"(1) COMMENCING OR EXPANDING AN INVESTIGATION.—If there appears to be, in the opinion of the Secretary, reasonable grounds for investigating a complaint made under subsection (a) or a written notification made under subsection (b), the Secretary shall investigate such complaint or notification. In the course of the investigation, if the Secretary determines that violations of this Act are indicated other than the alleged violations specified in the complaint or notification that served as the basis for the investigation, the Secretary may expand the investigation to include such additional violations.

"(2) ISSUANCE OF COMPLAINT BY SECRETARY; PROCESS.—In the opinion of the Secretary, if an investigation under this subsection substantiates the existence of violations of this Act, the Secretary may cause a complaint to be issued. The Secretary shall have the complaint served by registered mail or certified mail or otherwise on the person concerned and afford such person an opportunity for a hearing thereon before a duly authorized examiner of the Secretary in any place in which the subject of the complaint is engaged in business. However, in complaints wherein the amount claimed as damages does not exceed $30,000, a hearing need not be held and proof in support of the complaint and in support of respondent's answer may be supplied in the form of depositions or verified statements of fact.

"(3) SPECIAL NOTIFICATION REQUIREMENTS FOR CERTAIN INVESTIGATIONS.—Whenever the Secretary initiates an investigation on the basis of a written notification made under subsection (b) or expands such an investigation, the Secretary shall promptly notify the subject of the investigation of the existence of the investigation and the nature of the alleged

violations of this Act to be investigated. Not later than 180 days after providing the initial notification, the Secretary shall provide the subject of the investigation with notice of the status of the investigation, including whether the Secretary intends to issue a complaint under paragraph (2), terminate the investigation, or continue or expand the investigation. The Secretary shall provide additional status reports at the request of the subject of the investigation and shall promptly notify the subject of the investigation whenever the Secretary terminates the investigation.".

(c) INCREASE IN THRESHOLD FOR SHORTENED PROCEDURE CASES.—Subsection (d) of such section is amended by striking "$15,000" both places it appears and inserting "$30,000".

(d) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) by striking the section heading and "SEC. 6." and inserting the following:

"SEC. 6. COMPLAINTS, WRITTEN NOTIFICATIONS, AND INVESTIGATIONS.";

(2) in subsection (d), by inserting "DECISIONS ON COMPLAINTS.—" after "(d)"; and

(3) in subsection (e), by inserting "BOND REQUIRED FOR CERTAIN COMPLAINTS.—" after "(e)".

SEC. 8. FILING AND HANDLING FEES FOR REPARATION COMPLAINTS.

(a) PERMANENT FILING AND HANDLING FEES.—Section 6(a) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499f(a)), is amended—

(1) by striking "(a)" and inserting the following:

"(a) REPARATION COMPLAINTS.—

"(1) PETITION; PROCESS.—"; and

(2) by adding at the end the following new paragraph:

"(2) FILING AND HANDLING FEES.—A person submitting a petition to the Secretary under paragraph (1) shall include a filing fee of $60 per petition. If the Secretary determines under paragraph (1) that the facts contained in the petition warrant further action, the person or persons submitting the petition shall submit to the Secretary a handling fee of $300. The Secretary may not forward a copy of the complaint to the commission merchant, dealer, or broker involved until after the Secretary receives the required handling fee. The Secretary shall deposit fees submitted under this paragraph into the Perishable Agricultural Commodities Act Fund provided for by section 3(b). The Secretary may alter the fees specified in this paragraph by rulemaking under section 553 of title 5, United States Code.".

(b) INCLUSION OF HANDLING FEE IN CALCULATION OF DAMAGES.—Section 5(a) of such Act (7 U.S.C. 499e(a)) is amended by inserting after "damages" the following: "(including any handling fee paid by the injured person or persons under section 6(a)(2))".

(c) CONFORMING AMENDMENT TO TEMPORARY FEE AUTHORITY.—Public Law 103–276 (7 U.S.C. 499f note) is repealed.

SEC. 9. CONSIDERATION OF COLLATERAL FEES AND EXPENSES.

(a) DEFINITION.—Section 1(b) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)), is amended by inserting

after paragraph (12), as added by section 2, the following new paragraph:

"(13) The term 'collateral fees and expenses' means any promotional allowances, rebates, service or materials fees paid or provided, directly or indirectly, in connection with the distribution or marketing of any perishable agricultural commodity.".

(b) USE OF DEFINITION.—Section 2 of such Act (7 U.S.C. 499b) is amended—

(1) by striking "commerce—" in the matter before paragraph (1) and inserting "commerce:";

(2) by striking the semicolon at the end of each paragraph and inserting a period; and

(3) in paragraph (4), by adding at the end the following new sentence: "However, this paragraph shall not be considered to make the good faith offer, solicitation, payment, or receipt of collateral fees and expenses, in and of itself, unlawful under this Act.".

SEC. 10. CLARIFICATION OF MISBRANDING PROHIBITION.

Section 2(5) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499b(5)), is amended—

(1) by striking "commerce: *Provided,* That" and inserting "commerce. However,"; and

(2) by adding at the end the following new sentence: "A person other than the first licensee handling misbranded perishable agricultural commodities shall not be held liable for a violation of this paragraph by reason of the conduct of another if the person did not have knowledge of the violation or lacked the ability to correct the violation.".

SEC. 11. IMPOSITION OF CIVIL PENALTY IN LIEU OF LICENSE SUSPENSION OR REVOCATION.

Section 8 of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499h), is amended by adding at the end the following new subsection:

"(e) ALTERNATIVE CIVIL PENALTIES.—In lieu of suspending or revoking a license under this section when the Secretary determines, as provided by section 6, that a commission merchant, dealer, or broker has violated section 2 or subsection (b) of this section, the Secretary may assess a civil penalty not to exceed $2,000 for each violative transaction or each day the violation continues. In assessing the amount of a penalty under this subsection, the Secretary shall give due consideration to the size of the business, the number of employees, and the seriousness, nature, and amount of the violation. Amounts collected under this subsection shall be deposited in the Treasury of the United States as miscellaneous receipts.".

SEC. 12. EXTENSION OF SANCTIONS TO PERSONS RESPONSIBLY CONNECTED TO A COMMISSION MERCHANT, DEALER, OR BROKER.

(a) EXCEPTION TO DEFINITION.—Section 1(b)(9) of the Perishable Agricultural Commodities Act, 1930 (7 U.S.C. 499a(b)(9)), is amended by adding at the end the following new sentence: "A person shall not be deemed to be responsibly connected if the person demonstrates by a preponderance of the evidence that the person was not actively involved in the activities resulting in a violation of this Act and that the person either was only nominally

a partner, officer, director, or shareholder of a violating licensee or entity subject to license or was not an owner of a violating licensee or entity subject to license which was the alter ego of its owners.".

(b) EXTENSION OF EMPLOYMENT SANCTION.—Section 8(b) of such Act (7 U.S.C. 499h(b)) is amended by adding at the end the following new sentence: "The Secretary may extend the period of employment sanction as to a responsibly connected person for an additional one-year period upon the determination that the person has been unlawfully employed as provided in this subsection.".

(c) CONFORMING AMENDMENT REGARDING LICENSING SANCTION.—Section 4 of such Act (7 U.S.C. 499d) is amended—

(1) in subsection (b), by inserting "is prohibited from employment with a licensee under section 8(b) or" after "with the applicant," in the matter preceding subparagraph (A); and

(2) in subsection (c), by adding at the end the following new sentence: "The Secretary may not issue a license to an applicant under this subsection if the applicant or any person responsibly connected with the applicant is prohibited from employment with a licensee under section 8(b).".

Approved November 15, 1995.

LEGISLATIVE HISTORY—H.R. 1103:

HOUSE REPORTS: No. 104–207 (Comm. on Agriculture).
CONGRESSIONAL RECORD, Vol. 141 (1995):
July 28, considered and passed House.
Nov. 7, considered and passed Senate.

Public Law 104–49
104th Congress

An Act

Nov. 15, 1995
[H.R. 1715]

Respecting the relationship between workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Intergovernmental relations.

SECTION 1. WORKERS' COMPENSATION.

(a) AMENDMENTS.—

(1) Section 325 of the Legislative Branch Appropriations Act, 1993 (Public Law 102-392) is repealed.

29 USC 1854 note.

(2) Section 504(d) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1854(d)) is amended to read as follows:

"(d)(1) Notwithstanding any other provision of this Act, where a State workers' compensation law is applicable and coverage is provided for a migrant or seasonal agricultural worker, the workers' compensation benefits shall be the exclusive remedy for loss of such worker under this Act in the case of bodily injury or death in accordance with such State's workers' compensation law.

"(2) The exclusive remedy prescribed by paragraph (1) precludes the recovery under subsection (c) of actual damages for loss from an injury or death but does not preclude recovery under subsection (c) for statutory damages or equitable relief, except that such relief shall not include back or front pay or in any manner, directly or indirectly, expand or otherwise alter or affect (A) a recovery under a State workers' compensation law or (B) rights conferred under a State workers' compensation law.".

29 USC 1854 note.

(b) EFFECTIVE DATE.—The amendment made by subsection (a)(2) shall apply to all cases in which a final judgment has not been entered.

Courts.

SEC. 2. EXPANSION OF STATUTORY DAMAGES.

(a) AMENDMENT.—Section 504 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1854) is amended by adding after subsection (d) the following:

"(e) If the court finds in an action which is brought by or for a worker under subsection (a) in which a claim for actual damages is precluded because the worker's injury is covered by a State workers' compensation law as provided by subsection (d) that—

"(1)(A) the defendant in the action violated section 401(b) by knowingly requiring or permitting a driver to drive a vehicle for the transportation of migrant or seasonal agricultural workers while under the influence of alcohol or a controlled substance (as defined in section 102 of the Controlled Substances

Act (21 U.S.C. 802)) and the defendant had actual knowledge of the driver's condition, and

"(B) such violation resulted in injury to or death of the migrant or seasonal worker by or for whom the action was brought and such injury or death arose out of and in the course of employment as determined under the State workers' compensation law,

"(2)(A) the defendant violated a safety standard prescribed by the Secretary under section 401(b) which the defendant was determined in a previous judicial or administrative proceeding to have violated, and

"(B) such safety violation resulted in an injury or death described in paragraph (1)(B),

"(3)(A)(i) the defendant willfully disabled or removed a safety device prescribed by the Secretary under section 401(b), or

"(ii) the defendant in conscious disregard of the requirements of section 401(b) failed to provide a safety device required under such section, and

"(B) such disablement, removal, or failure to provide a safety device resulted in an injury or death described in paragraph (1)(B), or

"(4)(A) the defendant violated a safety standard prescribed by the Secretary under section 401(b),

"(B) such safety violation resulted in an injury or death described in paragraph (1)(B), and

"(C) the defendant at the time of the violation of section 401(b) also was—

"(i) an unregistered farm labor contractor in violation of section 101(a), or

"(ii) a person who utilized the services of a farm labor contractor of the type specified in clause (i) without taking reasonable steps to determine that the farm labor contractor possessed a valid certificate of registration authorizing the performance of the farm labor contracting activities which the contractor was requested or permitted to perform with the knowledge of such person,

the court shall award not more than $10,000 per plaintiff per violation with respect to whom the court made the finding described in paragraph (1), (2), (3), or (4), except that multiple infractions of a single provision of this Act shall constitute only one violation for purposes of determining the amount of statutory damages due to a plaintiff under this subsection and in the case of a class action, the court shall award not more than the lesser of up to $10,000 per plaintiff or up to $500,000 for all plaintiffs in such class action.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to all cases in which a final judgment has not been entered. 29 USC 1854 note.

SEC. 3. TOLLING OF STATUTE OF LIMITATIONS.

Section 504 of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1854), as amended by section 2, is amended by adding after subsection (e) the following:

"(f) If it is determined under a State workers' compensation law that the workers' compensation law is not applicable to a claim for bodily injury or death of a migrant or seasonal agricultural

worker, the statute of limitations for bringing an action for actual damages for such injury or death under subsection (a) shall be tolled for the period during which the claim for such injury or death under such State workers' compensation law was pending. The statute of limitations for an action for other actual damages, statutory damages, or equitable relief arising out of the same transaction or occurrence as the injury or death of the migrant or seasonal agricultural worker shall be tolled for the period during which the claim for such injury or death was pending under the State workers' compensation law.".

SEC. 4. DISCLOSURE OF WORKERS' COMPENSATION COVERAGE.

(a) MIGRANT WORKERS.—Section 201(a) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1821(a)) is amended by striking "and" at the end of paragraph (6), by striking the period at the end of paragraph (7) and inserting "; and", and by adding after paragraph (7) the following:

"(8) whether State workers' compensation insurance is provided, and, if so, the name of the State workers' compensation insurance carrier, the name of the policyholder of such insurance, the name and the telephone number of each person who must be notified of an injury or death, and the time period within which such notice must be given.

Compliance with the disclosure requirement of paragraph (8) for a migrant agricultural worker may be met if such worker is given a photocopy of any notice regarding workers' compensation insurance required by law of the State in which such worker is employed. Such worker shall be given such disclosure regarding workers' compensation at the time of recruitment or if sufficient information is unavailable at that time, at the earliest practicable time but in no event later than the commencement of work.".

(b) SEASONAL WORKERS.—Section 301(a)(1) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1831(a)(1)) is amended by striking "and" at the end of subparagraph (F), by striking the period at the end of subparagraph (G) and inserting "; and", and by adding after subparagraph (G) the following:

"(H) whether State workers' compensation insurance is provided, and, if so, the name of the State workers' compensation insurance carrier, the name of the policyholder of such insurance, the name and the telephone number of each person who must be notified of an injury or death, and the time period within which such notice must be given.

Compliance with the disclosure requirement of subparagraph (H) may be met if such worker is given, upon request, a photocopy of any notice regarding workers' compensation insurance required by law of the State in which such worker is employed.".

Regulations. 29 USC 1821 note.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect upon the expiration of 90 days after the date final regulations are issued by the Secretary of Labor to implement such amendments.

SEC. 5. LIABILITY INSURANCE.

(a) AMENDMENT.—Section 401(b)(3) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1841(b)(3)) is amended to read as follows:

"(3) The level of insurance required under paragraph (1)(C) shall be determined by the Secretary considering at least the factors

set forth in paragraph (2)(B) and similar farmworker transportation requirements under State law.".

(b) REGULATIONS.—Within 180 days of the date of the enactment of this Act, the Secretary of Labor shall promulgate regulations establishing insurance levels under section 401(b)(3) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1841(b)(3)) as amended by subsection (a). 29 USC 1841 note.

(c) EFFECTIVE DATE.—The amendment made by subsection (a) takes effect upon the expiration of 180 days after the date of enactment of this Act or upon the issuance of final regulations under subsection (b), whichever occurs first. 29 USC 1841 note.

Approved November 15, 1995.

LEGISLATIVE HISTORY—H.R. 1715:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 17, considered and passed House.
Oct. 31, considered and passed Senate.

Public Law 104–50
104th Congress

An Act

Nov. 15, 1995
[H.R. 2002]

Making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes.

Department of Transportation and Related Agencies Appropriations Act, 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Transportation and related agencies for the fiscal year ending September 30, 1996, and for other purposes, namely:

TITLE I

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

SALARIES AND EXPENSES

For necessary expenses of the Office of the Secretary, $56,189,000, of which not to exceed $40,000 shall be available as the Secretary may determine for allocation within the Department for official reception and representation expenses: *Provided,* That notwithstanding any other provision of law, there may be credited to this appropriation up to $1,000,000 in funds received in user fees established to support the electronic tariff filing system: *Provided further,* That none of the funds appropriated in this Act or otherwise made available may be used to maintain custody of airline tariffs that are already available for public and departmental access at no cost; to secure them against detection, alteration, or tampering; and open to inspection by the Department.

OFFICE OF CIVIL RIGHTS

For necessary expenses of the Office of Civil Rights, $6,554,000, and in addition, $809,000, to be derived from "Federal-aid Highways" subject to the "Limitation on General Operating Expenses".

TRANSPORTATION PLANNING, RESEARCH, AND DEVELOPMENT

For necessary expenses for conducting transportation planning, research, systems development, and development activities, to remain available until expended, $8,220,000.

WORKING CAPITAL FUND

Necessary expenses for operating costs and capital outlays of the Department of Transportation Working Capital Fund associated with the provision of services to entities within the Department of Transportation, not to exceed $103,149,000 shall be paid, in accordance with law, from appropriations made available to the Department of Transportation.

PAYMENTS TO AIR CARRIERS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

(INCLUDING RESCISSION OF CONTRACT AUTHORIZATION)

For liquidation of obligations incurred for payments to air carriers of so much of the compensation fixed and determined under subchapter II of chapter 417 of title 49, United States Code, as is payable by the Department of Transportation, $22,600,000, to remain available until expended and to be derived from the Airport and Airway Trust Fund: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs in excess of $22,600,000 for the Payments to Air Carriers program in fiscal year 1996: *Provided further,* That none of the funds in this Act shall be used by the Secretary of Transportation to make payment of compensation under subchapter II of chapter 417 of title 49, United States Code, in excess of the appropriation in this Act for liquidation of obligations incurred under the "Payments to air carriers" program: *Provided further,* That none of the funds in this Act shall be used for the payment of claims for such compensation except in accordance with this provision: *Provided further,* That none of the funds in this Act shall be available for service to communities in the forty-eight contiguous States that are located fewer than seventy highway miles from the nearest large or medium hub airport, or that require a rate of subsidy per passenger in excess of $200 unless such point is greater than two hundred and ten miles from the nearest large or medium hub airport: *Provided further,* That of funds provided for "Small Community Air Service" by Public Law 101–508, $16,000,000 in fiscal year 1996 is hereby rescinded.

PAYMENTS TO AIR CARRIERS

(RESCISSION)

Of the budgetary resources remaining available under this heading, $6,786,971 are rescinded.

RENTAL PAYMENTS

For necessary expenses for rental of headquarters and field space not to exceed 8,580,000 square feet and for related services assessed by the General Services Administration, $135,200,000: *Provided,* That of this amount, $1,897,000 shall be derived from the Highway Trust Fund, $41,441,000 shall be derived from the Airport and Airway Trust Fund, $836,000 shall be derived from the Pipeline Safety Fund, and $169,000 shall be derived from the

Harbor Maintenance Trust Fund: *Provided further,* That in addition, for assessments by the General Services Administration related to the space needs of the Federal Highway Administration, $17,685,000, to be derived from "Federal-aid Highways", subject to the "Limitation on General Operating Expenses".

MINORITY BUSINESS RESOURCE CENTER PROGRAM

For the cost of direct loans, $1,500,000, as authorized by 49 U.S.C. 332: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That these funds are available to subsidize gross obligations for the principal amount of direct loans not to exceed $15,000,000. In addition, for administrative expenses to carry out the direct loan program, $400,000.

MINORITY BUSINESS OUTREACH

For necessary expenses of the Minority Business Resource Center outreach activities, $2,900,000, of which $2,642,000 shall remain available until September 30, 1997: *Provided,* That notwithstanding 49 U.S.C. 332, these funds may be used for business opportunities related to any mode of transportation.

COAST GUARD

OPERATING EXPENSES

For necessary expenses for the operation and maintenance of the Coast Guard, not otherwise provided for; purchase of not to exceed five passenger motor vehicles for replacement only; payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and section 229(b) of the Social Security Act (42 U.S.C. 429(b)); and recreation and welfare; $2,278,991,000, of which $25,000,000 shall be derived from the Oil Spill Liability Trust Fund; and of which $20,000,000 shall be expended from the Boat Safety Account: *Provided,* That the number of aircraft on hand at any one time shall not exceed two hundred and eighteen, exclusive of aircraft and parts stored to meet future attrition: *Provided further,* That none of the funds appropriated in this or any other Act shall be available for pay or administrative expenses in connection with shipping commissioners in the United States: *Provided further,* That none of the funds provided in this Act shall be available for expenses incurred for yacht documentation under 46 U.S.C. 12109, except to the extent fees are collected from yacht owners and credited to this appropriation: *Provided further,* That the Commandant shall reduce both military and civilian employment levels for the purpose of complying with Executive Order No. 12839.

14 USC 92 note.

ACQUISITION, CONSTRUCTION, AND IMPROVEMENTS

For necessary expenses of acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, and aircraft, including equipment related thereto, $362,375,000, of which $32,500,000 shall be derived from the Oil Spill Liability Trust Fund; of which $167,600,000 shall be available to acquire, repair, renovate or improve vessels, small boats and related equip-

ment, to remain available until September 30, 2000; $12,000,000 shall be available to acquire new aircraft and increase aviation capability, to remain available until September 30, 1998; $49,200,000 shall be available for other equipment, to remain available until September 30, 1998; $88,875,000 shall be available for shore facilities and aids to navigation facilities, to remain available until September 30, 1998; and $44,700,000 shall be available for personnel compensation and benefits and related costs, to remain available until September 30, 1996: *Provided,* That funds received from the sale of the VC–11A and HU–25 aircraft shall be credited to this appropriation for the purpose of acquiring new aircraft and increasing aviation capacity: *Provided further,* That the Commandant may dispose of surplus real property by sale or lease and the proceeds of such sale or lease shall be credited to this appropriation.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For necessary expenses to carry out the Coast Guard's environmental compliance and restoration functions under chapter 19 of title 14, United States Code, $21,000,000, to remain available until expended.

PORT SAFETY DEVELOPMENT

For necessary expenses for debt retirement of the Port of Portland, Oregon, $15,000,000, to remain available until expended.

ALTERATION OF BRIDGES

For necessary expenses for alteration or removal of obstructive bridges, $16,000,000, to remain available until expended.

RETIRED PAY

For retired pay, including the payment of obligations therefor otherwise chargeable to lapsed appropriations for this purpose, and payments under the Retired Serviceman's Family Protection and Survivor Benefits Plans, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), $582,022,000.

RESERVE TRAINING

For all necessary expenses for the Coast Guard Reserve, as authorized by law; maintenance and operation of facilities; and supplies, equipment, and services; $62,000,000.

RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

For necessary expenses, not otherwise provided for, for applied scientific research, development, test, and evaluation; maintenance, rehabilitation, lease and operation of facilities and equipment, as authorized by law, $18,000,000, to remain available until expended, of which $3,150,000 shall be derived from the Oil Spill Liability Trust Fund: *Provided,* That there may be credited to this appropriation funds received from State and local governments, other public authorities, private sources, and foreign countries, for expenses incurred for research, development, testing, and evaluation.

BOAT SAFETY

(AQUATIC RESOURCES TRUST FUND)

For payment of necessary expenses incurred for recreational boating safety assistance under Public Law 92–75, as amended, $20,000,000, to be derived from the Boat Safety Account and to remain available until expended.

FEDERAL AVIATION ADMINISTRATION

OPERATIONS

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Federal Aviation Administration, not otherwise provided for, including operations and research activities related to commercial space transportation, administrative expenses for research and development, establishment of air navigation facilities and the operation (including leasing) and maintenance of aircraft, and carrying out the provisions of subchapter I of chapter 471 of title 49, U.S.Code, or other provisions of law authorizing the obligation of funds for similar programs of airport and airway development or improvement, lease or purchase of four passenger motor vehicles for replacement only, $4,645,712,000, of which $2,222,859,100 shall be derived from the Airport and Airway Trust Fund: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, foreign authorities, other public authorities, and private sources, for expenses incurred in the provision of agency services, including receipts for the maintenance and operation of air navigation facilities and for issuance, renewal or modification of certificates, including airman, aircraft, and repair station certificates, or for tests related thereto, or for processing major repair or alteration forms: *Provided further,* That funds may be used to enter into a grant agreement with a nonprofit standard setting organization to assist in the development of aviation safety standards: *Provided further,* That none of the funds in this Act shall be available for new applicants for the second career training program: *Provided further,* That none of the funds in this Act shall be available for paying premium pay under 5 U.S.C. 5546(a) to any Federal Aviation Administration employee unless such employee actually performed work during the time corresponding to such premium pay: *Provided further,* That the Secretary may transfer funds to this account, from Coast Guard "Operating expenses", not to exceed $60,000,000 in total for the fiscal year, fifteen days after written notification to the House and Senate Committees on Appropriations, solely for the purpose of providing additional funds for air traffic control operations and maintenance to enhance aviation safety and security: *Provided further,* That the unexpended balances of the appropriation "Office of Commercial Space Transportation, Operations and Research" shall be transferred to and merged with this appropriation: *Provided further,* That none of the funds derived from the Airport and Airway Trust Fund may be used to support the operations and activities of the Associate Administrator for Commercial Space Transportation.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for acquisition, establishment, and improvement by contract or purchase, and hire of air navigation and experimental facilities and equipment as authorized under part A of subtitle VII of title 49, U.S.Code, including initial acquisition of necessary sites by lease or grant; engineering and service testing, including construction of test facilities and acquisition of necessary sites by lease or grant; and construction and furnishing of quarters and related accommodations for officers and employees of the Federal Aviation Administration stationed at remote localities where such accommodations are not available; and the purchase, lease, or transfer of aircraft from funds available under this head; to be derived from the Airport and Airway Trust Fund, $1,934,883,000, of which $1,708,883,000 shall remain available until September 30, 1998, of which $216,000,000 shall remain available until September 30, 1996, and of which $10,000,000, to remain available until expended, is for funding noncompetitive cooperative agreements with air carriers to assist them in acquiring and installing the following advanced security equipment: (1) hardened unit load devices, (2) explosive detection systems certified by the Federal Aviation Administration, and (3) computer-aided screener training and proficiency systems, in order to evaluate such equipment's operational feasibility and effectiveness in improving civil aviation security: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred in the establishment and modernization of air navigation facilities.

FACILITIES AND EQUIPMENT

(AIRPORT AND AIRWAY TRUST FUND)

(RESCISSION)

Of the available balances under this heading, $60,000,000 are rescinded.

RESEARCH, ENGINEERING, AND DEVELOPMENT

(AIRPORT AND AIRWAY TRUST FUND)

For necessary expenses, not otherwise provided for, for research, engineering, and development, as authorized under part A of subtitle VII of title 49, U.S.C., including construction of experimental facilities and acquisition of necessary sites by lease or grant, $185,698,000, to be derived from the Airport and Airway Trust Fund and to remain available until September 30, 1998: *Provided,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources, for expenses incurred for research, engineering, and development.

GRANTS-IN-AID FOR AIRPORTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(AIRPORT AND AIRWAY TRUST FUND)

For liquidation of obligations incurred for grants-in-aid for airport planning and development, and for noise compatibility planning and programs as authorized under subchapter I of chapter 471 and subchapter I of chapter 475 of title 49, U.S.Code, and under other law authorizing such obligations, $1,500,000,000, to be derived from the Airport and Airway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $1,450,000,000 in fiscal year 1996 for grants-in-aid for airport planning and development, and noise compatibility planning and programs, notwithstanding section 47117(h) of title 49, U.S.Code: *Provided further,* That none of the funds in this Act shall be available for the planning and execution of programs the obligations for which are in excess of $26,000,000 for the "Military Airports Program" and $48,000,000 for the "Reliever Airports Program".

AVIATION INSURANCE REVOLVING FUND

The Secretary of Transportation is hereby authorized to make such expenditures and investments, within the limits of funds available pursuant to 49 U.S.C. 44307, and in accordance with section 104 of the Government Corporation Control Act, as amended (31 U.S.C. 9104), as may be necessary in carrying out the program for aviation insurance activities under chapter 443 of title 49, U.S. Code.

AIRCRAFT PURCHASE LOAN GUARANTEE PROGRAM

49 USC 40113 note.

None of the funds in this Act shall be available for activities under this head the obligations for which are in excess of $1,600,000 during fiscal year 1996.

FEDERAL HIGHWAY ADMINISTRATION

LIMITATION ON GENERAL OPERATING EXPENSES

Necessary expenses for administration, operation, including motor carrier safety program operations, and research of the Federal Highway Administration not to exceed $509,660,000 shall be paid in accordance with law from appropriations made available by this Act to the Federal Highway Administration together with advances and reimbursements received by the Federal Highway Administration: *Provided,* That $208,946,000 of the amount provided herein shall remain available until September 30, 1998.

HIGHWAY-RELATED SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

(INCLUDING TRANSFER OF FUNDS)

For payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402 administered by the Federal Highway Administration, to remain available until expended, $11,000,000, to be derived from the Highway Trust Fund: *Provided,* That not to exceed $100,000 of the amount made available herein shall be available for "Limitation on general operating expenses": *Provided further,* That none of the funds in this Act shall be available for the planning or execution of programs the obligations for which are in excess of $11,000,000 in fiscal year 1996 for "Highway-Related Safety Grants".

FEDERAL-AID HIGHWAYS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $17,550,000,000 for Federal-aid highways and highway safety construction programs for fiscal year 1996. 23 USC 104 note.

FEDERAL-AID HIGHWAYS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For carrying out the provisions of title 23, United States Code, that are attributable to Federal-aid highways, including the National Scenic and Recreational Highway as authorized by 23 U.S.C. 148, not otherwise provided, including reimbursements for sums expended pursuant to the provisions of 23 U.S.C. 308, $19,200,000,000 or so much thereof as may be available in and derived from the Highway Trust Fund, to remain available until expended.

RIGHT-OF-WAY REVOLVING FUND

(LIMITATION ON DIRECT LOANS)

(HIGHWAY TRUST FUND)

None of the funds under this head are available for obligations for right-of-way acquisition during fiscal year 1996.

MOTOR CARRIER SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 31102, $68,000,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $77,225,000 for "Motor Carrier Safety Grants".

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION

OPERATIONS AND RESEARCH

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under part C of subtitle VI of title 49, United States Code, and chapter 301 of title 49, United States Code, $73,316,570, of which $37,825,850 shall remain available until September 30, 1998: *Provided,* That none of the funds appropriated by this Act may be obligated or expended to plan, finalize, or implement any rulemaking to add to section 575.104 of title 49 of the Code of Federal Regulations any requirement pertaining to a grading standard that is different from the three grading standards (treadwear, traction, and temperature resistance) already in effect.

OPERATIONS AND RESEARCH

(HIGHWAY TRUST FUND)

For expenses necessary to discharge the functions of the Secretary with respect to traffic and highway safety under 23 U.S.C. 403 and section 2006 of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240), to be derived from the Highway Trust Fund, $51,884,430, of which $32,247,000 shall remain available until September 30, 1998.

HIGHWAY TRAFFIC SAFETY GRANTS

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred carrying out the provisions of 23 U.S.C. 153, 402, 408, and 410, chapter 303 of title 49, United States Code, and section 209 of Public Law 95–599, as amended, to remain available until expended, $155,100,000, to be derived from the Highway Trust Fund: *Provided,* That, notwithstanding subsection 2009(b) of the Intermodal Surface Transportation Efficiency Act of 1991, none of the funds in this Act shall be available for the planning or execution of programs the total obligations for which, in fiscal year 1996, are in excess of $155,100,000 for programs authorized under 23 U.S.C. 402 and 410, as amended, of which $127,700,000 shall be for "State and community highway safety grants", $2,400,000 shall be for the "National Driver Register" subject to authorization, and $25,000,000 shall be for section 410

"Alcohol-impaired driving counter-measures programs": *Provided further,* That none of these funds shall be used for construction, rehabilitation or remodeling costs, or for office furnishings and fixtures for State, local, or private buildings or structures: *Provided further,* That not to exceed $5,211,000 of the funds made available for section 402 may be available for administering "State and community highway safety grants": *Provided further,* That not to exceed $500,000 of the funds made available for section 410 "Alcohol-impaired driving counter-measures programs" shall be available for technical assistance to the States: *Provided further,* That not to exceed $890,000 of the funds made available for the "National Driver Register" may be available for administrative expenses.

FEDERAL RAILROAD ADMINISTRATION

OFFICE OF THE ADMINISTRATOR

For necessary expenses of the Federal Railroad Administration, not otherwise provided for, $14,018,000, of which $1,508,000 shall remain available until expended: *Provided,* That none of the funds in this Act shall be available for the planning or execution of a program making commitments to guarantee new loans under the Emergency Rail Services Act of 1970, as amended, and no new commitments to guarantee loans under section 211(a) or 211(h) of the Regional Rail Reorganization Act of 1973, as amended, shall be made: *Provided further,* That, as part of the Washington Union Station transaction in which the Secretary assumed the first deed of trust on the property and, where the Union Station Redevelopment Corporation or any successor is obligated to make payments on such deed of trust on the Secretary's behalf, including payments on and after September 30, 1988, the Secretary is authorized to receive such payments directly from the Union Station Redevelopment Corporation, credit them to the appropriation charged for the first deed of trust, and make payments on the first deed of trust with those funds: *Provided further,* That such additional sums as may be necessary for payment on the first deed of trust may be advanced by the Administrator from unobligated balances available to the Federal Railroad Administration, to be reimbursed from payments received from the Union Station Redevelopment Corporation. 40 USC 817 note.

RAILROAD SAFETY

For necessary expenses in connection with railroad safety, not otherwise provided for, $49,919,000, of which $2,687,000 shall remain available until expended.

RAILROAD RESEARCH AND DEVELOPMENT

For necessary expenses for railroad research and development, $24,550,000, to remain available until expended.

NORTHEAST CORRIDOR IMPROVEMENT PROGRAM

For necessary expenses related to Northeast Corridor improvements authorized by title VII of the Railroad Revitalization and Regulatory Reform Act of 1976, as amended (45 U.S.C. 851 et

seq.) and 49 U.S.C. 24909, $115,000,000, to remain available until September 30, 1998.

RAILROAD REHABILITATION AND IMPROVEMENT PROGRAM

The Secretary of Transportation is authorized to issue to the Secretary of the Treasury notes or other obligations pursuant to section 512 of the Railroad Revitalization and Regulatory Reform Act of 1976 (Public Law 94–210), as amended, in such amounts and at such times as may be necessary to pay any amounts required pursuant to the guarantee of the principal amount of obligations under sections 511 through 513 of such Act, such authority to exist as long as any such guaranteed obligation is outstanding: *Provided,* That no new loan guarantee commitments shall be made during fiscal year 1996.

NATIONAL MAGNETIC LEVITATION PROTOTYPE DEVELOPMENT

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the planning or execution of the National Magnetic Levitation Prototype Development program as defined in subsections 1036(b) and 1036(d)(1)(A) of the Intermodal Surface Transportation Efficiency Act of 1991.

NEXT GENERATION HIGH SPEED RAIL

For necessary expenses for Next Generation High Speed Rail studies, corridor planning, development, demonstration, and implementation, $19,205,000, to remain available until expended: *Provided,* That funds under this head may be made available for grants to States for high speed rail corridor design, feasibility studies, environmental analyses and track and signal improvements.

TRUST FUND SHARE OF NEXT GENERATION HIGH SPEED RAIL

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For grants and payment of obligations incurred in carrying out the provisions of the High Speed Ground Transportation program as defined in subsections 1036(c) and 1036(d)(1)(B) of the Intermodal Surface Transportation Efficiency Act of 1991, including planning and environmental analyses, $7,118,000, to be derived from the Highway Trust Fund and to remain available until expended: *Provided,* That none of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $5,000,000.

ALASKA RAILROAD REHABILITATION

To enable the Secretary of Transportation to make grants to the Alaska Railroad, $10,000,000 shall be for capital rehabilitation and improvements benefiting its passenger operations.

RHODE ISLAND RAIL DEVELOPMENT

For the costs associated with construction of a third track on the Northeast Corridor between Davisville and Central Falls, Rhode Island, with sufficient clearance to accommodate double stack freight cars, $1,000,000 to be matched by the State of Rhode Island or its designee on a dollar for dollar basis and to remain available until expended: *Provided,* That as a condition of accepting such funds, the Providence and Worcester (P&W) Railroad shall enter into an agreement with the Secretary to reimburse Amtrak and/or the Federal Railroad Administration, on a dollar for dollar basis, up to the first $6,000,000 in damages resulting from the legal action initiated by the P&W Railroad under its existing contracts with Amtrak relating to the provision of vertical clearances between Davisville and Central Falls in excess of those required for present freight operations. Contracts.

GRANTS TO THE NATIONAL RAILROAD PASSENGER CORPORATION

(INCLUDING TRANSFER OF FUNDS)

To enable the Secretary of Transportation to make grants to the National Railroad Passenger Corporation authorized by 49 U.S.C. 24104, $635,000,000, to remain available until expended, of which $305,000,000 shall be available for operating losses and for mandatory passenger rail service payments, $100,000,000 shall be for transition costs incurred by the Corporation, and $230,000,000 shall be for capital improvements: *Provided,* That up to $15,000,000 of the amount made available under this head for capital improvements may, at the discretion of the Corporation, be transferred to the Northeast Corridor Improvement Program: *Provided further,* That funding under this head for capital improvements shall not be made available before July 1, 1996: *Provided further,* That none of the funds herein appropriated shall be used for lease or purchase of passenger motor vehicles or for the hire of vehicle operators for any officer or employee, other than the president of the Corporation, excluding the lease of passenger motor vehicles for those officers or employees while in official travel status.

FEDERAL TRANSIT ADMINISTRATION

ADMINISTRATIVE EXPENSES

For necessary administrative expenses of the Federal Transit Administration's programs authorized by chapter 53 of title 49, United States Code, $42,000,000.

FORMULA GRANTS

For necessary expenses to carry out 49 U.S.C. 5307, 5310(a)(2), 5311, and 5336, to remain available until expended, $942,925,000: *Provided,* That no more than $2,052,925,000 of budget authority shall be available for these purposes: *Provided further,* That of the funds provided under this head for formula grants, no more than $400,000,000 may be used for operating assistance under 49 U.S.C. 5336(d): *Provided further,* That the limitation on operating assistance provided under this heading shall, for urbanized areas of less than 200,000 in population, be no less than seventy-

Urban and rural areas.

five percent of the amount of operating assistance such areas are eligible to receive under Public Law 103–331: *Provided further,* That in the distribution of the limitation provided under this heading to urbanized areas that had a population under the 1990 census of 1,000,000 or more, the Secretary shall direct each such area to give priority consideration to the impact of reductions in operating assistance on smaller transit authorities operating within the area and to consider the needs and resources of such transit authorities when the limitation is distributed among all transit authorities operating in the area.

UNIVERSITY TRANSPORTATION CENTERS

For necessary expenses for university transportation centers as authorized by 49 U.S.C. 5317(b), to remain available until expended, $6,000,000.

TRANSIT PLANNING AND RESEARCH

For necessary expenses for transit planning and research as authorized by 49 U.S.C. 5303, 5311, 5313, 5314, and 5315, to remain available until expended, $85,500,000 of which $39,500,000 shall be for activities under 49 U.S.C. 5303, $4,500,000 for activities under 49 U.S.C. 5311(b)(2), $8,250,000 for activities under 49 U.S.C. 5313(b), $22,000,000 for activities under 49 U.S.C. 5314, $8,250,000 for activities under 49 U.S.C. 5313(a), and $3,000,000 for activities under 49 U.S.C. 5315.

TRUST FUND SHARE OF EXPENSES

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(a), $1,120,850,000, to remain available until expended and to be derived from the Highway Trust Fund: *Provided,* That $1,120,850,000 shall be paid from the Mass Transit Account of the Highway Trust Fund to the Federal Transit Administration's formula grants account.

DISCRETIONARY GRANTS

(LIMITATION ON OBLIGATIONS)

(HIGHWAY TRUST FUND)

None of the funds in this Act shall be available for the implementation or execution of programs the obligations for which are in excess of $1,665,000,000 in fiscal year 1996 for grants under the contract authority in 49 U.S.C. 5338(b): *Provided,* That there shall be available for fixed guideway modernization, $666,000,000; there shall be available for the replacement, rehabilitation, and purchase of buses and related equipment and the construction of bus-related facilities, $333,000,000; and, notwithstanding any other provision of law, except for fixed guideway modernization projects, $21,631,250 made available under Public Law 102–388 under "Federal Transit Administration, Discretionary Grants" for projects specified in that Act or identified in reports accompanying

that Act, not obligated by September 30, 1995, shall be made available for new fixed guideway systems together with the $666,000,000 made available for new fixed guideway systems in this Act, to be available as follows:

$42,410,000 for the Atlanta-North Springs project;

$20,060,000 for the South Boston Piers (MOS–2) project;

$4,250,000 for the Canton-Akron-Cleveland commuter rail project;

$1,000,000 for the Cincinnati Northeast/Northern Kentucky rail line project;

$16,941,000 for the Dallas South Oak Cliff LRT project;

$3,000,000 for the DART North Central light rail extension project;

$6,000,000 for the Dallas-Fort Worth RAILTRAN project;

$10,000,000 for the Florida Tri-County commuter rail project;

$22,630,000 for the Houston Regional Bus project;

$9,720,625 for the Jacksonville ASE extension project;

$85,000,000 for the Los Angeles Metro Rail (MOS–3);

$8,500,000 for the Los Angeles-San Diego commuter rail project;

$10,000,000 for the MARC commuter rail project;

$15,315,000 for the Maryland Central Corridor LRT project;

$2,000,000 for the Miami-North 27th Avenue project;

$1,250,000 for the Memphis, Tennessee Regional Rail Plan;

$80,250,000 for the New Jersey Urban Core-Secaucus project;

$5,000,000 for the New Orleans Canal Street Corridor project;

$126,725,125 for the New York Queens Connection project;

$22,630,000 for the Pittsburgh Airport Phase 1 project;

$130,140,000 for the Portland Westside LRT project;

$2,000,000 for the Sacramento LRT extension project;

$12,500,000 for the St. Louis Metro Link LRT project;

$9,759,500 for the Salt Lake City light rail project, of which not more than $5,000,000 may be available for high-occupancy vehicle lane and intermodal corridor design costs;

$10,000,000 for the San Francisco BART extension to the San Francisco airport project;

$7,500,000 for the San Juan, Puerto Rico Tren Urbano project;

$500,000 for the Tampa to Lakeland commuter rail project;

$2,500,000 for the Whitehall ferry terminal, New York, New York;

$14,400,000 for the Wisconsin central commuter project; and

$5,650,000 for the Burlington-Charlotte, Vermont commuter rail project.

MASS TRANSIT CAPITAL FUND

(LIQUIDATION OF CONTRACT AUTHORIZATION)

(HIGHWAY TRUST FUND)

For payment of obligations incurred in carrying out 49 U.S.C. 5338(b) administered by the Federal Transit Administration,

$2,000,000,000 to be derived from the Highway Trust Fund and to remain available until expended.

WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

For necessary expenses to carry out the provisions of section 14 of Public Law 96–184 and Public Law 101–551, $200,000,000, to remain available until expended.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

The Saint Lawrence Seaway Development Corporation is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act, as amended, as may be necessary in carrying out the programs set forth in the Corporation's budget for the current fiscal year.

OPERATIONS AND MAINTENANCE

(HARBOR MAINTENANCE TRUST FUND)

For necessary expenses for operation and maintenance of those portions of the Saint Lawrence Seaway operated and maintained by the Saint Lawrence Seaway Development Corporation, $10,150,000, to be derived from the Harbor Maintenance Trust Fund, pursuant to Public Law 99–662.

RESEARCH AND SPECIAL PROGRAMS ADMINISTRATION

RESEARCH AND SPECIAL PROGRAMS

For expenses necessary to discharge the functions of the Research and Special Programs Administration, $23,937,000, of which $574,000 shall be derived from the Pipeline Safety Fund, and of which $7,606,000 shall remain available until September 30, 1998: *Provided,* That up to $1,000,000 in fees collected under 49 U.S.C. 5108(g) shall be deposited in the general fund of the Treasury as offsetting receipts: *Provided further,* That there may be credited to this appropriation funds received from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training, for reports publication and dissemination.

PIPELINE SAFETY

(PIPELINE SAFETY FUND)

For expenses necessary to conduct the functions of the pipeline safety program for grants-in-aid to carry out a pipeline safety program, as authorized by 49 U.S.C. 60107 and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, and to discharge the pipeline program responsibilities of the Oil Pollution Act of 1990, $31,448,000, of which $2,698,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 1998; and of which $28,750,000 shall be derived from the Pipeline Safety Fund, of which $19,423,000 shall remain

available until September 30, 1998: *Provided,* That from amounts made available herein from the Pipeline Safety Fund, not to exceed $1,000,000 shall be available for grants to States for the development and establishment of one-call notification systems.

EMERGENCY PREPAREDNESS GRANTS

(EMERGENCY PREPAREDNESS FUND)

For necessary expenses to carry out 49 U.S.C. 5127(c), $400,000 to be derived from the Emergency Preparedness Fund, to remain available until September 30, 1998: *Provided,* That not more than $8,890,000 shall be made available for obligation in fiscal year 1996 from amounts made available by 49 U.S.C. 5116(i) and 5127(d): *Provided further,* That no such funds shall be made available for obligation by individuals other than the Secretary of Transportation, or his designees.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General to carry out the provisions of the Inspector General Act of 1978, as amended, $40,238,000.

BUREAU OF TRANSPORTATION STATISTICS

For expenses necessary to conduct activities related to airline statistics, $2,200,000, of which $272,000 shall remain available until expended.

TITLE II

RELATED AGENCIES

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

SALARIES AND EXPENSES

For expenses necessary for the Architectural and Transportation Barriers Compliance Board, as authorized by section 502 of the Rehabilitation Act of 1973, as amended, $3,500,000: *Provided,* That, notwithstanding any other provision of law, there may be credited to this appropriation funds received for publications and training expenses.

NATIONAL TRANSPORTATION SAFETY BOARD

SALARIES AND EXPENSES

For necessary expenses of the National Transportation Safety Board, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $38,774,000, of which not to exceed $1,000 may be used for official reception and representation expenses.

EMERGENCY FUND

For necessary expenses of the National Transportation Safety Board for accident investigations, including hire of passenger motor vehicles and aircraft; services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for a GS–18; uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902), $360,802 to remain available until expended.

INTERSTATE COMMERCE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Interstate Commerce Commission, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b), $13,379,000, of which $4,984,000 shall be for severance and closing costs: *Provided,* That of the fees collected in fiscal year 1996 by the Interstate Commerce Commission pursuant to 31 U.S.C. 9701, one-twelfth of $8,300,000 of those fees collected shall be made available for each month the Commission remains in existence during fiscal year 1996.

PAYMENTS FOR DIRECTED RAIL SERVICE

(LIMITATION ON OBLIGATIONS)

None of the funds provided in this Act shall be available for the execution of programs the obligations for which can reasonably be expected to exceed $475,000 for directed rail service authorized under 49 U.S.C. 11125 or any other Act.

PANAMA CANAL COMMISSION

PANAMA CANAL REVOLVING FUND

For administrative expenses of the Panama Canal Commission, including not to exceed $11,000 for official reception and representation expenses of the Board; not to exceed $5,000 for official reception and representation expenses of the Secretary; and not to exceed $30,000 for official reception and representation expenses of the Administrator, $50,741,000, to be derived from the Panama Canal Revolving Fund: *Provided,* That funds available to the Panama Canal Commission shall be available for the purchase of not to exceed 38 passenger motor vehicles for replacement only (including large heavy-duty vehicles used to transport Commission personnel across the Isthmus of Panama), the purchase price of which shall not exceed $19,500 per vehicle.

TITLE III

GENERAL PROVISIONS

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. During the current fiscal year applicable appropriations to the Department of Transportation shall be available for maintenance and operation of aircraft; hire of passenger motor

vehicles and aircraft; purchase of liability insurance for motor vehicles operating in foreign countries on official department business; and uniforms, or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

SEC. 302. Funds for the Panama Canal Commission may be apportioned notwithstanding 31 U.S.C. 1341 to the extent necessary to permit payment of such pay increases for officers or employees as may be authorized by administrative action pursuant to law that are not in excess of statutory increases granted for the same period in corresponding rates of compensation for other employees of the Government in comparable positions.

SEC. 303. Funds appropriated under this Act for expenditures by the Federal Aviation Administration shall be available (1) except as otherwise authorized by title VIII of the Elementary and Secondary Education Act of 1965, 20 U.S.C. 7701, et seq., for expenses of primary and secondary schooling for dependents of Federal Aviation Administration personnel stationed outside the continental United States at costs for any given area not in excess of those of the Department of Defense for the same area, when it is determined by the Secretary that the schools, if any, available in the locality are unable to provide adequately for the education of such dependents, and (2) for transportation of said dependents between schools serving the area that they attend and their places of residence when the Secretary, under such regulations as may be prescribed, determines that such schools are not accessible by public means of transportation on a regular basis. 49 USC 106 note.

SEC. 304. Appropriations contained in this Act for the Department of Transportation shall be available for services as authorized by 5 U.S.C. 3109, but at rates for individuals not to exceed the per diem rate equivalent to the rate for an Executive Level IV.

SEC. 305. None of the funds for the Panama Canal Commission may be expended unless in conformance with the Panama Canal Treaties of 1977 and any law implementing those treaties.

SEC. 306. None of the funds in this Act shall be used for the planning or execution of any program to pay the expenses of, or otherwise compensate, non-Federal parties intervening in regulatory or adjudicatory proceedings funded in this Act.

SEC. 307. None of the funds appropriated in this Act shall remain available for obligation beyond the current fiscal year, nor may any be transferred to other appropriations, unless expressly so provided herein.

SEC. 308. The Secretary of Transportation may enter into grants, cooperative agreements, and other transactions with any person, agency, or instrumentality of the United States, any unit of State or local government, any educational institution, and any other entity in execution of the Technology Reinvestment Project authorized under the Defense Conversion, Reinvestment and Transition Assistance Act of 1992 and related legislation: *Provided*, That the authority provided in this section may be exercised without regard to section 3324 of title 31, United States Code.

SEC. 309. The expenditure of any appropriation under this Act for any consulting service through procurement contract pursuant to section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law. Contracts. Public information.

23 USC 104 note.

SEC. 310. (a) For fiscal year 1996 the Secretary of Transportation shall distribute the obligation limitation for Federal-aid highways by allocation in the ratio which sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to each State for such fiscal year bear to the total of the sums authorized to be appropriated for Federal-aid highways that are apportioned or allocated to all the States for such fiscal year.

(b) During the period October 1 through December 31, 1995, no State shall obligate more than 25 per centum of the amount distributed to such State under subsection (a), and the total of all State obligations during such period shall not exceed 12 per centum of the total amount distributed to all States under such subsection.

(c) Notwithstanding subsections (a) and (b), the Secretary shall—

(1) provide all States with authority sufficient to prevent lapses of sums authorized to be appropriated for Federal-aid highways that have been apportioned to a State;

(2) after August 1, 1996, revise a distribution of the funds made available under subsection (a) if a State will not obligate the amount distributed during that fiscal year and redistribute sufficient amounts to those States able to obligate amounts in addition to those previously distributed during that fiscal year giving priority to those States having large unobligated balances of funds apportioned under sections 103(e)(4), 104, and 144 of title 23, United States Code, and under sections 1013(c) and 1015 of Public Law 102–240; and

(3) not distribute amounts authorized for administrative expenses and funded from the administrative takedown authorized by section 104(a), title 23 U.S.C., the Federal lands highway program, the intelligent transportation systems program, and amounts made available under sections 1040, 1047, 1064, 6001, 6005, 6006, 6023, and 6024 of Public Law 102–240, and 49 U.S.C. 5316, 5317, and 5338: *Provided,* That amounts made available under section 6005 of Public Law 102–240 shall be subject to the obligation limitation for Federal-aid highways and highway safety construction programs under the head "Federal-Aid Highways" in this Act.

(d) During the period October 1 through December 31, 1995, the aggregate amount of obligations under section 157 of title 23, United States Code, for projects covered under section 147 of the Surface Transportation Assistance Act of 1978, section 9 of the Federal-Aid Highway Act of 1981, sections 131(b), 131(j), and 404 of Public Law 97–424, sections 1061, 1103 through 1108, 4008, and 6023(b)(8) and 6023(b)(10) of Public Law 102–240, and for projects authorized by Public Law 99–500 and Public Law 100–17, shall not exceed $277,431,840.

(e) During the period August 2 through September 30, 1996, the aggregate amount which may be obligated by all States shall not exceed 2.5 percent of the aggregate amount of funds apportioned or allocated to all States—

(1) under sections 104 and 144 of title 23, United States Code, and 1013(c) and 1015 of Public Law 102–240, and

(2) for highway assistance projects under section 103(e)(4) of title 23, United States Code,

which would not be obligated in fiscal year 1996 if the total amount of the obligation limitation provided for such fiscal year in this Act were utilized.

(f) Paragraph (e) shall not apply to any State which on or after August 1, 1996, has the amount distributed to such State under paragraph (a) for fiscal year 1996 reduced under paragraph (c)(2).

SEC. 311. None of the funds in this Act shall be available for salaries and expenses of more than one hundred political and Presidential appointees in the Department of Transportation: *Provided,* That none of the personnel covered by this provision may be assigned on temporary detail outside the Department of Transportation.

SEC. 312. The limitation on obligations for the programs of the Federal Transit Administration shall not apply to any authority under 49 U.S.C. 5338, previously made available for obligation, or to any other authority previously made available for obligation under the discretionary grants program. 49 USC 5338 note.

SEC. 313. None of the funds in this Act shall be used to implement section 404 of title 23, United States Code.

SEC. 314. Such sums as may be necessary for fiscal year 1996 pay raises for programs funded in this Act shall be absorbed within the levels appropriated in this Act or previous appropriations Acts.

SEC. 315. Funds received by the Research and Special Programs Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training and for reports' publication and dissemination may be credited to the Research and Special Programs account.

SEC. 316. None of the funds in this Act shall be available to plan, finalize, or implement regulations that would establish a vessel traffic safety fairway less than five miles wide between the Santa Barbara Traffic Separation Scheme and the San Francisco Traffic Separation Scheme.

SEC. 317. Notwithstanding any other provision of law, airports may transfer, without consideration, to the Federal Aviation Administration (FAA) instrument landing systems (along with associated approach lighting equipment and runway visual range equipment) which conform to FAA design and performance specifications, the purchase of which was assisted by a Federal airport aid program, airport development aid program or airport improvement program grant. The FAA shall accept such equipment, which shall thereafter be operated and maintained by the FAA in accordance with agency criteria. 49 USC 44502 note.

SEC. 318. None of the funds in this Act shall be available to award a multiyear contract for production end items that (1) includes economic order quantity or long lead time material procurement in excess of $10,000,000 in any one year of the contract or (2) includes a cancellation charge greater than $10,000,000 which at the time of obligation has not been appropriated to the limits of the government's liability or (3) includes a requirement that permits performance under the contract during the second and subsequent years of the contract without conditioning such performance upon the appropriation of funds: *Provided,* That this limitation does not apply to a contract in which the Federal Government incurs no financial liability from not buying additional systems, subsystems, or components beyond the basic contract requirements.

SEC. 319. None of the funds provided in this Act shall be made available for planning and executing a passenger manifest program by the Department of Transportation that only applies to United States flag carriers.

SEC. 320. None of the funds made available in this Act may be used to implement, administer, or enforce the provisions of section 1038(d) of Public Law 102–240.

SEC. 321. Notwithstanding any other provision of law, and except for fixed guideway modernization projects, funds made available by this Act under "Federal Transit Administration, Discretionary grants" for projects specified in this Act or identified in reports accompanying this Act not obligated by September 30, 1998, shall be made available for other projects under 49 U.S.C. 5309.

SEC. 322. Notwithstanding any other provision of law, any funds appropriated before October 1, 1993, under any section of chapter 53 of title 49 U.S.C., that remain available for expenditure may be transferred to and administered under the most recent appropriation heading for any such section.

SEC. 323. None of the funds in this Act shall be available to implement or enforce regulations that would result in the withdrawal of a slot from an air carrier at O'Hare International Airport under section 93.223 of title 14 of the Code of Federal Regulations in excess of the total slots withdrawn from that air carrier as of October 31, 1993 if such additional slot is to be allocated to an air carrier or foreign air carrier under section 93.217 of title 14 of the Code of Federal Regulations.

SEC. 324. None of the funds made available by this Act may be obligated or expended to design, construct, erect, modify or otherwise place any sign in any State relating to any speed limit, distance, or other measurement on any highway if such sign establishes such speed limit, distance, or other measurement using the metric system.

New York.

SEC. 325. Notwithstanding any other provisions of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

SEC. 326. None of the funds in this Act may be used to compensate in excess of 335 technical staff years under the federally-funded research and development center contract between the Federal Aviation Administration and the Center for Advanced Aviation Systems Development during fiscal year 1996.

SEC. 327. Funds provided in this Act for the Department of Transportation working capital fund (WCF) shall be reduced by $7,500,000, which limits fiscal year 1996 WCF obligational authority for elements of the Department of Transportation funded in this Act to no more than $95,649,000: *Provided,* That such reductions from the budget request shall be allocated by the Department of Transportation to each appropriations account in proportion to the amount included in each account for the working capital fund.

SEC. 328. Funds received by the Federal Highway Administration, Federal Transit Administration, and Federal Railroad Administration from States, counties, municipalities, other public authorities, and private sources for expenses incurred for training may be credited respectively to the Federal Highway Administration's "Limitation on General Operating Expenses" account, the Federal Transit Administration's "Transit Planning and Research"

account, and to the Federal Railroad Administration's "Railroad Safety" account, except for State rail safety inspectors participating in training pursuant to 49 U.S.C. 20105.

SEC. 329. (a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

SEC. 330. None of the funds in this Act shall be available to prepare, propose, or promulgate any regulations pursuant to title V of the Motor Vehicle Information and Cost Savings Act (49 U.S.C. 32901, et seq.) prescribing corporate average fuel economy standards for automobiles, as defined in such title, in any model year that differs from standards promulgated for such automobiles prior to enactment of this section.

SEC. 331. Notwithstanding 15 U.S.C. 631 et seq. and 10 U.S.C. 2301 et seq. as amended, the United States Coast Guard acquisition of 47-foot Motor Life Boats for fiscal years 1995 through 2000 shall be subject to full and open competition for all U.S. shipyards. Accordingly, the Federal Acquisition Regulations (FAR) (including but not limited to FAR Part 19), shall not apply to the extent they are inconsistent with a full and open competition.

SEC. 332. None of the funds in this Act may be used for planning, engineering, design, or construction of a sixth runway at the new Denver International Airport, Denver, Colorado: *Provided,* That this provision shall not apply in any case where the Administrator of the Federal Aviation Administration determines, in writing, that safety conditions warrant obligation of such funds.

SEC. 333. (a) Section 5302(a)(1) of title 49, United States Code, is amended by striking—

(1) in subparagraph (B), "that extends the economic life of the bus for at least 5 years"; and

(2) in subparagraph (C), "that extends the economic life of the bus for at least 8 years".

(b) The amendments made by this section shall not take effect before March 31, 1996.

Effective date. 49 USC 5302 note.

SEC. 334. Notwithstanding 31 U.S.C. 3302, funds received by the Bureau of Transportation Statistics from the sale of data products, for necessary expenses incurred pursuant to the provisions of section 6006 of the Intermodal Surface Transportation Efficiency Act of 1991, may be credited to the Federal-aid highways account for the purpose of reimbursing the Bureau for such expenses: *Provided,* That such funds shall not be subject to the obligation limitation for Federal-aid highways and highway safety construction.

SEC. 335. Of the budgetary resources provided to the Department of Transportation (excluding the Maritime Administration) during fiscal year 1996, $25,000,000 are permanently canceled: *Provided,* That the Secretary of Transportation shall reduce the existing field office structure, and to the extent practicable collocate and consolidate the Department's surface transportation field offices and administrative activities: *Provided further,* That the Secretary may for the purpose of consolidation of offices and facilities other than those at Headquarters, after notification to and approval of

the House and Senate Committees on Appropriations, transfer the funds made available by this Act for civilian and military personnel compensation and benefits and other administrative expenses to other appropriations made available to the Department of Transportation as the Secretary may designate, to be merged with and to be available for the same purposes and for the same time period as the appropriations of funds to which transferred: *Provided further,* That no appropriation shall be increased or decreased by more than ten per centum by all such transfers: *Provided further,* That, notwithstanding 5 U.S.C. 905(b), the President may prepare and transmit to Congress not later than the date for transmittal to Congress of the Budget Request for Fiscal Year 1997, a reorganization plan pursuant to chapter 9 of title 5, United States Code, for the reorganization of the surface transportation activities of the Department of Transportation and the relationship of the Saint Lawrence Seaway Development Corporation to the Department.

5 USC 905 note.

SEC. 336. The Secretary of Transportation is authorized to transfer funds appropriated in this Act to "Rental payments" for any expense authorized by that appropriation in excess of the amounts provided in this Act: *Provided,* That prior to any such transfer, notification shall be provided to the House and Senate Committees on Appropriations.

SEC. 337. None of the funds in this Act may be obligated or expended for employee training which: (a) does not meet identified needs for knowledge, skills and abilities bearing directly upon the performance of official duties; (b) contains elements likely to induce high levels of emotional response or psychological stress in some participants; (c) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluations; (d) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988; (e) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or (f) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

SEC. 338. None of the funds in this Act may be used to enforce the requirement that airport charges make the airport as self-sustaining as possible or the prohibition against revenue diversion in the Airport and Airway Improvement Act of 1982 (49 U.S.C. 47107) against Hot Springs Memorial Field in Hot Springs, Arkansas, on the grounds of such airport's failure to collect fair market rental value for the facilities known as Kimery Park and Family Park: *Provided,* That any fees collected by any person for the use of such parks above those required for the operation and maintenance of such parks shall be remitted to such airport: *Provided further,* That the Federal Aviation Administration does not find that any use of, or structures on, Kimery Park and Family Park are incompatible with the safe and efficient use of the airport.

SEC. 339. None of the funds in this Act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress, to

favor or oppose, by vote or otherwise, any legislation or appropriation by Congress, whether before or after the introduction of any bill or resolution proposing such legislation or appropriation: *Provided,* That this shall not prevent officers or employees of the Department of Transportation or related agencies funded in this Act from communicating to Members of Congress on the request of any Member or to Congress, through the proper official channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 340. None of the funds in this Act shall be available to pay the salaries and expenses of any individual to arrange tours of scientists or engineers employed by or working for the People's Republic of China, to hire citizens of the People's Republic of China to participate in research fellowships sponsored by the modal administrations of the Department of Transportation, or to provide training or any form of technology transfer to scientists or engineers employed by or working for the People's Republic of China: *Provided,* That this provision shall not apply to the Federal Aviation Administration or the joint Federal Aviation Administration, Department of Defense and Department of Commerce initiative designed to modernize the air traffic control system of the People's Republic of China.

SEC. 341. None of the funds in this Act may be used to support Federal Transit Administration's field operations and oversight of the Washington Metropolitan Area Transit Authority in any location other than from the Washington, D.C. metropolitan area.

SEC. 342. In addition to the sums made available to the Department of Transportation, $8,421,000 shall be available on the effective date of legislation transferring certain rail and motor carrier functions from the Interstate Commerce Commission to the Department of Transportation: *Provided,* That such amount shall be available only to the extent authorized by law: *Provided further,* That of the fees collected pursuant to 31 U.S.C. 9701 in fiscal year 1996 by the successors of the Interstate Commerce Commission, one-twelfth of $8,300,000 of those fees shall be made available for each month during fiscal year 1996 that the successors of the Interstate Commerce Commission carry out the transferred rail and motor carrier functions.

SEC. 343. None of the funds made available in this Act may be used for improvements to the Miller Highway in New York City, New York.

SEC. 344. Improvements identified as highest priority by section 1069(t) of Public Law 102–240 and funded pursuant to section 118(c)(2) of title 23, United States Code, shall not be treated as an allocation for Interstate maintenance for such fiscal year under section 157(a)(4) of title 23, United States Code, and sections 1013(c), 1015(a)(1), and 1015(b)(1) of Public Law 102–240: *Provided,* That any discretionary grant made pursuant to Public Law 99–663 shall not be subject to section 1015 of Public Law 102–240.

SEC. 345. The Secretary, in consultation with the Secretary of Labor and the Administrator of the Environmental Protection Agency shall, within three months of the date of enactment of this Act, carry out research to identify successful telecommuting programs in the public and private sectors and provide for the dissemination to the public of information regarding the establishment of successful telecommuting programs and the benefits and costs of telecommuting. Within one year of the date of enactment

Research.
Telecommuting.
Public information.

Reports.

of this Act, the Secretary shall report to Congress its findings, conclusions, and recommendations regarding telecommuting developed under this section.

SEC. 346. Notwithstanding section 1003(c) of Public Law 102–240, authorizations for the Indian Reservation Roads under section 1003(a)(6)(A) of Public Law 102–240 shall be exempt from any reduction in authorizations for budget compliance.

49 USC 106 note.

SEC. 347. (a) In consultation with the employees of the Federal Aviation Administration and such non-governmental experts in personnel management systems as he may employ, and notwithstanding the provisions of title 5, United States Code, and other Federal personnel laws, the Administrator of the Federal Aviation Administration shall develop and implement, not later than January 1, 1996, a personnel management system for the Federal Aviation Administration that addresses the unique demands on the agency's workforce. Such a new system shall, at a minimum, provide for greater flexibility in the hiring, training, compensation, and location of personnel.

(b) The provisions of title 5, United States Code, shall not apply to the new personnel management system developed and implemented pursuant to subsection (a), with the exception of—

(1) section 2302(b), relating to whistleblower protection;

(2) sections 3308–3320, relating to veterans' preference;

(3) section 7116(b)(7), relating to limitations on the right to strike;

(4) section 7204, relating to antidiscrimination;

(5) chapter 73, relating to suitability, security, and conduct;

(6) chapter 81, relating to compensation for work injury; and

(7) chapters 83–85, 87, and 89, relating to retirement, unemployment compensation, and insurance coverage.

(c) This section shall take effect on April 1, 1996.

49 USC 40110 note.

SEC. 348. (a) In consultation with such non-governmental experts in acquisition management systems as he may employ, and notwithstanding provisions of Federal acquisition law, the Administrator of the Federal Aviation Administration shall develop and implement, not later than January 1, 1996, an acquisition management system for the Federal Aviation Administration that addresses the unique needs of the agency and, at a minimum, provides for more timely and cost-effective acquisitions of equipment and materials.

(b) The following provisions of Federal acquisition law shall not apply to the new acquisition management system developed and implemented pursuant to subsection (a):

(1) Title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252–266).

(2) The Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.).

(3) The Federal Acquisition Streamlining Act of 1994 (Public Law 103–355).

Contracts.
Small business.

(4) The Small Business Act (15 U.S.C. 631 et seq.), except that all reasonable opportunities to be awarded contracts shall be provided to small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals.

(5) The Competition in Contracting Act.

(6) Subchapter V of chapter 35 of title 31, relating to the procurement protest system.

(7) The Brooks Automatic Data Processing Act (40 U.S.C. 759).

(8) The Federal Acquisition Regulation and any laws not listed in (a) through (e) of this section providing authority to promulgate regulations in the Federal Acquisition Regulation.

(c) This section shall take effect on April 1, 1996. Effective date.

SEC. 349. Funds provided in this Act for bonuses and cash awards for employees of the Department of Transportation shall be reduced by $752,852, which limits fiscal year 1996 obligation authority to no more than $25,875,075: *Provided,* That this provision shall be applied to funds for Senior Executive Service bonuses, merit pay, and other bonuses and cash awards.

SEC. 350. Not to exceed $850,000 of the funds provided in this Act for the Department of Transportation shall be available for the necessary expenses of advisory committees.

SEC. 351. Notwithstanding any other provision of law, the Secretary may use funds appropriated under this Act, or any subsequent Act, to administer and implement the exemption provisions of 49 CFR 580.6 and to adopt or amend exemptions from the disclosure requirements of 49 CFR Part 580 for any class or category of vehicles that the Secretary deems appropriate.

SEC. 352. (a) The Federal Aviation Administration Technical Center located at the Atlantic City International Airport in Pomona, New Jersey, shall be known and designated as the "William J. Hughes Technical Center". Federal buildings and facilities. New Jersey.

(b) Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal Aviation Administration Technical Center referred to in section (a) shall be deemed to be a reference to the "William J. Hughes Technical Center".

SEC. 353. None of the funds in this Act may be used to close any multi-mission small boat stations or subunits: *Provided,* That the Secretary may implement any management efficiencies within the small boat unit system, such as modifying the operational posture of units or reallocating resources as necessary to ensure the safety of the maritime public nationwide, provided that no stations or subunits may be closed.

SEC. 354. TRANSFER OF CERTAIN FEDERAL PROPERTY IN NEW JERSEY.—The first section of the Act entitled "An Act transferring certain Federal property to the city of Hoboken, New Jersey", approved September 27, 1982 (Public Law 97–268, 96 Stat. 1140), is amended—

(1) in subsection (a), by adding "and" at the end, and

(2) by striking "Stat. 220), and" in subsection (b) and all that follows through "New Jersey; concurrent with" and inserting the following: "Stat. 220);
concurrent with".

SEC. 355. SENSE OF SENATE REGARDING UNITED STATES/JAPAN AVIATION DISPUTE.—(a) FINDINGS.—The Congress finds that—

(1) the Governments of the United States and Japan entered into a bilateral aviation agreement in 1952 that has been modified periodically to reflect changes in the aviation relationship between the two countries;

(2) in 1994 the total revenue value of passenger and freight traffic for United States air carriers between the United States and Japan was approximately $6,000,000,000;

(3) the United States/Japan bilateral aviation agreement guarantees three United States carriers "beyond rights" that authorize them to fly into Japan, take on additional passengers and cargo, and then fly to another country;

(4) the United States/Japan bilateral aviation agreement requires that, within 45 days of filing a notice with the Government of Japan, the Government of Japan must authorize United States air carriers to serve routes guaranteed by their "beyond rights";

(5) United States air carriers have made substantial economic investment in reliance upon the expectation their rights under the United States/Japan bilateral aviation agreement would be honored by the Government of Japan;

(6) the Government of Japan has violated the United States/Japan bilateral aviation agreement by preventing United States air carriers from serving routes clearly authorized by their "beyond rights"; and

(7) the refusal by the Government of Japan to respect the terms of the United States/Japan bilateral aviation agreement is having severe repercussions on United States air carriers and, in general, customers of these United States air carriers.

(b) ACTION REQUESTED.—The Congress—

(1) calls upon the Government of Japan to honor and abide by the terms of the United States/Japan bilateral aviation agreement and immediately authorize United States air cargo and passenger carriers which have pending route requests relating to their "beyond rights" to immediately commence service on the requested routes;

(2) calls upon the President of the United States to identify strong and appropriate forms of countermeasures that could be taken against the Government of Japan for its egregious violation of the United States/Japan bilateral aviation agreement; and

(3) calls upon the President of the United States to promptly impose against the Government of Japan whatever countermeasures are necessary and appropriate to ensure the Government of Japan abides by the terms of the United States/Japan bilateral aviation agreement.

Contracts.

SEC. 356. The Secretary of Transportation is hereby authorized and directed to enter into an agreement modifying the agreement entered into pursuant to section 339 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (Public Law 102–388) to conform such agreement to the provisions of section 336 of the Department of Transportation and Related Agencies Appropriations Act, 1995 (Public Law 103–331). Nothing in this section changes the amount of the previous appropriation in section 339, and the line of credit provided for shall not exceed an amount supported by the previous appropriation. In implementing either section 339 or section 336, the Secretary may enter into an agreement requiring an interest rate that is higher than that specified therein.

SEC. 357. AUTHORITY TO USE FUNDS FOR SIDING AND INTERMODAL FACILITY IN RICHLAND COUNTY, NORTH DAKOTA.—Notwith-

standing section 22101(a)(3) of title 49, United States Code, the State of North Dakota may use funds available to the State under section 22106(b) of such title for the building of a siding and intermodal facility proposed by the State in Sections 7 and 8, Township 133 North, Range 47 West, Richland County, North Dakota.

TITLE IV

National Capital Area Interest Arbitration Standards Act of 1995. District of Columbia.

PROVIDING FOR THE ADOPTION OF MANDATORY STANDARDS AND PROCEDURES GOVERNING THE ACTIONS OF ARBITRATORS IN THE ARBITRATION OF LABOR DISPUTES INVOLVING TRANSIT AGENCIES OPERATING IN THE NATIONAL CAPITAL AREA

SECTION. 401. SHORT TITLE.—This title may be cited as the "National Capital Area Interest Arbitration Standards Act of 1995".

SEC. 402. FINDINGS AND PURPOSES.—(a) FINDINGS.—The Congress finds that—

(1) affordable public transportation is essential to the economic vitality of the national capital area and is an essential component of regional efforts to improve air quality to meet environmental requirements and to improve the health of both residents of and visitors to the national capital area as well as to preserve the beauty and dignity of the Nation's capital;

(2) use of mass transit by both residents of and visitors to the national capital area is substantially affected by the prices charged for such mass transit services, prices that are substantially affected by labor costs, since more than ⅔ of operating costs are attributable to labor costs;

(3) labor costs incurred in providing mass transit in the national capital area have increased at an alarming rate and wages and benefits of operators and mechanics currently are among the highest in the Nation;

(4) higher operating costs incurred for public transit in the national capital area cannot be offset by increasing costs to patrons, since this often discourages ridership and thus undermines the public interest in promoting the use of public transit;

(5) spiraling labor costs cannot be offset by the governmental entities that are responsible for subsidy payments for public transit services since local governments generally, and the District of Columbia government in particular, are operating under severe fiscal constraints;

(6) imposition of mandatory standards applicable to arbitrators resolving arbitration disputes involving interstate compact agencies operating in the national capital area will ensure that wage increases are justified and do not exceed the ability of transit patrons and taxpayers to fund the increase; and

(7) Federal legislation is necessary under Article I of section 8 of the United States Constitution to balance the need to moderate and lower labor costs while maintaining industrial peace.

(b) PURPOSE.—It is therefore the purpose of this Act to adopt standards governing arbitration which must be applied by arbitrators resolving disputes involving interstate compact agencies operat-

ing in the national capital area in order to lower operating costs for public transportation in the Washington metropolitan area.

SEC. 403. DEFINITIONS.—As used in this title—

(1) the term "arbitration" means—

(A) the arbitration of disputes, regarding the terms and conditions of employment, that is required under an interstate compact governing an interstate compact agency operating in the national capital area; and

(B) does not include the interpretation and application of rights arising from an existing collective bargaining agreement;

(2) the term "arbitrator" refers to either a single arbitrator, or a board of arbitrators, chosen under applicable procedures;

(3) an interstate compact agency's "funding ability" is the ability of the interstate compact agency, or of any governmental jurisdiction which provides subsidy payments or budgetary assistance to the interstate compact agency, to obtain the necessary financial resources to pay for wage and benefit increases for employees of the interstate compact agency;

(4) the term "interstate compact agency operating in the national capital area" means any interstate compact agency which provides public transit services;

(5) the term "interstate compact agency" means any agency established by an interstate compact to which the District of Columbia is a signatory; and

(6) the term "public welfare" includes, with respect to arbitration under an interstate compact—

(A) the financial ability of the individual jurisdictions participating in the compact to pay for the costs of providing public transit services; and

(B) the average per capita tax burden, during the term of the collective bargaining agreement to which the arbitration relates, of the residents of the Washington, D.C. metropolitan area, and the effect of an arbitration award rendered pursuant to such arbitration on the respective income or property tax rates of the jurisdictions which provide subsidy payments to the interstate compact agency established under the compact.

SEC. 404. STANDARDS FOR ARBITRATORS.—(a) FACTORS IN MAKING ARBITRATION AWARD.—An arbitrator rendering an arbitration award involving the employees of an interstate compact agency operating in the national capital area may not make a finding or a decision for inclusion in a collective bargaining agreement governing conditions of employment without considering the following factors:

(1) The existing terms and conditions of employment of the employees in the bargaining unit.

(2) All available financial resources of the interstate compact agency.

(3) The annual increase or decrease in consumer prices for goods and services as reflected in the most recent consumer price index for the Washington, D.C. metropolitan area, published by the Bureau of Labor Statistics of the United States Department of Labor.

(4) The wages, benefits, and terms and conditions of the employment of other employees who perform, in other jurisdic-

tions in the Washington, D.C. standard metropolitan statistical area, services similar to those in the bargaining unit.

(5) The special nature of the work performed by the employees in the bargaining unit, including any hazards or the relative ease of employment, physical requirements, educational qualifications, job training and skills, shift assignments, and the demands placed upon the employees as compared to other employees of the interstate compact agency.

(6) The interests and welfare of the employees in the bargaining unit, including—

(A) the overall compensation presently received by the employees, having regard not only for wage rates but also for wages for time not worked, including vacations, holidays, and other excused absences;

(B) all benefits received by the employees, including previous bonuses, insurance, and pensions; and

(C) the continuity and stability of employment.

(7) The public welfare.

(b) COMPACT AGENCY'S FUNDING ABILITY.—An arbitrator rendering an arbitration award involving the employees of an interstate compact agency operating in the national capital area may not, with respect to a collective bargaining agreement governing conditions of employment, provide for salaries and other benefits that exceed the interstate compact agency's funding ability.

(c) REQUIREMENTS FOR FINAL AWARD.—In resolving a dispute submitted to arbitration involving the employees of an interstate compact agency operating in the national capital area, the arbitrator shall issue a written award that demonstrates that all the factors set forth in subsections (a) and (b) have been considered and applied. An award may grant an increase in pay rates or benefits (including insurance and pension benefits), or reduce hours of work, only if the arbitrator concludes that any costs to the agency do not adversely affect the public welfare. The arbitrator's conclusion regarding the public welfare must be supported by substantial evidence.

SEC. 405. PROCEDURES FOR ENFORCEMENT OF AWARDS.—(a) MODIFICATIONS AND FINALITY OF AWARD.—In the case of an arbitration award to which section 404 applies, the interstate compact agency and the employees in the bargaining unit, through their representative, may agree in writing upon any modifications to the award within 10 days after the award is received by the parties. After the end of that 10-day period, the award, with any such modifications, shall become binding upon the interstate compact agency, the employees in the bargaining unit, and the employees' representative.

(b) IMPLEMENTATION.—Each party to an award that becomes binding under subsection (a) shall take all actions necessary to implement the award.

(c) JUDICIAL REVIEW.—Within 60 days after an award becomes binding under subsection (a), the interstate compact agency or the exclusive representative of the employees concerned may file a civil action in a court which has jurisdiction over the interstate compact agency for review of the award. The court shall review the award on the record, and shall vacate the award or any part of the award, after notice and a hearing, if—

(1) the award is in violation of applicable law;

(2) the arbitrator exceeded the arbitrator's powers;

(3) the decision by the arbitrator is arbitrary or capricious;

(4) the arbitrator conducted the hearing contrary to the provisions of this title or other statutes or rules that apply to the arbitration so as to substantially prejudice the rights of a party;

(5) there was partiality or misconduct by the arbitrator prejudicing the rights of a party;

(6) the award was procured by corruption, fraud, or bias on the part of the arbitrator; or

(7) the arbitrator did not comply with the provisions of section 404.

This Act may be cited as the "Department of Transportation and Related Agencies Appropriations Act, 1996".

Approved November 15, 1995.

LEGISLATIVE HISTORY—H.R. 2002:

HOUSE REPORTS: Nos. 104–177 (Comm. on Appropriations) and 104–286 (Comm. of Conference).

SENATE REPORTS: No. 104–126 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

July 21, 24, 25, considered and passed House.

Aug. 9, 10, considered and passed Senate, amended.

Oct. 25, House agreed to conference report.

Oct. 31, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 16, Presidential statement.

Public Law 104–51
104th Congress

An Act

To amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.

Nov. 15, 1995
[S. 457]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF CHILD.

Section 101(b) of the Immigration and Nationality Act (8 U.S.C. 1101(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "legitimate child" and inserting "child born in wedlock"; and

(B) in subparagraph (D), by striking "an illegitimate child" and inserting "a child born out of wedlock"; and

(2) in paragraph (2), by striking "an illegitimate child" and inserting "a child born out of wedlock".

Approved November 15, 1995.

LEGISLATIVE HISTORY—S. 457:

CONGRESSIONAL RECORD, Vol. 141 (1995):
July 17, considered and passed Senate.
Oct. 30, considered and passed House.

Public Law 104–52
104th Congress

An Act

Nov. 19, 1995
[H.R. 2020]

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes.

Treasury, Postal Service, and General Government Appropriations Act, 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1996, and for other purposes, namely:

Treasury Department Appropriations Act, 1996.

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed $2,900,000 for official travel expenses; not to exceed $2,950,000 to remain available until expended for information technology modernization requirements; not to exceed $150,000 for official reception and representation expenses; not to exceed $258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; $105,929,000, of which up to $500,000 shall be available to reimburse the District of Columbia Metropolitan Police Department for personnel costs incurred by the Metropolitan Police Department between May 19, 1995 and September 30, 1995 as a result of the closing to vehicular traffic of Pennsylvania Avenue Northwest and other streets in the vicinity of the White House: *Provided,* That section 640 of title VI of the Treasury, Postal Service and General Government Appropriations Act, 1995 (Public Law 103–329, 108 Stat. 2432), is amended by adding at the end thereof the following new sentence: "This section shall not apply to any claim where the employee has received any compensation for overtime hours worked during the period covered by the claim under any other provision of law, including, but not limited to, 5 U.S.C. 5545(c), or to any claim for compensation

for time spent commuting between the employee's residence and duty station.".

TREASURY BUILDINGS AND ANNEX REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Treasury Building and Annex, and the Secret Service Headquarters Building, $21,491,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, hire of passenger motor vehicles; not to exceed $2,000,000 for official travel expenses; not to exceed $100,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Inspector General of the Treasury; $29,319,000.

TREASURY FORFEITURE FUND

For necessary expenses of the Treasury Forfeiture Fund, as authorized by Public Law 102–393, not to exceed $10,000,000, to be derived from deposits in the Fund.

FINANCIAL CRIMES ENFORCEMENT NETWORK

SALARIES AND EXPENSES

For necessary expenses of the Financial Crimes Enforcement Network, including hire of passenger motor vehicles; travel expenses of non-Federal law enforcement personnel to attend meetings concerned with financial intelligence activities, law enforcement, and financial regulation; not to exceed $14,000 for official reception and representation expenses; $22,198,000: *Provided,* That notwithstanding any other provision of law, the Director of the Financial Crimes Enforcement Network may procure up to $500,000 in specialized, unique or novel automatic data processing equipment, ancillary equipment, software, services, and related resources from commercial vendors without regard to otherwise applicable procurement laws and regulations and without full and open competition, utilizing procedures best suited under the circumstances of the procurement to efficiently fulfill the agency's requirements: *Provided further,* That funds appropriated in this account may be used to procure personal services contracts.

FEDERAL LAW ENFORCEMENT TRAINING CENTER

SALARIES AND EXPENSES

For necessary expenses of the Federal Law Enforcement Training Center, as a bureau of the Department of the Treasury, including materials and support costs of Federal law enforcement basic training; purchase (not to exceed fifty-two for police-type use) and hire of passenger motor vehicles; for expenses for student athletic and related activities; uniforms without regard to the general purchase price limitation for the current fiscal year; the conducting

of and participating in firearms matches and presentation of awards; for public awareness and enhancing community support of law enforcement training; not to exceed $7,000 for official reception and representation expenses; room and board for student interns; and services as authorized by 5 U.S.C. 3109: *Provided,* That the Center is authorized to accept and use gifts of property, both real and personal, and to accept services, for authorized purposes, including funding of a gift of intrinsic value which shall be awarded annually by the Director of the Center to the outstanding student who graduated from a basic training program at the Center during the previous fiscal year, which shall be funded only by gifts received through the Center's gift authority: *Provided further,* That notwithstanding any other provision of law, students attending training at any Federal Law Enforcement Training Center site shall reside in on-Center or Center-provided housing, insofar as available and in accordance with Center policy: *Provided further,* That funds appropriated in this account shall be available for training United States Postal Service law enforcement personnel and Postal police officers, at the discretion of the Director; State and local government law enforcement training on a space-available basis; training of foreign law enforcement officials on a space-available basis with reimbursement of actual costs to this appropriation; training of private sector security officials on a space-available basis with reimbursement of actual costs to this appropriation; travel expenses of non-Federal personnel to attend State and local course development meetings at the Center: *Provided further,* That the Center is authorized to obligate funds in anticipation of reimbursements from agencies receiving training at the Federal Law Enforcement Training Center, except that total obligations at the end of the fiscal year shall not exceed total budgetary resources available at the end of the fiscal year: *Provided further,* That the Federal Law Enforcement Training Center is authorized to provide short term medical services for students undergoing training at the Center; $36,070,000, of which $8,666,000 for materials and support costs of Federal law enforcement basic training shall remain available until September 30, 1998.

Gifts and property.
42 USC 3771 note.

ACQUISITION, CONSTRUCTION, IMPROVEMENTS, AND RELATED EXPENSES

For expansion of the Federal Law Enforcement Training Center, for acquisition of necessary additional real property and facilities, and for ongoing maintenance, facility improvements, and related expenses, $9,663,000, to remain available until expended.

FINANCIAL MANAGEMENT SERVICE

SALARIES AND EXPENSES

For necessary expenses of the Financial Management Service, $184,300,000, of which not to exceed $14,277,000 shall remain available until expended for systems modernization initiatives. In addition, $90,000, to be derived from the Oil Spill Liability Trust Fund, to reimburse the Service for administrative and personnel expenses for financial management of the Fund, as authorized by section 1012 of Public Law 101–380.

BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco and Firearms, including purchase of not to exceed six hundred and fifty vehicles for police-type use for replacement only and hire of passenger motor vehicles; hire of aircraft; and services of expert witnesses at such rates as may be determined by the Director; for payment of per diem and/or subsistence allowances to employees where an assignment to the National Response Team during the investigation of a bombing or arson incident requires an employee to work 16 hours or more per day or to remain overnight at his or her post of duty; not to exceed $10,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement; provision of laboratory assistance to State and local agencies, with or without reimbursement; $377,971,000, of which not to exceed $1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which $1,000,000 shall be available for the equipping of any vessel, vehicle, equipment, or aircraft available for official use by a State or local law enforcement agency if the conveyance will be used in drug-related joint law enforcement operations with the Bureau of Alcohol, Tobacco and Firearms and for the payment of overtime salaries, travel, fuel, training, equipment, and other similar costs of State and local law enforcement officers that are incurred in joint operations with the Bureau of Alcohol, Tobacco and Firearms: *Provided,* That no funds made available by this or any other Act may be used to implement any reorganization of the Bureau of Alcohol, Tobacco and Firearms or transfer of the Bureau's functions, missions, or activities to other agencies or Departments in the fiscal year ending on September 30, 1996: *Provided further,* That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of the Treasury, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further,* That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further,* That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further,* That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under 18 U.S.C. section 925(c).

UNITED STATES CUSTOMS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Customs Service, including purchase of up to 1,000 motor vehicles of which 960 are for replacement only, including 990 for police-type use and commercial operations; hire of motor vehicles; not to exceed $20,000

for official reception and representation expenses; and awards of compensation to informers, as authorized by any Act enforced by the United States Customs Service; $1,387,153,000, of which such sums as become available in the Customs User Fee Account, except sums subject to section 13031(f)(3) of the Consolidated Omnibus Reconciliation Act of 1985, as amended (19 U.S.C. 58c(f)(3)), shall be derived from that Account; of that total, not to exceed $150,000 shall be available for payment for rental space in connection with preclearance operations, and not to exceed $4,000,000 shall be available until expended for research: *Provided,* That uniforms may be purchased without regard to the general purchase price limitation for the current fiscal year: *Provided further,* That the Commissioner of the Customs Service designate a single individual to be port director of all United States Government activities at two ports of entry, one on the southern border and one on the northern border: *Provided further,* That $750,000 shall be available for additional part-time and temporary positions in the Honolulu Customs District.

HARBOR MAINTENANCE FEE COLLECTION

For administrative expenses related to the collection of the Harbor Maintenance Fee, pursuant to Public Law 103–182, $3,000,000, to be derived from the Harbor Maintenance Trust Fund and to be transferred to and merged with the Customs "Salaries and Expenses" account for such purposes.

OPERATION AND MAINTENANCE, AIR AND MARINE INTERDICTION PROGRAMS

For expenses, not otherwise provided for, necessary for the operation and maintenance of marine vessels, aircraft, and other related equipment of the Air and Marine Programs, including operational training and mission-related travel, and rental payments for facilities occupied by the air or marine interdiction or demand reduction programs, the operations of which include: the interdiction of narcotics and other goods; the provision of support to Customs and other Federal, State, and local agencies in the enforcement or administration of laws enforced by the Customs Service; and, at the discretion of the Commissioner of Customs, the provision of assistance to Federal, State, and local agencies in other law enforcement and emergency humanitarian efforts; $64,843,000 which shall remain available until expended; in addition, $19,733,000 shall be transferred from the Customs Air and Marine Interdiction Programs, Procurement Account to remain available until expended: *Provided,* That no aircraft or other related equipment, with the exception of aircraft which is one of a kind and has been identified as excess to Customs requirements, and aircraft which has been damaged beyond repair, shall be transferred to any other Federal agency, Department, or office outside of the Department of the Treasury, during fiscal year 1996, without the prior approval of the House and Senate Committees on Appropriations.

CUSTOMS SERVICES AT SMALL AIRPORTS

(TO BE DERIVED FROM FEES COLLECTED)

Such sums as may be necessary, not to exceed $1,406,000, for expenses for the provision of Customs services at certain small airports or other facilities when authorized by law and designated by the Secretary of the Treasury, including expenditures for the salary and expenses of individuals employed to provide such services, to be derived from fees collected by the Secretary of the Treasury pursuant to section 236 of Public Law 98–573 for each of these airports or other facilities when authorized by law and designated by the Secretary of the Treasury, and to remain available until expended.

BUREAU OF THE PUBLIC DEBT

ADMINISTERING THE PUBLIC DEBT

For necessary expenses connected with any public-debt issues of the United States; $180,065,000: *Provided,* That the sum appropriated herein from the General Fund for fiscal year 1996 shall be reduced by not more than $600,000 as definitive security issue fees are collected and not more than $9,465,000 as Treasury Direct Investor Account Maintenance fees are collected, so as to result in a final fiscal year 1996 appropriation from the General Fund estimated at $170,000,000.

INTERNAL REVENUE SERVICE

PROCESSING, ASSISTANCE, AND MANAGEMENT

For necessary expenses of the Internal Revenue Service, not otherwise provided for; including processing tax returns; revenue accounting; providing assistance to taxpayers, management services, and inspection; including purchase (not to exceed 150 for replacement only, for police-type use) and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner: $1,723,764,000, of which up to $3,700,000 shall be for the Tax Counseling for the Elderly Program, and of which not to exceed $25,000 shall be for official reception and representation expenses.

TAX LAW ENFORCEMENT

For necessary expenses of the Internal Revenue Service for determining and establishing tax liabilities; tax and enforcement litigation; technical rulings; examining employee plans and exempt organizations; investigation and enforcement activities; securing unfiled tax returns; collecting unpaid accounts; statistics of income and compliance research; the purchase (for police-type use, not to exceed 850), and hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner $4,097,294,000, of which not to exceed $1,000,000 shall remain available until September 30, 1998 for research: *Provided,* That $13,000,000 shall be used to initiate a program to utilize private counsel law firms and debt collection agencies in the collection activities of the

Internal Revenue Service in compliance with section 104 of this Act.

INFORMATION SYSTEMS

For necessary expenses for data processing and telecommunications support for Internal Revenue Service activities, including: tax systems modernization (modernized developmental systems), modernized operational systems, services and compliance, and support systems; and for the hire of passenger motor vehicles (31 U.S.C. 1343(b)); and services as authorized by 5 U.S.C. 3109, at such rates as may be determined by the Commissioner; $1,527,154,000, of which no less than $695,000,000 shall be available for tax systems modernization activities, of which up to $185,000,000 for tax and information systems development projects shall remain available until September 30, 1998: *Provided,* That of the funds appropriated for tax systems modernization, $100,000,000 may not be obligated until the Secretary of the Treasury provides a report to the Committees on Appropriations of the House and the Senate that (1) with explicit decision criteria, identifies, evaluates, and prioritizes all systems investments planned for fiscal year 1996, (2) provides a schedule for successfully mitigating deficiencies identified by the General Accounting Office in its April 1995 report to the Committees, (3) presents a milestone schedule for development and implementation of all projects included in the tax systems modernization program, and (4) presents a plan to expand the utilization of external expertise for systems development and total program integration.

Reports.

Taxes.

ADMINISTRATIVE PROVISIONS—INTERNAL REVENUE SERVICE

SECTION 1. Not to exceed 2 per centum of any appropriation made available to the Internal Revenue Service for the current fiscal year by this Act may be transferred to any other Internal Revenue Service appropriation upon the advance approval of the House and Senate Committees on Appropriations: *Provided,* That notwithstanding any other provision of this Act, the Internal Revenue Service is authorized to transfer such sums as may be necessary between appropriations with advance approval of the House and Senate Appropriations Committees.

Employee training.
26 USC 7803 note.

SEC. 2. The Internal Revenue Service shall institute and maintain a training program to insure that Internal Revenue Service employees are trained in taxpayers' rights, in dealing courteously with the taxpayers, and in cross-cultural relations.

UNITED STATES SECRET SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Secret Service, including purchase (not to exceed 665 vehicles for police-type use for replacement only) and hire of passenger motor vehicles; hire of aircraft; training and assistance requested by State and local governments, which may be provided without reimbursement; services of expert witnesses at such rates as may be determined by the Director; rental of buildings in the District of Columbia, and fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control, as may

be necessary to perform protective functions; for payment of per diem and/or subsistence allowances to employees where a protective assignment during the actual day or days of the visit of a protectee require an employee to work 16 hours per day or to remain overnight at his or her post of duty; the conducting of and participating in firearms matches; presentation of awards; and for travel of Secret Service employees on protective missions without regard to the limitations on such expenditures in this or any other Act: *Provided,* That approval is obtained in advance from the House and Senate Committees on Appropriations; for repairs, alterations, and minor construction at the James J. Rowley Secret Service Training Center; for research and development; for making grants to conduct behavioral research in support of protective research and operations; not to exceed $12,500 for official reception and representation expenses; not to exceed $50,000 to provide technical assistance and equipment to foreign law enforcement organizations in counterfeit investigations; for payment in advance for commercial accommodations as may be necessary to perform protective functions; and for uniforms without regard to the general purchase price limitation for the current fiscal year; $531,944,000.

VIOLENT CRIME REDUCTION PROGRAMS

For activities authorized by Public Law 103–322, to remain available until expended, which shall be derived from the Violent Crime Reduction Trust Fund, as follows:

(a) As authorized by section 190001(e), $69,314,000, of which $25,690,000 shall be available to the United States Customs Service for expenses associated with "Operation Hardline"; of which $21,010,000 shall be available to the Bureau of Alcohol, Tobacco and Firearms, of which no less than $14,410,000 shall be available to annualize the salaries and related costs for the fiscal year 1995 supplemental initiative, and of which no less than $3,500,000 shall be available for administering the Gang Resistance Education and Training program, and of which $3,100,000 shall be available for ballistics technologies; of which $21,600,000 shall be available to the United States Secret Service, of which no less than $1,600,000 shall be available for enhancing forensics technology to aid missing and exploited children investigations; and of which $1,014,000 shall be available to the Federal Law Enforcement Training Center; and

(b) As authorized by section 32401, $7,200,000, for disbursement through grants, cooperative agreements or contracts, to local governments for Gang Resistance Education and Training: *Provided,* That notwithstanding sections 32401 and 310001, such funds shall be allocated only to the affected State and local law enforcement and prevention organizations participating in such projects.

GENERAL PROVISIONS—DEPARTMENT OF THE TREASURY

SECTION 101. Any obligation or expenditure by the Secretary in connection with law enforcement activities of a Federal agency or a Department of the Treasury law enforcement organization in accordance with 31 U.S.C. 9703(g)(4)(B) from unobligated balances remaining in the Fund on September 30, 1996, shall be made in compliance with the reprogramming guidelines contained in the House and Senate reports accompanying this Act.

SEC. 102. Appropriations to the Treasury Department in this Act shall be available for uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901), including maintenance, repairs, and cleaning; purchase of insurance for official motor vehicles operated in foreign countries; purchase of motor vehicles without regard to the general purchase price limitation for vehicles purchased and used overseas for the current fiscal year; entering into contracts with the Department of State for the furnishing of health and medical services to employees and their dependents serving in foreign countries; and services authorized by 5 U.S.C. 3109.

SEC. 104. None of the funds appropriated by this title shall be used in connection with the collection of any underpayment of any tax imposed by the Internal Revenue Code of 1986 unless the conduct of officers and employees of the Internal Revenue Service in connection with such collection, including any private sector employees under contract to the Internal Revenue Service, complies with subsection (a) of section 805 (relating to communications in connection with debt collection), and section 806 (relating to harassment or abuse), of the Fair Debt Collection Practices Act (15 U.S.C. 1692).

Confidential information. 26 USC 6103 note.

SEC. 105. The Internal Revenue Service shall institute policies and procedures which will safeguard the confidentiality of taxpayer information.

SEC. 106. The funds provided to the Bureau of Alcohol, Tobacco and Firearms for fiscal year 1996 in this Act for the enforcement of the Federal Alcohol Administration Act shall be expended in a manner so as not to diminish enforcement efforts with respect to section 105 of the Federal Alcohol Administration Act.

31 USC 321 note.

SEC. 107. The Secretary of the Treasury is authorized in fiscal year 1996 and hereafter, to use Treasury Department aircraft, with or without reimbursement, to assist bureaus within the Department of the Treasury or other Federal agencies, Departments or offices outside of the Department of the Treasury to provide emergency law enforcement support to protect human life, property, public health, or safety.

This title may be cited as the "Treasury Department Appropriations Act, 1996".

Postal Service Appropriations Act, 1996.

TITLE II—POSTAL SERVICE

PAYMENTS TO THE POSTAL SERVICE

PAYMENT TO THE POSTAL SERVICE FUND

For payment to the Postal Service Fund for revenue forgone on free and reduced rate mail, pursuant to subsections (c) and (d) of section 2401 of title 39, United States Code; $85,080,000: *Provided,* That mail for overseas voting and mail for the blind shall continue to be free: *Provided further,* That six-day delivery and rural delivery of mail shall continue at not less than the 1983 level: *Provided further,* That none of the funds made available to the Postal Service by this Act shall be used to implement any rule, regulation, or policy of charging any officer or employee of any State or local child support enforcement agency, or any individual participating in a State or local program of child support enforcement, a fee for information requested or provided concerning an address of a postal customer: *Provided further,* That none of the funds provided in this Act shall be used to consolidate or close

39 USC 403 note.

small rural and other small post offices in the fiscal year ending on September 30, 1996.

PAYMENT TO THE POSTAL SERVICE FUND FOR NONFUNDED LIABILITIES

For payment to the Postal Service Fund for meeting the liabilities of the former Post Office Department to the Employees' Compensation Fund pursuant to 39 U.S.C. 2004, $36,828,000.

This title may be cited as the "Postal Service Appropriations Act, 1996".

TITLE III—EXECUTIVE OFFICE OF THE PRESIDENT AND FUNDS APPROPRIATED TO THE PRESIDENT

Executive Office Appropriations Act, 1996.

COMPENSATION OF THE PRESIDENT

For compensation of the President, including an expense allowance at the rate of $50,000 per annum as authorized by 3 U.S.C. 102; $250,000: *Provided,* That none of the funds made available for official expenses shall be expended for any other purpose and any unused amount shall revert to the Treasury pursuant to section 1552 of title 31 of the United States Code: *Provided further,* That none of the funds made available for official expenses shall be considered as taxable to the President.

3 USC 102 note.

THE WHITE HOUSE OFFICE

SALARIES AND EXPENSES

For necessary expenses for the White House as authorized by law, including not to exceed $3,850,000 for services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 105; including subsistence expenses as authorized by 3 U.S.C. 105, which shall be expended and accounted for as provided in that section; hire of passenger motor vehicles, newspapers, periodicals, teletype news service, and travel (not to exceed $100,000 to be expended and accounted for as provided by 3 U.S.C. 103); not to exceed $19,000 for official entertainment expenses, to be available for allocation within the Executive Office of the President; $39,459,000.

EXECUTIVE RESIDENCE AT THE WHITE HOUSE

OPERATING EXPENSES

For the care, maintenance, repair and alteration, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the Executive Residence at the White House and official entertainment expenses of the President; $7,827,000, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

WHITE HOUSE REPAIR AND RESTORATION

For the repair, alteration, and improvement of the Executive Residence at the White House, $2,200,000, to remain available until expended for replacement of the White House roof, to be expended and accounted for as provided by 3 U.S.C. 105, 109–110, 112–114.

OFFICIAL RESIDENCE OF THE VICE PRESIDENT

OPERATING EXPENSES

For the care, operation, refurnishing, improvement, heating and lighting, including electric power and fixtures, of the official residence of the Vice President, the hire of passenger motor vehicles, and not to exceed $90,000 for official entertainment expenses of the Vice President, to be accounted for solely on his certificate; $324,000: *Provided,* That advances or repayments or transfers from this appropriation may be made to any department or agency for expenses of carrying out such activities.

SPECIAL ASSISTANCE TO THE PRESIDENT

SALARIES AND EXPENSES

For necessary expenses to enable the Vice President to provide assistance to the President in connection with specially assigned functions, services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 106, including subsistence expenses as authorized by 3 U.S.C. 106, which shall be expended and accounted for as provided in that section; and hire of passenger motor vehicles; $3,280,000.

COUNCIL OF ECONOMIC ADVISERS

SALARIES AND EXPENSES

For necessary expenses of the Council in carrying out its functions under the Employment Act of 1946 (15 U.S.C. 1021), $3,180,000.

OFFICE OF POLICY DEVELOPMENT

SALARIES AND EXPENSES

For necessary expenses of the Office of Policy Development, including services as authorized by 5 U.S.C. 3109, and 3 U.S.C. 107; $3,867,000.

NATIONAL SECURITY COUNCIL

SALARIES AND EXPENSES

For necessary expenses of the National Security Council, including services as authorized by 5 U.S.C. 3109; $6,648,000.

OFFICE OF ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Office of Administration; $25,736,000, including services as authorized by 5 U.S.C. 3109 and 3 U.S.C. 107, and hire of passenger motor vehicles.

OFFICE OF MANAGEMENT AND BUDGET

SALARIES AND EXPENSES

For necessary expenses of the Office of Management and Budget, including hire of passenger motor vehicles, services as

authorized by 5 U.S.C. 3109; $55,573,000, of which not to exceed $5,000,000 shall be available to carry out the provisions of 44 U.S.C. chapter 35: *Provided,* That, as provided in 31 U.S.C. 1301(a), appropriations shall be applied only to the objects for which appropriations were made except as otherwise provided by law: *Provided further,* That none of the funds appropriated in this Act for the Office of Management and Budget may be used for the purpose of reviewing any agricultural marketing orders or any activities or regulations under the provisions of the Agricultural Marketing Agreement Act of 1937 (7 U.S.C. 601 et seq.): *Provided further,* That none of the funds made available for the Office of Management and Budget by this Act may be expended for the altering of the transcript of actual testimony of witnesses, except for testimony of officials of the Office of Management and Budget, before the Committee on Appropriations or the Committee on Veterans' Affairs or their subcommittees: *Provided further,* That this proviso shall not apply to printed hearings released by the Committee on Appropriations or the Committee on Veterans' Affairs.

OFFICE OF NATIONAL DRUG CONTROL POLICY

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy; for research activities pursuant to title I of Public Law 100–690; not to exceed $8,000 for official reception and representation expenses; for participation in joint projects or in the provision of services on matters of mutual interest with nonprofit, research, or public organizations or agencies, with or without reimbursement; $23,500,000, of which $16,000,000, to remain available until expended, shall be available to the Counter-Drug Technology Assessment Center for counternarcotics research and development projects and shall be available for transfer to other Federal departments or agencies; and of the funds made available to the Counter-Drug Technology Assessment Center, $600,000 shall be transferred to the Drug Enforcement Administration for the El Paso Intelligence Center: *Provided,* That the Office is authorized to accept, hold, administer, and utilize gifts, both real and personal, for the purpose of aiding or facilitating the work of the Office.

Gifts and property.

UNANTICIPATED NEEDS

For expenses necessary to enable the President to meet unanticipated needs, in furtherance of the national interest, security, or defense which may arise at home or abroad during the current fiscal year; $1,000,000.

FEDERAL DRUG CONTROL PROGRAMS

HIGH INTENSITY DRUG TRAFFICKING AREAS PROGRAM

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses of the Office of National Drug Control Policy's High Intensity Drug Trafficking Areas Program, $103,000,000 for drug control activities consistent with the approved strategy for each of the designated High Intensity Drug Trafficking

Areas, of which no less than $55,000,000 shall be transferred to State and local entities for drug control activities; and of which up to $48,000,000 may be transferred to Federal agencies and departments at a rate to be determined by the Director: *Provided,* That the funds made available under this head shall be obligated within 90 days of the date of enactment of this Act.

This title may be cited as the "Executive Office Appropriations Act, 1996".

Independent Agencies Appropriations Act, 1996.

TITLE IV—INDEPENDENT AGENCIES

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

SALARIES AND EXPENSES

Government organization. 42 USC note prec. 4271.

For necessary expenses of the Advisory Commission on Intergovernmental Relations, $784,000, of which $334,000 is to carry out the provisions of Public Law 104–4, and of which $450,000 shall be available only for the purposes of the prompt and orderly termination of the Advisory Commission on Intergovernmental Relations.

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

SALARIES AND EXPENSES

Government organization. Termination date. 5 USC note prec. 591.

For necessary expenses of the Administrative Conference of the United States, established under subchapter V of chapter 5 of title 5, United States Code, $600,000: *Provided,* That these funds shall only be available for the purposes of the prompt and orderly termination of the Administrative Conference of the United States by February 1, 1996.

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For necessary expenses of the Committee for Purchase From People Who Are Blind or Severely Disabled established by the Act of June 23, 1971, Public Law 92–28; $1,800,000.

FEDERAL ELECTION COMMISSION

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of the Federal Election Campaign Act of 1971, as amended; $26,521,000, of which no less than $1,500,000 shall be available for internal automated data processing systems, of which not to exceed $5,000 shall be available for reception and representation expenses: *Provided,* That none of the funds appropriated for automated data processing systems may be obligated until the Chairman of the Federal Election Commission provides to the House Committee on Appropriations a systems requirements analysis on the development of such a system.

FEDERAL LABOR RELATIONS AUTHORITY

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Federal Labor Relations Authority, pursuant to Reorganization Plan Numbered 2 of 1978, and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, including hire of experts and consultants, hire of passenger motor vehicles, rental of conference rooms in the District of Columbia and elsewhere; $20,542,000: *Provided,* That public members of the Federal Service Impasses Panel may be paid travel expenses and per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons employed intermittently in the Government service, and compensation as authorized by 5 U.S.C. 3109: *Provided further,* That notwithstanding 31 U.S.C. 3302, funds received from fees charged to non-Federal participants at labor-management relations conferences shall be credited to and merged with this account, to be available without further appropriation for the costs of carrying out these conferences.

GENERAL SERVICES ADMINISTRATION

FEDERAL BUILDINGS FUND

LIMITATIONS ON AVAILABILITY OF REVENUE

(INCLUDING RESCISSION)

For additional expenses necessary to carry out the purpose of the Fund established pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)), $86,000,000, to be deposited into said Fund shall be available for necessary expenses of real property management and related activities not otherwise provided for, including operation, maintenance, and protection of Federally owned and leased buildings; rental of buildings in the District of Columbia; restoration of leased premises; moving governmental agencies (including space adjustments and telecommunications relocation expenses) in connection with the assignment, allocation and transfer of space; contractual services incident to cleaning or servicing buildings, and moving; repair and alteration of federally owned buildings including grounds, approaches and appurtenances; care and safeguarding of sites; maintenance, preservation, demolition, and equipment; acquisition of buildings and sites by purchase, condemnation, or as otherwise authorized by law; acquisition of options to purchase buildings and sites; conversion and extension of Federally owned buildings; preliminary planning and design of projects by contract or otherwise; construction of new buildings (including equipment for such buildings); and payment of principal, interest, taxes, and any other obligations for public buildings acquired by installment purchase and purchase contract, in the aggregate amount of $5,066,149,000, of which (1) not to exceed $545,002,000 shall remain available until expended for construction of additional projects at locations and at maximum construction improvement costs (including funds for sites and expenses and associated design and construction services) as follows:

New Construction:

Colorado:
Lakewood, Denver Federal Center, U.S. Geological Survey Lab Building, $25,802,000
Florida:
Tallahassee, U.S. Courthouse Annex, $24,015,000
Georgia:
Savannah, U.S. Courthouse Annex, $2,597,000
Louisiana:
Lafayette, Federal Building and U.S. Courthouse, $29,565,000
Maryland:
Prince Georges County, Food and Drug Administration, $55,000,000
Nebraska:
Omaha, Federal Building and U.S. Courthouse, $53,424,000
New Mexico:
Albuquerque, Federal Building and U.S. Courthouse, $6,126,000
New York:
Central Islip, Federal Building and U.S. Courthouse, $189,102,000
North Dakota:
Pembina, Border Station, $11,113,000
Pennsylvania:
Scranton, Federal Building and U.S. Courthouse Annex, $24,095,000
South Carolina:
Columbia, U.S. Courthouse Annex, $3,562,000
Texas:
Austin, Veterans Affairs Annex, $7,940,000
Brownsville, Federal Building and U.S. Courthouse, $27,452,000
Washington:
Point Roberts, U.S. Border Station, $3,516,000
Seattle, U.S. Courthouse, $5,600,000
West Virginia:
Martinsburg, Internal Revenue Service Computer Center, $63,408,000
Non-prospectus Projects Program, $12,685,000:

Provided, That each of the immediately foregoing limits of costs on new construction projects may be exceeded to the extent that savings are effected in other such projects, but not to exceed 10 per centum unless advanced approval is obtained from the House and Senate Committees on Appropriations of a greater amount: *Provided further,* That the $6,000,000 under the heading of non-prospectus construction projects, made available in Public Laws 102–393 and 103–123 for the acquisition, lease, construction and equipping of flexiplace work telecommuting centers, is hereby increased by $5,000,000 from funds made available in this Act for non-prospectus construction projects, all of which shall remain available until expended: *Provided further,* That of the $5,000,000 made available by this Act, half shall be used for telecommuting centers in the State of Virginia and half shall be used for telecommuting centers in the State of Maryland: *Provided further,* That of the funds made available for the District of Columbia, Southeast Federal Center, under the heading, "Real Property Activi-

ties, Federal Buildings Fund, Limitations on Availability of Revenue" in Public Law 101–509, $55,000,000 are rescinded: *Provided further,* That the limitation on the availability of revenue contained in such Act is reduced by $55,000,000: *Provided further,* That all funds for direct construction projects shall expire on September 30, 1997, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further,* That claims against the Government of less than $250,000 arising from direct construction projects, acquisitions of buildings and purchase contract projects pursuant to Public Law 92–313, be liquidated with prior notification to the Committees on Appropriations of the House and Senate to the extent savings are effected in other such projects; (2) not to exceed $637,000,000 shall remain available until expended, for repairs and alterations which includes associated design and construction services: *Provided further,* That the amounts provided in this or any prior Act for Repairs and Alterations may be used to fund costs associated with implementing security improvements to buildings necessary to meet the minimum standards for security in accordance with current law and in compliance with the reprogramming guidelines of the appropriate Committees of the House and Senate: *Provided further*, That funds in the Federal Buildings Fund for Repairs and Alterations shall, for prospectus projects, be limited to the amount by project as follows, except each project may be increased by an amount not to exceed 10 per centum unless advance approval is obtained from the Committees on Appropriations of the House and Senate of a greater amount:

Claims.

Repairs and Alterations:

Arkansas:

Little Rock, Federal Building, $7,551,000

California:

Sacramento, Federal Building (2800 Cottage Way), $13,636,000

District of Columbia:

ICC/Connecting Wing Complex/Customs (phase 2/3), $58,275,000

Illinois:

Chicago, Federal Center, $45,971,000

Maryland:

Woodlawn, SSA East High-Low Buildings, $17,422,000

North Dakota:

Bismarck, Federal Building, Post Office and U.S. Courthouse, $7,119,000

Pennsylvania:

Philadelphia, Byrne-Green Complex, $30,909,000

Philadelphia, SSA Building, Mid-Atlantic Program Service Center, $11,376,000

Puerto Rico:

Old San Juan, Post Office and U.S. Courthouse, $25,701,000

Texas:

Dallas, Federal Building (Griffin St.), $5,641,000

Washington:

Richland, Federal Building, U.S. Post Office, and Courthouse, $10,000,000

Nationwide:

Chlorofluorocarbons Program, $43,533,000
Elevator Program, $13,109,000
Energy Program, $20,000,000
Advance Design, $22,000,000

Basic Repairs and Alterations, $304,757,000: *Provided further,* That additional projects for which prospectuses have been fully approved may be funded under this category only if advance approval is obtained from the Committees on Appropriations of the House and Senate: *Provided further,* That the difference between the funds appropriated and expended on any projects in this or any prior Act, under the heading "Repairs and Alterations", may be transferred to Basic Repairs and Alterations or used to fund authorized increases in prospectus projects: *Provided further,* That all funds for repairs and alterations prospectus projects shall expire on September 30, 1997, and remain in the Federal Buildings Fund except funds for projects as to which funds for design or other funds have been obligated in whole or in part prior to such date: *Provided further,* That of the funds provided for Advanced Design, $100,000 shall be made available for architectural design studies for renovation of the National Veterinary Services Laboratory and a biocontainment facility at the National Animal Disease Center, Ames, Iowa: *Provided further,* That the amount provided in this or any prior Act for Basic Repairs and Alterations may be used to pay claims against the Government arising from any projects under the heading "Repairs and Alterations" or used to fund authorized increases in prospectus projects; (3) not to exceed $181,963,000 for installment acquisition payments including payments on purchase contracts which shall remain available until expended; (4) not to exceed $2,326,200,000 for rental of space which shall remain available until expended; and (5) not to exceed $1,302,551,000, of which not to exceed $1,000,000 shall be available for logistical support and personnel services for the Xth Paralympiad for building operations which shall remain available until expended: *Provided further*, That funds available to the General Services Administration shall not be available for expenses in connection with any construction, repair, alteration, and acquisition project for which a prospectus, if required by the Public Buildings Act of 1959, as amended, has not been approved, except that necessary funds may be expended for each project for required expenses in connection with the development of a proposed prospectus: *Provided further,* That the Administrator is authorized to enter into and perform such leases, contracts, or other transactions with any agency or instrumentality of the United States, the several States, or the District of Columbia, or with any person, firm, association, or corporation, as may be necessary to implement the trade center plan at the Federal Triangle Project: *Provided further,* That for the purposes of this authorization, buildings constructed pursuant to the purchase contract authority of the Public Buildings Amendments of 1972 (40 U.S.C. 602a), buildings occupied pursuant to installment purchase contracts, and buildings under the control of another department or agency where alterations of such buildings are required in connection with the moving of such other department or agency from buildings then, or thereafter to be, under the control of the General Services Administration shall be considered to be federally owned buildings: *Provided further,* That funds available in the Federal Buildings Fund may be expended for emergency repairs when advance approval is obtained from the Commit-

tees on Appropriations of the House and Senate: *Provided further,* That amounts necessary to provide reimbursable special services to other agencies under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(f)(6)) and amounts to provide such reimbursable fencing, lighting, guard booths, and other facilities on private or other property not in Government ownership or control as may be appropriate to enable the United States Secret Service to perform its protective functions pursuant to 18 U.S.C. 3056, as amended, shall be available from such revenues and collections: *Provided further,* That revenues and collections and any other sums accruing to this Fund during fiscal year 1996, excluding reimbursements under section 210(f)(6) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 490(f)(6)) in excess of $5,066,149,000 shall remain in the Fund and shall not be available for expenditure except as authorized in appropriations Acts.

OPERATING EXPENSES

For expenses authorized by law, not otherwise provided for, necessary for asset management activities; utilization of excess and disposal of surplus personal property; transportation management activities; procurement and supply management activities; Government-wide and internal responsibilities relating to automated data management, telecommunications, information resources management, and related activities; utilization survey, deed compliance inspection, appraisal, environmental and cultural analysis, and land use planning functions pertaining to excess and surplus real property; agency-wide policy direction; Board of Contract Appeals; accounting, records management, and other support services incident to adjudication of Indian Tribal Claims by the United States Court of Federal Claims; services as authorized by 5 U.S.C. 3109; and not to exceed $5,000 for official reception and representation expenses; $119,091,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General and services authorized by 5 U.S.C. 3109, $33,274,000: *Provided,* That not to exceed $5,000 shall be available for payment for information and detection of fraud against the Government, including payment for recovery of stolen Government property: *Provided further,* That not to exceed $2,500 shall be available for awards to employees of other Federal agencies and private citizens in recognition of efforts and initiatives resulting in enhanced Office of Inspector General effectiveness.

ALLOWANCES AND OFFICE STAFF FOR FORMER PRESIDENTS

For carrying out the provisions of the Act of August 25, 1958, as amended (3 U.S.C. 102 note), and Public Law 95–138; $2,181,000: *Provided,* That the Administrator of General Services shall transfer to the Secretary of the Treasury such sums as may be necessary to carry out the provisions of such Acts.

GENERAL PROVISIONS—GENERAL SERVICES ADMINISTRATION

SECTION 1. The appropriate appropriation or fund available to the General Services Administration shall be credited with the

cost of operation, protection, maintenance, upkeep, repair, and improvement, included as part of rentals received from Government corporations pursuant to law (40 U.S.C. 129).

SEC. 2. Funds available to the General Services Administration shall be available for the hire of passenger motor vehicles.

SEC. 3. Funds in the Federal Buildings Fund made available for fiscal year 1996 for Federal Buildings Fund activities may be transferred between such activities only to the extent necessary to meet program requirements. Any proposed transfers shall be approved in advance by the Committees on Appropriations of the House and Senate.

SEC. 4. No funds made available by this Act shall be used to transmit a fiscal year 1997 request for United States Courthouse construction that does not meet the standards for construction as established by the General Services Administration, the Judicial Conference of the United States, and the Office of Management and Budget and does not reflect the priorities of the Judicial Conference of the United States as set out in its approved five-year construction plan.

Telecommuting.
40 USC 490h.

SEC. 5. The Administrator of General Services is authorized to accept and retain income received by the General Services Administration on or after October 1, 1993, from Federal agencies and non-Federal sources, to defray costs directly associated with the functions of flexiplace work telecommuting centers.

Telecommuting.
Maryland.

SEC. 6. Of the $11,000,000 made available by this Act and Public Laws 102–393 and 103–123 for flexiplace work telecommuting centers, not less than $2,200,000 shall be available for immediate transfer to the Charles County Community College, to provide facilities, equipment, and other services to the General Services Administration for the purposes of establishing telecommuting work centers in Southern Maryland (Charles, Calvert, and St. Mary's County) for use by Government agencies designated by the Administrator of General Services: *Provided,* That the language providing authority to pay a public entity in the State of Maryland, not to exceed $1,300,000 for the purpose of establishing telecommuting work centers in Southern Maryland, under the heading "Federal Buildings Fund Limitations on Availability of Revenue" in Public Law 103–329 (108 Stat. 2400), is hereby repealed.

SEC. 7. Notwithstanding any provision of this or any other Act, during the fiscal year ending September 30, 1996, and thereafter, no funds may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Norfolk Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

SEC. 8. Notwithstanding any provision of this or any other Act, during the fiscal year ending September 30, 1996, and thereafter, no funds may be obligated or expended in any way for the purpose of the sale, excessing, surplusing, or disposal of lands in the vicinity of Bull Shoals Lake, Arkansas, administered by the Corps of Engineers, Department of the Army, without the specific approval of the Congress.

103 Stat. 805.

SEC. 9. Section 17(c) of Public Law 101–136 is amended by—

(a) striking "within 3 years of date of conveyance," and inserting in lieu thereof, "simultaneously"; and by striking the remainder of the first sentence following, "the islands of Hawaii,

Oahu, and Molokai" and inserting a period immediately thereafter; and

(b) in paragraph (2) by striking "in the exchange described in subsection (c)(1)" and inserting, "or recreational" immediately after the word, "educational".

JOHN F. KENNEDY ASSASSINATION RECORDS REVIEW BOARD

For necessary expenses to carry out the John F. Kennedy Assassination Records Collection Act of 1992, $2,150,000.

MERIT SYSTEMS PROTECTION BOARD

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out functions of the Merit Systems Protection Board pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and direct procurement of survey printing, $24,549,000, together with not to exceed $2,430,000 for administrative expenses to adjudicate retirement appeals to be transferred from the Civil Service Retirement and Disability Fund in amounts determined by the Merit Systems Protection Board.

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

OPERATING EXPENSES

For necessary expenses in connection with the administration of the National Archives and records and related activities, as provided by law, and for expenses necessary for the review and declassification of documents, and for the hire of passenger motor vehicles, $199,633,000, of which $4,500,000 shall be available until expended for cataloging, archiving and digitizing activities: *Provided,* That the Archivist of the United States is authorized to use any excess funds available from the amount borrowed for construction of the National Archives facility, for expenses necessary to move into the facility.

ARCHIVES FACILITIES AND PRESIDENTIAL LIBRARIES

REPAIRS AND RESTORATION

For the repair, alteration, and improvement of archives facilities and presidential libraries, $1,500,000, to remain available until expended.

NATIONAL HISTORICAL PUBLICATIONS AND RECORDS COMMISSION

GRANTS PROGRAM

For necessary expenses for allocations and grants for historical publications and records as authorized by 44 U.S.C. 2504, as amended, $5,000,000 to remain available until expended.

OFFICE OF GOVERNMENT ETHICS

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Government Ethics pursuant to the Ethics in Government Act of 1978, as amended by Public Law 100–598, and the Ethics Reform Act of 1989, Public Law 101–194, including services as authorized by 5 U.S.C. 3109, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, and not to exceed $1,500 for official reception and representation expenses; $7,776,000.

OFFICE OF PERSONNEL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses to carry out functions of the Office of Personnel Management pursuant to Reorganization Plan Numbered 2 of 1978 and the Civil Service Reform Act of 1978, including services as authorized by 5 U.S.C. 3109, medical examinations performed for veterans by private physicians on a fee basis, rental of conference rooms in the District of Columbia and elsewhere, hire of passenger motor vehicles, not to exceed $2,500 for official reception and representation expenses, and advances for reimbursements to applicable funds of the Office of Personnel Management and the Federal Bureau of Investigation for expenses incurred under Executive Order 10422 of January 9, 1953, as amended; $88,000,000, of which not to exceed $1,000,000 shall be made available for the establishment of health promotion and disease prevention programs for Federal employees and in addition $102,536,000 for administrative expenses, to be transferred from the appropriate trust funds of the Office of Personnel Management without regard to other statutes, including direct procurement of health benefits printing, for the retirement and insurance programs, of which $11,300,000 shall be transferred at such times as the Office of Personnel Management deems appropriate, and shall remain available until expended for the costs of automating the retirement recordkeeping systems, together with remaining amounts authorized in previous Acts for the recordkeeping systems: *Provided*, That the provisions of this appropriation shall not affect the authority to use applicable trust funds as provided by section 8348(a)(1)(B) of title 5, United States Code: *Provided further,* That, except as may be consistent with 5 U.S.C. 8902a(f)(1) and (i), no payment may be made from the Employees Health Benefits Fund to any physician, hospital, or other provider of health care services or supplies who is, at the time such services or supplies are provided to an individual covered under chapter 89 of title 5, United States Code, excluded, pursuant to section 1128 or 1128A of the Social Security Act (42 U.S.C. 1320a–7–1320a–7a), from participation in any program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.): *Provided further*, That no part of this appropriation shall be available for salaries and expenses of the Legal Examining Unit of the Office of Personnel Management established pursuant to Executive Order 9358 of July 1, 1943, or any successor unit of like purpose: *Provided further*, That the President's Commission

on White House Fellows, established by Executive Order 11183 of October 3, 1964, may, during the fiscal year ending September 30, 1996, accept donations of money, property, and personal services in connection with the development of a publicity brochure to provide information about the White House Fellows, except that no such donations shall be accepted for travel or reimbursement of travel expenses, or for the salaries of employees of such Commission.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF TRUST FUNDS)

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act, as amended, including services as authorized by 5 U.S.C. 3109, hire of passenger motor vehicles: $4,009,000, and in addition, not to exceed $6,181,000 for administrative expenses to audit the Office of Personnel Management's retirement and insurance programs, to be transferred from the appropriate trust funds of the Office of Personnel Management, as determined by the Inspector General: *Provided*, That the Inspector General is authorized to rent conference rooms in the District of Columbia and elsewhere. Rent.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEES HEALTH BENEFITS

For payment of Government contributions with respect to retired employees, as authorized by chapter 89 of title 5, United States Code, and the Retired Federal Employees Health Benefits Act (74 Stat. 849), as amended, $3,746,337,000 to remain available until expended.

GOVERNMENT PAYMENT FOR ANNUITANTS, EMPLOYEE LIFE INSURANCE

For payment of Government contributions with respect to employees retiring after December 31, 1989, as required by chapter 87 of title 5, United States Code, such sums as may be necessary.

PAYMENT TO CIVIL SERVICE RETIREMENT AND DISABILITY FUND

For financing the unfunded liability of new and increased annuity benefits becoming effective on or after October 20, 1969, as authorized by 5 U.S.C. 8348, and annuities under special Acts to be credited to the Civil Service Retirement and Disability Fund, such sums as may be necessary: *Provided,* That annuities authorized by the Act of May 29, 1944, as amended, and the Act of August 19, 1950, as amended (33 U.S.C. 771–75), may hereafter be paid out of the Civil Service Retirement and Disability Fund. 33 USC 776.

GENERAL PROVISIONS—OFFICE OF PERSONNEL MANAGEMENT

Section 1. Section 1104 of title 5, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) by inserting after "title" the following: ", the cost of which examinations shall be reimbursed by

payments from the agencies employing such judges to the revolving fund established under section 1304(e)"; and

(ii) by striking the semicolon at the end of paragraph (2) and inserting in lieu thereof a period; and

(B) by striking the matter following paragraph (2) through "principles."; and

(2) in subsection (b) by adding at the end the following new paragraph:

"(4) At the request of the head of an agency to whom a function has been delegated under subsection (a)(2), the Office may provide assistance to the agency in performing such function. Such assistance shall, to the extent determined appropriate by the Director of the Office, be performed on a reimbursable basis through the revolving fund established under section 1304(e).".

SEC. 2. Subparagraph (B) of section 8348(a)(1) of title 5, United States Code, is amended—

(1) by inserting "in making an allotment or assignment made by an individual under section 8345(h) or 8465(b) of this title," after "law),"; and

(2) by striking "title 26;" and inserting "title 26 or section 8345(k) or 8469 of this title;".

SEC. 3. Section 4(a) of the Federal Workforce Restructuring Act of 1994 (Public Law 103–226; 108 Stat. 111) is amended— 5 USC 8331 note.

(1) by deleting "FISCAL YEARS 1994 AND 1995" and inserting in lieu thereof: "VOLUNTARY SEPARATION INCENTIVE PAYMENTS.—"; and

(2) in paragraph (1)(A) by striking "and before October 1, 1995,".

SEC. 4. Title 5, United States Code, is amended—

(1) in the second section designated as section 3329 (as added by section 4431(a) of Public Law 102–484)—

(A) by redesignating such section as section 3330; and

(B) by adding at the end thereof the following new subsection:

"(f) The Office may, to the extent it determines appropriate, charge such fees to agencies for services provided under this section and for related Federal employment information. The Office shall retain such fees to pay the costs of providing such services and information."; and

5 USC prec. 3301.

(2) in the table of sections for chapter 33 by amending the second item relating to section 3329 to read as follows:

"3330. Government-wide list of vacant positions.".

SEC. 5. Section 1 under the subheading "General Provision" under the heading "Office of Personnel Management" under title IV of the Treasury, Postal Service and General Government Appropriations Act, 1992 (Public Law 102–141; 105 Stat. 861; 5 U.S.C. 5941 note), as amended by section 532 of the Treasury, Postal Service and General Government Appropriations Act, 1995 (Public Law 103–329; 108 Stat. 2413), is further amended by striking "1996" both places it appears and inserting in lieu thereof "1998".

OFFICE OF SPECIAL COUNSEL

SALARIES AND EXPENSES

For necessary expenses to carry out functions of the Office of Special Counsel pursuant to Reorganization Plan Numbered 2 of 1978, the Civil Service Reform Act of 1978 (Public Law 95–454), the Whistleblower Protection Act of 1989 (Public Law 101–12), Public Law 103–424, and the Uniformed Services Employment and Reemployment Act of 1994 (Public Law 103–353), including services as authorized by 5 U.S.C. 3109, payment of fees and expenses for witnesses, rental of conference rooms in the District of Columbia and elsewhere, and hire of passenger motor vehicles; $7,840,000.

UNITED STATES TAX COURT

SALARIES AND EXPENSES

For necessary expenses, including contract reporting and other services as authorized by 5 U.S.C. 3109; $33,269,000: *Provided,* That travel expenses of the judges shall be paid upon the written certificate of the judge. 26 USC 7443 note.

This title may be cited as the "Independent Agencies Appropriations Act, 1996".

TITLE V—GENERAL PROVISIONS

THIS ACT

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law. Contracts. Public information.

SEC. 503. None of the funds made available to the General Services Administration pursuant to section 210(f) of the Federal Property and Administrative Services Act of 1949 shall be obligated or expended after the date of enactment of this Act for the procurement by contract of any guard, elevator operator, messenger or custodial services if any permanent veterans preference employee of the General Services Administration at said date, would be terminated as a result of the procurement of such services, except that such funds may be obligated or expended for the procurement by contract of the covered services with sheltered workshops employing the severely handicapped under Public Law 92–28. Only if such workshops decline to contract for the provision of the covered services may the General Services Administration procure the services by competitive contract, for a period not to exceed 5 years. At such time as such competitive contract expires or is terminated for any reason, the General Services Administration shall again offer to contract for the services from a sheltered workshop prior to offering such services for competitive procurement. Contracts. 40 USC 490c.

SEC. 504. None of the funds made available by this Act shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would prohibit the enforcement of section 307 of the Tariff Act of 1930.

SEC. 505. None of the funds made available by this Act shall be available for the purpose of transferring control over the Federal Law Enforcement Training Center located at Glynco, Georgia, and Artesia, New Mexico, out of the Treasury Department.

SEC. 506. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes within the United States not heretofore authorized by the Congress.

SEC. 507. No part of any appropriation contained in this Act shall be available for the payment of the salary of any officer or employee of the United States Postal Service, who—

(1) prohibits or prevents, or attempts or threatens to prohibit or prevent, any officer or employee of the United States Postal Service from having any direct oral or written communication or contact with any Member or committee of Congress in connection with any matter pertaining to the employment of such officer or employee or pertaining to the United States Postal Service in any way, irrespective of whether such communication or contact is at the initiative of such officer or employee or in response to the request or inquiry of such Member or committee; or

(2) removes, suspends from duty without pay, demotes, reduces in rank, seniority, status, pay, or performance of efficiency rating, denies promotion to, relocates, reassigns, transfers, disciplines, or discriminates in regard to any employment right, entitlement, or benefit, or any term or condition of employment of, any officer or employee of the United States Postal Service, or attempts or threatens to commit any of the foregoing actions with respect to such officer or employee, by reason of any communication or contact of such officer or employee with any Member or committee of Congress as described in paragraph (1) of this subsection.

SEC. 508. The Office of Personnel Management may, during the fiscal year ending September 30, 1996, accept donations of supplies, services, land and equipment for the Federal Executive Institute and Management Development Centers to assist in enhancing the quality of Federal management.

SEC. 509. The United States Secret Service may, during the fiscal year ending September 30, 1996, accept donations of money to off-set costs incurred while protecting former Presidents and spouses of former Presidents when the former President or spouse travels for the purpose of making an appearance or speech for a payment of money or any thing of value.

19 USC 2 note.

SEC. 512. Notwithstanding any provision of this or any other Act, during the fiscal year ending September 30, 1996, and thereafter, no funds may be obligated or expended in any way to withdraw the designation of the Virginia Inland Port at Front Royal, Virginia, as a United States Customs Service port of entry.

SEC. 513. No part of any appropriation contained in this Act shall be available to pay the salary for any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the Armed Forces of the United States and

has satisfactorily completed his period of active military or naval service and has within ninety days after his release from such service or from hospitalization continuing after discharge for a period of not more than one year made application for restoration to his former position and has been certified by the Office of Personnel Management as still qualified to perform the duties of his former position and has not been restored thereto.

SEC. 514. None of the funds made available in this Act may be used to provide any non-public information such as mailing or telephone lists to any person or any organization outside of the Federal Government without the approval of the House and Senate Committees on Appropriations.

SEC. 515. COMPLIANCE WITH BUY AMERICAN ACT.—No funds appropriated pursuant to this Act may be expended by an entity unless the entity agrees that in expending the assistance the entity will comply with sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the "Buy American Act").

SEC. 516. SENSE OF CONGRESS; REQUIREMENT REGARDING NOTICE.—(a) PURCHASE OF AMERICAN-MADE EQUIPMENT AND PRODUCTS.—In the case of any equipment or products that may be authorized to be purchased with financial assistance provided under this Act, it is the sense of the Congress that entities receiving such assistance should, in expending the assistance, purchase only American-made equipment and products.

(b) NOTICE TO RECIPIENTS OF ASSISTANCE.—In providing financial assistance under this Act, the Secretary of the Treasury shall provide to each recipient of the assistance a notice describing the statement made in subsection (a) by the Congress.

SEC. 517. PROHIBITION OF CONTRACTS.—If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, such person shall be ineligible to receive any contract or subcontract made with funds provided pursuant to this Act, pursuant to the debarment, suspension, and ineligibility procedures described in section 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 518. Except as otherwise specifically provided by law, not to exceed 50 percent of unobligated balances remaining available at the end of fiscal year 1996 from appropriations made available for salaries and expenses for fiscal year 1996 in this Act, shall remain available through September 30, 1997 for each such account for the purposes authorized: *Provided,* That a request shall be submitted to the House and Senate Committees on Appropriations for approval prior to the expenditure of such funds.

SEC. 519. Where appropriations in this Act are expendable for travel expenses of employees and no specific limitation has been placed thereon, the expenditures for such travel expenses may not exceed the amount set forth therefore in the budget estimates submitted for appropriations without the advance approval of the House and Senate Committees on Appropriations: *Provided,* That this section shall not apply to travel performed by uncompensated officials of local boards and appeal boards in the Selective Service System; to travel performed directly in connection with care and treatment of medical beneficiaries of the Department

of Veterans Affairs; to travel of the Office of Personnel Management in carrying out its observation responsibilities of the Voting Rights Act; or to payments to interagency motor pools separately set forth in the budget schedules.

SEC. 520. Notwithstanding any other provision of law or regulation: (1) The authority of the special police officers of the Bureau of Engraving and Printing, in the Washington, DC Metropolitan area, extends to buildings and land under the custody and control of the Bureau; to buildings and land acquired by or for the Bureau through lease, unless otherwise provided by the acquisition agency; to the streets, sidewalks and open areas immediately adjacent to the Bureau along Wallenberg Place (15th Street) and 14th Street between Independence and Maine Avenues and C and D Streets between 12th and 14th Streets; to areas which include surrounding parking facilities used by Bureau employees, including the lots at 12th and C Streets, SW, Maine Avenue and Water Streets, SW, Maiden Lane, the Tidal Basin and East Potomac Park; to the protection in transit of United States securities, plates and dies used in the production of United States securities, or other products or implements of the Bureau of Engraving and Printing which the Director of that agency so designates; (2) The exercise of police authority by Bureau officers, with the exception of the exercise of authority upon property under the custody and control of the Bureau, shall be deemed supplementary to the Federal police force with primary jurisdictional responsibility. This authority shall be in addition to any other law enforcement authority which has been provided to these officers under other provisions of law or regulations.

SEC. 521. Section 5378 of title 5, United States Code, is amended by adding: "(8) Chief—not more than the maximum rate payable for GS–14.".

31 USC 5136.

Coins.

SEC. 522. Subchapter III of chapter 51 of subtitle IV of title 31, United States Code, is amended by adding at the end thereof the following new section: "SEC. 5136. UNITED STATES MINT PUBLIC ENTERPRISE FUND.". There shall be established in the Treasury of the United States, a United States Mint Public Enterprise Fund (the "Fund") for fiscal year 1996 and hereafter: *Provided,* That all receipts from Mint operations and programs, including the production and sale of numismatic items, the production and sale of circulating coinage, the protection of Government assets, and gifts and bequests of property, real or personal shall be deposited into the Fund and shall be available without fiscal year limitations: *Provided further,* That all expenses incurred by the Secretary of the Treasury for operations and programs of the United States Mint that the Secretary of the Treasury determines, in the Secretary's sole discretion, to be ordinary and reasonable incidents of Mint operations and programs, and any expense incurred pursuant to any obligation or other commitment of Mint operations and programs that was entered into before the establishment of the Fund, shall be paid out of the Fund: *Provided further,* That not to exceed 6.2415 percent of the nominal value of the coins minted, shall be paid out of the Fund for the circulating coin operations and programs in fiscal year 1996 for those operations and programs previously provided for by appropriation: *Provided further,* That the Secretary of the Treasury may borrow such funds from the General Fund as may be necessary to meet existing liabilities and obligations incurred prior to the receipt of revenues

into the Fund: *Provided further,* That the General Fund shall be reimbursed for such funds by the Fund within one year of the date of the loan: *Provided further,* That the Fund may retain receipts from the Federal Reserve System from the sale of circulating coins at face value for deposit into the Fund (retention of receipts is for the circulating operations and programs): *Provided further,* That the Secretary of the Treasury shall transfer to the Fund all assets and liabilities of the Mint operations and programs, including all Numismatic Public Enterprise Fund assets and liabilities, all receivables, unpaid obligations and unobligated balances from the Mint's appropriation, the Coinage Profit Fund, and the Coinage Metal Fund, and the land and buildings of the Philadelphia Mint, Denver Mint, and the Fort Knox Bullion Depository: *Provided further,* That the Numismatic Public Enterprise Fund, the Coinage Profit Fund and the Coinage Metal Fund shall cease to exist as separate funds as their activites and functions are subsumed under and subject to the Fund, and the requirements of 31 USC 5134(c)(4), (c)(5)(B), and (d) and (e) of the Numismatic Public Enterprise Fund shall apply to the Fund: *Provided further,* That at such times as the Secretary of the Treasury determines appropriate, but not less than annually, any amount in the Fund that is determined to be in excess of the amount required by the Fund shall be transferred to the Treasury for deposit as miscellaneous receipts: *Provided further,* That the term "Mint operations and programs" means (1) the activities concerning, and assets utilized in, the production, administration, distribution, marketing, purchase, sale, and management of coinage, numismatic items, the protection and safeguarding of Mint assets and those non-Mint assets in the custody of the Mint, and the Fund; and (2) includes capital, personnel salaries and compensation, functions relating to operations, marketing, distribution, promotion, advertising, official reception and representation, the acquisition or replacement of equipment, the renovation or modernization of facilities, and the construction or acquisition of new buildings: *Provided further,* That the term "numismatic item" includes any medal, proof coin, uncirculated coin, bullion coin, numismatic collectible, other monetary issuances and products and accessories related to any such medal or coin: *Provided further,* That provisions of law governing procurement or public contracts shall not be applicable to the procurement of goods or services necessary for carrying out Mint programs and operations.

SEC. 523. Section 531 of Public Law 103–329, is amended by inserting, "of the first section", after "adding at the end". 3 USC 102 note.

SEC. 524. No funds appropriated by this Act shall be available to pay for an abortion, or the administrative expenses in connection with any health plan under the Federal employees health benefit program which provides any benefits or coverage for abortions, after the last day of the contract currently in force for any such negotiated plan. Abortion.

SEC. 525. The provision of section 524 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or that the pregnancy is the result of an act of rape or incest.

SEC. 526. Notwithstanding any other provision of law, the Administrator of General Services shall delegate the authority to procure automatic data processing equipment for the Tax Systems Modernization Program to the Secretary of the Treasury: *Provided,* 40 USC 759 note.

That the Director of the Office of Management and Budget shall have the authority to revoke such delegation upon the written recommendation of the Administrator that the Secretary's actions under such delegation are inconsistent with the goals of economic and efficient procurement and utilization of automatic data processing equipment: *Provided further,* That for all other purposes, a procurement conducted under such delegation shall be treated as if made under a delegation by the Administrator pursuant to 40 U.S.C. 759.

Postal service.
39 USC 3626 note.

SEC. 527. RELIEF OF CERTAIN PERIODICAL PUBLICATIONS.—For mail classification purposes under section 3626 of title 39, United States Code, and any regulations of the United States Postal Service for the administration of that section, a weekly second-class periodical publication which—

(i) is eligible to publish legal notices under any applicable laws of the State where it is published;

(ii) is eligible to be mailed at the rates for mail under former subsection 4358 (a), (b), and (c) of title 39, United States Code, as limited by current subsection 3626(g) of that title; and

(iii) the pages of which were customarily secured by 2 staples before March 19, 1989;

shall not be considered to be a bound publication solely because its pages continue to be secured by 2 staples after that date.

SEC. 528. (a) Prior to February 15, 1996, none of the funds appropriated by this Act may, with respect to an individual employed by the Bureau of the Public Debt in the Washington metropolitan region on April 10, 1991, be used to separate, reduce the grade or pay of, or carry out any other adverse personnel action against such individual for declining to accept a directed reassignment to a position outside such region, pursuant to a transfer of any such Bureau's operations or functions to Parkersburg, West Virginia.

(b) Subsection (a) shall not apply with respect to any individual who, prior to February 15, 1996, declines an offer of another position in the Department of the Treasury which is of at least equal pay and which is within the Washington metropolitan region.

18 USC 3056 note.

SEC. 529. Section 4 of the Presidential Protection Assistance Act of 1976, Public Law 94–524, is amended by striking "$75,000" and inserting in lieu thereof "$200,000".

SEC. 530. No part of any appropriation made available in this Act shall be used to implement Bureau of Alcohol, Tobacco and Firearms Ruling TD ATF–360; Re: Notice Nos. 782, 780, 91F009P.

SEC. 531. Section 5542 of title 5, United States Code, is amended by adding the following new subsection at the end:

"(e) Notwithstanding subsection (d)(1) of this section, all hours of overtime work scheduled in advance of the administrative workweek shall be compensated under subsection (a) if that work involves duties as authorized by section 3056(a) of title 18, United States Code, and if the investigator performs, on that same day, at least 2 hours of overtime work not scheduled in advance of the administrative workweek.".

TITLE VI—GOVERNMENTWIDE GENERAL PROVISIONS

DEPARTMENTS, AGENCIES, AND CORPORATIONS

SECTION 601. Funds appropriated in this or any other Act may be used to pay travel to the United States for the immediate family of employees serving abroad in cases of death or life threatening illness of said employee.

Drug-free workplace.

SEC. 602. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1996 shall obligate or expend any such funds, unless such department, agency, or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from the illegal use, possession, or distribution of controlled substances (as defined in the Controlled Substances Act) by the officers and employees of such department, agency, or instrumentality.

SEC. 603. Notwithstanding 31 U.S.C. 1345, any agency, department or instrumentality of the United States which provides or proposes to provide child care services for Federal employees may reimburse any Federal employee or any person employed to provide such services for travel, transportation, and subsistence expenses incurred for training classes, conferences or other meetings in connection with the provision of such services: *Provided,* That any per diem allowance made pursuant to this section shall not exceed the rate specified in regulations prescribed pursuant to section 5707 of title 5, United States Code.

31 USC 1343 note.

SEC. 604. Unless otherwise specifically provided, the maximum amount allowable during the current fiscal year in accordance with section 16 of the Act of August 2, 1946 (60 Stat. 810), for the purchase of any passenger motor vehicle (exclusive of buses, ambulances, law enforcement, and undercover surveillance vehicles), is hereby fixed at $8,100 except station wagons for which the maximum shall be $9,100: *Provided,* That these limits may be exceeded by not to exceed $3,700 for police-type vehicles, and by not to exceed $4,000 for special heavy-duty vehicles: *Provided further,* That the limits set forth in this section may not be exceeded by more than five percent for electric or hybrid vehicles purchased for demonstration under the provisions of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976: *Provided further,* That the limits set forth in this section may be exceeded by the incremental cost of clean alternative fuels vehicles acquired pursuant to Public Law 101–549 over the cost of comparable conventionally fueled vehicles.

SEC. 605. Appropriations of the executive departments and independent establishments for the current fiscal year available for expenses of travel or for the expenses of the activity concerned, are hereby made available for quarters allowances and cost-of-living allowances, in accordance with 5 U.S.C. 5922–24.

5 USC 3101 note.

SEC. 606. Unless otherwise specified during the current fiscal year no part of any appropriation contained in this or any other Act shall be used to pay the compensation of any officer or employee of the Government of the United States (including any agency the majority of the stock of which is owned by the Government of the United States) whose post of duty is in the continental United States unless such person (1) is a citizen of the United States, (2) is a person in the service of the United States on

the date of enactment of this Act who, being eligible for citizenship, has filed a declaration of intention to become a citizen of the United States prior to such date and is actually residing in the United States, (3) is a person who owes allegiance to the United States, (4) is an alien from Cuba, Poland, South Vietnam, the countries of the former Soviet Union, or the Baltic countries lawfully admitted to the United States for permanent residence, (5) South Vietnamese, Cambodian, and Laotian refugees paroled in the United States after January 1, 1975, or (6) nationals of the People's Republic of China that qualify for adjustment of status pursuant to the Chinese Student Protection Act of 1992: *Provided,* That for the purpose of this section, an affidavit signed by any such person shall be considered prima facie evidence that the requirements of this section with respect to his or her status have been complied with: *Provided further,* That any person making a false affidavit shall be guilty of a felony, and, upon conviction, shall be fined no more than $4,000 or imprisoned for not more than one year, or both: *Provided further,* That the above penal clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further,* That any payment made to any officer or employee contrary to the provisions of this section shall be recoverable in action by the Federal Government. This section shall not apply to citizens of Ireland, Israel, the Republic of the Philippines or to nationals of those countries allied with the United States in the current defense effort, or to international broadcasters employed by the United States Information Agency, or to temporary employment of translators, or to temporary employment in the field service (not to exceed sixty days) as a result of emergencies.

Law enforcement and crime.

SEC. 607. Appropriations available to any department or agency during the current fiscal year for necessary expenses, including maintenance or operating expenses, shall also be available for payment to the General Services Administration for charges for space and services and those expenses of renovation and alteration of buildings and facilities which constitute public improvements performed in accordance with the Public Buildings Act of 1959 (73 Stat. 749), the Public Buildings Amendments of 1972 (87 Stat. 216), or other applicable law.

Recycling. Environmental protection.

SEC. 608. In addition to funds provided in this or any other Act, all Federal agencies are authorized to receive and use funds resulting from the sale of materials recovered through recycling or waste prevention programs. Such funds shall be available until expended for the following purposes:

(1) Acquisition, waste reduction and prevention and recycling programs as described in Executive Order 12873 (October 20, 1993), including any such programs adopted prior to the effective date of the Executive Order.

(2) Other Federal agency environmental management programs, including but not limited to, the development and implementation of hazardous waste management and pollution prevention programs.

(3) Other employee programs as authorized by law or as deemed appropriate by the head of the Federal agency.

SEC. 609. Funds made available by this or any other Act for administrative expenses in the current fiscal year of the corporations and agencies subject to chapter 91 of title 31, United States Code, shall be available, in addition to objects for which such funds are otherwise available, for rent in the District of Columbia;

services in accordance with 5 U.S.C. 3109; and the objects specified under this head, all the provisions of which shall be applicable to the expenditure of such funds unless otherwise specified in the Act by which they are made available: *Provided,* That in the event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

Rent.

SEC. 611. Any department or agency to which the Administrator of General Services has delegated the authority to operate, maintain or repair any building or facility pursuant to section 205(d) of the Federal Property and Administrative Services Act of 1949, as amended, shall retain that portion of the GSA rental payment available for operation, maintenance or repair of the building or facility, as determined by the Administrator, and expend such funds directly for the operation, maintenance or repair of the building or facility. Any funds retained under this section shall remain available until expended for such purposes.

SEC. 612. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided,* That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

SEC. 613. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

Postal service.
Law enforcement and crime.

SEC. 614. Funds made available by this or any other Act to the "Postal Service Fund" (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 615. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or

enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

Locality pay.
5 USC 5343 note.

SEC. 616. (a) Notwithstanding any other provision of law, and except as otherwise provided in this section, no part of any of the funds appropriated for the fiscal year ending on September 30, 1996, by this or any other Act, may be used to pay any prevailing rate employee described in section 5342(a)(2)(A) of title 5, United States Code—

(1) during the period from the date of expiration of the limitation imposed by section 617 of the Treasury, Postal Service and General Government Appropriations Act, 1995, until the normal effective date of the applicable wage survey adjustment that is to take effect in fiscal year 1996, in an amount that exceeds the rate payable for the applicable grade and step of the applicable wage schedule in accordance with such section 617; and

(2) during the period consisting of the remainder of fiscal year 1996, in an amount that exceeds, as a result of a wage survey adjustment, the rate payable under paragraph (1) by more than the sum of—

(A) the percentage adjustment taking effect in fiscal year 1996 under section 5303 of title 5, United States Code, in the rates of pay under the General Schedule; and

(B) the difference between the overall average percentage of the locality-based comparability payments taking effect in fiscal year 1996 under section 5304 of such title (whether by adjustment or otherwise), and the overall average percentage of such payments which was effective in fiscal year 1995 under such section.

(b) Notwithstanding any other provision of law, no prevailing rate employee described in subparagraph (B) or (C) of section 5342(a)(2) of title 5, United States Code, and no employee covered by section 5348 of such title, may be paid during the periods for which subsection (a) is in effect at a rate that exceeds the rates that would be payable under subsection (a) were subsection (a) applicable to such employee.

Regulations.

(c) For the purposes of this section, the rates payable to an employee who is covered by this section and who is paid from a schedule not in existence on September 30, 1995, shall be determined under regulations prescribed by the Office of Personnel Management.

(d) Notwithstanding any other provision of law, rates of premium pay for employees subject to this section may not be changed from the rates in effect on September 30, 1995, except to the extent determined by the Office of Personnel Management to be consistent with the purpose of this section.

Effective date.

(e) This section shall apply with respect to pay for service performed after September 30, 1995.

(f) For the purpose of administering any provision of law (including section 8431 of title 5, United States Code, and any rule or regulation that provides premium pay, retirement, life insurance, or any other employee benefit) that requires any deduction or contribution, or that imposes any requirement or limitation on the basis of a rate of salary or basic pay, the rate of salary or

basic pay payable after the application of this section shall be treated as the rate of salary or basic pay.

(g) Nothing in this section shall be considered to permit or require the payment to any employee covered by this section at a rate in excess of the rate that would be payable were this section not in effect.

(h) The Office of Personnel Management may provide for exceptions to the limitations imposed by this section if the Office determines that such exceptions are necessary to ensure the recruitment or retention of qualified employees.

SEC. 617. During the period in which the head of any department or agency, or any other officer or civilian employee of the Government appointed by the President of the United States, holds office, no funds may be obligated or expended in excess of $5,000 to furnish or redecorate the office of such department head, agency head, officer or employee, or to purchase furniture or make improvements for any such office, unless advance notice of such furnishing or redecoration is expressly approved by the Committees on Appropriations of the House and Senate. For the purposes of this section, the word "office" shall include the entire suite of offices assigned to the individual, as well as any other space used primarily by the individual or the use of which is directly controlled by the individual.

SEC. 618. Notwithstanding any other provision of law, no executive branch agency shall purchase, construct, and/or lease any additional facilities, except within or contiguous to existing locations, to be used for the purpose of conducting Federal law enforcement training without the advance approval of the House and Senate Committees on Appropriations.

Telecommunications.

SEC. 619. Notwithstanding section 1346 of title 31, United States Code, or Sec. 613 of this Act, funds made available for fiscal year 1996 by this or any other Act shall be available for the interagency funding of national security and emergency preparedness telecommunications initiatives which benefit multiple Federal departments, agencies, or entities, as provided by Executive Order Numbered 12472 (April 3, 1984).

31 USC 1348 note.

SEC. 620. Notwithstanding any provisions of this or any other Act, during the fiscal year ending September 30, 1996, and hereafter, any department, division, bureau, or office may use funds appropriated by this or any other Act to install telephone lines, and necessary equipment, and to pay monthly charges, in any private residence or private apartment of an employee who has been authorized to work at home in accordance with guidelines issued by the Office of Personnel Management: *Provided,* That the head of the department, division, bureau, or office certifies that adequate safeguards against private misuse exist, and that the service is necessary for direct support of the agency's mission.

SEC. 621. (a) None of the funds appropriated by this or any other Act may be obligated or expended by any Federal department, agency, or other instrumentality for the salaries or expenses of any employee appointed to a position of a confidential or policy-determining character excepted from the competitive service pursuant to section 3302 of title 5, United States Code, without a certification to the Office of Personnel Management from the head of the Federal department, agency, or other instrumentality employing the Schedule C appointee that the Schedule C position was not

created solely or primarily in order to detail the employee to the White House.

(b) The provisions of this section shall not apply to Federal employees or members of the armed services detailed to or from—

(1) the Central Intelligence Agency;

(2) the National Security Agency;

(3) the Defense Intelligence Agency;

(4) the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs;

(5) the Bureau of Intelligence and Research of the Department of State;

(6) any agency, office, or unit of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation and the Drug Enforcement Administration of the Department of Justice, the Department of Transportation, the Department of the Treasury, and the Department of Energy performing intelligence functions; and

(7) the Director of Central Intelligence.

Drug-free workplace.

SEC. 622. No department, agency, or instrumentality of the United States receiving appropriated funds under this or any other Act for fiscal year 1996 shall obligate or expend any such funds, unless such department, agency or instrumentality has in place, and will continue to administer in good faith, a written policy designed to ensure that all of its workplaces are free from discrimination and sexual harassment and that all of its workplaces are not in violation of title VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, and the Rehabilitation Act of 1973.

SEC. 623. No part of any appropriation contained in this Act may be used to pay for the expenses of travel of employees, including employees of the Executive Office of the President, not directly responsible for the discharge of official governmental tasks and duties: *Provided,* That this restriction shall not apply to the family of the President, Members of Congress or their spouses, Heads of State of a foreign country or their designee(s), persons providing assistance to the President for official purposes, or other individuals so designated by the President.

President. Certification. 5 USC 7301 note.

SEC. 624. Notwithstanding any provision of law, the President, or his designee, must certify to Congress, annually, that no person or persons with direct or indirect responsibility for administering the Executive Office of the President's Drug-Free Workplace Plan are themselves subject to a program of individual random drug testing.

Conservation. 42 USC 8256 note.

SEC. 625. (a) Beginning in fiscal year 1996 and thereafter, for each Federal agency, except the Department of Defense (which has separate authority), and except as provided in Public Law 102–393, title IV, section 13 (40 U.S.C. 490g) with respect to the Fund established pursuant to 40 U.S.C. 490(f), an amount equal to 50 percent of—

(1) the amount of each utility rebate received by the agency for energy efficiency and water conservation measures, which the agency has implemented; and

(2) the amount of the agency's share of the measured energy savings resulting from energy-savings performance contracts,

may be retained and credited to accounts that fund energy and water conservation activities at the agency's facilities, and shall remain available until expended for additional specific energy efficiency or water conservation projects or activities, including improvements and retrofits, facility surveys, additional or improved utility metering, and employee training and awareness programs, as authorized by section 152(f) of the Energy Policy Act (Public Law 102–486).

(b) The remaining 50 percent of each rebate, and the remaining 50 percent of the amount of the agency's share of savings from energy-savings performance contracts, shall be transferred to the General Fund of the Treasury at the end of the fiscal year in which received.

Employee training.

SEC. 627. (a) None of the funds made available in this Act may be obligated or expended for any employee training when it is made known to the Federal official having authority to obligate or expend such funds that such employee training—

(1) does not meet identified needs for knowledge, skills, and abilities bearing directly upon the performance of official duties;

(2) contains elements likely to induce high levels of emotional response or psychological stress in some participants;

(3) does not require prior employee notification of the content and methods to be used in the training and written end of course evaluation;

(4) contains any methods or content associated with religious or quasi-religious belief systems or "new age" belief systems as defined in Equal Employment Opportunity Commission Notice N–915.022, dated September 2, 1988;

(5) is offensive to, or designed to change, participants' personal values or lifestyle outside the workplace; or

(6) includes content related to human immunodeficiency virus/acquired immune deficiency syndrome (HIV/AIDS) other than that necessary to make employees more aware of the medical ramifications of HIV/AIDS and the workplace rights of HIV-positive employees.

(b) Nothing in this section shall prohibit, restrict, or otherwise preclude an agency from conducting training bearing directly upon the performance of official duties.

Nondisclosure.

SEC. 628. No funds appropriated in this or any other Act for fiscal year 1996 may be used to implement or enforce the agreements in Standard Forms 312 and 4355 of the Government or any other nondisclosure policy, form or agreement if such policy, form or agreement does not contain the following provisions: "These restrictions are consistent with and do not supersede, conflict with or otherwise alter the employee obligations, rights or liabilities created by Executive Order 12356; section 7211 of title 5, United States Code (governing disclosures to Congress); section 1034 of title 10, United States Code, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military); section 2302(b)(8) of title 5, United States Code, as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse or public health or safety threats); the Intelligence Identities Protection Act of 1982 (50 U.S.C. 421 et seq.) (governing disclosures that could expose confidential Government agents), and the statutes which protect against disclosure that may compromise the national security, including sections

641, 793, 794, 798, and 952 of title 18, United States Code, and section 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. section 783(b)). The definitions, requirements, obligations, rights, sanctions and liabilities created by said Executive Order and listed statutes are incorporated into this agreement and are controlling": *Provided,* That notwithstanding the preceding paragraph, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum, require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government. Such nondisclosure forms must also make it clear that they do not bar disclosures to Congress or to an authorized official of an executive agency or the Department of Justice that are essential to reporting a substantial violation of law.

Classified information.

Contracts. Telecommunications.

SEC. 629. (a) None of the funds appropriated by this or any other Act may be expended by any Federal Agency to procure any product or service that is subject to the provisions of Public Law 89–306 and that will be available under the procurement by the Administrator of General Services known as "FTS2000" unless—

(1) such product or service is procured by the Administrator of General Services as part of the procurement known as "FTS2000"; or

(2) that agency establishes to the satisfaction of the Administrator of General Services that—

(A) that agency's requirements for such procurement are unique and cannot be satisfied by property and service procured by the Administrator of General Services as part of the procurement known as "FTS2000"; and

(B) the agency procurement, pursuant to such delegation, would be cost-effective and would not adversely affect the cost-effectiveness of the FTS2000 procurement.

Effective date.

(b) After July 31, 1996, subsection (a) shall apply only if the Administrator of General Services has reported that the FTS2000 procurement is producing prices that allow the Government to satisfy its requirements for such procurement in the most cost-effective manner.

Reports.

(c) The Comptroller General of the United States shall conduct and deliver a comprehensive analysis of the cost to the Federal Government of all Federal agency telecommunications services and traffic, by agency, and provide such report to the House and Senate Committees on Appropriations by no later than May 31, 1996: *Provided,* That such report shall (1) identify which agencies are using FTS2000 systems; (2) determine whether or not such usage is cost-effective; and (3) provide a comparison of telecommunication costs between agencies that use or do not use FTS2000.

SEC. 630. (a) Section 4–607(18) of title 4 of the District of Columbia Code, is amended by inserting "the United States Secret Service Uniformed Division, the United States Secret Service Division," after "average pay of a member who was an officer or member of".

(b) Section 4–622 of title 4 of the District of Columbia Code, is amended—

(A) in subsection (b)(1)(A) by striking out "Of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed" and inserting in lieu thereof "Of the adjusted average pay of such former member";

(B) in subsection (c)(1)(A)(ii), by striking out "The basis upon which the former member's annuity at the time of death was computed" and inserting in lieu thereof "The adjusted average pay of the former member"; and

(C) in subsection (c)(2)(B), by striking out the colon after "United States Secret Service Division" through clause (iii) and inserting in lieu thereof ", 75 percent of the adjusted average pay of the former member, divided by the number of eligible children; or".

Sec. 631. (a) Section 5402 of title 39, United States Code, is amended—

(1) in subsection (f) by striking out "During the period beginning January 1, 1985, and ending January 1, 1999, the" and inserting in lieu thereof "The"; and

(2) in subsection (g)(1) by amending subparagraph (D) to read as follows:

"(D) have provided scheduled service within the State of Alaska for at least 12 consecutive months with aircraft— Alaska.

"(i) up to 7,500 pounds payload capacity before being selected as a carrier of nonpriority bypass mail at an applicable intra-Alaska bush service mail rate; and

"(ii) over 7,500 pounds payload capacity before being selected as a carrier of nonpriority bypass mail at the intra-Alaska mainline service mail rate.".

(b)(1) Subject to paragraph (2), the amendment made by subsection (a) shall be effective on and after August 1, 1995. Effective date. 39 USC 5402 note.

(2) Subparagraph (D) of section 5402(g)(1) title 39, United States Code (as in effect before the amendment made under subsection (a)), shall apply to a carrier, if such carrier—

(A) has an application pending before the Department of Transportation for approval under section 41102 or 41110(e) of title 39, United States Code, before August 1, 1995; and

(B) would meet the requirements of such subparagraph if such application were approved and such certificate were purchased.

(c) Section 41901(g) of title 49, United States Code, is repealed.

SEC. 632. LIMITATION ON USE OF FUNDS FOR THE PROVISION OF CERTAIN FOREIGN ASSISTANCE.—

(a) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by this Act for the Department of the Treasury shall be available for any activity or for paying the salary of any Government employee where funding an activity or paying a salary to a Government employee would result in a decision, determination, rule, regulation, or policy that would permit the Secretary of the Treasury to make any loan or extension of credit under section 5302 of title 31, United States Code, with respect to a single foreign entity or government of a foreign country (including agencies or other entities of that government)—

(1) with respect to a loan or extension of credit for more than 60 days, unless the President certifies to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives that—

(A) there is no projected cost (as that term is defined in section 502 of the Federal Credit Reform Act of 1990) to the United States from the proposed loan or extension of credit; and

(B) any proposed obligation or expenditure of United States funds to or on behalf of the foreign government is adequately backed by an assured source of repayment to ensure that all United States funds will be repaid; and

(2) other than as provided by an Act of Congress, if that loan or extension of credit would result in expenditures and obligations, including contingent obligations, aggregating more than $1,000,000,000 with respect to that foreign country for more than 180 days during the 12-month period beginning on the date on which the first such action is taken.

(b) WAIVER OF LIMITATIONS.—The President may exceed the dollar and time limitations in subsection (a)(2) if he certifies in writing to the Congress that a financial crisis in that foreign country poses a threat to vital United States economic interests or to the stability of the international financial system.

(c) EXPEDITED PROCEDURES FOR A RESOLUTION OF DISAPPROVAL.—A presidential certification pursuant to subsection (b) shall not take effect, if the Congress, within thirty calendar days after receiving such certification, enacts a joint resolution of disapproval, as described in paragraph (5) of this subsection.

(1) REFERENCE TO COMMITTEES.—All joint resolutions introduced in the Senate to disapprove the certification shall be referred to the Committee on Banking, Housing and Urban Affairs, and in the House of Representatives, to the appropriate committees.

(2) DISCHARGE OF COMMITTEES.—(A) If the committee of either House to which a resolution has been referred has not reported it at the end of 15 days after its introduction, it is in order to move either to discharge the committee from further consideration of the joint resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same matter, except no motion to discharge shall be in order after the committee has reported a joint resolution with respect to the same matter.

(B) A motion to discharge may be made only by an individual favoring the resolution, and is privileged in the Senate; and debate thereon shall be limited to not more than 1 hour, the time to be divided in the Senate equally between, and controlled by, the majority leader and the minority leader or their designees.

(3) FLOOR CONSIDERATION IN THE SENATE.—(A) A motion in the Senate to proceed to the consideration of a resolution shall be privileged.

(B) Debate in the Senate on a resolution, and all debatable motions and appeals in connection therewith, shall be limited to not more than 4 hours, to be equally divided between, and

controlled by, the majority leader and the minority leader or their designees.

(C) Debate in the Senate on any debatable motion or appeal in connection with a resolution shall be limited to not more than 20 minutes, to be equally divided between, and controlled by, the mover and the manager of the resolution, except that in the event the manager of the resolution is in favor of any such motion or appeal, the time in opposition thereto, shall be controlled by the minority leader or his designee. Such leaders, or either of them, may, from time under their control on the passage of a resolution, allot additional time to any Senator during the consideration of any debatable motion or appeal.

(D) A motion in the Senate to further limit debate on a resolution, debatable motion, or appeal is not debatable. No amendment to, or motion to recommit, a resolution is in order in the Senate.

(4) In the case of a resolution, if prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same matter from the other House, then—

(A) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(B) the vote on final passage shall be on the resolution of the other House.

(5) For purposes of this subsection, the term "joint resolution" means only a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress disapproves the action of the President under section 632(b) of the Treasury, Postal Service, and General Government Appropriations Act, 1996, notice of which was submitted to the Congress on .", with the blank space being filled with the appropriate date.

(d) APPLICABILITY.—This section—

(1) shall not apply to any action taken as part of the program of assistance to Mexico announced by the President on January 31, 1995; and

(2) shall remain in effect through fiscal year 1996.

SEC. 633. For purposes of each provision of law amended by section 704(a)(2) of the Ethics Reform Act of 1989 (5 U.S.C. 5318 note), no adjustment under section 5303 of title 5, United States Code, shall be considered to have taken effect in fiscal year 1996 in the rates of basic pay for the statutory pay systems. 5 USC 5303 note.

SEC. 634. Notwithstanding any other provision of law, the United States Customs Service shall transfer, without consideration, to the National Warplane Museum in Geneseo, New York, 2 seized and forfeited A–37 Dragonfly jets for display and museum purposes. Museum.

SEC. 636. This section may be cited as the "Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act". Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act. 40 USC 486 note.

(a) As used in this section—

(1) the term "Federal agency" means—

(A) an Executive agency as defined in section 105 of title 5, United States Code; and

(B) each entity specified in subparagraphs (B) through (H) of section 5721(1) of title 5, United States Code;

(2) the term "Federal building" means—

(A) any building or other structure owned in whole or in part by the United States or any Federal agency, including any such structure occupied by a Federal agency under a lease agreement; and

(B) includes the real property on which such building is located;

(3) the term "minor" means an individual under the age of 18 years; and

(4) the term "tobacco product" means cigarettes, cigars, little cigars, pipe tobacco, smokeless tobacco, snuff, and chewing tobacco.

Regulations.

(b)(1) No later than 45 days after the date of the enactment of this Act, the Administrator of General Services and the head of each Federal agency shall promulgate regulations that prohibit—

(A) the sale of tobacco products in vending machines located in or around any Federal building under the jurisdiction of the Administrator or such agency head; and

(B) the distribution of free samples of tobacco products in or around any Federal building under the jurisdiction of the Administrator or such agency head.

(2) The Administrator of General Services or the head of an agency, as appropriate, may designate areas not subject to the provisions of paragraph (1), if such area also prohibits the presence of minors.

(3) The provisions of this subsection shall be carried out—

(A) by the Administrator of General Services for any Federal building which is maintained, leased, or has title of ownership vested in the General Services Administration; or

(B) by the head of a Federal agency for any Federal building which is maintained, leased, or has title of ownership vested in such agency.

Reports.

(c) No later than 90 days after the date of enactment of this Act, the Administrator of General Services and each head of an agency shall prepare and submit, to the appropriate committees of Congress, a report that shall contain—

(1) verification that the Administrator or such head of an agency is in compliance with this section; and

(2) a detailed list of the location of all tobacco product vending machines located in Federal buildings under the administration of the Administrator or such head of an agency.

Regulations.

(d)(1) No later than 45 days after the date of the enactment of this Act, the Senate Committee on Rules and Administration and the House of Representatives Committee on House Oversight, after consultation with the Architect of the Capitol, shall promulgate regulations under the Senate and House of Representatives rule-making authority that prohibit the sale of tobacco products in vending machines in the Capitol Buildings.

(2) Such committees may designate areas where such prohibition shall not apply, if such area also prohibits the presence of minors.

(3) For the purpose of this section the term "Capitol Buildings" shall have the same meaning as such term is defined under section 16(a)(1) of the Act entitled "An Act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes", approved July 31, 1946 (40 U.S.C. 193m(1)).

(e) Nothing in this section shall be construed as restricting the authority of the Administrator of General Services or the head of an agency to limit tobacco product use in or around any Federal building, except as provided under subsection (b)(1).

SEC. 637. NATIONAL COMMISSION ON RESTRUCTURING THE INTERNAL REVENUE SERVICE.— Taxes. 26 USC 7801 note.

(a) FINDINGS.—The Congress finds the following:

(1) While the budget for the Internal Revenue Service (hereafter referred to as the "IRS") has risen from $2.5 billion in fiscal year 1979 to $7.3 billion in fiscal year 1996, tax returns processing has not become significantly faster, tax collection rates have not significantly increased, and the accuracy and timeliness of taxpayer assistance has not significantly improved.

(2) To date, the Tax Systems Modernization (TSM) program has cost the taxpayers $2.5 billion, with an estimated cost of $8 billion. Despite this investment, modernization efforts were recently described by the GAO as "chaotic" and "ad hoc".

(3) While the IRS maintains that TSM will increase efficiency and thus revenues, Congress has had to appropriate additional funds in recent years for compliance initiatives in order to increase tax revenues.

(4) Because TSM has not been implemented, the IRS continues to rely on paper returns, processing a total of 14 billion pieces of paper every tax season. This results in an extremely inefficient system.

(5) This lack of efficiency reduces the level of customer service and impedes the ability of the IRS to collect revenue.

(6) The present status of the IRS shows the need for the establishment of a Commission which will examine the organization of IRS and recommend actions to expedite the implementation of TSM and improve service to taxpayers.

(b) COMPOSITION OF THE COMMISSION.—

(1) ESTABLISHMENT.—To carry out the purposes of this section, there is established a National Commission on Restructuring the Internal Revenue Service (in this section referred to as the "Commission").

(2) COMPOSITION.—The Commission shall be composed of thirteen members, as follows:

(A) Five members appointed by the President, two from the executive branch of the Government, two from private life, and one from an organization that represents a substantial number of Internal Revenue Service employees. President.

(B) Two members appointed by the Majority Leader of the Senate, one from Members of the Senate and one from private life.

(C) Two members appointed by the Minority Leader of the Senate, one from Members of the Senate and one from private life.

(D) Two members appointed by the Speaker of the House of Representatives, one from Members of the House of Representatives and one from private life.

(E) Two members appointed by the Minority Leader of the House of Representatives, one from Members of the House of Representatives and one from private life.

The Commissioner of the Internal Revenue Service shall be an ex officio member of the Commission.

(3) CHAIRMAN.—The Commission shall elect a Chairman from among its members.

(4) MEETING; QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the Chairman or a majority of its members. Seven members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(5) APPOINTMENT; INITIAL MEETING.—

(A) APPOINTMENT.—It is the sense of the Congress that members of the Committee should be appointed not more than 60 days after the date of the enactment of this section.

(B) INITIAL MEETING.—If, after 60 days from the date of the enactment of this section, seven or more members of the Commission have been appointed, members who have been appointed may meet and select a Chairman who thereafter shall have the authority to begin the operations of the Commission, including the hiring of staff.

(c) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The functions of the Commission shall be—

(A) to conduct, for a period of not to exceed one year from the date of its first meeting, the review described in paragraph (2), and

Reports.

(B) to submit to the Congress a final report of the results of the review, including recommendations for restructuring the IRS.

(2) REVIEW.—The Commission shall review—

(A) the present practices of the IRS, especially with respect to—

(i) its organizational structure;

(ii) its paper processing and return processing activities;

(iii) its infrastructure; and

(iv) the collection process;

(B) requirements for improvement in the following areas:

(i) making returns processing "paperless";

(ii) modernizing IRS operations;

(iii) improving the collections process without major personnel increases or increased funding;

(iv) improving taxpayer accounts management;

(v) improving the accuracy of information requested by taxpayers in order to file their returns; and

(vi) changing the culture of the IRS to make the organization more efficient, productive, and customer-oriented;

(C) whether the IRS could be replaced with a quasi-governmental agency with tangible incentives and internally managing its programs and activities and for modernizing its activities, and

(D) whether the IRS could perform other collection, information, and financial service functions of the Federal Government.

(d) POWERS OF THE COMMISSION.—

(1) IN GENERAL.—(A) The Commission or, on the authorization of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out the provisions of this section—

(i) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths, and

(ii) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member may deem advisable.

(B) Subpoenas issued under subparagraph (A)(ii) may be issued under the signature of the Chairman of the Commission, the chairman of any designated subcommittee, or any designated member, and may be served by any person designated by such Chairman, subcommittee chairman, or member. The provisions of sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192–194) shall apply in the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section.

(2) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this section.

(3) INFORMATION FROM FEDERAL AGENCIES.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this section. Each such department, bureau, agency, board, commission, office, establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairman.

(4) ASSISTANCE FROM FEDERAL AGENCIES.—(A) The Secretary of the Treasury is authorized on a nonreimbursable basis to provide the Commission with administrative services, funds, facilities, staff, and other support services for the performance of the Commission's functions.

(B) The Administrator of General Services shall provide to the Commission on a nonreimbursable basis such administrative support services as the Commission may request.

(C) In addition to the assistance set forth in subparagraphs (A) and (B), departments and agencies of the United States are authorized to provide to the Commission such services, funds, facilities, staff, and other support services as they may deem advisable and as may be authorized by law.

(5) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(e) STAFF OF THE COMMISSION.—

(1) IN GENERAL.—The Chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable to a person occupying a position at level V of the Executive Schedule under section 5316 of title 5, United States Code. Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(2) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

(f) COMPENSATION AND TRAVEL EXPENSES.—

(1) COMPENSATION.—(A) Except as provided in subparagraph (B), each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(B) Members of the Commission who are officers or employees of the United States or Members of Congress shall receive no additional pay on account of their service on the Commission.

(2) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

(g) FINAL REPORT OF COMMISSION; TERMINATION.—

(1) FINAL REPORT.—Not later than one year after the date of the first meeting of the Commission, the Commission shall submit to the Congress its final report, as described in subsection (c)(2).

(2) TERMINATION.—(A) The Commission, and all the authorities of this section, shall terminate on the date which is 60 days after the date on which a final report is required to be transmitted under paragraph (1).

(B) The Commission may use the 60-day period referred to in subparagraph (A) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its final report and disseminating that report.

(h) AUTHORIZATION OF APPROPRIATIONS.—Such sums as may be necessary are authorized to be appropriated for the activities of the Commission.

(i) APPROPRIATIONS.—Notwithstanding any other provision of this Act, $1,000,000 shall be available from fiscal year 1996 funds appropriated to the Internal Revenue Service, "Information systems" account, for the activities of the Commission, to remain available until expended.

SEC. 638. The Administrator of General Services shall, within six months of enactment of this Act, report to Congress on the feasibility of leasing agreements with State and local governments and private sponsors for the construction of border stations on the borders of the United States with Canada and Mexico whereby— Reports.

(1) lease payments shall not exceed 30 years for payment of the purchase price and interest;

(2) an agreement entered into under such provisions shall provide for the title to the property and facilities to vest in the United States on or before the expiration of the contract term, on fulfillment of the terms and conditions of the agreement.

SEC. 639. TRANSFER OF CERTAIN FEDERAL PROPERTY IN NEW JERSEY.—The first section of the Act entitled "An Act transferring certain Federal property to the city of Hoboken, New Jersey", approved September 27, 1982 (Public Law 97–268; 96 Stat. 1140), is amended—

(1) in subsection (a), by adding "and" at the end; and

(2) by striking "Stat. 220), and" in subsection (b) and all that follows through "New Jersey; concurrent with" and inserting the following: "Stat. 220);
concurrent with".

SEC. 640. Service performed during the period January 1, 1984, through December 31, 1986, which would, if performed after that period, be considered service as a law enforcement officer, as defined in section 8401(17) (A)(i)(II) and (B) of title 5, United States Code, shall be deemed service as a law enforcement officer for the purposes of chapter 84 of such title. 5 USC 8401 note.

This Act may be cited as the "Treasury, Postal Service, and General Government Appropriations Act, 1996".

Approved November 19, 1995.

LEGISLATIVE HISTORY—H.R. 2020:

HOUSE REPORTS: Nos. 104–183 (Comm. on Appropriations) and 104–291 (Comm. of Conference).

SENATE REPORTS: No. 104–121 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

July 18, 19, considered and passed House.

Aug. 5, considered and passed Senate, amended.

Nov. 15, House agreed to conference report; disagreed to Senate amendment. Senate agreed to conference report; receded from its amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 19, Presidential statement.

Public Law 104–53
104th Congress

An Act

Nov. 19, 1995
[H.R. 2492]

Making appropriations for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes.

Legislative Branch Appropriations Act, 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch for the fiscal year ending September 30, 1996, and for other purposes, namely:

TITLE I—CONGRESSIONAL OPERATIONS

SENATE

Congressional Operations Appropriations Act, 1996.
2 USC 60a note.

EXPENSE ALLOWANCES

For expense allowances of the Vice President, $10,000; the President Pro Tempore of the Senate, $10,000; Majority Leader of the Senate, $10,000; Minority Leader of the Senate, $10,000; Majority Whip of the Senate, $5,000; Minority Whip of the Senate, $5,000; and Chairmen of the Majority and Minority Conference Committees, $3,000 for each Chairman; in all, $56,000.

REPRESENTATION ALLOWANCES FOR THE MAJORITY AND MINORITY LEADERS

For representation allowances of the Majority and Minority Leaders of the Senate, $15,000 for each such Leader; in all, $30,000.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, $69,727,000, which shall be paid from this appropriation without regard to the below limitations, as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, $1,513,000.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, $325,000.

OFFICES OF THE MAJORITY AND MINORITY LEADERS

For Offices of the Majority and Minority Leaders, $2,195,000.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, $656,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, $996,000 for each such committee; in all, $1,992,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, $360,000.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, $965,000 for each such committee, in all, $1,930,000.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, $192,000.

OFFICE OF THE SECRETARY

For Office of the Secretary, $12,128,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, $31,889,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, $1,047,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, $15,500,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, $3,381,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, $936,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, $3,000; Sergeant at Arms and Doorkeeper of the Senate, $3,000; Secretary for the Majority of the Senate, $3,000; Secretary for the Minority of the Senate, $3,000; in all, $12,000.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted pursuant to section 134(a) of Public Law 601, Seventy-ninth Congress, as amended, section 112 of Public Law 96–304 and Senate Resolution 281, agreed to March 11, 1980, $66,395,000.

EXPENSES OF THE UNITED STATES SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, $305,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, $1,266,000.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, $61,347,000.

MISCELLANEOUS ITEMS

For miscellaneous items, $6,644,000.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, $204,029,000.

OFFICE OF SENATE FAIR EMPLOYMENT PRACTICES

For salaries and expenses of the Office of Senate Fair Employment Practices, $778,000.

SETTLEMENTS AND AWARDS RESERVE

For expenses for settlements and awards, $1,000,000, to remain available until expended.

STATIONERY (REVOLVING FUND)

For stationery for the President of the Senate, $4,500, for officers of the Senate and the Conference of the Majority and Conference of the Minority of the Senate, $8,500; in all, $13,000.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, $11,000,000.

RESCISSION

Of the funds previously appropriated under the heading "SENATE", $63,544,724.12 are rescinded.

ADMINISTRATIVE PROVISIONS

SECTION 1. (a) On and after October 1, 1995, no Senator shall receive mileage under section 17 of the Act of July 28, 1866 (2 U.S.C. 43). Effective dates. 2 USC 43 note.

(b) On and after October 1, 1995, the President of the Senate shall not receive mileage under the first section of the Act of July 8, 1935 (2 U.S.C. 43a). 2 USC 43a note.

SEC. 2. (a) There is established in the Treasury of the United States within the contingent fund of the Senate a revolving fund, to be known as the "Office of the Chaplain Expense Revolving Fund" (hereafter referred to as the "fund"). The fund shall consist of all moneys collected or received with respect to the Office of the Chaplain of the Senate. Nomenclature. 2 USC 61d–3.

(b) The fund shall be available without fiscal year limitation for disbursement by the Secretary of the Senate, not to exceed $10,000 in any fiscal year, for the payment of official expenses incurred by the Chaplain of the Senate. In addition, moneys in the fund may be used to purchase food or food related items. The fund shall not be available for the payment of salaries.

(c) All moneys (including donated moneys) received or collected with respect to the Office of the Chaplain of the Senate shall be deposited in the fund and shall be available for purposes of this section.

(d) Disbursements from the fund shall be made on vouchers approved by the Chaplain of the Senate.

SEC. 3. Funds appropriated under the heading, "Settlements and Awards Reserve" in Public Law 103–283 shall remain available until expended.

SEC. 4. Section 902 of the Supplemental Appropriations Act, 1983 (2 U.S.C. 88b–6) is amended by striking the second sentence and inserting the following: "The amounts so withheld shall be deposited in the revolving fund, within the contingent fund of the Senate, for the Daniel Webster Senate Page Residence, as established by section 4 of the Legislative Branch Appropriations Act, 1995 (2 U.S.C. 88b–7).".

SEC. 5. (a) Any payment for local and long distance telecommunications service provided to any user by the Sergeant at Arms and Doorkeeper of the Senate shall cover the total invoiced amount, including any amount relating to separately identified toll calls, and shall be charged to the appropriation for the fiscal year in which the underlying base service period covered by the invoice ends. 2 USC 58a note.

(b) As used in subsection (a), the term "user" means any Senator, Officer of the Senate, Committee, office, or entity provided telephone equipment and services by the Sergeant at Arms and Doorkeeper of the Senate.

2 USC 88b–7.

SEC. 6. Section 4(b) of Public Law 103–283 is amended by inserting before "collected" the following: "(including donated moneys)".

SEC. 7. Section 1 of Public Law 101–520 (2 U.S.C. 61g–6a) is amended to read as follows:

"SECTION 1. (a)(1) The Chairman of the Majority or Minority Policy Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for salaries for the Majority and Minority Policy Committees of the Senate, to the account, within the contingent fund of the Senate, from which expenses are payable for such committees.

"(2) The Chairman of the Majority or Minority Policy Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Majority and Minority Policy Committees of the Senate, to the account from which salaries are payable for such committees.

"(b)(1) The Chairman of the Majority or Minority Conference Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for salaries for the Majority and Minority Conference Committees of the Senate, to the account, within the contingent fund of the Senate, from which expenses are payable for such committees.

"(2) The Chairman of the Majority or Minority Conference Committee of the Senate may, during any fiscal year, at his or her election transfer funds from the appropriation account for expenses, within the contingent fund of the Senate, for the Majority and Minority Conference Committees of the Senate, to the account from which salaries are payable for such committees.

"(c) Any funds transferred under this section shall be—

"(1) available for expenditure by such committee in like manner and for the same purposes as are other moneys which are available for expenditure by such committee from the account to which the funds were transferred; and

"(2) made at such time or times as the Chairman shall specify in writing to the Senate Disbursing Office.

Notification.

"(d) The Chairman of a committee transferring funds under this section shall notify the Committee on Appropriations of the Senate of the transfer.".

Effective date.
2 USC 61g–6a note.

(b) The amendment made by this section shall take effect on October 1, 1995, and shall be effective with respect to fiscal years beginning on or after that date.

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, $671,561,000, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, $11,271,000, including: Office of the Speaker, $1,478,000, including $25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, $1,470,000, including $10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, $1,480,000, including $10,000 for official expenses of the Minority Leader; Office of the

Majority Whip, including the Chief Deputy Majority Whip, $928,000, including $5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, $918,000, including $5,000 for official expenses of the Minority Whip; Speaker's Office for Legislative Floor Activities, $376,000; Republican Steering Committee, $664,000; Republican Conference, $1,083,000; Democratic Steering and Policy Committee, $1,181,000; Democratic Caucus, $566,000; and nine minority employees, $1,127,000.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, $360,503,000: *Provided*, That no such funds shall be used for the purposes of sending unsolicited mass mailings within 90 days before an election in which the Member is a candidate.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, $78,629,000.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, $16,945,000, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, $83,733,000, including: for salaries and expenses of the Office of the Clerk, including not to exceed $1,000 for official representation and reception expenses, $13,807,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages, and including not to exceed $750 for official representation and reception expenses, $3,410,000; for salaries and expenses of the Office of the Chief Administrative Officer, $53,556,000, including salaries, expenses and temporary personal services of House Information Resources, $27,500,000, of which $16,000,000 is provided herein: *Provided*, That House Information Resources is authorized to receive reimbursement from Members of the House of Representatives and other governmental entities for services provided and such reimbursement shall be deposited in the Treasury for credit to this account; for salaries and expenses of the Office of the Inspector General, $3,954,000; for salaries and expenses of the Office of Compliance, $858,000; Office of the Chaplain, $126,000; for salaries and expenses of the Office of the Parliamentarian, including the

Parliamentarian and $2,000 for preparing the Digest of Rules, $1,180,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, $1,700,000; for salaries and expenses of the Office of the Legislative Counsel of the House, $4,524,000; and other authorized employees, $618,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, $120,480,000, including: supplies, materials, administrative costs and Federal tort claims, $1,213,000; official mail for committees, leadership offices, and administrative offices of the House, $1,000,000; reemployed annuitants reimbursements, $68,000; Government contributions to employees' life insurance fund, retirement funds, Social Security fund, Medicare fund, health benefits fund, and worker's and unemployment compensation, $117,541,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, interparliamentary receptions, and gratuities to heirs of deceased employees of the House, $658,000.

CHILD CARE CENTER

For salaries and expenses of the House of Representatives Child Care Center, such amounts as are deposited in the account established by section 312(d)(1) of the Legislative Branch Appropriations Act, 1992 (40 U.S.C. 184g(d)(1)), subject to the level specified in the budget of the Center, as submitted to the Committee on Appropriations of the House of Representatives.

ADMINISTRATIVE PROVISIONS

Effective date.
Mail.
2 USC 117j.

SEC. 101. Effective with respect to fiscal years beginning with fiscal year 1995, in the case of mail from outside sources presented to the Chief Administrative Officer of the House of Representatives (other than mail through the Postal Service and mail with postage otherwise paid) for internal delivery in the House of Representatives, the Chief Administrative Officer is authorized to collect fees equal to the applicable postage. Amounts received by the Chief Administrative Officer as fees under the preceding sentence shall be deposited in the Treasury as miscellaneous receipts.

Effective date.
2 USC 117k.

SEC. 102. Effective with respect to fiscal years beginning with fiscal year 1995, amounts received by the Chief Administrative Officer of the House of Representatives from the Administrator of General Services for rebates under the Government Travel Charge Card Program shall be deposited in the Treasury as miscellaneous receipts.

2 USC 74a–3, 74a–3 note, 74a–7, 74c note.

SEC. 103. The provisions of section 223(b) of House Resolution 6, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995, establishing the Speaker's Office for Legislative Floor Activities; House Resolution 7, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995, providing for the designation of certain minority employees; House Resolution 9, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995, providing amounts for the Republican Steering Committee and the Democratic Policy Committee; House Resolution 10, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995, providing for the

transfer of two employee positions; and House Resolution 113, One Hundred Fourth Congress, agreed to March 10, 1995, providing for the transfer of certain employee positions shall each be the permanent law with respect thereto.

SEC. 104. (a) The five statutory positions specified in subsection (b), subsection (c), and subsection (d) are transferred from the House Republican Conference to the Republican Steering Committee.

(b) The first two of the five positions referred to in subsection (a) are—

(1) the position established for the chief deputy majority whip by subsection (a) of the first section of House Resolution 393, Ninety-fifth Congress, agreed to March 31, 1977, as enacted into permanent law by section 115 of the Legislative Branch Appropriation Act, 1978 (2 U.S.C. 74a–3); and

(2) the position established for the chief deputy majority whip by section 102(a)(4) of the Legislative Branch Appropriations Act, 1990;

both of which positions were transferred to the majority leader by House Resolution 10, One Hundred Fourth Congress, agreed to January 5 (legislative day, January 4), 1995, as enacted into permanent law by section 103 of this Act, and both of which positions were further transferred to the House Republican Conference by House Resolution 113, One Hundred Fourth Congress, agreed to March 10, 1995, as enacted into permanent law by section 103 of this Act.

(c) The second two of the five positions referred to in subsection (a) are the two positions established by section 103(a)(2) of the Legislative Branch Appropriations Act, 1986.

(d) The fifth of the five positions referred to in subsection (a) is the position for the House Republican Conference established by House Resolution 625, Eighty-ninth Congress, agreed to October 22, 1965, as enacted into permanent law by section 103 of the Legislative Branch Appropriation Act, 1967.

(e) The transfers under this section shall take effect on the date of the enactment of this Act. Effective date.

SEC. 105. (a) Notwithstanding any other provision of law, or any rule, regulation, or other authority, travel for studies and examinations under section 202(b) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(b)) shall be governed by applicable laws or regulations of the House of Representatives or as promulgated from time to time by the Chairman of the Committee on Appropriations of the House of Representatives. 2 USC 72a note.

(b) Subsection (a) shall take effect on the date of the enactment of this Act and shall apply to travel performed on or after that date. Effective date.

SEC. 106. (a) Notwithstanding the paragraph under the heading "GENERAL PROVISION" in chapter XI of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 102a) or any other provision of law, effective on the date of the enactment of this section, unexpended balances in accounts described in subsection (b) are withdrawn, with unpaid obligations to be liquidated in the manner provided in the second sentence of that paragraph. Effective date. 2 USC 96a note.

(b) The accounts referred to in subsection (a) are the House of Representatives legislative service organization revolving accounts under section 311 of the Legislative Branch Appropriations Act, 1994 (2 U.S.C. 96a).

2 USC 123b note.

SEC. 107. (a) Each fund and account specified in subsection (b) shall be available only to the extent provided in appropriations Acts.

(b) The funds and accounts referred to in subsection (a) are—

(1) the revolving fund for the House Barber Shops, established by the paragraph under the heading "HOUSE BARBER SHOPS REVOLVING FUND" in the matter relating to the House of Representatives in chapter III of title I of the Supplemental Appropriations Act, 1975 (Public Law 93–554; 88 Stat. 1776);

(2) the revolving fund for the House Beauty Shop, established by the matter under the heading "HOUSE BEAUTY SHOP" in the matter relating to administrative provisions for the House of Representatives in the Legislative Branch Appropriation Act, 1970 (Public Law 91–145; 83 Stat. 347);

(3) the special deposit account established for the House of Representatives Restaurant by section 208 of the First Supplemental Civil Functions Appropriation Act, 1941 (40 U.S.C. 174k note); and

(4) the revolving fund established for the House Recording Studio by section 105(g) of the Legislative Branch Appropriation Act, 1957 (2 U.S.C. 123b(g)).

Effective date.

(c) This section shall take effect on October 1, 1995, and shall apply with respect to fiscal years beginning on or after that date.

SEC. 107A. For fiscal year 1996, subject to the direction of the Committee on House Oversight of the House of Representatives, of the total amount deposited in the account referred to in section 107(b)(3) of this Act from vending operations of the House of Representatives Restaurant System, the cost of goods sold shall be available to pay the cost of inventory for such operations.

SEC. 108. The House Employees Position Classification Act (2 U.S.C. 291, et seq.) is amended—

2 USC 292.

(1) in section 3(1), by striking out "Doorkeeper, and the Postmaster," and inserting in lieu thereof "Chief Administrative Officer, and the Inspector General";

2 USC 293.

(2) in the first sentence of section 4(b), by striking out "Doorkeeper, and the Postmaster," and inserting in lieu thereof "Chief Administrative Officer, and the Inspector General";

2 USC 294.

(3) in section 5(b)(1), by striking out "Doorkeeper, and the Postmaster" and inserting in lieu thereof "Chief Administrative Officer, and the Inspector General"; and

(4) in the first sentence of section 5(c), by striking out "Doorkeeper, and the Postmaster," and inserting in lieu thereof "Chief Administrative Officer, and the Inspector General".

Compensation.
2 USC 60o.

SEC. 109. (a) Upon the approval of the appropriate employing authority, an employee of the House of Representatives who is separated from employment, may be paid a lump sum for the accrued annual leave of the employee. The lump sum—

(1) shall be paid in an amount not more than the lesser of—

(A) the amount of the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives; or

(B) the amount equal to the monthly pay of the employee, as determined by the Chief Administrative Officer of the House of Representatives, divided by 30, and multiplied by the number of days of the accrued annual leave of the employee;

(2) shall be paid—

(A) for clerk hire employees, from the clerk hire allowance of the Member;

(B) for committee employees, from amounts appropriated for committees; and

(C) for other employees, from amounts appropriated to the employing authority; and

(3) shall be based on the rate of pay in effect with respect to the employee on the last day of employment of the employee.

(b) The Committee on House Oversight shall have authority to prescribe regulations to carry out this section.

(c) As used in this section, the term "employee of the House of Representatives" means an employee whose pay is disbursed by the Clerk of the House of Representatives or the Chief Administrative Officer of the House of Representatives, as applicable, except that such term does not include a uniformed or civilian support employee under the Capitol Police Board.

(d) Payments under this section may be made with respect to separations from employment taking place after June 30, 1995. Effective date.

SEC. 110. (a)(1) Effective on the date of the enactment of this Act, the allowances for office personnel and equipment for certain Members of the House of Representatives, as adjusted through the day before the date of the enactment of this Act, are further adjusted as specified in paragraph (2). Effective date.

(2) The further adjustments referred to in paragraph (1) are as follows:

(A) The allowance for the majority leader is increased by $167,532.

(B) The allowance for the majority whip is decreased by $167,532.

(b)(1) Effective on the date of the enactment of this Act, the House of Representatives allowances referred to in paragraph (2), as adjusted through the day before the date of the enactment of this Act, are further adjusted, or are established, as the case may be, as specified in paragraph (2). Effective date.

(2) The further adjustments and the establishment referred to in paragraph (1) are as follows:

(A) The allowance for the Republican Conference is increased by $134,491.

(B) The allowance for the Republican Steering Committee is established at $66,995.

(C) The allowance for the Democratic Steering and Policy Committee is increased by $201,430.

(D) The allowance for the Democratic Caucus is increased by $56.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, $3,000,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON PRINTING

For salaries and expenses of the Joint Committee on Printing, $750,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, $5,116,000, to be disbursed by the Clerk of the House.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including (1) an allowance of $1,500 per month to the Attending Physician; (2) an allowance of $500 per month each to two medical officers while on duty in the Attending Physician's office; (3) an allowance of $500 per month to one assistant and $400 per month each to not to exceed nine assistants on the basis heretofore provided for such assistance; and (4) $852,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, $1,260,000, to be disbursed by the Clerk of the House.

CAPITOL POLICE BOARD

CAPITOL POLICE

SALARIES

For the Capitol Police Board for salaries, including overtime, hazardous duty pay differential, clothing allowance of not more than $600 each for members required to wear civilian attire, and Government contributions to employees' benefits funds, as authorized by law, of officers, members, and employees of the Capitol Police, $70,132,000, of which $34,213,000 is provided to the Sergeant at Arms of the House of Representatives, to be disbursed by the Clerk of the House, and $35,919,000 is provided to the Sergeant at Arms and Doorkeeper of the Senate, to be disbursed by the Secretary of the Senate: *Provided,* That, of the amounts appropriated under this heading, such amounts as may be necessary may be transferred between the Sergeant at Arms of the House of Representatives and the Sergeant at Arms and Doorkeeper of the Senate, upon approval of the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

GENERAL EXPENSES

For the Capitol Police Board for necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, the employee assistance program, not more than $2,000 for the awards program, postage, telephone service, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and $85 per month for extra services performed for the Capitol Police Board by an employee of the Sergeant at Arms of the Senate or the House of Representatives designated by the Chairman of the Board, $2,560,000, to be disbursed by the Clerk

of the House of Representatives: *Provided,* That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 1996 shall be paid by the Secretary of the Treasury from funds available to the Department of the Treasury.

ADMINISTRATIVE PROVISION

SEC. 111. Amounts appropriated for fiscal year 1996 for the Capitol Police Board under the heading "CAPITOL POLICE" may be transferred between the headings "SALARIES" and "GENERAL EXPENSES", upon approval of the Committees on Appropriations of the Senate and the House of Representatives.

CAPITOL GUIDE SERVICE AND SPECIAL SERVICES OFFICE

For salaries and expenses of the Capitol Guide Service and Special Services Office, $1,991,000, to be disbursed by the Secretary of the Senate: *Provided,* That none of these funds shall be used to employ more than forty individuals: *Provided further,* That the Capitol Guide Board is authorized, during emergencies, to employ not more than two additional individuals for not more than one hundred twenty days each, and not more than ten additional individuals for not more than six months each, for the Capitol Guide Service.

STATEMENTS OF APPROPRIATIONS

For the preparation, under the direction of the Committees on Appropriations of the Senate and the House of Representatives, of the statements for the first session of the One Hundred Fourth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriations bills as required by law, $30,000, to be paid to the persons designated by the chairmen of such committees to supervise the work.

ADMINISTRATIVE PROVISION

SEC. 112. Section 310 of the Legislative Branch Appropriations Act, 1990 (2 U.S.C. 130e), is amended—

(1) by striking out "Clerk" and inserting in lieu thereof "Sergeant at Arms"; and

(2) by striking out "Librarian of Congress" and inserting in lieu thereof "Architect of the Capitol".

OFFICE OF COMPLIANCE

For salaries and expenses of the Office of Compliance, as authorized by section 305 of Public Law 104–1, the Congressional Accountability Act of 1995 (2 U.S.C. 1385), $2,500,000, of which $500,000 shall be transferred from the amount provided for salaries and expenses of the Office of Compliance under the headings "HOUSE OF REPRESENTATIVES", "Salaries and Expenses", and "Salaries, Officers and Employees".

OFFICE OF TECHNOLOGY ASSESSMENT

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the orderly closure of the Office of Technology Assessment, $3,615,000, of which $150,000 shall remain available until September 30, 1997. Upon enactment of this Act, $2,500,000 of the funds appropriated under this heading in Public Law 103–283 shall remain available until September 30, 1996: *Provided,* That none of the funds made available in this Act shall be available for salaries or expenses of any employee of the Office of Technology Assessment in excess of 17 employees except for severance pay purposes.

ADMINISTRATIVE PROVISIONS

Severance pay.
2 USC 471 note.

SEC. 113. Upon enactment of this Act all employees of the Office of Technology Assessment for 183 days preceding termination of employment who are terminated as a result of the elimination of the Office and who are not otherwise gainfully employed may continue to be paid by the Office of Technology Assessment at their respective salaries for a period not to exceed 60 calendar days following the employee's date of termination or until the employee becomes otherwise gainfully employed whichever is earlier. Any day for which a former employee receives a payment under this section shall be counted as Federal service for purposes of determining entitlement to benefits, including retirement, annual and sick leave earnings, and health and life insurance. A statement in writing to the Director of the Office of Technology Assessment or his designee by any such employee that he was not gainfully employed during such period or the portion thereof for which payment is claimed shall be accepted as prima facie evidence that he was not so employed.

2 USC 471 note.

SEC. 114. Notwithstanding the provisions of the Federal Property and Administrative Services Act of 1949, as amended, or any other provision of law, upon the abolition of the Office of Technology Assessment, all records and property of the Office (including the Unix system, all computer hardware and software, all library collections and research materials, and all photocopying equipment), shall be under the administrative control of the Architect of the Capitol. Not later than December 31, 1995, the Architect shall submit a proposal to transfer such records and property to appropriate support agencies of the Legislative Branch which request such transfer, and shall carry out such transfer subject to the approval of the Committees on Appropriations of the House of Representatives and the Senate.

CONGRESSIONAL BUDGET OFFICE

SALARIES AND EXPENSES

For salaries and expenses necessary to carry out the provisions of the Congressional Budget Act of 1974 (Public Law 93–344), including not to exceed $2,500 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, $24,288,000: *Provided,* That none of these funds shall be available for the purchase or hire of a passenger motor vehicle: *Provided further,* That

none of the funds in this Act shall be available for salaries or expenses of any employee of the Congressional Budget Office in excess of 232 full-time equivalent positions: *Provided further,* That any sale or lease of property, supplies, or services to the Congressional Budget Office shall be deemed to be a sale or lease of such property, supplies, or services to the Congress subject to section 903 of Public Law 98–63: *Provided further,* That the Director of the Congressional Budget Office shall have the authority, within the limits of available appropriations, to dispose of surplus or obsolete personal property by inter-agency transfer, donation, or discarding. 2 USC 605. 2 USC 606.

ADMINISTRATIVE PROVISION

SEC. 115. Section 8402(c) of title 5, United States Code, is amended—

(1) by redesignating paragraph (7) as paragraph (8); and

(2) by inserting after paragraph (6) the following:

"(7) The Director of the Congressional Budget Office may exclude from the operation of this chapter an employee under the Congressional Budget Office whose employment is temporary or intermittent.".

ARCHITECT OF THE CAPITOL

OFFICE OF THE ARCHITECT OF THE CAPITOL

SALARIES

For the Architect of the Capitol, the Assistant Architect of the Capitol, and other personal services, at rates of pay provided by law, $8,569,000.

TRAVEL

Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of $20,000. 40 USC 166a.

CONTINGENT EXPENSES

To enable the Architect of the Capitol to make surveys and studies, and to meet unforeseen expenses in connection with activities under his care, $100,000.

CAPITOL BUILDINGS AND GROUNDS

CAPITOL BUILDINGS

For all necessary expenses for the maintenance, care and operation of the Capitol and electrical substations of the Senate and House office buildings, under the jurisdiction of the Architect of the Capitol, including furnishings and office equipment; including not to exceed $1,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; purchase or exchange, maintenance and operation of a passenger motor vehicle; and attendance, when specifically authorized by the Architect of the Capitol, at meetings or conventions in connection with subjects related to work under the Architect of the Capitol, $22,882,000, of which $2,950,000 shall remain avail-

Flags.
40 USC 166g.

able until expended: *Provided,* That hereafter expenses, based on full cost recovery, for flying American flags and providing certification services therefor shall be advanced or reimbursed upon request of the Architect of the Capitol, and amounts so received shall be deposited into the Treasury.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, $5,143,000, of which $25,000 shall remain available until expended.

SENATE OFFICE BUILDINGS

For all necessary expenses for maintenance, care and operation of Senate Office Buildings; and furniture and furnishings to be expended under the control and supervision of the Architect of the Capitol, $41,757,000, of which $4,850,000 shall remain available until expended.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, $33,001,000, of which $5,261,000 shall remain available until expended.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Printing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, Union Station complex, Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, $31,518,000: *Provided,* That not to exceed $4,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 1996.

LIBRARY OF CONGRESS

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, $60,084,000: *Provided,* That no part of this appropriation may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except

the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Oversight of the House of Representatives or the Committee on Rules and Administration of the Senate: *Provided further,* That, notwithstanding any other provision of law, the compensation of the Director of the Congressional Research Service, Library of Congress, shall be at an annual rate which is equal to the annual rate of basic pay for positions at level IV of the Executive Schedule under section 5315 of title 5, United States Code. 2 USC 166 note.

GOVERNMENT PRINTING OFFICE

CONGRESSIONAL PRINTING AND BINDING

For authorized printing and binding for the Congress and the distribution of Congressional information in any format; printing and binding for the Architect of the Capitol; expenses necessary for preparing the semimonthly and session index to the Congressional Record, as authorized by law (44 U.S.C. 902); printing and binding of Government publications authorized by law to be distributed to Members of Congress; and printing, binding, and distribution of Government publications authorized by law to be distributed without charge to the recipient, $83,770,000: *Provided,* That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under 44 U.S.C. 906: *Provided further,* That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years.

This title may be cited as the "Congressional Operations Appropriations Act, 1996".

TITLE II—OTHER AGENCIES

BOTANIC GARDEN

SALARIES AND EXPENSES

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, $3,053,000.

ADMINISTRATIVE PROVISIONS

SEC. 201. (a) Section 201 of the Legislative Branch Appropriations Act, 1993 (40 U.S.C. 216c note) is amended by striking out "$6,000,000" each place it appears and inserting in lieu thereof "$10,000,000".

(b) Section 307E(a)(1) of the Legislative Branch Appropriations Act, 1989 (40 U.S.C. 216c(a)(1)) is amended by striking out "plans" and inserting in lieu thereof "plants".

LIBRARY OF CONGRESS

SALARIES AND EXPENSES

For necessary expenses of the Library of Congress, not otherwise provided for, including development and maintenance of the Union Catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; preparation and distribution of catalog cards and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, $211,664,000, of which not more than $7,869,000 shall be derived from collections credited to this appropriation during fiscal year 1996 under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150): *Provided,* That the total amount available for obligation shall be reduced by the amount by which collections are less than the $7,869,000: *Provided further,* That of the total amount appropriated, $8,458,000 is to remain available until expended for acquisition of books, periodicals, and newspapers, and all other materials including subscriptions for bibliographic services for the Library, including $40,000 to be available solely for the purchase, when specifically approved by the Librarian, of special and unique materials for additions to the collections.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For necessary expenses of the Copyright Office, including publication of the decisions of the United States courts involving copyrights, $30,818,000, of which not more than $16,840,000 shall be derived from collections credited to this appropriation during fiscal year 1996 under 17 U.S.C. 708(c), and not more than $2,990,000 shall be derived from collections during fiscal year 1996 under 17 U.S.C. 111(d)(2), 119(b)(2), 802(h), and 1005: *Provided,* That the total amount available for obligation shall be reduced by the amount by which collections are less than $19,830,000: *Provided further,* That up to $100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: *Provided further,* That not to exceed $2,250 may be expended on the certification of the Librarian of Congress or his designee, in connection with official representation and reception expenses for activities of the International Copyright Institute.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For salaries and expenses to carry out the provisions of the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), $44,951,000, of which $11,694,000 shall remain available until expended.

FURNITURE AND FURNISHINGS

For necessary expenses for the purchase and repair of furniture, furnishings, office and library equipment, $4,882,000, of which $943,000 shall be available until expended only for the purchase and supply of furniture, shelving, furnishings, and related costs necessary for the renovation and restoration of the Thomas Jefferson and John Adams Library buildings.

ADMINISTRATIVE PROVISIONS

SEC. 202. Appropriations in this Act available to the Library of Congress shall be available, in an amount not to exceed $194,290, of which $58,100 is for the Congressional Research Service, when specifically authorized by the Librarian, for attendance at meetings concerned with the function or activity for which the appropriation is made.

SEC. 203. (a) No part of the funds appropriated in this Act shall be used by the Library of Congress to administer any flexible or compressed work schedule which—

(1) applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15; and

(2) grants such manager or supervisor the right to not be at work for all or a portion of a workday because of time worked by the manager or supervisor on another workday.

(b) For purposes of this section, the term "manager or supervisor" means any management official or supervisor, as such terms are defined in section 7103(a) (10) and (11) of title 5, United States Code.

SEC. 204. Appropriated funds received by the Library of Congress from other Federal agencies to cover general and administrative overhead costs generated by performing reimbursable work for other agencies under the authority of 31 U.S.C. 1535 and 1536 shall not be used to employ more than 65 employees and may be expended or obligated—

(1) in the case of a reimbursement, only to such extent or in such amounts as are provided in appropriations Acts; or

(2) in the case of an advance payment, only—

(A) to pay for such general or administrative overhead costs as are attributable to the work performed for such agency; or

(B) to such extent or in such amounts as are provided in appropriations Acts, with respect to any purpose not allowable under subparagraph (A).

SEC. 205. Not to exceed $5,000 of any funds appropriated to the Library of Congress may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for the Library of Congress incentive awards program.

SEC. 206. Not to exceed $12,000 of funds appropriated to the Library of Congress may be expended, on the certification of the Librarian of Congress or his designee, in connection with official representation and reception expenses for the Overseas Field Offices.

SEC. 207. Under the heading "Library of Congress" obligational authority shall be available, in an amount not to exceed $99,412,000

for reimbursable and revolving fund activities, and $6,812,000 for non-expenditure transfer activities in support of parliamentary development during the current fiscal year.

SEC. 208. Notwithstanding this or any other Act, obligational authority under the heading "Library of Congress" for activities in support of parliamentary development is prohibited, except for Russia, Ukraine, Albania, Slovakia, and Romania, for other than incidental purposes.

Electronic information. 2 USC 180.

SEC. 209. (a) The purpose of this section is to reduce the cost of information support for the Congress by eliminating duplication among systems which provide electronic access by Congress to legislative information.

(b) As used in this section, the term "legislative information" means information, prepared within the legislative branch, consisting of the text of publicly available bills, amendments, committee hearings, and committee reports, the text of the Congressional Record, data relating to bill status, data relating to legislative activity, and other similar public information that is directly related to the legislative process.

(c) Pursuant to the plan approved under subsection (d) and consistent with the provisions of any other law, the Library of Congress or the entity designated by that plan shall develop and maintain, in coordination with other appropriate entities of the legislative branch, a single legislative information retrieval system to serve the entire Congress.

(d) The Library shall develop a plan for creation of this system, taking into consideration the findings and recommendations of the study directed by House Report No. 103–517 to identify and eliminate redundancies in congressional information systems. This plan must be approved by the Committee on Rules and Administration of the Senate, the Committee on House Oversight of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives. The Library shall provide these committees with regular status reports on the development of the plan.

Reports.

Public information.

(e) In formulating its plan, the Library shall examine issues regarding efficient ways to make this information available to the public. This analysis shall be submitted to the Committees on Appropriations of the Senate and the House of Representatives as well as the Committee on Rules and Administration of the Senate, and the Committee on House Oversight of the House of Representatives for their consideration and possible action.

ARCHITECT OF THE CAPITOL

LIBRARY BUILDINGS AND GROUNDS

STRUCTURAL AND MECHANICAL CARE

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, $12,428,000, of which $3,710,000 shall remain available until expended.

GOVERNMENT PRINTING OFFICE

OFFICE OF SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

For expenses of the Office of Superintendent of Documents necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, $30,307,000: *Provided,* That travel expenses, including travel expenses of the Depository Library Council to the Public Printer, shall not exceed $130,000: *Provided further,* That funds, not to exceed $2,000,000, from current year appropriations are authorized for producing and disseminating Congressional Serial Sets and other related Congressional/non-Congressional publications for 1994 and 1995 to depository and other designated libraries.

ADMINISTRATIVE PROVISION

Electronic information.

SEC. 210. The fiscal year 1997 budget submission of the Public Printer to the Congress for the Government Printing Office shall include appropriations requests and recommendations to the Congress that—

(1) are consistent with the strategic plan included in the technological study performed by the Public Printer pursuant to Senate Report 104–114;

(2) assure substantial progress toward maximum use of electronic information dissemination technologies by all departments, agencies, and other entities of the Government with respect to the Depository Library Program and information dissemination generally; and

(3) are formulated so as to require that any department, agency, or other entity of the Government that does not make such progress shall bear from its own resources the cost of its information dissemination by other than electronic means.

GOVERNMENT PRINTING OFFICE REVOLVING FUND

The Government Printing Office is hereby authorized to make such expenditures, within the limits of funds available and in accord with the law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 104 of the Government Corporation Control Act as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Printing Office revolving fund: *Provided,* That not to exceed $2,500 may be expended on the certification of the Public Printer in connection with official representation and reception expenses: *Provided further,* That the revolving fund shall be available for the hire or purchase of passenger motor vehicles, not to exceed a fleet of twelve: *Provided further,* That expenditures in connection with travel expenses of the advisory councils to the Public Printer shall be deemed necessary to carry out the provisions of title 44, United States Code: *Provided further,* That the revolving fund shall be available for services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for level

V of the Executive Schedule (5 U.S.C. 5316): *Provided further,* That the revolving fund and the funds provided under the headings "OFFICE OF SUPERINTENDENT OF DOCUMENTS" and "SALARIES AND EXPENSES" together may not be available for the full-time equivalent employment of more than 3,800 workyears by the end of fiscal year 1996: *Provided further,* That activities financed through the revolving fund may provide information in any format: *Provided further,* That the revolving fund shall not be used to administer any flexible or compressed work schedule which applies to any manager or supervisor in a position the grade or level of which is equal to or higher than GS–15: *Provided further,* That expenses for attendance at meetings shall not exceed $75,000.

GENERAL ACCOUNTING OFFICE

SALARIES AND EXPENSES

For necessary expenses of the General Accounting Office, including not to exceed $7,000 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; services as authorized by 5 U.S.C. 3109 but at rates for individuals not to exceed the per diem rate equivalent to the rate for level IV of the Executive Schedule (5 U.S.C. 5315); hire of one passenger motor vehicle; advance payments in foreign countries in accordance with 31 U.S.C. 3324; benefits comparable to those payable under sections 901(5), 901(6) and 901(8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), 4081(6) and 4081(8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries and travel benefits comparable with those which are now or hereafter may be granted single employees of the Agency for International Development, including single Foreign Service personnel assigned to AID projects, by the Administrator of the Agency for International Development—or his designee—under the authority of section 636(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(b)); $374,406,000: *Provided,* That not more than $400,000 of reimbursements received incident to the operation of the General Accounting Office Building shall be available for use in fiscal year 1996: *Provided further,* That notwithstanding 31 U.S.C. 9105 hereafter amounts reimbursed to the Comptroller General pursuant to that section shall be deposited to the appropriation of the General Accounting Office then available and remain available until expended, and not more than $8,000,000 of such funds shall be available for use in fiscal year 1996: *Provided further,* That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the Joint Financial Management Improvement Program (JFMIP) shall be available to finance an appropriate share of JFMIP costs as determined by the JFMIP, including the salary of the Executive Director and secretarial support: *Provided further,* That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of Forum costs as determined by the Forum, including necessary travel expenses of non-Federal participants. Payments hereunder to either the Forum or the JFMIP may be credited as reimbursements to

31 USC 9105 note.

any appropriation from which costs involved are initially financed: *Provided further,* That to the extent that funds are otherwise available for obligation, agreements or contracts for the removal of asbestos, and renovation of the building and building systems (including the heating, ventilation and air conditioning system, electrical system and other major building systems) of the General Accounting Office Building may be made for periods not exceeding five years: *Provided further,* That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the American Consortium on International Public Administration (ACIPA) shall be available to finance an appropriate share of ACIPA costs as determined by the ACIPA, including any expenses attributable to membership of ACIPA in the International Institute of Administrative Sciences.

ADMINISTRATIVE PROVISIONS

SEC. 211. (a) Effective June 30, 1996, the functions of the Comptroller General identified in subsection (b) are transferred to the Director of the Office of Management and Budget, contingent upon the additional transfer to the Office of Management and Budget of such personnel, budget authority, records, and property of the General Accounting Office relating to such functions as the Comptroller General and the Director jointly determine to be necessary. The Director may delegate any such function, in whole or in part, to any other agency or agencies if the Director determines that such delegation would be cost-effective or otherwise in the public interest, and may transfer to such agency or agencies any personnel, budget authority, records, and property received by the Director pursuant to the preceding sentence that relate to the delegated functions. Personnel transferred pursuant to this provision shall not be separated or reduced in classification or compensation for one year after any such transfer, except for cause.

Effective date.
31 USC 501 note.

(b) The following provisions of the United States Code contain the functions to be transferred pursuant to subsection (a): sections 5564 and 5583 of title 5; sections 2312, 2575, 2733, 2734, 2771, 4712, and 9712 of title 10; sections 1626 and 4195 of title 22; section 420 of title 24; sections 2414 and 2517 of title 28; sections 1304, 3702, 3726, and 3728 of title 31; sections 714 and 715 of title 32; section 554 of title 37; section 5122 of title 38; and section 256a of title 41.

SEC. 212. (a) Section 732 of title 31, United States Code, is amended by adding a new subsection (h) as follows:

"(h) Notwithstanding the provisions of subchapter I of chapter 35 of title 5, United States Code, the Comptroller General shall prescribe regulations for the release of officers and employees of the General Accounting Office in a reduction in force which give due effect to tenure of employment, military preference, performance and/or contributions to the agency's goals and objectives, and length of service. The regulations shall, to the extent deemed feasible by the Comptroller General, be designed to minimize disruption to the Office and to assist in promoting the efficiency of the Office.".

Regulations.
Reduction in force.

SEC. 213. Section 753 of title 31, United States Code, is amended—

(1) by redesignating subsections (b), (c), and (d) as (c), (d), and (e), respectively;

(2) by inserting after subsection (a) a new subsection (b) as follows:

"(b) The Board has no authority to issue a stay of any reduction in force action."; and

(3) in the second sentence of subsection (c), as redesignated, by striking "(c)" and inserting "(d)".

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Oversight and for the Senate issued by the Committee on Rules and Administration.

SEC. 302. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 303. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is appropriated for herein or whenever the rate of compensation or designation of any position appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, appropriated for or provided herein, shall be the permanent law with respect thereto: *Provided,* That the provisions herein for the various items of official expenses of Members, officers, and committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

Contracts. Public information.

SEC. 304. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 305. (a) It is the sense of the Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available in this Act should be American-made.

Notice.

(b) In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

40 USC 175 note.

SEC. 306. (a) Upon approval of the Committee on Appropriations of the House of Representatives, and in accordance with conditions determined by the Committee on House Oversight, positions in connection with House parking activities and related funding shall be transferred from the appropriation "Architect of the Capitol, Capitol buildings and grounds, House office buildings" to the appropriation "House of Representatives, salaries, officers and employees, Office of the Sergeant at Arms": *Provided,* That the position of Superintendent of Garages shall be subject to authorization in annual appropriations Acts.

Annuities.

(b) For purposes of section 8339(m) of title 5, United States Code, the days of unused sick leave to the credit of any such

employee as of the date such employee is transferred under subsection (a) shall be included in the total service of such employee in connection with the computation of any annuity under subsections (a) through (e) and (o) of such section.

(c) In the case of days of annual leave to the credit of any such employee as of the date such employee is transferred under subsection (a) the Architect of the Capitol is authorized to make a lump sum payment to each such employee for that annual leave. No such payment shall be considered a payment or compensation within the meaning of any law relating to dual compensation.

SEC. 307. None of the funds made available in this Act may be used for the relocation of the office of any Member of the House of Representatives within the House office buildings.

SEC. 308. (a)(1) Effective October 1, 1995, the unexpended balances of appropriations specified in paragraph (2) are transferred to the appropriation for general expenses of the Capitol Police, to be used for design and installation of security systems for the Capitol buildings and grounds.

Effective dates.
40 USC 212a–4.

(2) The unexpended balances referred to in paragraph (1) are—

(A) the unexpended balance of appropriations for security installations, as referred to in the paragraph under the heading "CAPITOL BUILDINGS", under the general headings "JOINT ITEMS", "ARCHITECT OF THE CAPITOL", and "CAPITOL BUILDINGS AND GROUNDS" in title I of the Legislative Branch Appropriations Act, 1995 (108 Stat. 1434), including any unexpended balance from a prior fiscal year and any unexpended balance under such headings in this Act; and

(B) the unexpended balance of the appropriation for an improved security plan, as transferred to the Architect of the Capitol by section 102 of the Legislative Branch Appropriations Act, 1989 (102 Stat. 2165).

(b) Effective October 1, 1995, the responsibility for design and installation of security systems for the Capitol buildings and grounds is transferred from the Architect of the Capitol to the Capitol Police Board. Such design and installation shall be carried out under the direction of the Committee on House Oversight of the House of Representatives and the Committee on Rules and Administration of the Senate, and without regard to section 3709 of the Revised Statutes of the United States (41 U.S.C. 5). On and after October 1, 1995, any alteration to a structural, mechanical, or architectural feature of the Capitol buildings and grounds that is required for a security system under the preceding sentence may be carried out only with the approval of the Architect of the Capitol.

(c)(1) Effective October 1, 1995, all positions specified in paragraph (2) and each individual holding any such position (on a permanent basis) immediately before that date, as identified by the Architect of the Capitol, shall be transferred to the Capitol Police.

(2) The positions referred to in paragraph (1) are those positions which, immediately before October 1, 1995, are—

(A) under the Architect of the Capitol;

(B) within the Electronics Engineering Division of the Office of the Architect of the Capitol; and

(C) related to the design or installation of security systems for the Capitol buildings and grounds.

(3) All annual leave and sick leave standing to the credit of an individual immediately before such individual is transferred under paragraph (1) shall be credited to such individual, without adjustment, in the new position of the individual.

SEC. 309. (a) Section 230(a) of the Congressional Accountability Act of 1995 (2 U.S.C. 1371(a)) is amended by striking out "Administrative Conference of the United States" and inserting in lieu thereof "Board".

(b) Section 230(d)(1) of the Congressional Accountability Act of 1995 (2 U.S.C. 1371(d)(1)) is amended—

(1) by striking out "Administrative Conference of the United States" and inserting in lieu thereof "Board"; and

(2) by striking out "and shall submit the study and recommendations to the Board".

2 USC 1371 note.

(c) The amendments made by this section shall take effect only if the Administrative Conference of the United States ceases to exist prior to the completion and submission of the study to the Board as required by section 230 of the Congressional Accountability Act of 1995 (2 U.S.C. 1371).

SEC. 310. Any amount appropriated in this Act for "HOUSE OF REPRESENTATIVES—Salaries and Expenses—Members' Representational Allowances" shall be available only for fiscal year 1996. Any amount remaining after all payments are made under such allowances for such fiscal year shall be deposited in the Treasury, to be used for deficit reduction.

40 USC 188b–6.

SEC. 311. Section 316 of Public Law 101–302 is amended in the first sentence of subsection (a) by striking "1995" and inserting "1996".

SEC. 312. Such sums as may be necessary are appropriated to the account described in subsection (a) of section 415 of Public Law 104–1 to pay awards and settlements as authorized under such subsection.

2 USC 78 note.

SEC. 313. (a) The Sergeant at Arms of the House of Representatives shall have the same law enforcement authority, including the authority to carry firearms, as a member of the Capitol Police. The law enforcement authority under the preceding sentence shall be subject to the requirement that the Sergeant at Arms have the qualifications specified in subsection (b).

(b) The qualifications referred to in subsection (a) are the following:

(1) A minimum of five years of experience as a law enforcement officer before beginning service as the Sergeant at Arms.

(2) Current certification in the use of firearms by the appropriate Federal law enforcement entity or an equivalent non-Federal entity.

(3) Any other firearms qualification required for members of the Capitol Police.

(c) The Committee on House Oversight of the House of Representatives shall have authority to prescribe regulations to carry out this section.

Effective date.
2 USC 57b.

SEC. 314. Notwithstanding any other provision of law, effective September 1, 1995, the Committee on House Oversight of the House of Representatives shall have authority—

Nomenclature.

(1) to combine the House of Representatives Clerk Hire Allowance, Official Expenses Allowance, and Official Mail Allowance into a single allowance, to be known as the "Members' Representational Allowance"; and

(2) to prescribe regulations relating to allocations, expenditures, and other matters with respect to the Members' Representational Allowance.

This Act may be cited as the "Legislative Branch Appropriations Act, 1996".

Approved November 19, 1995.

LEGISLATIVE HISTORY—H.R. 2492:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 31, considered and passed House.
Nov. 2, considered and passed Senate.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Nov. 19, Presidential statement.

Public Law 104–54
104th Congress

Joint Resolution

Nov. 19, 1995
[H.J. Res. 123]

Making further continuing appropriations for the fiscal year 1996, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1996, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1996;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, notwithstanding section 10 of Public Law 91–672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1996;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996;

The Legislative Branch Appropriations Act, 1996, H.R. 2492;

The Department of Transportation Appropriations Act, 1996;

The Treasury, Postal Service, and General Government Appropriations Act, 1996;

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one House as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1995 or prior years, for the increase in production rates above those sustained with fiscal year 1995 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P–1 line item in a budget activity within an appropriation account

and an R–1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1995: *Provided,* That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multi-year procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

Termination date.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) November 20, 1995, whichever first occurs. For purposes of this joint resolution, the period of time covered by this joint resolution shall be considered to have begun on November 14, 1995.

Coverage.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this joint resolution, except section 106, whenever an Act listed in section 101 as passed by both the House and Senate as of the date of enactment of this joint resolution, does not include funding for

an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of the Act, the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 113. Notwithstanding any other provision of this joint resolution, except sections 106, 111, and 112, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this resolution that would impinge on final funding prerogatives.

SEC. 114. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 115. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100–202, shall not apply for this joint resolution. Included in the apportionment for the Federal Payment to the District of Columbia shall be an additional $15,000,000 above the amount otherwise made available by this joint resolution, for purposes of certain capital construction loan repayments pursuant to Public Law 85–451, as amended.

SEC. 116. Notwithstanding any other provision of this joint resolution, except section 106, the authority and conditions for the application of appropriations for the Office of Technology Assessment as contained in the conference report on the Legislative Branch Appropriations Act, 1996, House Report 104–212, shall be followed when applying the funding made available by this joint resolution.

SEC. 117. Notwithstanding any other provision of this joint resolution, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this joint resolution as the number of days covered by this resolution bears to 366.

8 USC 1351 note.

SEC. 118. Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall remain in effect during the period of this joint resolution, notwithstanding paragraph (3) of said subsection.

SEC. 119. Notwithstanding any other provision of this joint resolution, except section 106, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103–352, which fee rate and offsetting collection authority shall remain in effect during the period of this joint resolution.

SEC. 120. Until enactment of legislation providing funding for the entire fiscal year ending September 30, 1996, for the Department of the Interior and Related Agencies, funds available for necessary expenses of the Bureau of Mines are for continuing limited health and safety and related research, materials partnerships, and minerals information activities; for mineral assessments in Alaska; and for terminating all other activities of the Bureau of Mines.

SEC. 121. Notwithstanding any other provision of this joint resolution, except section 106, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 122. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations for projects and activities that would be funded under the heading "International Organizations and Conferences, Contributions to International Organizations" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, shall be the amount provided by the provisions of sections 101, 111, and 112 multiplied by the ratio of the number of days covered by this resolution to 366 and multiplied further by 1.27.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations of the following projects or activities shall be only the minimum necessary to accomplish orderly termination:

Administrative Conference of the United States;

Advisory Commission on Intergovernmental Relations (except that activities to carry out the provisions of Public Law 104–4 may continue);

Interstate Commerce Commission;

Pennsylvania Avenue Development Corporation;

Land and Water Conservation Fund, State Assistance; and

Office of Surface Mining Reclamation and Enforcement, Rural Abandoned Mine Program.

TITLE II

SEC. 201. WAIVER OF REQUIREMENT FOR PARCHMENT PRINTING. 1 USC 106 note.

(a) WAIVER.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of any of the following measures of the first session of the One Hundred Fourth Congress presented to the President after the enactment of this joint resolution:

(1) A continuing resolution.
(2) A debt limit extension measure.
(3) A reconciliation bill.

(b) CERTIFICATION BY COMMITTEE ON HOUSE OVERSIGHT.—The enrollment of a measure to which subsection (a) applies shall be in such form as the Committee on House Oversight of the House of Representatives certifies to be a true enrollment.

SEC. 202. DEFINITIONS. 1 USC 106 note.

As used in this joint resolution:

(1) CONTINUING RESOLUTION.—The term "continuing resolution" means a bill or joint resolution that includes provisions making further continuing appropriations for fiscal year 1996.

(2) DEBT LIMIT EXTENSION MEASURE.—The term "debt limit extension measure" means a bill or joint resolution that includes provisions increasing or waiving (for a temporary period or otherwise) the public debt limit under section 3101(b) of title 31, United States Code.

(3) RECONCILIATION BILL.—The term "reconciliation bill" means a bill that is a reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974.

Approved November 19, 1995.

LEGISLATIVE HISTORY—H.J. Res. 123:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 18, considered and passed House.
Nov. 19, considered and passed Senate, amended. House concurred in Senate amendment.

Public Law 104–55
104th Congress

An Act

Nov. 20, 1995
[H.R. 436]

To require the head of any Federal agency to differentiate between fats, oils, and greases of animal, marine, or vegetable origin, and other oils and greases, in issuing certain regulations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Edible Oil Regulatory Reform Act.
33 USC 2701 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Edible Oil Regulatory Reform Act".

33 USC 2720.

SEC. 2. DIFFERENTIATION AMONG FATS, OILS, AND GREASES.

(a) IN GENERAL.—Except as provided in subsection (c), in issuing or enforcing any regulation or establishing any interpretation or guideline relating to the transportation, storage, discharge, release, emission, or disposal of a fat, oil, or grease under any Federal law, the head of that Federal agency shall—

(1) differentiate between and establish separate classes for—

(A) animal fats and oils and greases, and fish and marine mammal oils, within the meaning of paragraph (2) of section 61(a) of title 13, United States Code, and oils of vegetable origin, including oils from the seeds, nuts, and kernels referred to in paragraph (1)(A) of that section; and

(B) other oils and greases, including petroleum; and

(2) apply standards to different classes of fats and oils based on considerations in subsection (b).

(b) CONSIDERATIONS.—In differentiating between the class of fats, oils, and greases described in subsection (a)(1)(A) and the class of oils and greases described in subsection (a)(1)(B), the head of the Federal agency shall consider differences in the physical, chemical, biological, and other properties, and in the environmental effects, of the classes.

(c) EXCEPTION.—The requirements of this Act shall not apply to the Food and Drug Administration and the Food Safety and Inspection Service.

(d) FINANCIAL RESPONSIBILITY.—

(1) Section 1004(a)(1) of the Oil Pollution Act of 1990 (33 U.S.C. 2704(a)(1)) is amended by striking "for a tank vessel," and inserting "for a tank vessel (except a tank vessel on which the only oil carried as cargo is an animal fat or vegetable oil, as those terms are used in section 2 of the Edible Oil Regulatory Reform Act)".

(2) Section 1016(a) of the Oil Pollution Act of 1990 (33 U.S.C. 2716(a)) is amended in the first sentence by striking ", in the case of a tank vessel, the responsible party could be subject under section 1004(a)(1) or (d) of this Act, or to which, in the case of any other vessel, the responsible party could be subjected under section 1004(a)(2) or (d)" and inserting "the responsible party could be subjected under section 1004(a) or (d) of this Act".

Approved November 20, 1995.

LEGISLATIVE HISTORY—H.R. 436:

HOUSE REPORTS: No. 104–262, Pt. 1 (Comm. on Agriculture) and Pt. 2 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Oct. 10, considered and passed House.

Nov. 2, considered and passed Senate, amended.

Nov. 7, House concurred in Senate amendments.

Public Law 104–56
104th Congress

Joint Resolution

Nov. 20, 1995
[H.J. Res. 122]

Making further continuing appropriations for the fiscal year 1996, and for other purposes.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

TITLE I

CONTINUING APPROPRIATIONS

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Acts:

The Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, notwithstanding section 15 of the State Department Basic Authorities Act of 1956, section 701 of the United States Information and Educational Exchange Act of 1948, section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), and section 53 of the Arms Control and Disarmament Act;

The Department of Defense Appropriations Act, 1996, notwithstanding section 504(a)(1) of the National Security Act of 1947;

The District of Columbia Appropriations Act, 1996;

The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, notwithstanding section 10 of Public Law 91–672 and section 15(a) of the State Department Basic Authorities Act of 1956;

The Department of the Interior and Related Agencies Appropriations Act, 1996;

The Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1996;

The Legislative Branch Appropriations Act, 1996, H.R. 2492;

The Department of Transportation Appropriations Act, 1996;

The Treasury, Postal Service, and General Government Appropriations Act, 1996;

The Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in these Acts is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under an Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is funded in the applicable appropriations Act for the fiscal year 1995 and not included in the version passed by the one House as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 111 or 112 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. No appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used for new production of items not funded for production in fiscal year 1995 or prior years, for the increase in production rates above those sustained with fiscal year 1995 funds, or to initiate, resume, or continue any project, activity, operation, or organization which are defined as any project, subproject, activity, budget activity, program element, and subprogram within a program element and for investment items are further defined as a P–1 line item in a budget activity within an appropriation account

and an R–1 line item which includes a program element and subprogram element within an appropriation account, for which appropriations, funds, or other authority were not available during the fiscal year 1995: *Provided,* That no appropriation or funds made available or authority granted pursuant to section 101 for the Department of Defense shall be used to initiate multiyear procurements utilizing advance procurement funding for economic order quantity procurement unless specifically appropriated later.

SEC. 103. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 104. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 105. No provision which is included in an appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

Termination date.

SEC. 106. Unless otherwise provided for in this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) December 15, 1995, whichever first occurs.

Coverage.

SEC. 107. Appropriations made and authority granted pursuant to this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

SEC. 108. Expenditures made pursuant to this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 109. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 110. Appropriations and funds made available by or authority granted pursuant to this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 111. Notwithstanding any other provision of this joint resolution, except section 106, whenever an Act listed in section 101 as passed by both the House and Senate as of the date of enactment of this joint resolution, does not include funding for an ongoing project or activity for which there is a budget request, or whenever an Act listed in section 101 has been passed by only the House or only the Senate as of the date of enactment of

this joint resolution, and an item funded in fiscal year 1995 is not included in the version passed by the one House, or whenever the rate for operations for an ongoing project or activity provided by section 101 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 101 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes of the Act, the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 112. Notwithstanding any other provision of this joint resolution, except section 106, whenever the rate for operations for any continuing project or activity provided by section 101 or section 111 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 113. Notwithstanding any other provision of this joint resolution, except sections 106, 111, and 112, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this joint resolution that would impinge on final funding prerogatives.

SEC. 114. This joint resolution shall be implemented so that only the most limited funding action of that permitted in the resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 115. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100–202, shall not apply for this joint resolution. Included in the apportionment for the Federal Payment to the District of Columbia shall be an additional $16,575,016 above the amount otherwise made available by this joint resolution, for reimbursement to the United States of funds loaned for certain capital improvement projects pursuant to Public Law 81–364, as amended; Public Law 85–451, as amended; and Public Law 86–515, as amended, including interest as required thereby.

SEC. 116. Notwithstanding any other provision of this joint resolution, except section 106, the authority and conditions for the application of appropriations for the Office of Technology Assessment as contained in the conference report on the Legislative Branch Appropriations Act, 1996, House Report 104–212, shall be followed when applying the funding made available by this joint resolution.

SEC. 117. Notwithstanding any other provision of this joint resolution, except section 106, any distribution of funding under the Rehabilitation Services and Disability Research account in the Department of Education may be made up to an amount that bears the same ratio to the rate for operation for this account provided by this joint resolution as the number of days covered by this joint resolution bears to 366.

8 USC 1351 note.

SEC. 118. Notwithstanding any other provision of this joint resolution, except section 106, the authorities provided under subsection (a) of section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall remain in effect during the period of this joint resolution, notwithstanding paragraph (3) of said subsection.

SEC. 119. Notwithstanding any other provision of this joint resolution, except section 106, the amount made available to the Securities and Exchange Commission, under the heading Salaries and Expenses, shall include, in addition to direct appropriations, the amount it collects under the fee rate and offsetting collection authority contained in Public Law 103–352, which fee rate and offsetting collection authority shall remain in effect during the period of this joint resolution.

SEC. 120. Until enactment of legislation providing funding for the entire fiscal year ending September 30, 1996, for the Department of the Interior and Related Agencies, funds available for necessary expenses of the Bureau of Mines are for continuing limited health and safety and related research, materials partnerships, and minerals information activities; for mineral assessments in Alaska; and for terminating all other activities of the Bureau of Mines.

SEC. 121. Notwithstanding any other provision of this joint resolution, except section 106, funds for the Environmental Protection Agency shall be made available in the appropriation accounts which are provided in H.R. 2099 as reported on September 13, 1995.

SEC. 122. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations for projects and activities that would be funded under the heading "International Organizations and Conferences, Contributions to International Organizations" in the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1996, shall be the amount provided by the provisions of sections 101, 111, and 112 multiplied by the ratio of the number of days covered by this joint resolution to 366.

SEC. 123. Notwithstanding any other provision of this joint resolution, except section 106, the rate for operations of the following projects or activities shall be only the minimum necessary to accomplish orderly termination:

Administrative Conference of the United States;

Advisory Commission on Intergovernmental Relations (except that activities to carry out the provisions of Public Law 104–4 may continue);

Interstate Commerce Commission;

Pennsylvania Avenue Development Corporation;

Land and Water Conservation Fund, State Assistance; and

Office of Surface Mining Reclamation and Enforcement, Rural Abandoned Mine Program.

SEC. 124. COMPENSATION AND RATIFICATION OF AUTHORITY.—(a) Any Federal employees furloughed as a result of a lapse in appropriations, if any, after midnight November 13, 1995, until the enactment of this joint resolution shall be compensated at their standard rate of compensation for the period during which there was a lapse in appropriations.

All obligations incurred in anticipation of the appropriations made and authority granted by this Act for the purposes of maintaining the essential level of activity to protect life and property and bring about orderly termination of Government functions are hereby ratified and approved if otherwise in accord with the provisions of this joint resolution.

TITLE II

SEC. 201. WAIVER OF REQUIREMENT FOR PARCHMENT PRINTING. 1 USC 106 note.

(a) WAIVER.—The provisions of sections 106 and 107 of title 1, United States Code, are waived with respect to the printing (on parchment or otherwise) of the enrollment of any of the following measures of the first session of the One Hundred Fourth Congress presented to the President after the enactment of this joint resolution:

(1) A continuing resolution.
(2) A debt limit extension measure.
(3) A reconciliation bill.

(b) CERTIFICATION BY COMMITTEE ON HOUSE OVERSIGHT.—The enrollment of a measure to which subsection (a) applies shall be in such form as the Committee on House Oversight of the House of Representatives certifies to be a true enrollment.

SEC. 202. DEFINITIONS. 1 USC 106 note.

As used in this joint resolution:

(1) CONTINUING RESOLUTION.—The term "continuing resolution" means a bill or joint resolution that includes provisions making further continuing appropriations for fiscal year 1996.

(2) DEBT LIMIT EXTENSION MEASURE.—The term "debt limit extension measure" means a bill or joint resolution that includes provisions increasing or waiving (for a temporary period or otherwise) the public debt limit under section 3101(b) of title 31, United States Code.

(3) RECONCILIATION BILL.—The term "reconciliation bill" means a bill that is a reconciliation bill within the meaning of section 310 of the Congressional Budget Act of 1974.

SEC. 203. COMMITMENT TO A SEVEN-YEAR BALANCED BUDGET. President. Congress.

(a) The President and the Congress shall enact legislation in the first session of the 104th Congress to achieve a balanced budget not later than the fiscal year 2002 as estimated by the Congressional Budget Office, and the President and the Congress agree that the balanced budget must protect future generations, ensure Medicare solvency, reform welfare, and provide adequate funding for Medicaid, education, agriculture, national defense, veterans, and the environment. Further, the balanced budget shall adopt tax policies to help working families and to stimulate future economic growth.

(b) The balanced budget agreement shall be estimated by the Congressional Budget Office based on its most recent current economic and technical assumptions, following a thorough consultation

and review with the Office of Management and Budget, and other Government and private experts.

Approved November 20, 1995.

LEGISLATIVE HISTORY—H.J. Res. 122:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 15, considered and passed House.
Nov. 16, considered and passed Senate.
Nov. 19, reconsidered and passed Senate, amended.
Nov. 20, House concurred in Senate amendment.

Public Law 104–57
104th Congress

An Act

To increase, effective as of December 1, 1995, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans.

Nov. 22, 1995
[H.R. 2394]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Veterans' Compensation Cost-of-Living Adjustment Act of 1995.
38 USC 101 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 1995".

38 USC 1114 note.

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) RATE ADJUSTMENT.—The Secretary of Veterans Affairs shall, effective on December 1, 1995, increase the dollar amounts in effect for the payment of disability compensation and dependency and indemnity compensation by the Secretary, as specified in subsection (b).

(b) AMOUNTS TO BE INCREASED.—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) COMPENSATION.—Each of the dollar amounts in effect under section 1114 of title 38, United States Code.

(2) ADDITIONAL COMPENSATION FOR DEPENDENTS.—Each of the dollar amounts in effect under section 1115(1) of such title.

(3) CLOTHING ALLOWANCE.—The dollar amount in effect under section 1162 of such title.

(4) NEW DIC RATES.—The dollar amounts in effect under paragraphs (1) and (2) of section 1311(a) of such title.

(5) OLD DIC RATES.—Each of the dollar amounts in effect under section 1311(a)(3) of such title.

(6) ADDITIONAL DIC FOR SURVIVING SPOUSES WITH MINOR CHILDREN.—The dollar amount in effect under section 1311(b) of such title.

(7) ADDITIONAL DIC FOR DISABILITY.—The dollar amounts in effect under sections 1311(c) and 1311(d) of such title.

(8) DIC FOR DEPENDENT CHILDREN.—The dollar amounts in effect under sections 1313(a) and 1314 of such title.

(c) DETERMINATION OF PERCENTAGE INCREASE.—(1) The increase under subsection (a) shall be made in the dollar amounts specified in subsection (b) as in effect on November 30, 1995. Each such amount shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased

effective December 1, 1995, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) In the computation of increased dollar amounts pursuant to paragraph (1), any amount which as so computed is not an even multiple of $1 shall be rounded to the next lower whole dollar amount.

(d) SPECIAL RULE.—The Secretary may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons within the purview of section 10 of Public Law 85–857 (72 Stat. 1263) who are not in receipt of compensation payable pursuant to chapter 11 of title 38, United States Code.

Federal Register, publication.
38 USC 1114 note.

SEC. 3. PUBLICATION OF ADJUSTED RATES.

At the same time as the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 1996, the Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in section 2(b), as increased pursuant to section 2.

Approved November 22, 1995.

LEGISLATIVE HISTORY—H.R. 2394:

HOUSE REPORTS: No. 104–273 (Comm. on Veterans' Affairs).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 10, considered and passed House.
Nov. 9, considered and passed Senate, amended.
Nov. 10, House concurred in Senate amendment.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Nov. 22, Presidential statement.

Public Law 104–58
104th Congress

An Act

To authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes.

Nov. 28, 1995
[S. 395]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—ALASKA POWER ADMINISTRATION ASSET SALE AND TERMINATION

Alaska Power Administration Asset Sale and Termination Act. 42 USC 7152 note.

SEC. 101. SHORT TITLE.

This title may be cited as the "Alaska Power Administration Asset Sale and Termination Act".

SEC. 102. DEFINITIONS.

For purposes of this title:

(1) The term "Eklutna" means the Eklutna Hydroelectric Project and related assets as described in section 4 and Exhibit A of the Eklutna Purchase Agreement.

(2) The term "Eklutna Purchase Agreement" means the August 2, 1989, Eklutna Purchase Agreement between the Alaska Power Administration of the Department of Energy and the Eklutna Purchasers, together with any amendments thereto adopted before the enactment of this section.

(3) The term "Eklutna Purchasers" means the Municipality of Anchorage doing business as Municipal Light and Power, the Chugach Electric Association, Inc. and the Matanuska Electric Association, Inc.

(4) The term "Snettisham" means the Snettisham Hydroelectric Project and related assets as described in section 4 and Exhibit A of the Snettisham Purchase Agreement.

(5) The term "Snettisham Purchase Agreement" means the February 10, 1989, Snettisham Purchase Agreement between the Alaska Power Administration of the Department of Energy and the Alaska Power Authority and its successors in interest, together with any amendments thereto adopted before the enactment of this section.

(6) The term "Snettisham Purchaser" means the Alaska Industrial Development and Export Authority or a successor State agency or authority.

SEC. 103. SALE OF EKLUTNA AND SNETTISHAM HYDROELECTRIC PROJECTS.

(a) SALE OF EKLUTNA.—The Secretary of Energy is authorized and directed to sell Eklutna to the Eklutna Purchasers in accordance with the terms of this Act and the Eklutna Purchase Agreement.

(b) SALE OF SNETTISHAM.—The Secretary of Energy is authorized and directed to sell Snettisham to the Snettisham Purchaser in accordance with the terms of this Act and the Snettisham Purchase Agreement.

(c) COOPERATION OF OTHER AGENCIES.—The heads of other Federal departments, agencies, and instrumentalities of the United States shall assist the Secretary of Energy in implementing the sales and conveyances authorized and directed by this title.

(d) PROCEEDS.—Proceeds from the sales required by this title shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to prepare, survey, and acquire Eklutna and Snettisham for sale and conveyance. Such preparations and acquisitions shall provide sufficient title to ensure the beneficial use, enjoyment, and occupancy by the purchasers.

(f) CONTRIBUTED FUNDS.—Notwithstanding any other provision of law, the Alaska Power Administration is authorized to receive, administer, and expend such contributed funds as may be provided by the Eklutna Purchasers or customers or the Snettisham Purchaser or customers for the purposes of upgrading, improving, maintaining, or administering Eklutna or Snettisham. Upon the termination of the Alaska Power Administration under section 104(f), the Secretary of Energy shall administer and expend any remaining balances of such contributed funds for the purposes intended by the contributors.

SEC. 104. EXEMPTION AND OTHER PROVISIONS.

(a) FEDERAL POWER ACT.—(1) After the sales authorized by this Act occur, Eklutna and Snettisham, including future modifications, shall continue to be exempt from the requirements of Part I of the Federal Power Act (16 U.S.C. 791a et seq.), except as provided in subsection (b).

(2) The exemption provided by paragraph (1) shall not affect the Memorandum of Agreement entered into among the State of Alaska, the Eklutna Purchasers, the Alaska Energy Authority, and Federal fish and wildlife agencies regarding the protection, mitigation of, damages to, and enhancement of fish and wildlife, dated August 7, 1991, which remains in full force and effect.

(3) Nothing in this title or the Federal Power Act preempts the State of Alaska from carrying out the responsibilities and authorities of the Memorandum of Agreement.

(b) SUBSEQUENT TRANSFERS.—Except for subsequent assignment of interest in Eklutna by the Eklutna Purchasers to the Alaska Electric Generation and Transmission Cooperative Inc. pursuant to section 19 of the Eklutna Purchase Agreement, upon any subsequent sale or transfer of any portion of Eklutna or Snettisham from the Eklutna Purchasers or the Snettisham Purchaser to any other person, the exemption set forth in paragraph

(1) of subsection (a) of this section shall cease to apply to such portion.

(c) REVIEW.—(1) The United States District Court for the District of Alaska shall have jurisdiction to review decisions made under the Memorandum of Agreement and to enforce the provisions of the Memorandum of Agreement, including the remedy of specific performance. Courts.

(2) An action seeking review of a Fish and Wildlife Program ("Program") of the Governor of Alaska under the Memorandum of Agreement or challenging actions of any of the parties to the Memorandum of Agreement prior to the adoption of the Program shall be brought not later than 90 days after the date on which the Program is adopted by the Governor of Alaska, or be barred.

(3) An action seeking review of implementation of the Program shall be brought not later than 90 days after the challenged act implementing the Program, or be barred.

(d) EKLUTNA LANDS.—With respect to Eklutna lands described in Exhibit A of the Eklutna Purchase Agreement:

(1) The Secretary of the Interior shall issue rights-of-way to the Alaska Power Administration for subsequent reassignment to the Eklutna Purchasers—

(A) at no cost to the Eklutna Purchasers;

(B) to remain effective for a period equal to the life of Eklutna as extended by improvements, repairs, renewals, or replacements; and

(C) sufficient for the operation of, maintenance of, repair to, and replacement of, and access to, Eklutna facilities located on military lands and lands managed by the Bureau of Land Management, including lands selected by the State of Alaska.

(2) Fee title to lands at Anchorage Substation shall be transferred to Eklutna Purchasers at no additional cost if the Secretary of the Interior determines that pending claims to, and selections of, those lands are invalid or relinquished.

(3) With respect to the Eklutna lands identified in paragraph 1 of Exhibit A of the Eklutna Purchase Agreement, the State of Alaska may select, and the Secretary of the Interior shall convey to the State, improved lands under the selection entitlements in section 6 of the Act of July 7, 1958 (commonly referred to as the Alaska Statehood Act, Public Law 85–508; 72 Stat. 339), and the North Anchorage Land Agreement dated January 31, 1983. This conveyance shall be subject to the rights-of-way provided to the Eklutna Purchasers under paragraph (1).

(e) SNETTISHAM LANDS.—With respect to the Snettisham lands identified in paragraph 1 of Exhibit A of the Snettisham Purchase Agreement and Public Land Order No. 5108, the State of Alaska may select, and the Secretary of the Interior shall convey to the State of Alaska, improved lands under the selection entitlements in section 6 of the Act of July 7, 1958 (commonly referred to as the Alaska Statehood Act, Public Law 85–508; 72 Stat. 339).

(f) TERMINATION OF ALASKA POWER ADMINISTRATION.—Not later than one year after both of the sales authorized in section 103 have occurred, as measured by the Transaction Dates stipulated in the Purchase Agreements, the Secretary of Energy shall—

(1) complete the business of, and close out, the Alaska Power Administration;

Reports.

(2) submit to Congress a report documenting the sales; and

(3) return unobligated balances of funds appropriated for the Alaska Power Administration to the Treasury of the United States.

Effective dates. 48 USC 312, 312 note, 312a–312d.

(g) REPEALS.—(1) The Act of July 31, 1950 (64 Stat. 382) is repealed effective on the date that Eklutna is conveyed to the Eklutna Purchasers.

(2) Section 204 of the Flood Control Act of 1962 (76 Stat. 1193) is repealed effective on the date that Snettisham is conveyed to the Snettisham Purchaser.

(3) The Act of August 9, 1955, concerning water resources investigation in Alaska (69 Stat. 618), is repealed.

42 USC 1962d–12—1962d–14.

(h) DOE ORGANIZATION ACT.—As of the later of the two dates determined in paragraphs (1) and (2) of subsection (g), section 302(a) of the Department of Energy Organization Act (42 U.S.C. 7152(a)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (C); and

(B) by redesignating subparagraphs (D), (E), and (F) as subparagraphs (C), (D), and (E) respectively; and

(2) in paragraph (2) by striking out "and the Alaska Power Administration" and by inserting "and" after "Southwestern Power Administration,".

(i) DISPOSAL.—The sales of Eklutna and Snettisham under this title are not considered disposal of Federal surplus property under the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484) or the Act of October 3, 1944, popularly referred to as the "Surplus Property Act of 1944" (50 U.S.C. App. 1622).

SEC. 105. OTHER FEDERAL HYDROELECTRIC PROJECTS.

The provisions of this title regarding the sale of the Alaska Power Administration's hydroelectric projects under section 103 and the exemption of these projects from Part I of the Federal Power Act under section 104 do not apply to other Federal hydroelectric projects.

TITLE II—EXPORTS OF ALASKAN NORTH SLOPE OIL

President.

SEC. 201. EXPORTS OF ALASKAN NORTH SLOPE OIL.

Section 28 of the Mineral Leasing Act (30 U.S.C. 185) is amended by amending subsection (s) to read as follows:

"EXPORTS OF ALASKAN NORTH SLOPE OIL

"(s)(1) Subject to paragraphs (2) through (6) of this subsection and notwithstanding any other provision of this Act or any other provision of law (including any regulation) applicable to the export of oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652), such oil may be exported unless the President finds that exportation of this oil is not in the national interest. The President shall make his national interest determination within five months of the date of enactment of this subsection. In evaluat-

ing whether exports of this oil are in the national interest, the President shall at a minimum consider—

"(A) whether exports of this oil would diminish the total quantity or quality of petroleum available to the United States;

"(B) the results of an appropriate environmental review, including consideration of appropriate measures to mitigate any potential adverse effects of exports of this oil on the environment, which shall be completed within four months of the date of the enactment of this subsection; and

"(C) whether exports of this oil are likely to cause sustained material oil supply shortages or sustained oil prices significantly above world market levels that would cause sustained material adverse employment effects in the United States or that would cause substantial harm to consumers, including noncontiguous States and Pacific territories.

If the President determines that exports of this oil are in the national interest, he may impose such terms and conditions (other than a volume limitation) as are necessary or appropriate to ensure that such exports are consistent with the national interest.

"(2) Except in the case of oil exported to a country with which the United States entered into a bilateral international oil supply agreement before November 26, 1979, or to a country pursuant to the International Emergency Oil Sharing Plan of the International Energy Agency, any oil transported by pipeline over right-of-way granted pursuant to section 203 of the Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1652) shall, when exported, be transported by a vessel documented under the laws of the United States and owned by a citizen of the United States (as determined in accordance with section 2 of the Shipping Act, 1916 (46 U.S.C. App. 802)).

"(3) Nothing in this subsection shall restrict the authority of the President under the Constitution, the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), the National Emergencies Act (50 U.S.C. 1601 et seq.), or Part B of title II of the Energy Policy and Conservation Act (42 U.S.C. 6271–76) to prohibit exports.

"(4) The Secretary of Commerce shall issue any rules necessary for implementation of the President's national interest determination, including any licensing requirements and conditions, within 30 days of the date of such determination by the President. The Secretary of Commerce shall consult with the Secretary of Energy in administering the provisions of this subsection. Regulations.

"(5) If the Secretary of Commerce finds that exporting oil under authority of this subsection has caused sustained material oil supply shortages or sustained oil prices significantly above world market levels and further finds that these supply shortages or price increases have caused or are likely to cause sustained material adverse employment effects in the United States, the Secretary of Commerce, in consultation with the Secretary of Energy, shall recommend, and the President may take, appropriate action concerning exports of this oil, which may include modifying or revoking authority to export such oil.

"(6) Administrative action under this subsection is not subject to sections 551 and 553 through 559 of title 5, United States Code.".

30 USC 185 note.

SEC. 202. GAO REPORT.

(a) REVIEW.—The Comptroller General of the United States shall conduct a review of energy production in California and Alaska and the effects of Alaskan North Slope oil exports, if any, on consumers, independent refiners, and shipbuilding and ship repair yards on the West Coast and in Hawaii. The Comptroller General shall commence this review three years after the date of enactment of this Act and, within twelve months after commencing the review, shall provide a report to the Committee on Energy and Natural Resources of the Senate and the Committee on Resources and the Committee on Commerce of the House of Representatives.

(b) CONTENTS OF REPORT.—The report shall contain a statement of the principal findings of the review and recommendations for Congress and the President to address job loss in the shipbuilding and ship repair industry on the West Coast, as well as adverse impacts on consumers and refiners on the West Coast and in Hawaii, that the Comptroller General attributes to Alaska North Slope oil exports.

SEC. 203. GRANT AUTHORITY.

(a) IN GENERAL.—The Secretary of Transportation ("Secretary") may make grants to the Multnomah County Tax Supervising and Conservation Commission of Multnomah County, Oregon ("Commission") in accordance with this section, not to exceed the amount determined in subsection (b)(2).

(b) FINDING AND DETERMINATION.—Before making any grant under this section not earlier than one year after exports of Alaskan North Slope oil commence pursuant to section 201, the Secretary shall—

(1) find on the basis of substantial evidence that such exports are directly or indirectly a substantial contributing factor to the need to levy port district ad valorem taxes under Oregon Revised Statutes section 294.381; and

(2) determine the amount of such levy attributable to the export of Alaskan North Slope oil.

(c) AGREEMENT.—Before receiving a grant under this section for the relief of port district ad valorem taxes which would otherwise be levied under Oregon Revised Statutes section 294.381, the Commission shall enter into an agreement with the Secretary to—

(1) establish a segregated account for the receipt of grant funds;

(2) deposit and keep grant funds in that account;

(3) use the funds solely for the purpose of payments in accordance with this subsection, as determined pursuant to Oregon Revised Statutes sections 294.305–565, and computed in accordance with generally accepted accounting principles; and

(4) terminate such account at the conclusion of payments subject to this subsection and to transfer any amounts, including interest, remaining in such account to the Port of Portland for use in transportation improvements to enhance freight mobility.

(d) REPORT.—Within 60 days of issuing a grant under this section, the Secretary shall submit any finding and determination made under subsection (b), including supporting information, to the Committee on Energy and Natural Resources of the Senate

and the Committee on Transportation and Infrastructure of the House of Representatives.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary of Transportation to carry out subsection (a), $15,000,000 for fiscal year 1997, to remain available until October 1, 2003.

TITLE III—OUTER CONTINENTAL SHELF DEEP WATER ROYALTY RELIEF

Outer Continental Shelf Deep Water Royalty Relief Act.
43 USC 1301 note.

SEC. 301. SHORT TITLE.

This title may be referred to as the "Outer Continental Shelf Deep Water Royalty Relief Act".

SEC. 302. AMENDMENTS TO THE OUTER CONTINENTAL SHELF LANDS ACT.

Section 8(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)), is amended—

(1) by designating the provisions of paragraph (3) as subparagraph (A) of such paragraph (3); and

(2) by inserting after subparagraph (A), as so designated, the following:

"(B) In the Western and Central Planning Areas of the Gulf of Mexico and the portion of the Eastern Planning Area of the Gulf of Mexico encompassing whole lease blocks lying west of 87 degrees, 30 minutes West longitude, the Secretary may, in order to—

"(i) promote development or increased production on producing or non-producing leases; or

"(ii) encourage production of marginal resources on producing or non-producing leases;

through primary, secondary, or tertiary recovery means, reduce or eliminate any royalty or net profit share set forth in the lease(s). With the lessee's consent, the Secretary may make other modifications to the royalty or net profit share terms of the lease in order to achieve these purposes.

"(C)(i) Notwithstanding the provisions of this Act other than this subparagraph, with respect to any lease or unit in existence on the date of enactment of the Outer Continental Shelf Deep Water Royalty Relief Act meeting the requirements of this subparagraph, no royalty payments shall be due on new production, as defined in clause (iv) of this subparagraph, from any lease or unit located in water depths of 200 meters or greater in the Western and Central Planning Areas of the Gulf of Mexico, including that portion of the Eastern Planning Area of the Gulf of Mexico encompassing whole lease blocks lying west of 87 degrees, 30 minutes West longitude, until such volume of production as determined pursuant to clause (ii) has been produced by the lessee.

"(ii) Upon submission of a complete application by the lessee, the Secretary shall determine within 180 days of such application whether new production from such lease or unit would be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i) of this subparagraph. In making such determination, the Secretary shall consider the increased technological and financial risk of deep water development and all costs associated with exploring, developing, and producing from the lease.

The lessee shall provide information required for a complete application to the Secretary prior to such determination. The Secretary shall clearly define the information required for a complete application under this section. Such application may be made on the basis of an individual lease or unit. If the Secretary determines that such new production would be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i) of this subparagraph, the provisions of clause (i) shall not apply to such production. If the Secretary determines that such new production would not be economic in the absence of the relief from the requirement to pay royalties provided for by clause (i), the Secretary must determine the volume of production from the lease or unit on which no royalties would be due in order to make such new production economically viable; except that for new production as defined in clause (iv)(I), in no case will that volume be less than 17.5 million barrels of oil equivalent in water depths of 200 to 400 meters, 52.5 million barrels of oil equivalent in 400–800 meters of water, and 87.5 million barrels of oil equivalent in water depths greater than 800 meters. Redetermination of the applicability of clause (i) shall be undertaken by the Secretary when requested by the lessee prior to the commencement of the new production and upon significant change in the factors upon which the original determination was made. The Secretary shall make such redetermination within 120 days of submission of a complete application. The Secretary may extend the time period for making any determination or redetermination under this clause for 30 days, or longer if agreed to by the applicant, if circumstances so warrant. The lessee shall be notified in writing of any determination or redetermination and the reasons for and assumptions used for such determination. Any determination or redetermination under this clause shall be a final agency action. The Secretary's determination or redetermination shall be judicially reviewable under section 10(a) of the Administrative Procedures Act (5 U.S.C. 702), only for actions filed within 30 days of the Secretary's determination or redetermination.

Notification.

Courts.

"(iii) In the event that the Secretary fails to make the determination or redetermination called for in clause (ii) upon application by the lessee within the time period, together with any extension thereof, provided for by clause (ii), no royalty payments shall be due on new production as follows:

"(I) For new production, as defined in clause (iv)(I) of this subparagraph, no royalty shall be due on such production according to the schedule of minimum volumes specified in clause (ii) of this subparagraph.

"(II) For new production, as defined in clause (iv)(II) of this subparagraph, no royalty shall be due on such production for one year following the start of such production.

"(iv) For purposes of this subparagraph, the term 'new production' is—

"(I) any production from a lease from which no royalties are due on production, other than test production, prior to the date of enactment of the Outer Continental Shelf Deep Water Royalty Relief Act; or

"(II) any production resulting from lease development activities pursuant to a Development Operations Coordination Document, or supplement thereto that would expand production significantly beyond the level anticipated in the Development

Operations Coordination Document, approved by the Secretary after the date of enactment of the Outer Continental Shelf Deep Water Royalty Relief Act.

"(v) During the production of volumes determined pursuant to clauses (ii) or (iii) of this subparagraph, in any year during which the arithmetic average of the closing prices on the New York Mercantile Exchange for light sweet crude oil exceeds $28.00 per barrel, any production of oil will be subject to royalties at the lease stipulated royalty rate. Any production subject to this clause shall be counted toward the production volume determined pursuant to clause (ii) or (iii). Estimated royalty payments will be made if such average of the closing prices for the previous year exceeds $28.00. After the end of the calendar year, when the new average price can be calculated, lessees will pay any royalties due, with interest but without penalty, or can apply for a refund, with interest, of any overpayment.

"(vi) During the production of volumes determined pursuant to clause (ii) or (iii) of this subparagraph, in any year during which the arithmetic average of the closing prices on the New York Mercantile Exchange for natural gas exceeds $3.50 per million British thermal units, any production of natural gas will be subject to royalties at the lease stipulated royalty rate. Any production subject to this clause shall be counted toward the production volume determined pursuant to clauses (ii) or (iii). Estimated royalty payments will be made if such average of the closing prices for the previous year exceeds $3.50. After the end of the calendar year, when the new average price can be calculated, lessees will pay any royalties due, with interest but without penalty, or can apply for a refund, with interest, of any overpayment.

"(vii) The prices referred to in clauses (v) and (vi) of this subparagraph shall be changed during any calendar year after 1994 by the percentage, if any, by which the implicit price deflator for the gross domestic product changed during the preceding calendar year.".

SEC. 303. NEW LEASES.

Section 8(a)(1) of the Outer Continental Shelf Lands Act, as amended (43 U.S.C. 1337(a)(1)) is amended—

(1) by redesignating subparagraph (H) as subparagraph (I);

(2) by striking "or" at the end of subparagraph (G); and

(3) by inserting after subparagraph (G) the following new subparagraph:

"(H) cash bonus bid with royalty at no less than 12 and ½ per centum fixed by the Secretary in amount or value of production saved, removed, or sold, and with suspension of royalties for a period, volume, or value of production determined by the Secretary, which suspensions may vary based on the price of production from the lease; or".

SEC. 304. LEASE SALES.

43 USC 1337 note.

For all tracts located in water depths of 200 meters or greater in the Western and Central Planning Area of the Gulf of Mexico, including that portion of the Eastern Planning Area of the Gulf of Mexico encompassing whole lease blocks lying west of 87 degrees, 30 minutes West longitude, any lease sale within five years of the date of enactment of this title, shall use the bidding system authorized in section 8(a)(1)(H) of the Outer Continental Shelf

Lands Act, as amended by this title, except that the suspension of royalties shall be set at a volume of not less than the following:

(1) 17.5 million barrels of oil equivalent for leases in water depths of 200 to 400 meters;

(2) 52.5 million barrels of oil equivalent for leases in 400 to 800 meters of water; and

(3) 87.5 million barrels of oil equivalent for leases in water depths greater than 800 meters.

43 USC 1337 note.

SEC. 305. REGULATIONS.

The Secretary shall promulgate such rules and regulations as are necessary to implement the provisions of this title within 180 days after the enactment of this Act.

43 USC 1337 note.

SEC. 306. SAVINGS CLAUSE.

Nothing in this title shall be construed to affect any offshore pre-leasing, leasing, or development moratorium, including any moratorium applicable to the Eastern Planning Area of the Gulf of Mexico located off the Gulf Coast of Florida.

TITLE IV—MISCELLANEOUS

Maritime affairs. Coast Guard.

SEC. 401. EMERGENCY RESPONSE PLAN.

(a) IN GENERAL.—Within 15 months after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit a plan to Congress on the most cost-effective means of implementing an international private-sector tug-of-opportunity system, including a coordinated system of communication, using existing towing vessels to provide timely emergency response to a vessel in distress transiting the waters within the boundaries of the Olympic Coast National Marine Sanctuary or the Strait of Juan de Fuca.

Canada.

(b) COORDINATION.—In carrying out this section, the Commandant, in consultation with the Secretaries of State and Transportation, shall coordinate with the Canadian Government and the United States and Canadian maritime industries.

(c) ACCESS TO INFORMATION.—If necessary, the Commandant shall allow United States nonprofit maritime organizations access to United States Coast Guard radar imagery and transponder information to identify and deploy towing vessels for the purpose of facilitating emergency response.

(d) TOWING VESSEL DEFINED.—For the purpose of this section, the term "towing vessel" has the meaning given that term by section 2101(40) of title 46, United States Code.

Approved November 28, 1995.

LEGISLATIVE HISTORY—S. 395 (H.R. 70) (H.R. 1122):

HOUSE REPORTS: Nos. 104–139, Pt. 1, accompanying H.R. 70 and 104–187, Pt. 1, accompanying H.R. 1122 (both from Comm. on Resources), and 104–312 (Comm. of Conference).

SENATE REPORTS: No. 104–78 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 141 (1995):

May 15, 16, considered and passed Senate.
July 24, H.R. 70 considered and passed House.
July 25, S. 395 considered and passed House, amended.
Nov. 8, House agreed to conference report.
Nov. 14, Senate agreed to conference report.

Public Law 104–59
104th Congress

An Act

Nov. 28, 1995
[S. 440]

To amend title 23, United States Code, to provide for the designation of the National Highway System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Highway System Designation Act of 1995.
Intergovernmental relations.
23 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "National Highway System Designation Act of 1995".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Secretary defined.

TITLE I—NATIONAL HIGHWAY SYSTEM

Sec. 101. National highway system designation.

TITLE II—TRANSPORTATION FUNDING FLEXIBILITY

Sec. 201. Findings and purposes.
Sec. 202. Funding restoration.
Sec. 203. Rescissions.
Sec. 204. State unobligated balance flexibility.
Sec. 205. Relief from mandates.
Sec. 206. Definitions.

TITLE III—MISCELLANEOUS HIGHWAY PROVISIONS

Sec. 301. Traffic monitoring, management, and control on NHS.
Sec. 302. Transferability of apportionments.
Sec. 303. Quality improvement.
Sec. 304. Design criteria for the national highway system.
Sec. 305. Applicability of transportation conformity requirements.
Sec. 306. Motorist call boxes.
Sec. 307. Quality through competition.
Sec. 308. Limitation on advance construction.
Sec. 309. Preventive maintenance.
Sec. 310. Federal share.
Sec. 311. Eligibility of bond and other debt instrument financing for reimbursement as construction expenses.
Sec. 312. Vehicle weight and longer combination vehicles exemptions.
Sec. 313. Toll roads.
Sec. 314. Scenic byways.
Sec. 315. Applicability of certain requirements to third party sellers.
Sec. 316. Streamlining for transportation enhancement projects.
Sec. 317. Metropolitan planning for highway projects.
Sec. 318. Non-Federal share for certain toll bridge projects.
Sec. 319. Congestion mitigation and air quality improvement program.
Sec. 320. Operation of motor vehicles by intoxicated minors.
Sec. 321. Utilization of the private sector for surveying and mapping services.
Sec. 322. Donations of funds, materials, or services for federally assisted projects.
Sec. 323. Discovery and admission as evidence of certain reports and surveys.
Sec. 324. Alcohol-impaired driving countermeasures.
Sec. 325. References to Committee on Transportation and Infrastructure.
Sec. 326. Public transit vehicles exemption.

Sec. 327. Use of recycled paving material.
Sec. 328. Roadside barrier technology.
Sec. 329. Corrections to miscellaneous authorizations.
Sec. 330. Corrections to high cost bridge projects.
Sec. 331. Corrections to congestion relief projects.
Sec. 332. High priority corridors.
Sec. 333. Corrections to rural access projects.
Sec. 334. Corrections to urban access and mobility projects.
Sec. 335. Corrections to innovative projects.
Sec. 336. Corrections to intermodal projects.
Sec. 337. National recreational trails.
Sec. 338. Intelligent transportation systems.
Sec. 339. Eligibility.
Sec. 340. Miscellaneous corrections to Surface Transportation and Uniform Relocation Assistance Act of 1987.
Sec. 341. Accessibility of over-the-road buses to individuals with disabilities.
Sec. 342. Alcohol and controlled substances testing.
Sec. 343. National driver register.
Sec. 344. Commercial motor vehicle safety pilot program.
Sec. 345. Exemptions from requirements relating to commercial motor vehicles and their operators.
Sec. 346. Winter home heating oil delivery State flexibility program.
Sec. 347. Safety report.
Sec. 348. Moratorium on certain emissions testing requirements.
Sec. 349. Roads on Federal lands.
Sec. 350. State infrastructure bank pilot program.
Sec. 351. Railroad-highway grade crossing safety.
Sec. 352. Collection of bridge tolls.
Sec. 353. Traffic control.
Sec. 354. Public use of rest areas.
Sec. 355. Safety belt use law requirements for New Hampshire and Maine.
Sec. 356. Orange County, California, toll roads.
Sec. 357. Compilation of title 23, United States Code.
Sec. 358. Safety research initiatives.
Sec. 359. Miscellaneous studies.

TITLE IV—WOODROW WILSON MEMORIAL BRIDGE

Sec. 401. Short title.
Sec. 402. Findings.
Sec. 403. Purposes.
Sec. 404. Definitions.
Sec. 405. Establishment of authority.
Sec. 406. Government of authority.
Sec. 407. Ownership of bridge.
Sec. 408. Project planning.
Sec. 409. Additional powers and responsibilities of authority.
Sec. 410. Funding.
Sec. 411. Availability of prior authorizations.

SEC. 2. SECRETARY DEFINED. 23 USC 101 note.

In this Act, the term "Secretary" means the Secretary of Transportation.

TITLE I—NATIONAL HIGHWAY SYSTEM

SEC. 101. NATIONAL HIGHWAY SYSTEM DESIGNATION.

(a) IN GENERAL.—Section 103(b) of title 23, United States Code, is amended by adding at the end the following:

"(5) DESIGNATION OF NHS.—The National Highway System as submitted by the Secretary of Transportation on the map entitled 'Official Submission, National Highway System, Federal Highway Administration', and dated November 13, 1995, is hereby designated within the United States, including the District of Columbia and the Commonwealth of Puerto Rico.

"(6) MODIFICATIONS TO NHS.—

"(A) IN GENERAL.—Subject to paragraph (7), the Secretary may make modifications to the National Highway

System that are proposed by a State or that are proposed by the State and revised by the Secretary if the Secretary determines that each of the modifications—

"(i) meets the criteria established for the National Highway System under this title; and

"(ii) enhances the national transportation characteristics of the National Highway System.

"(B) COOPERATION.—In proposing modifications under this paragraph, a State shall cooperate with local and regional officials. In urbanized areas, the local officials shall act through the metropolitan planning organizations designated for such areas under section 134.

"(7) TRANSITIONAL RULES FOR INTERMODAL CONNECTORS.—

"(A) REQUIRED SUBMISSION.—Not later than 180 days after the date of the enactment of the National Highway System Designation Act of 1995, the Secretary shall submit for approval to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives modifications to the National Highway System that are proposed by a State or that are proposed by the State and revised by the Secretary and that consist of connectors to major ports, airports, international border crossings, public transportation and transit facilities, interstate bus terminals, and rail and other intermodal transportation facilities.

"(B) COOPERATION.—Paragraph (6)(B) shall apply to modifications proposed by a State under this paragraph.

"(C) ELIGIBILITY.—

"(i) INITIAL APPROVAL BY LAW.—Modifications proposed under subparagraph (A) may take effect only if a law has been enacted approving such modifications.

"(ii) INTERIM ELIGIBILITY.—Notwithstanding clause (i), a project to construct a connector to an intermodal transportation facility described in subparagraph (A) shall be eligible for funds apportioned under section 104(b)(1) for the National Highway System if the Secretary finds that the project is consistent with criteria developed by the Secretary for construction of such connectors.

"(iii) PERIOD OF ELIGIBILITY.—A project which is eligible under clause (ii) for funds apportioned under section 104(b)(1) shall remain eligible for such funds pursuant to clause (ii) only until the date of the enactment of a law described in clause (i).

"(D) MODIFICATIONS AFTER INITIAL APPROVAL.—After the date of the enactment of a law described in subparagraph (C)(i), a modification consisting of a connector to an intermodal transportation facility described in subparagraph (A) may be made in accordance with paragraph (6).

"(8) CONGRESSIONAL HIGH PRIORITY CORRIDORS.—Upon the completion of feasibility studies, the Secretary shall add to the National Highway System any congressional high priority corridor or any segment thereof established by section 1105 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2031–2037) which was not identified on the National Highway System designated by paragraph (5).".

(b) CONFORMING AMENDMENTS.—Section 103(b)(3) of such title is amended—

(1) in subparagraph (C) by striking "For purposes of proposing highways for designation to the National Highway System, the" and inserting "The"; and

(2) in subparagraph (D)—

(A) by striking "In proposing highways for designation to the National Highway System, the" and inserting "The"; and

(B) by inserting after "mileage" the following: "on the National Highway System".

TITLE II—TRANSPORTATION FUNDING FLEXIBILITY

Urban and rural areas.

SEC. 201. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds and declares that—

(1) Federal infrastructure spending on transportation is critical to the efficient movement of goods and people in the United States;

(2) section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1921) has been estimated to result in fiscal year 1996 transportation spending being reduced by as much as $2,700,000,000;

(3) such section 1003(c) will result in a reduction of critical funds to States from the Highway Trust Fund; and

(4) the funding reduction will have adverse effects on the national economy and the predictability of funding for the Nation's highway system and impede interstate commerce.

(b) PURPOSES.—The purposes of this title are—

(1) to make the program categories in the Federal-aid highway program more flexible so that States may fund high-priority projects in fiscal year 1996;

(2) to reallocate funds from certain programs during fiscal year 1996 so that the States will be able to continue their core transportation infrastructure programs;

(3) to ensure the equitable distribution of funds to urbanized areas with a population over 200,000 in a manner consistent with the Intermodal Surface Transportation Efficiency Act of 1991; and

(4) to suspend certain penalties that would be imposed on the States.

SEC. 202. FUNDING RESTORATION.

(a) IN GENERAL.—Not later than the 10th day following the date of the enactment of this Act and on October 1, 1997, or as soon as possible thereafter, the Secretary shall allocate among the States the amounts made available, as a result of section 203, to carry out this section for fiscal years 1996 and 1997, respectively, for projects eligible for assistance under chapter 1 of title 23, United States Code.

(b) ALLOCATION FORMULA.—Funds made available to carry out this section shall be allocated among the States in accordance with the following table:

States:	Allocation Percentages
Alabama	1.80
Alaska	1.20
Arizona	1.43
Arkansas	1.42
California	9.17
Colorado	1.27
Connecticut	1.74
Delaware	0.39
District of Columbia	0.52
Florida	4.04
Georgia	2.92
Hawaii	0.54
Idaho	0.70
Illinois	3.88
Indiana	2.18
Iowa	1.27
Kansas	1.13
Kentucky	1.53
Louisiana	1.52
Maine	0.65
Maryland	1.68
Massachusetts	4.11
Michigan	2.75
Minnesota	1.69
Mississippi	1.11
Missouri	2.28
Montana	0.93
Nebraska	0.79
Nevada	0.69
New Hampshire	0.48
New Jersey	2.86
New Mexico	1.02
New York	5.35
North Carolina	2.62
North Dakota	0.64
Ohio	3.64
Oklahoma	1.36
Oregon	1.23
Pennsylvania	4.93
Rhode Island	0.56
South Carolina	1.42
South Dakota	0.69
Tennessee	2.00
Texas	6.21
Utah	0.73
Vermont	0.43
Virginia	2.28
Washington	2.05
West Virginia	1.15
Wisconsin	1.90
Wyoming	0.65
Puerto Rico	0.46
Territories	0.01.

(c) EFFECT OF ALLOCATIONS.—Funds distributed to States under subsection (b) shall not affect calculations to determine allocations to States under section 157 of title 23, United States Code, and sections 1013(c), 1015(a), and 1015(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 104 note).

(d) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—Notwithstanding any other provision of law, funds made available to carry out this section shall be available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code. Such funds shall be available for obligation for the fiscal year for which such amounts are made available plus the 3 succeeding fiscal years. Obligation limitations for Federal-aid highways and highway safety construction programs established by the Intermodal Surface Transportation Efficiency Act of 1991

and subsequent laws shall apply to obligations made under this section.

(e) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000.—

(1) GENERAL RULE.—The amount determined by application of the percentage determined under paragraph (2) to funds allocated to a State under this section for a fiscal year shall be obligated in urbanized areas of the State with an urbanized population of over 200,000 under section 133(d)(3) of title 23, United States Code.

(2) PERCENTAGE.—The percentage referred to in paragraph (1) is the percentage determined by dividing—

(A) the total amount of the reduction in funds that would have been attributed under section 133(d)(3) of title 23, United States Code, to urbanized areas of the State with an urbanized population of over 200,000 for fiscal year 1996 as a result of the application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1921); by

(B) the total amount of the reduction in authorized funds for fiscal year 1996 that would have been allocated to the State, and that would have been apportioned to the State, as a result of the application of such section 1003(c).

(f) LIMITATION ON PLANNING EXPENDITURES.—One-half of 1 percent of amounts allocated to each State under this section in any fiscal year may be available for expenditure for the purpose of carrying out the requirements of section 134 of title 23, United States Code (relating to transportation planning). One and one-half percent of the amounts allocated to each State under this section in any fiscal year may be available for expenditure for the purpose of carrying out activities referred to in section 307(c) of such title.

(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of the Highway Trust Fund (other than the Mass Transit Account), to carry out this section $266,522,436 for fiscal year 1996 and $155,000,000 for fiscal year 1997. Such funds shall not be subject to an administrative deduction under section 104(a) of title 23, United States Code.

(h) TERRITORIES DEFINED.—In this section, the term "territories" means the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

SEC. 203. RESCISSIONS.

(a) RESCISSIONS.—Effective on the date of the enactment of this Act and after any necessary reductions are made under section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1921), the following unobligated balances available on such date of enactment, of funds made available for the following provisions are hereby rescinded: Effective date.

(1) $78,994 made available by section 131(c) of the Surface Transportation Assistance Act of 1982 (96 Stat. 2120).

(2) $798,701 made available by section 131(j) of the Surface Transportation Assistance Act of 1982 (96 Stat. 2123).

(3) $942,249 made available by section 149(a)(66) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 185).

(4) $52,834 made available by section 149(a)(95) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 195).

(5) $909,131 made available by section 149(a)(99) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 195).

(6) $797,800 made available by section 149(a)(100) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 195).

(7) $2 made available by section 149(c)(3) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 201).

(8) $24,706,878 made available by section 1012(b)(6) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1938).

(9) $15,401,107 made available by section 1003(a)(7) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1919).

(10) $113,834,740, or such greater amount as may be necessary to ensure that the aggregate of amounts rescinded by this subsection and amounts reduced by the amendments made by subsection (b) is equal to the amount authorized to be appropriated by section 202(g) for fiscal year 1996, deducted by the Secretary under section 104(a) of title 23, United States Code.

(b) REDUCTIONS IN AUTHORIZED AMOUNTS.—

(1) MAGNETIC LEVITATION.—Section 1036(d)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1986) is amended—

(A) in subparagraph (A) by inserting "and" after "1994,";

(B) in subparagraph (A) by striking ", $125,000,000" and all that follows through "1997"; and

(C) in subparagraph (B) by striking "1996, and 1997" and inserting "and 1996".

(2) HIGHWAY SAFETY PROGRAMS.—Section 2005(1) of such Act (105 Stat. 2079) is amended—

(A) by striking "and" the first place it appears and inserting a comma; and

(B) by striking "1996, and 1997" and inserting "and 1996, and $146,000,000 for fiscal year 1997".

(3) EFFECTIVE DATE.—The amendments made by paragraphs (1) and (2) shall take effect on the later of the date of the enactment of this Act or as soon as possible after the date on which authorized funds for fiscal year 1996 are reduced as a result of application of section 1003(c) of such Act.

(c) CONGESTION PRICING PILOT PROGRAM TRANSFERS.—After the date on which authorized funds for fiscal year 1996 are reduced as a result of application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991, the amounts made available for fiscal years 1996 and 1997 to carry out section 1012(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1938) shall be available to carry out projects under section 202 of this Act.

SEC. 204. STATE UNOBLIGATED BALANCE FLEXIBILITY.

(a) REDUCTION IN FEDERAL FUNDING.—

(1) NOTIFICATION OF STATES.—On the date of the enactment of this Act, or as soon as possible thereafter, the Secretary shall notify each State of the total amount of the reduction in authorized funds for fiscal year 1996 that would have been allocated to such State, and that would have been apportioned to such State, as a result of application of section 1003(c) of the Intermodal Surface Transportation Efficiency Act of 1991. Effective date.

(2) EXCLUSION OF CERTAIN FUNDING.—In determining the amount of any reduction under paragraph (1), the Secretary shall deduct the amount allocated to each State in fiscal year 1996 to carry out projects under section 202 of this Act.

(b) UNOBLIGATED BALANCE FLEXIBILITY.—Upon request of a State, the Secretary shall make available to carry out projects eligible for assistance under chapter 1 of title 23, United States Code, in fiscal year 1996 an amount not to exceed the amount determined under subsection (a) for the State. Such funds shall be made available from authorized funds that were allocated or apportioned to such State and were not obligated as of September 30, 1995. The State shall designate on or before the 30th day following the date of the enactment of this Act, or as soon as possible thereafter, which of such authorized funds are to be made available under this section to carry out such projects. The Secretary shall make available, before the 45th day following such date of enactment or as soon as possible thereafter, funds designated under the preceding sentence to the State.

(c) SPECIAL RULES.—

(1) URBANIZED AREAS OF OVER 200,000.—Funds that were apportioned to the State under section 104(b)(3) of title 23, United States Code, and attributed to urbanized areas of a State with an urbanized population of over 200,000 under section 133(d)(3) of such title may be designated by the State under subsection (b) only if the metropolitan planning organization designated for such area concurs, in writing, with such designation.

(2) CONGESTION MITIGATION AND AIR QUALITY AND SURFACE TRANSPORTATION PROGRAM TRANSPORTATION ENHANCEMENT ACTIVITIES BALANCES.—

(A) IN GENERAL.—Except as provided in subparagraph (B), States may not designate under subsection (b) CMAQ and STP transportation enhancement funds.

(B) EXCEPTION FOR INSUFFICIENT FUNDING AVAILABILITY.—If the Secretary determines—

(i) that there is not sufficient funding available to pay the Federal share of the cost of a project in fiscal year 1996 from funds apportioned or allocated to a State under title 23, United States Code, and title I of the Intermodal Surface Transportation Efficiency Act of 1991 and available for carrying out projects of the same category as such project, and

(ii) that the State has utilized all flexibility and transferability available to it under title 23, United States Code, and this section with respect to such project,

the State may designate in fiscal year 1996 under subsection (b) CMAQ and STP transportation enhancement funds apportioned or allocated to the State and not obli-

gated as of the date of the enactment of this Act to carry out such project.

(C) CMAQ AND STP TRANSPORTATION ENHANCEMENT FUNDS DEFINED.—In this paragraph, the term "CMAQ and STP transportation enhancement funds" means—

(i) funds apportioned under section 104(b)(2) of title 23, United States Code; and

(ii) funds apportioned under section 104(b)(3) of such title and available only for transportation enhancement activities under section 133(d)(3) of such title.

(3) INTERSTATE CONSTRUCTION BALANCES.—A State may not designate under subsection (b) more than ⅓ of funds apportioned or allocated to the State for interstate construction and not obligated as of the date of the enactment of this Act.

(d) APPLICABILITY OF CHAPTER 1 OF TITLE 23.—Notwithstanding any other provision of law, amounts designated under subsection (b) shall be made available for obligation in the same manner as if such funds were apportioned under chapter 1 of title 23, United States Code. Such amounts shall be available for obligation for the same period for which such amounts were originally made available for obligation. Obligation limitations for Federal-aid highways and highway safety construction programs established by the Intermodal Surface Transportation Efficiency Act of 1991 and subsequent laws shall apply to obligations made under this section.

(e) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to affect calculations under section 157 of title 23, United States Code, and sections 1002(e), 1013(c), 1015(a), and 1015(b) of the Intermodal Surface Transportation Efficiency Act of 1991.

(f) STATE.—In this section and section 202, the term "State" has the meaning such term has under section 401 of title 23, United States Code.

SEC. 205. RELIEF FROM MANDATES.

(a) SUSPENSION OF MANAGEMENT SYSTEMS.—Section 303 of title 23, United States Code, is amended—

(1) by striking subsection (c) and inserting the following:

"(c) STATE ELECTION.—A State may elect, at any time, not to implement, in whole or in part, 1 or more of the management systems required under this section. The Secretary may not impose any sanction on, or withhold any benefit from, a State on the basis of such an election."; and

(2) in subsection (f)—

(A) by striking "(f) ANNUAL REPORT.—Not" and inserting the following:

"(f) REPORTS.—

"(1) ANNUAL REPORTS.—Not";

(B) by moving the remainder of the text of paragraph (1), as designated by subparagraph (A) of this paragraph, 2 ems to the right; and

(C) by adding at the end the following:

"(2) REPORT ON IMPLEMENTATION.—Not later than October 1, 1996, the Comptroller General, in consultation with States, shall transmit to Congress a report on the management systems under this section, including recommendations as to whether,

to what extent, and how the management systems should be implemented.".

(b) ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER.—Section 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat. 1987–1990) is amended by striking subsection (d).

(c) METRIC REQUIREMENTS.— 23 USC 109 note.

(1) PLACEMENT AND MODIFICATION OF SIGNS.—The Secretary shall not require the States to expend any Federal or State funds to construct, erect, or otherwise place or to modify any sign relating to a speed limit, distance, or other measurement on a highway for the purpose of having such sign establish such speed limit, distance, or other measurement using the metric system.

(2) OTHER ACTIONS.—Before September 30, 2000, the Secretary shall not require that any State use or plan to use the metric system with respect to designing or advertising, or preparing plans, specifications, estimates, or other documents, for a Federal-aid highway project eligible for assistance under title 23, United States Code.

(3) DEFINITIONS.—In this subsection, the following definitions apply:

(A) HIGHWAY.—The term "highway" has the meaning such term has under section 101 of title 23, United States Code.

(B) METRIC SYSTEM.—The term "metric system" has the meaning the term "metric system of measurement" has under section 4 of the Metric Conversion Act of 1975 (15 U.S.C. 205c).

(d) REPEAL OF NATIONAL MAXIMUM SPEED LIMIT COMPLIANCE PROGRAM.—

(1) IN GENERAL.—Title 23, United States Code, is amended—

(A) in section 141 by striking subsection (a) and redesignating subsections (b) through (d) as subsections (a) through (c), respectively; and

(B) by striking section 154.

(2) CONFORMING AMENDMENT.—The analysis to chapter 1 of such title is amended by striking the item relating to section 154.

(3) APPLICABILITY.—The amendments made by paragraph (1) shall be applicable to a State on the 10th day following the date of the enactment of this Act; except that if the legislature of a State is not in session on such date of enactment and the chief executive officer of the State declares, before such 10th day, that the legislature is not in session and that the State prefers an applicability date for such amendments that is after the date on which the legislature will convene, such amendments shall be applicable to the State on the 60th day following the date on which the legislature next convenes. 23 USC 141 note.

(e) ELIMINATION OF PENALTY FOR NONCOMPLIANCE FOR MOTORCYCLE HELMETS.—Effective September 30, 1995, section 153(h) of title 23, United States Code, is amended by striking "a law described in subsection (a)(1) and" each place it appears. Effective date.

SEC. 206. DEFINITIONS.

In this title, the following definitions apply:

(1) AUTHORIZED FUNDS.—The term "authorized funds" means funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) to carry out title 23, United States Code (other than sections 402 and 410) and the Intermodal Surface Transportation Efficiency Act of 1991 and subject to an obligation limitation.

(2) URBANIZED AREA.—The term "urbanized area" has the meaning such term has under section 101(a) of title 23, United States Code.

TITLE III—MISCELLANEOUS HIGHWAY PROVISIONS

SEC. 301. TRAFFIC MONITORING, MANAGEMENT, AND CONTROL ON NHS.

(a) ELIGIBILITY.—Section 103(i) of title 23, United States Code, is amended by striking paragraph (8) and inserting the following:

"(8) Capital and operating costs for traffic monitoring, management, and control facilities and programs.".

(b) DEFINITIONS.—Section 101(a) of such title is amended—

(1) in the undesignated paragraph relating to the term "project" by inserting before the period at the end the following: "or any other undertaking eligible for assistance under this title"; and

(2) by striking the undesignated paragraph relating to the term "startup costs for traffic management and control" and inserting the following:

"The term 'operating costs for traffic monitoring, management, and control' includes labor costs, administrative costs, costs of utilities and rent, and other costs associated with the continuous operation of traffic control, such as integrated traffic control systems, incident management programs, and traffic control centers.".

SEC. 302. TRANSFERABILITY OF APPORTIONMENTS.

The third sentence of section 104(g) of title 23, United States Code, is amended by striking "40 percent" and inserting "50 percent".

SEC. 303. QUALITY IMPROVEMENT.

(a) LIFE-CYCLE COST ANALYSIS.—Section 106 of title 23, United States Code, is amended by adding at the end the following:

"(e) LIFE-CYCLE COST ANALYSIS.—

"(1) ESTABLISHMENT.—The Secretary shall establish a program to require States to conduct an analysis of the life-cycle costs of each usable project segment on the National Highway System with a cost of $25,000,000 or more.

"(2) ANALYSIS OF THE LIFE-CYCLE COSTS DEFINED.—In this subsection, the term 'analysis of the life-cycle costs' means a process for evaluating the total economic worth of a usable project segment by analyzing initial costs and discounted future costs, such as maintenance, reconstruction, rehabilitation, restoring, and resurfacing costs, over the life of the project segment.".

(b) VALUE ENGINEERING.—Such section is further amended by adding at the end the following:

"(f) VALUE ENGINEERING FOR NHS.—

"(1) REQUIREMENT.—The Secretary shall establish a program to require States to carry out a value engineering analysis for all projects on the National Highway System with an estimated total cost of $25,000,000 or more.

"(2) VALUE ENGINEERING DEFINED.—In this subsection, the term 'value engineering analysis' means a systematic process of review and analysis of a project during its design phase by a multidisciplined team of persons not involved in the project in order to provide suggestions for reducing the total cost of the project and providing a project of equal or better quality. Such suggestions may include combining or eliminating otherwise inefficient or expensive parts of the original proposed design for the project and total redesign of the proposed project using different technologies, materials, or methods so as to accomplish the original purpose of the project.".

SEC. 304. DESIGN CRITERIA FOR THE NATIONAL HIGHWAY SYSTEM.

Section 109 of title 23, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—The Secretary shall ensure that the plans and specifications for each proposed highway project under this chapter provide for a facility that will—

"(1) adequately serve the existing and planned future traffic of the highway in a manner that is conducive to safety, durability, and economy of maintenance; and

"(2) be designed and constructed in accordance with criteria best suited to accomplish the objectives described in paragraph (1) and to conform to the particular needs of each locality.";

(2) by striking subsection (c) and inserting the following:

"(c) DESIGN CRITERIA FOR NATIONAL HIGHWAY SYSTEM.—

"(1) IN GENERAL.—A design for new construction, reconstruction, resurfacing (except for maintenance resurfacing), restoration, or rehabilitation of a highway on the National Highway System (other than a highway also on the Interstate System) may take into account, in addition to the criteria described in subsection (a)—

"(A) the constructed and natural environment of the area;

"(B) the environmental, scenic, aesthetic, historic, community, and preservation impacts of the activity; and

"(C) access for other modes of transportation.

"(2) DEVELOPMENT OF CRITERIA.—The Secretary, in cooperation with State highway departments, may develop criteria to implement paragraph (1). In developing criteria under this paragraph, the Secretary shall consider the results of the committee process of the American Association of State Highway and Transportation Officials as used in adopting and publishing 'A Policy on Geometric Design of Highways and Streets', including comments submitted by interested parties as part of such process."; and

(3) by striking subsection (q) and inserting the following:

"(q) SCENIC AND HISTORIC VALUES.—Notwithstanding subsections (b) and (c), the Secretary may approve a project for the National Highway System if the project is designed to—

"(1) allow for the preservation of environmental, scenic, or historic values;

"(2) ensure safe use of the facility; and

"(3) comply with subsection (a).".

SEC. 305. APPLICABILITY OF TRANSPORTATION CONFORMITY REQUIREMENTS.

(a) HIGHWAY CONSTRUCTION.—Section 109(j) of title 23, United States Code, is amended by striking "plan for the implementation of any ambient air quality standard for any air quality control region designated pursuant to the Clean Air Act, as amended." and inserting the following: "plan for—

"(1) the implementation of a national ambient air quality standard for each pollutant for which an area is designated as a nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or

"(2) the maintenance of a national ambient air quality standard in an area that was designated as a nonattainment area but that was later redesignated by the Administrator as an attainment area for the standard and that is required to develop a maintenance plan under section 175A of the Clean Air Act (42 U.S.C. 7505a).".

(b) CLEAN AIR ACT REQUIREMENTS.—Section 176(c) of the Clean Air Act (42 U.S.C. 7506(c)) is amended by adding at the end the following:

"(5) APPLICABILITY.—This subsection shall apply only with respect to—

"(A) a nonattainment area and each pollutant for which the area is designated as a nonattainment area; and

"(B) an area that was designated as a nonattainment area but that was later redesignated by the Administrator as an attainment area and that is required to develop a maintenance plan under section 175A with respect to the specific pollutant for which the area was designated nonattainment.".

SEC. 306. MOTORIST CALL BOXES.

Section 111 of title 23, United States Code, is amended by adding at the end the following:

"(c) MOTORIST CALL BOXES.—

"(1) IN GENERAL.—Notwithstanding subsection (a), a State may permit the placement of motorist call boxes on rights-of-way of the National Highway System. Such motorist call boxes may include the identification and sponsorship logos of such call boxes.

"(2) SPONSORSHIP LOGOS.—

"(A) APPROVAL BY STATE AND LOCAL AGENCIES.—All call box installations displaying sponsorship logos under this subsection shall be approved by the highway agencies having jurisdiction of the highway on which they are located.

"(B) SIZE ON BOX.—A sponsorship logo may be placed on the call box in a dimension not to exceed the size of the call box or a total dimension in excess of 12 inches by 18 inches.

"(C) SIZE ON IDENTIFICATION SIGN.—Sponsorship logos in a dimension not to exceed 12 inches by 30 inches may be displayed on a call box identification sign affixed to the call box post.

"(D) SPACING OF SIGNS.—Sponsorship logos affixed to an identification sign on a call box post may be located

on the rights-of-way at intervals not more frequently than 1 per every 5 miles.

"(E) DISTRIBUTION THROUGHOUT STATE.—Within a State, at least 20 percent of the call boxes displaying sponsorship logos shall be located on highways outside of urbanized areas with a population greater than 50,000.

"(3) NONSAFETY HAZARDS.—The call boxes and their location, posts, foundations, and mountings shall be consistent with requirements of the Manual on Uniform Traffic Control Devices or any requirements deemed necessary by the Secretary to assure that the call boxes shall not be a safety hazard to motorists.".

SEC. 307. QUALITY THROUGH COMPETITION.

(a) CONTRACTING FOR ENGINEERING AND DESIGN SERVICES.—Section 112(b)(2) of title 23, United States Code, is amended by adding at the end the following:

"(C) PERFORMANCE AND AUDITS.—Any contract or subcontract awarded in accordance with subparagraph (A), whether funded in whole or in part with Federal-aid highway funds, shall be performed and audited in compliance with cost principles contained in the Federal Acquisition Regulations of part 31 of title 48, Code of Federal Regulations.

"(D) INDIRECT COST RATES.—Instead of performing its own audits, a recipient of funds under a contract or subcontract awarded in accordance with subparagraph (A) shall accept indirect cost rates established in accordance with the Federal Acquisition Regulations for 1-year applicable accounting periods by a cognizant Federal or State government agency, if such rates are not currently under dispute.

"(E) APPLICATION OF RATES.—Once a firm's indirect cost rates are accepted under this paragraph, the recipient of the funds shall apply such rates for the purposes of contract estimation, negotiation, administration, reporting, and contract payment and shall not be limited by administrative or de facto ceilings of any kind.

"(F) PRENOTIFICATION; CONFIDENTIALITY OF DATA.—A recipient of funds requesting or using the cost and rate data described in subparagraph (E) shall notify any affected firm before such request or use. Such data shall be confidential and shall not be accessible or provided, in whole or in part, to another firm or to any government agency which is not part of the group of agencies sharing cost data under this paragraph, except by written permission of the audited firm. If prohibited by law, such cost and rate data shall not be disclosed under any circumstances.

"(G) STATE OPTION.—Subparagraphs (C), (D), (E), and (F) shall take effect 1 year after the date of the enactment of this subparagraph; except that if a State, during such 1-year period, adopts by statute an alternative process intended to promote engineering and design quality and ensure maximum competition by professional companies of all sizes providing engineering and design services, such subparagraphs shall not apply with respect to the State. If the Secretary determines that the legislature of the

Effective date.

State did not convene and adjourn a full regular session during such 1-year period, the Secretary may extend such 1-year period until the adjournment of the next regular session of the legislature.".

(b) REPEAL OF PILOT PROGRAM.—Section 1092 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 112 note; 105 Stat. 2024) is repealed.

SEC. 308. LIMITATION ON ADVANCE CONSTRUCTION.

Section 115(d) of title 23, United States Code, is amended to read as follows:

"(d) INCLUSION IN TRANSPORTATION IMPROVEMENT PROGRAM.—The Secretary may approve an application for a project under this section only if the project is included in the transportation improvement program of the State developed under section 135(f).".

SEC. 309. PREVENTIVE MAINTENANCE.

Section 116 of title 23, United States Code, is amended by adding at the end the following:

"(d) PREVENTIVE MAINTENANCE.—A preventive maintenance activity shall be eligible for Federal assistance under this title if the State demonstrates to the satisfaction of the Secretary that the activity is a cost-effective means of extending the useful life of a Federal-aid highway.".

SEC. 310. FEDERAL SHARE.

(a) SAFETY REST AREAS.—Section 120(c) of title 23, United States Code, is amended—

(1) by inserting "safety rest areas," after "signalization,"; and

(2) by adding at the end the following: "In this subsection, the term 'safety rest area' means an area where motor vehicle operators can park their vehicles and rest, where food, fuel, and lodging services are not available, and that is located on a segment of highway with respect to which the Secretary determines there is a shortage of public and private areas at which motor vehicle operators can park their vehicles and rest.".

(b) BICYCLE TRANSPORTATION FACILITIES AND PEDESTRIAN WALKWAYS.—Section 217(f) of such title is amended by striking "80 percent" and inserting "determined in accordance with section 120(b)".

(c) ECONOMIC GROWTH CENTER DEVELOPMENT HIGHWAYS.—Section 1021(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 120 note), as amended by section 417 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1565), is amended—

(1) by striking "and" at the end of clause (2) and inserting "or"; and

(2) in clause (3) by striking "section 143 of title 23" and inserting "a project for construction, reconstruction, or improvement of a development highway under section 143 of such title on a Federal-aid system (other than the Interstate System), as such system was described in section 103 of such title on the day before the date of the enactment of this Act".

(d) NORTHWEST ARKANSAS REGIONAL AIRPORT CONNECTOR.—Notwithstanding any other provision of law, the Federal share of the cost of the project to construct a highway to the Northwest

Arkansas Regional Airport from United States Route 71 in Arkansas shall be 95 percent.

SEC. 311. ELIGIBILITY OF BOND AND OTHER DEBT INSTRUMENT FINANCING FOR REIMBURSEMENT AS CONSTRUCTION EXPENSES.

(a) IN GENERAL.—Section 122 of title 23, United States Code, is amended to read as follows:

"§ 122. Payments to States for bond and other debt instrument financing

"(a) DEFINITION OF ELIGIBLE DEBT FINANCING INSTRUMENT.—In this section, the term 'eligible debt financing instrument' means a bond or other debt financing instrument, including a note, certificate, mortgage, or lease agreement, issued by a State or political subdivision of a State or a public authority, the proceeds of which are used for an eligible project under this title.

"(b) FEDERAL REIMBURSEMENT.—Subject to subsections (c) and (d), the Secretary may reimburse a State for expenses and costs incurred by the State or a political subdivision of the State and reimburse a public authority for expenses and costs incurred by the public authority for—

"(1) interest payments under an eligible debt financing instrument;

"(2) the retirement of principal of an eligible debt financing instrument;

"(3) the cost of the issuance of an eligible debt financing instrument;

"(4) the cost of insurance for an eligible debt financing instrument; and

"(5) any other cost incidental to the sale of an eligible debt financing instrument (as determined by the Secretary).

"(c) CONDITIONS ON PAYMENT.—The Secretary may reimburse a State or public authority under subsection (b) with respect to a project funded by an eligible debt financing instrument after the State or public authority has complied with this title with respect to the project to the extent and in the manner that would be required if payment were to be made under section 121.

"(d) FEDERAL SHARE.—The Federal share of the cost of a project payable under this section shall not exceed the Federal share of the cost of the project as determined under section 120.

"(e) STATUTORY CONSTRUCTION.—Notwithstanding any other provision of law, the eligibility of an eligible debt financing instrument for reimbursement under subsection (b) shall not—

"(1) constitute a commitment, guarantee, or obligation on the part of the United States to provide for payment of principal or interest on the eligible debt financing instrument; or

"(2) create any right of a third party against the United States for payment under the eligible debt financing instrument.".

(b) DEFINITION OF CONSTRUCTION.—The first sentence of the undesignated paragraph relating to the term "construction" of section 101(a) of such title is amended by inserting "bond costs and other costs relating to the issuance in accordance with section 122 of bonds or other debt financing instruments," after "highway, including".

(c) CONFORMING AMENDMENT.—The analysis for chapter 1 of such title is amended by striking the item relating to section 122 and inserting the following:

"122. Payments to States for bond and other debt instrument financing.".

SEC. 312. VEHICLE WEIGHT AND LONGER COMBINATION VEHICLES EXEMPTIONS.

(a) SIOUX CITY, IOWA.—

(1) VEHICLE WEIGHT LIMITATIONS.—The proviso in the second sentence of section 127(a) of title 23, United States Code, is amended by striking "except for those" and inserting the following: "except for vehicles using Interstate Route 29 between Sioux City, Iowa, and the border between Iowa and South Dakota or vehicles using Interstate Route 129 between Sioux City, Iowa, and the border between Iowa and Nebraska, and except for those".

(2) LONGER COMBINATION VEHICLES.—Section 127(d)(1) of such title is amended by adding at the end the following:

"(F) IOWA.—In addition to vehicles that the State of Iowa may continue to allow to be operated under subparagraph (A), the State may allow longer combination vehicles that were not in actual operation on June 1, 1991, to be operated on Interstate Route 29 between Sioux City, Iowa, and the border between Iowa and South Dakota or Interstate Route 129 between Sioux City, Iowa, and the border between Iowa and Nebraska.".

(3) PROPERTY-CARRYING UNIT LIMITATION.—Section 31112(c) of title 49, United States Code, is amended—

(A) in the subsection heading by striking "AND ALASKA" and inserting "ALASKA, AND IOWA";

(B) by striking "and" at the end of paragraph (2);

(C) by striking the period at the end of paragraph (3) and inserting "; and"; and

(D) by adding at the end the following:

"(4) Iowa may allow the operation on Interstate Route 29 between Sioux City, Iowa, and the border between Iowa and South Dakota or on Interstate Route 129 between Sioux City, Iowa, and the border between Iowa and Nebraska of commercial motor vehicle combinations with trailer length, semitrailer length, and property-carrying unit length allowed by law or regulation and in actual lawful operation on a regular or periodic basis (including continued seasonal operation) in South Dakota or Nebraska, respectively, before June 2, 1991.".

(b) APPLICABILITY OF CERTAIN VEHICLE WEIGHT LIMITATIONS IN WISCONSIN.—Section 127 of such title is amended by adding at the end the following:

"(f) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN WISCONSIN HIGHWAYS.—If the 104-mile portion of Wisconsin State Route 78 and United States Route 51 between Interstate Route 94 near Portage, Wisconsin, and Wisconsin State Route 29 south of Wausau, Wisconsin, is designated as part of the Interstate System under section 139(a), the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits set forth in subsection (a) shall not apply to the 104-mile portion with respect to the operation of any vehicle that could legally operate on the 104-mile portion before the date of the enactment of this subsection.".

SEC. 313. TOLL ROADS.

(a) FEDERAL SHARE FOR HIGHWAYS, BRIDGES, AND TUNNELS.—Section 129(a)(5) of title 23, United States Code, is amended to read as follows:

"(5) LIMITATION ON FEDERAL SHARE.—The Federal share payable for a project described in paragraph (1) shall be a percentage determined by the State but not to exceed 80 percent.".

(b) LOAN PROGRAM.—Section 129(a)(7) of title 23, United States Code, is amended to read as follows:

"(7) LOANS.—

"(A) IN GENERAL.—A State may loan to a public or private entity constructing or proposing to construct under this section a toll facility or non-toll facility with a dedicated revenue source an amount equal to all or part of the Federal share of the cost of the project if the project has a revenue source specifically dedicated to it. Dedicated revenue sources for non-toll facilities include excise taxes, sales taxes, motor vehicle use fees, tax on real property, tax increment financing, and such other dedicated revenue sources as the Secretary determines appropriate.

"(B) COMPLIANCE WITH FEDERAL LAWS.—As a condition of receiving a loan under this paragraph, the public or private entity that receives the loan shall ensure that the project will be carried out in accordance with this title and any other applicable Federal law, including any applicable provision of a Federal environmental law.

"(C) SUBORDINATION OF DEBT.—The amount of any loan received for a project under this paragraph may be subordinated to any other debt financing for the project.

"(D) OBLIGATION OF FUNDS LOANED.—Funds loaned under this paragraph may only be obligated for projects under this paragraph.

"(E) REPAYMENT.—The repayment of a loan made under this paragraph shall commence not later than 5 years after date on which the facility that is the subject of the loan is open to traffic.

"(F) TERM OF LOAN.—The term of a loan made under this paragraph shall not exceed 30 years from the date on which the loan funds are obligated.

"(G) INTEREST.—A loan made under this paragraph shall bear interest at or below market interest rates, as determined by the State, to make the project that is the subject of the loan feasible.

"(H) REUSE OF FUNDS.—Amounts repaid to a State from a loan made under this paragraph may be obligated—

"(i) for any purpose for which the loan funds were available under this title; and

"(ii) for the purchase of insurance or for use as a capital reserve for other forms of credit enhancement for project debt in order to improve credit market access or to lower interest rates for projects eligible for assistance under this title.

"(I) GUIDELINES.—The Secretary shall establish procedures and guidelines for making loans under this paragraph.".

(c) FERRY BOATS AND TERMINAL FACILITIES.—Section 129(c)(5) of such title is amended—

(1) by inserting before the period at the end of the first sentence the following: "or between a point in a State and a point in the Dominion of Canada"; and

(2) in the second sentence—

(A) by striking "Hawaii and" and inserting "Hawaii,"; and

(B) by inserting after "Puerto Rico" the following: ", operations between a point in a State and a point in the Dominion of Canada,".

(d) TREATMENT OF CENTENNIAL BRIDGE, ROCK ISLAND, ILLINOIS, AGREEMENT.—For purposes of section 129(a)(6) of title 23, United States Code, the agreement concerning the Centennial Bridge, Rock Island, Illinois, entered into under the Act entitled "An Act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa", approved March 18, 1938 (52 Stat. 110), shall be treated as if the agreement had been entered into under section 129 of title 23, United States Code, as in effect on December 17, 1991, and may be modified in accordance with section 129(a)(6) of such title.

(e) COLLECTION OF TOLLS TO FINANCE CERTAIN ENVIRONMENTAL PROJECTS IN FLORIDA.—Notwithstanding section 129(a) of title 23, United States Code, on request of the Governor of the State of Florida, the Secretary shall modify the agreement entered into with the transportation department of the State under section 129(a)(3) of such title to permit the collection of tolls to liquidate such indebtedness as may be incurred to finance any cost associated with a feature of an environmental project that is carried out under State law and approved by the Secretary of the Interior.

SEC. 314. SCENIC BYWAYS.

Section 131(s) of title 23, United Sates Code, is amended by adding at the end the following: "In designating a scenic byway for purposes of this section and section 1047 of the Intermodal Surface Transportation Efficiency Act of 1991, a State may exclude from such designation any segment of a highway that is inconsistent with the State's criteria for designating State scenic byways. Nothing in the preceding sentence shall preclude a State from signing any such excluded segment, including such segment on a map, or carrying out similar activities, solely for purposes of system continuity.".

SEC. 315. APPLICABILITY OF CERTAIN REQUIREMENTS TO THIRD PARTY SELLERS.

Section 133(d) of title 23, United States Code, is amended by adding at the end the following:

"(5) APPLICABILITY OF CERTAIN REQUIREMENTS TO THIRD PARTY SELLERS.—

"(A) IN GENERAL.—Except as provided in subparagraphs (B) and (C), in the case of a transportation enhancement activity funded from the allocation required under paragraph (2), if real property or an interest in real property is to be acquired from a qualified organization exclusively for conservation purposes (as determined under section 170(h) of the Internal Revenue Code of 1986), the

organization shall be considered to be the owner of the property for the purpose of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.).

"(B) FEDERAL APPROVAL PRIOR TO INVOLVEMENT OF QUALIFIED ORGANIZATION.—If Federal approval of the acquisition of the real property or interest predates the involvement of a qualified organization described in subparagraph (A) in the acquisition of the property, the organization shall be considered to be an acquiring agency or person as described in section 24.101(a)(2) of title 49, Code of Federal Regulations, for the purpose of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.

"(C) ACQUISITIONS ON BEHALF OF RECIPIENTS OF FEDERAL FUNDS.—If a qualified organization described in subparagraph (A) has contracted with a State highway department or other recipient of Federal funds to acquire the real property or interest on behalf of the recipient, the organization shall be considered to be an agent of the recipient for the purpose of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970.".

SEC. 316. STREAMLINING FOR TRANSPORTATION ENHANCEMENT PROJECTS.

Section 133(e) of title 23, United States Code, is amended—

(1) in paragraph (3)—

(A) by striking "(3) PAYMENTS.—The" and inserting the following:

"(3) PAYMENTS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), the";

(B) by moving the remainder of the text of subparagraph (A), as designated by subparagraph (A) of this paragraph, 2 ems to the right; and

(C) by adding at the end the following:

"(B) ADVANCE PAYMENT OPTION FOR TRANSPORTATION ENHANCEMENT ACTIVITIES.—

"(i) IN GENERAL.—The Secretary may advance funds to the State for transportation enhancement activities funded from the allocation required by subsection (d)(2) for a fiscal year if the Secretary certifies for the fiscal year that the State has authorized and uses a process for the selection of transportation enhancement projects that involves representatives of affected public entities, and private citizens, with expertise related to transportation enhancement activities.

"(ii) LIMITATION ON AMOUNTS.—Amounts advanced under this subparagraph shall be limited to such amounts as are necessary to make prompt payments for project costs.

"(iii) EFFECT ON OTHER REQUIREMENTS.—This subparagraph shall not exempt a State from other requirements of this title relating to the surface transportation program."; and

(2) by adding at the end the following:

"(5) TRANSPORTATION ENHANCEMENT ACTIVITIES.—

"(A) CATEGORICAL EXCLUSIONS.—To the extent appropriate, the Secretary shall develop categorical exclusions from the requirement that an environmental assessment or an environmental impact statement under section 102 of the National Environmental Policy Act of 1969 (42 U.S.C. 4332) be prepared for transportation enhancement activities funded from the allocation required by subsection (d)(2).

"(B) NATIONWIDE PROGRAMMATIC AGREEMENT.—The Secretary, in consultation with the National Conference of State Historic Preservation Officers and the Advisory Council on Historic Preservation established under title II of the National Historic Preservation Act (16 U.S.C. 470i et seq.), shall develop a nationwide programmatic agreement governing the review of transportation enhancement activities funded from the allocation required by subsection (d)(2), in accordance with—

"(i) section 106 of such Act (16 U.S.C. 470f); and

"(ii) the regulations of the Advisory Council on Historic Preservation.".

SEC. 317. METROPOLITAN PLANNING FOR HIGHWAY PROJECTS.

Section 134(f) of title 23, United States Code, is amended by adding at the end the following:

"(16) Recreational travel and tourism.".

SEC. 318. NON-FEDERAL SHARE FOR CERTAIN TOLL BRIDGE PROJECTS.

Section 144(l) of title 23, United States Code, is amended by adding at the end the following: "Any non-Federal funds expended for the seismic retrofit of the bridge may be credited toward the non-Federal share required as a condition of receipt of any Federal funds for seismic retrofit of the bridge made available after the date of the expenditure.".

SEC. 319. CONGESTION MITIGATION AND AIR QUALITY IMPROVEMENT PROGRAM.

(a) AREAS ELIGIBLE FOR FUNDS.—

(1) IN GENERAL.—The first sentence of section 149(b) of title 23, United States Code, is amended—

(A) by inserting "if the project or program is for an area in the State that was designated as a nonattainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)) during any part of fiscal year 1994 and" after "program" the second place it appears; and

(B) in paragraph (1)(A) by striking "contribute" and all that follows through "; or" and inserting the following: "contribute to—

"(i) the attainment of a national ambient air quality standard; or

"(ii) the maintenance of a national ambient air quality standard in an area that was designated as a nonattainment area but that was later redesignated by the Administrator of the Environmental Protection Agency as an attainment area under section 107(d) of the Clean Air Act (42 U.S.C. 7407(d)); or".

(2) APPORTIONMENT.—Section 104(b)(2) of such title is amended—

(A) in the second sentence, by striking "is a nonattainment area (as defined in the Clean Air Act) for ozone" and inserting "was a nonattainment area (as defined in section 171(2) of the Clean Air Act (42 U.S.C. 7501(2))) for ozone during any part of fiscal year 1994"; and

(B) in the third sentence—

(i) by striking "is also" and inserting "was also"; and

(ii) by inserting "during any part of fiscal year 1994" after "monoxide".

(b) TRAFFIC MONITORING, MANAGEMENT, AND CONTROL FACILITIES AND PROGRAMS.—The first sentence of section 149(b) of title 23, United States Code, is amended—

(1) by striking "or" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting a semicolon; and

(3) by adding at the end the following:

"(4) to establish or operate a traffic monitoring, management, and control facility or program if the Secretary, after consultation with the Administrator of the Environmental Protection Agency, determines that the facility or program is likely to contribute to the attainment of a national ambient air quality standard; or".

(c) EFFECT OF LIMITATION ON APPORTIONMENT.—Notwithstanding any other provision of law, for each of fiscal years 1996 and 1997, the amendments made by subsection (a) shall not affect any apportionment adjustments under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 1943). 23 USC 104 note.

SEC. 320. OPERATION OF MOTOR VEHICLES BY INTOXICATED MINORS.

(a) IN GENERAL.—Chapter 1 of title 23, United States Code, is amended by adding at the end the following:

"§ 161. Operation of motor vehicles by intoxicated minors

"(a) WITHHOLDING OF APPORTIONMENTS FOR NONCOMPLIANCE.—

"(1) FISCAL YEAR 1999.—The Secretary shall withhold 5 percent of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5)(B) of section 104(b) on October 1, 1998, if the State does not meet the requirement of paragraph (3) on that date.

"(2) THEREAFTER.—The Secretary shall withhold 10 percent (including any amounts withheld under paragraph (1)) of the amount required to be apportioned to any State under each of paragraphs (1), (3), and (5)(B) of section 104(b) on October 1, 1999, and on October 1 of each fiscal year thereafter, if the State does not meet the requirement of paragraph (3) on that date.

"(3) REQUIREMENT.—A State meets the requirement of this paragraph if the State has enacted and is enforcing a law that considers an individual under the age of 21 who has a blood alcohol concentration of 0.02 percent or greater while operating a motor vehicle in the State to be driving while intoxicated or driving under the influence of alcohol.

"(b) PERIOD OF AVAILABILITY; EFFECT OF COMPLIANCE AND NONCOMPLIANCE.—

"(1) PERIOD OF AVAILABILITY OF WITHHELD FUNDS.—

"(A) FUNDS WITHHELD ON OR BEFORE SEPTEMBER 30, 2000.—Any funds withheld under subsection (a) from apportionment to any State on or before September 30, 2000, shall remain available until the end of the third fiscal year following the fiscal year for which the funds are authorized to be appropriated.

"(B) FUNDS WITHHELD AFTER SEPTEMBER 30, 2000.—No funds withheld under this section from apportionment to any State after September 30, 2000, shall be available for apportionment to the State.

"(2) APPORTIONMENT OF WITHHELD FUNDS AFTER COMPLIANCE.—If, before the last day of the period for which funds withheld under subsection (a) from apportionment are to remain available for apportionment to a State under paragraph (1), the State meets the requirement of subsection (a)(3), the Secretary shall, on the first day on which the State meets the requirement, apportion to the State the funds withheld under subsection (a) that remain available for apportionment to the State.

"(3) PERIOD OF AVAILABILITY OF SUBSEQUENTLY APPORTIONED FUNDS.—Any funds apportioned pursuant to paragraph (2) shall remain available for expenditure until the end of the third fiscal year following the fiscal year in which the funds are so apportioned. Sums not obligated at the end of that period shall lapse.

"(4) EFFECT OF NONCOMPLIANCE.—If, at the end of the period for which funds withheld under subsection (a) from apportionment are available for apportionment to a State under paragraph (1), the State does not meet the requirement of subsection (a)(3), the funds shall lapse.".

(b) CONFORMING AMENDMENT.—The analysis of such chapter is amended by adding at the end the following:

"161. Operation of motor vehicles by intoxicated minors.".

SEC. 321. UTILIZATION OF THE PRIVATE SECTOR FOR SURVEYING AND MAPPING SERVICES.

Section 306 of title 23, United States Code, is amended—

(1) by inserting "(a) IN GENERAL.—" before "In"; and

(2) by adding at the end the following:

"(b) GUIDANCE.—The Secretary shall issue guidance to encourage States to utilize, to the maximum extent practicable, private sector sources for surveying and mapping services for projects under this title. In carrying out this subsection, the Secretary shall recommend appropriate roles for State and private mapping and surveying activities, including—

"(1) preparation of standards and specifications;

"(2) research in surveying and mapping instrumentation and procedures and technology transfer to the private sector;

"(3) providing technical guidance, coordination, and administration of State surveying and mapping activities; and

"(4) recommending methods for increasing the use by the States of private sector sources for surveying and mapping activities.".

SEC. 322. DONATIONS OF FUNDS, MATERIALS, OR SERVICES FOR FEDERALLY ASSISTED PROJECTS.

Section 323 of title 23, United States Code, is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

"(c) CREDIT FOR DONATIONS OF FUNDS, MATERIALS, OR SERVICES.—Nothing in this title or any other law shall prevent a person from offering to donate funds, materials, or services in connection with a project eligible for assistance under this title. In the case of such a project with respect to which the Federal Government and the State share in paying the cost, any donated funds, or the fair market value of any donated materials or services, that are accepted and incorporated into the project by the State highway department shall be credited against the State share.".

SEC. 323. DISCOVERY AND ADMISSION AS EVIDENCE OF CERTAIN REPORTS AND SURVEYS.

Section 409 of title 23, United States Code, is amended by inserting "or collected" after "compiled".

SEC. 324. ALCOHOL-IMPAIRED DRIVING COUNTERMEASURES.

(a) TECHNICAL AMENDMENT.—Section 410(d)(1)(E) of title 23, United States Code, is amended by striking "the date of enactment of this section" and inserting "December 18, 1991".

(b) BASIC GRANT ELIGIBILITY.—Section 410(d) of such title is amended—

(1) in paragraph (3)—

(A) by inserting "(A)" after "(3)"; and

(B) by adding at the end the following:

"(B) A State shall be treated as having met the requirement of this paragraph if—

"(i) the State provides to the Secretary a written certification that the highest court of the State has issued a decision indicating that implementation of subparagraph (A) would constitute a violation of the constitution of the State; and

"(ii) the State demonstrates to the satisfaction of the Secretary that—

"(I) the alcohol fatal crash involvement rate in the State has decreased in each of the 3 most recent calendar years for which statistics for determining such rate are available; and

"(II) the alcohol fatal crash involvement rate in the State has been lower than the average such rate for all States in each of such calendar years."; and

(2) by adding at the end the following:

"(7) Any individual under age 21 with a blood alcohol concentration of 0.02 percent or greater when driving a motor vehicle shall be deemed to be driving while intoxicated or driving under the influence of alcohol.".

(c) SUPPLEMENTAL GRANTS.—Section 410(f) of such title is amended by striking paragraph (1) and redesignating paragraphs (2) through (7) as paragraphs (1) through (6), respectively.

SEC. 325. REFERENCES TO COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.

(a) RAILWAY-HIGHWAY CROSSINGS REPORT.—The third sentence of section 130(g) of title 23, United States Code, is amended by

striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(b) HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION REPORT.—Section 144(i)(1) of such title is amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(c) HAZARD ELIMINATION REPORT.—The third sentence of section 152(g) of such title is amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(d) RESEARCH REPORTS.—Subsections (d)(5), (e)(11), and (h) of section 307 of such title are each amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(e) CONGESTION PRICING PILOT PROGRAM REPORT.—Section 1012(b)(5) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 149 note; 105 Stat. 1938) is amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(f) MOTOR FUEL TAX ENFORCEMENT REPORT.—Section 1040(d)(1) of such Act (23 U.S.C. 101 note; 105 Stat. 1992) is amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

(g) ALLOCATION FORMULA STUDY.—Section 1098(b) of such Act (23 U.S.C. 104 note; 105 Stat. 2025) is amended by striking "these committees as they" and inserting "the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives as the committees".

(h) NATIONAL RECREATIONAL TRAILS REPORT.—Section 1303(i) of such Act (16 U.S.C. 1262(i)) is amended by striking "Committee on Public Works and Transportation" and inserting "Committee on Transportation and Infrastructure".

SEC. 326. PUBLIC TRANSIT VEHICLES EXEMPTION.

Section 1023(h)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127 note) is amended—

(1) by striking "2-year" the first place it appears and all that follows through "Act," and inserting "period beginning on October 6, 1992, and ending on the date on which Federal-aid highway and transit programs are reauthorized after the date of the enactment of the National Highway System Designation Act of 1995,"; and

(2) by striking the second sentence.

SEC. 327. USE OF RECYCLED PAVING MATERIAL.

Section 1038 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat. 1987–1990), as amended by section 205(b) of this Act, is amended—

(1) by inserting before subsection (e) the following:

"(d) ASPHALT PAVEMENT CONTAINING RECYCLED RUBBER.—

"(1) CRUMB RUBBER MODIFIER RESEARCH.—Not later than 180 days after the date of the enactment of the National Highway System Designation Act of 1995, the Secretary shall develop testing procedures and conduct research to develop performance grade classifications, in accordance with the strategic highway research program carried out under section 307(d)

of title 23, United States Code, for crumb rubber modifier binders. The testing procedures and performance grade classifications should be developed in consultation with representatives of the crumb rubber modifier industry and other interested parties (including the asphalt paving industry) with experience in the development of the procedures and classifications.

"(2) CRUMB RUBBER MODIFIER PROGRAM DEVELOPMENT.—

"(A) IN GENERAL.—The Secretary may make grants to States to develop programs to use crumb rubber from scrap tires to modify asphalt pavements.

"(B) USE OF GRANT FUNDS.—Grant funds made available to States under this paragraph shall be used—

"(i) to develop mix designs for crumb rubber modified asphalt pavements;

"(ii) for the placement and evaluation of crumb rubber modified asphalt pavement field tests; and

"(iii) for the expansion of State crumb rubber modifier programs in existence on the date the grant is made available."; and

(2) in subsection (e) by striking paragraph (1) and inserting the following:

"(1) the term 'asphalt pavement containing recycled rubber' means any mixture of asphalt and crumb rubber derived from whole scrap tires, such that the physical properties of the asphalt are modified through the mixture, for use in pavement maintenance, rehabilitation, or construction applications; and".

SEC. 328. ROADSIDE BARRIER TECHNOLOGY.

Section 1058 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 109 note; 105 Stat. 2003) is amended—

(1) in subsection (a)—

(A) by striking "median" and inserting "or temporary crashworthy"; and

(B) by inserting "crashworthy" after "innovative"; and

(2) in subsection (c)—

(A) in the subsection heading by inserting "CRASHWORTHY" after "INNOVATIVE";

(B) by inserting "crashworthy" after "innovative";

(C) by striking "median";

(D) by inserting "or guiderail" after "guardrail"; and

(E) by inserting before the period at the end the following: ", and that meets or surpasses the requirements of the National Cooperative Highway Research Program 350 for longitudinal barriers".

SEC. 329. CORRECTIONS TO MISCELLANEOUS AUTHORIZATIONS.

(a) GOWANUS EXPRESSWAY CORRIDOR, NEW YORK.—Section 1069(ee) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2011) is amended by adding at the end the following: "In carrying out such improvements, the State of New York shall consider the economic and social impacts of the project on the neighboring community.".

(b) NEW YORK CITY, NEW YORK.—Section 1069(gg) of such Act (105 Stat. 2011) is amended to read as follows:

"(gg) INTERMODAL FACILITIES, NEW YORK.—

"(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection

$150,000,000 for fiscal years beginning after September 30, 1995, for—

"(A) design and construction of the Whitehall Street Ferry Terminals in New York, New York;

"(B) completion of construction of the Oak Point Link in the Harlem River in New York, New York;

"(C) engineering, design, and construction activities to permit the James A. Farley Post Office in New York, New York, to be used as an intermodal transportation facility and commercial center; and

"(D) necessary improvements to and redevelopment of Pennsylvania Station and associated service buildings in New York, New York.

Such sums shall remain available until expended.

"(2) ALLOCATION OF FUNDS.—Of the amounts made available under paragraph (1)—

"(A) not to exceed $50,000,000 may be used to carry out paragraph (1)(A); and

"(B) not to exceed $10,000,000 may be used to carry out paragraph (1)(B).".

SEC. 330. CORRECTIONS TO HIGH COST BRIDGE PROJECTS.

The table contained in section 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2027–2028) is amended—

(1) in item number 2, relating to Eugene, Oregon—

(A) by striking "Construction" and inserting "Design, right-of-way acquisition, and construction"; and

(B) by inserting ", including pedestrian, bicycle, and vehicle approach roadways, intersections, signalization, and structural bridge changes, and related structures between East Broadway and Oakway Road" after "Bridge";

(2) in item 5, relating to Gloucester Point, Virginia, by inserting after "York River" the following: "and for repair, strengthening, and rehabilitation of the existing bridge"; and

(3) in item 10, relating to Shakopee, Minnesota, by inserting "project, including the bypass of" after "replacement".

SEC. 331. CORRECTIONS TO CONGESTION RELIEF PROJECTS.

The table contained in section 1104(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2029–2031) is amended—

(1) in item 1, relating to Long Beach, California, by striking "HOV Lanes on" and inserting "downtown Long Beach access ramps into the southern terminus of";

(2) in item 10, relating to San Diego, California, by striking "1 block of Cut and Cover Tunnel on Rt. 15" and inserting "bridge decking on Route 15";

(3) in item 23, relating to Tucson, Arizona, by inserting ", of which a total of $3,609,620 shall be available for the project authorized by item 74 of the table contained in section 1106(b)" after "in Tucson, Arizona";

(4) in item 38, relating to New York, New York, by striking "Construction" and all that follows through "Bypass" and inserting the following: "Whitehall Street ferry terminals"; and

(5) in item 43, relating to West Virginia, by striking "Coal Fields" and inserting "Coalfields".

SEC. 332. HIGH PRIORITY CORRIDORS.

(a) IDENTIFICATION OF HIGH PRIORITY CORRIDORS.—

(1) IN GENERAL.—Section 1105(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2032) is amended—

(A) by inserting before the period at the end of paragraph (3) the following: "commencing on the Atlantic Coast in the Hampton Roads area going westward across Virginia to the vicinity of Lynchburg, Virginia, continuing west to serve Roanoke and then to a West Virginia corridor centered around Beckley to Welch as part of the Coalfields Expressway described in section 1069(v), then to Williamson sharing a common corridor with the I–73/74 Corridor (referred to in item 12 of the table contained in subsection (f)), then to a Kentucky Corridor centered on the cities of Pikeville, Jenkins, Hazard, London, Somerset, Columbia, Bowling Green, Hopkinsville, Benton, and Paducah, into Illinois, and into Missouri and exiting western Missouri and moving westward across southern Kansas";

(B) by striking paragraph (5) and inserting the following:

"(5)(A) I–73/74 North-South Corridor from Charleston, South Carolina, through Winston-Salem, North Carolina, to Portsmouth, Ohio, to Cincinnati, Ohio, to termini at Detroit, Michigan and Sault Ste. Marie, Michigan. The Sault Ste. Marie terminus shall be reached via a corridor connecting Adrian, Jackson, Lansing, Mount Pleasant, and Grayling, Michigan.

"(B)(i) In the Commonwealth of Virginia, the Corridor shall generally follow—

"(I) United States Route 220 from the Virginia-North Carolina border to I–581 south of Roanoke;

"(II) I–581 to I–81 in the vicinity of Roanoke;

"(III) I–81 to the proposed highway to demonstrate intelligent transportation systems authorized by item 29 of the table in section 1107(b) in the vicinity of Christiansburg to United States Route 460 in the vicinity of Blacksburg; and

"(IV) United States Route 460 to the West Virginia State line.

"(ii) In the States of West Virginia, Kentucky, and Ohio, the Corridor shall generally follow—

"(I) United States Route 460 from the West Virginia State line to United States Route 52 at Bluefield, West Virginia; and

"(II) United States Route 52 to United States Route 23 at Portsmouth, Ohio.

"(iii) In the States of North Carolina and South Carolina, the Corridor shall generally follow—

"(I) in the case of I–73—

"(aa) United States Route 220 from the Virginia State line to State Route 68 in the vicinity of Greensboro;

"(bb) State Route 68 to I–40;

"(cc) I–40 to United States Route 220 in Greensboro;

"(dd) United States Route 220 to United States Route 1 near Rockingham;

"(ee) United States Route 1 to the South Carolina State line; and

"(ff) South Carolina State line to Charleston, South Carolina; and

"(II) in the case of I–74—

"(aa) I–77 from Bluefield, West Virginia, to the junction of I–77 and the United States Route 52 connector in Surry County, North Carolina;

"(bb) the I–77/United States Route 52 connector to United States Route 52 south of Mount Airy, North Carolina;

"(cc) United States Route 52 to United States Route 311 in Winston-Salem, North Carolina;

"(dd) United States Route 311 to United States Route 220 in the vicinity of Randleman, North Carolina;

"(ee) United States Route 220 to United States Route 74 near Rockingham;

"(ff) United States Route 74 to United States Route 76 near Whiteville;

"(gg) United States Route 74/76 to the South Carolina State line in Brunswick County; and

"(hh) South Carolina State line to Charleston, South Carolina.";

(C) in paragraph (18)—

(i) by striking "and";

(ii) by inserting "Mississippi, Arkansas," after "Tennessee,";

(iii) by inserting after "Texas" the following: ", and to the Lower Rio Grande Valley at the border between the United States and Mexico; and

(iv) by inserting before the period at the end the following: ", and to include the Corpus Christi Northside Highway and Rail Corridor from the existing intersection of United States Route 77 and Interstate Route 37 to United States Route 181, including FM511 from United States Route 77 to the Port of Brownsville"; and

(D) by adding at the end the following:

"(22) The Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate 10, Los Angeles, California.

"(23) The Interstate Route 35 Corridor from Laredo, Texas, through Oklahoma City, Oklahoma, to Wichita, Kansas, to Kansas City, Kansas/Missouri, to Des Moines, Iowa, to Minneapolis, Minnesota, to Duluth, Minnesota.

"(24) The Dalton Highway from Deadhorse, Alaska to Fairbanks, Alaska.

"(25) State Route 168 (South Battlefield Boulevard), Virginia, from the Great Bridge Bypass to the North Carolina State line.

"(26) The CANAMEX Corridor from Nogales, Arizona, through Las Vegas, Nevada, to Salt Lake City, Utah, to Idaho Falls, Idaho, to Montana, to the Canadian Border as follows:

"(A) In the State of Arizona, the CANAMEX Corridor shall generally follow—

"(i) I–19 from Nogales to Tucson;

"(ii) I–10 from Tucson to Phoenix; and

"(iii) United States Route 93 in the vicinity of Phoenix to the Nevada Border.

"(B) In the State of Nevada, the CANAMEX Corridor shall follow—

"(i) United States Route 93 from the Arizona Border to Las Vegas; and

"(ii) I–15 from Las Vegas to the Utah Border.

"(C) From the Utah Border through Montana to the Canadian Border, the CANAMEX Corridor shall follow I–15.

"(27) The Camino Real Corridor from El Paso, Texas, to Denver, Colorado, as follows:

"(A) In the State of Texas, the Camino Real Corridor shall generally follow—

"(i) arterials from the international ports of entry to I–10 in El Paso County; and

"(ii) I–10 from El Paso County to the New Mexico border.

"(B) In the State of New Mexico, the Camino Real Corridor shall generally follow—

"(i) I–10 from the Texas Border to Las Cruces; and

"(ii) I–25 from Las Cruces to the Colorado Border.

"(C) In the State of Colorado, the Camino Real Corridor shall generally follow I–25 from the New Mexico border to Denver continuing to the Wyoming border.

"(D) In the State of Wyoming, the Camino Real Corridor shall generally follow—

"(i) I–25 north to join with I–90 at Buffalo; and

"(ii) I–90 to the Montana border.

"(E) In the State of Montana, the Camino Real Corridor shall generally follow—

"(i) I–90 to Billings; and

"(ii) Montana Route 3, United States Route 12, United States Route 191, United States Route 87, to I–15 at Great Falls; and

"(iii) I–15 from Great Falls to the Canadian border.

"(28) The Birmingham Northern Beltline beginning at I–59 in the vicinity of Trussville, Alabama, and traversing westwardly intersecting with United States Route 75, United States Route 79, and United States Route 31; continuing southwestwardly intersecting United States Route 78 and terminating at I–59 with the I–459 interchange.

"(29) The Coalfields Expressway beginning at Beckley, West Virginia, to Pound, Virginia, generally following the corridor defined as State Routes 54, 97, 10, 16, and 83.".

(2) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—Section 1105(e) of such Act (105 Stat. 2033) is amended by adding at the end the following:

"(5) INCLUSION OF CERTAIN ROUTE SEGMENTS ON INTERSTATE SYSTEM.—

"(A) IN GENERAL.—The portions of the routes referred to in clauses (i), (ii), and (iii) of subsection (c)(5)(B), in

subsection (c)(9), and in subsections (c)(18) and (c)(20) that are not a part of the Interstate System are designated as future parts of the Interstate System. Any segment of such routes shall become a part of the Interstate System at such time as the Secretary determines that the segment—

"(i) meets the Interstate System design standards approved by the Secretary under section 109(b) of title 23, United States Code; and

"(ii) connects to an existing Interstate System segment.

The portion of the route referred to in subsection (c)(9) is designated as Interstate Route I–99.

"(B) TREATMENT OF SEGMENTS.—Subject to subparagraph (C), segments designated as part of the Interstate System by this paragraph and the mileage of such segments shall be treated in the manner described in the last 2 sentences of section 139(a) of title 23, United States Code.

"(C) USE OF FUNDS.—

"(i) GENERAL RULE.—Funds apportioned under section 104(b)(5)(A) of title 23, United States Code, may be used on a project to construct a portion of a route referred to in this paragraph to standards set forth in section 109(b) of such title if the State determines that the project for which the funds were originally apportioned is unreasonably delayed or no longer viable.

"(ii) LIMITATION.—If funds apportioned under section 104(b)(5)(A) of title 23, United States Code, for completing a segment of the Interstate System are used on a project pursuant to this subparagraph, no interstate construction funds may be made available, after the date of the enactment of this paragraph, for construction of such segment.".

(b) FEASIBILITY STUDIES.—

(1) EVACUATION ROUTES FOR LOUISIANA COASTAL AREAS.—Section 1105(e)(2) of such Act (105 Stat. 2033) is amended by adding at the end the following: "A feasibility study may be conducted under this paragraph to identify routes that will expedite future emergency evacuations of coastal areas of Louisiana.".

(2) EAST-WEST TRANSAMERICA CORRIDOR.—With amounts available to the Secretary under section 1105(h) of the Intermodal Surface Transportation Efficiency Act of 1991, the Secretary in cooperation with the States of Virginia and West Virginia shall conduct a study to determine the feasibility of establishing a route for the East-West Transamerica Corridor (designated pursuant to section 1105(c)(3) of such Act) from Beckley, West Virginia, utilizing a corridor entering Virginia near the city of Covington then moving south from the Allegheny Highlands to serve Roanoke and continuing east to Lynchburg. From there such route would continue across Virginia to the Hampton Roads area.

(c) CORRECTIONS TO PROJECTS.—The table contained in section 1105(f) of such Act (105 Stat. 2033–2035) is amended—

(1) in item 1, relating to Pennsylvania, by inserting after "For" the following: "the segment described in item 6 of this table and up to $11,000,000 for";

(2) in item 2, relating to Alabama, Georgia, Mississippi, Tennessee, by inserting after "Rt. 72" the following: "and up to $1,500,000 from the State of Alabama's share of the project for modification of the Keller Memorial Bridge in Decatur, Alabama, to a pedestrian structure";

(3) in item 21, relating to Louisiana, by inserting after "Shreveport, Louisiana" insert the following: ", and up to $6,000,000 for surface transportation projects in Louisiana, including $4,500,000 for the I–10 and I–610 project in Jefferson Parish, Louisiana, in the corridor between the St. Charles Parish line and Tulane Avenue, $500,000 for noise analysis and safety abatement measures or barriers along the Lakeview section of I–610 in New Orleans, and $1,000,000 for 3 highway studies (including $250,000 for a study to widen United States Route 84/Louisiana Route 6 traversing north Louisiana, $250,000 for a study to widen Louisiana Route 42 from United States Route 61 to Louisiana Route 44 and extend to I–10 in East Ascension Parish, and $500,000 for a study to connect I–20 on both sides of the Ouachita River)"; and

(4) in item 26, relating to Indiana, Kentucky, Tennessee, by striking "Newberry" and inserting "Evansville".

(d) COALFIELDS EXPRESSWAY DESCRIPTION.—The first sentence of section 1069(v) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2010) is amended by striking "93" and inserting the following: "83, and from the West Virginia-Virginia State line generally following Route 83 to Pound, Virginia.".

SEC. 333. CORRECTIONS TO RURAL ACCESS PROJECTS.

The table contained in section 1106(a)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2037–2042) is amended—

(1) in item 18, relating to Louisiana, by inserting after "in Louisiana" the following: "and for Zachary Taylor Parkway, Alexandria to Bogalusa, Louisiana, to I–59 in Mississippi not to exceed $1,000,000";

(2) in item 34, relating to Illinois, by striking "Resurfacing" and all that follows through "Omaha" and inserting "Bel-Air Road improvement from south of Carmi to State Route 141 in southeastern White County";

(3) in item 52, relating to Bedford Springs, Pennsylvania, by striking "and Huntington" and inserting "Franklin, and Huntingdon";

(4) in item 61, relating to Lubbock, Texas, by striking "with Interstate 20" and inserting "with Interstate 10 through Interstate 20 and Interstate 27 north of Amarillo to the border between Texas and Oklahoma";

(5) in item 71, relating to Chautauqua County, New York, by inserting "and other improvements" after "expressway lanes";

(6) in item 75, relating to Pennsylvania, by striking "Widen" and all that follows through "lanes" and inserting "Road improvements on a 14-mile segment of United States Route 15 in Lycoming County, Pennsylvania";

(7) in item 93, relating to New Mexico, by striking "Raton-Clayton Rd., Clayton, New Mexico" and inserting "United States Route 64/87 from Raton, New Mexico, through Clayton to the border between Texas and New Mexico"; and

(8) in item 111, relating to Parker County, Texas—

(A) by striking "Parker County" and inserting "Parker and Tarrant Counties"; and

(B) by striking "to four-" and inserting "in Tarrant County to freeway standards and in Parker County to a 4-".

SEC. 334. CORRECTIONS TO URBAN ACCESS AND MOBILITY PROJECTS.

The table contained in section 1106(b)(2) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2043–2047) is amended—

(1) in item 9, relating to New York, New York, by inserting after "NY" the following: ", $4,440,398, and redevelopment of the James A. Farley Post Office, Pennsylvania Station, and associated service buildings into an intermodal transportation facility and commercial center, $11,159,602";

(2) in item 13, relating to Joliet, Illinois, by striking "and construction and interchange at Houbolt Road and I–80";

(3) in item 36, relating to Compton, California, by striking "For a grade" and all that follows through "Corridor" and inserting "For grade separations and other improvements in the city of Compton, California"; and

(4) in item 52, relating to Chicago, Illinois, by striking "Right-of-way" and all that follows through "Connector)" and inserting "Reconstruct the Michigan Avenue viaduct".

SEC. 335. CORRECTIONS TO INNOVATIVE PROJECTS.

The table contained in section 1107(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2048–2059) is amended—

(1) in item 10, relating to Atlanta, Georgia, by striking "(IVHS)" and inserting "(ITS)";

(2) in item 19, relating to Water Street, Pennsylvania—

(A) by striking "Water Street,"; and

(B) by inserting ", or other projects in the counties of Bedford, Blair, Centre, Franklin, and Huntingdon as selected by the State of Pennsylvania" after "Pennsylvania" the second place it appears;

(3) in item 20, relating to Holidaysburg, Pennsylvania—

(A) by striking "Holidaysburg," the first place it appears; and

(B) by inserting ", or other projects in the counties of Bedford, Blair, Centre, Franklin, and Huntingdon as selected by the State of Pennsylvania" after "Pennsylvania" the second place it appears;

(4) in item 24, relating to Pennsylvania, by inserting after "line" the following: "and for the purchase, rehabilitation, and improvement of any similar existing facility within a 150-mile radius of such project, as selected by the State of Pennsylvania";

(5) in item 29, relating to Blacksburg, Virginia—

(A) by inserting "methods of facilitating public and private participation in" after "demonstrate"; and

(B) by striking "intelligent/vehicle highway systems" and inserting "intelligent transportation systems";

(6) in item 35, relating to Alabama, by striking "to bypass" and all that follows through "I–85" and inserting "beginning on United States Route 80 west of Montgomery, Alabama, and connecting to I–65 south of Montgomery and I–85 east of Montgomery";

(7) in item 49, relating to Suffolk County, New York, by inserting after "perimeters" the following: "and provide funds to the towns of Brookhaven, Riverhead, Smithtown, East Hampton, Southold, Shelter Island, and Southampton for the purchase of vehicles to meet the transportation needs of the elderly and persons with disabilities";

(8) in item 52, relating to Pennsylvania, by striking "2" and all that follows through "Pennsylvania" and inserting "or rehabilitate (or both) highway and transportation infrastructure projects within 30 miles of I–81 or I–80 in northeastern Pennsylvania";

(9) in item 61, relating to Mojave, California—

(A) by striking "Mojave" and inserting "Victorville"; and

(B) by inserting "Mojave" after "reconstruct";

(10) in item 68, relating to Portland/S. Portland, Maine—

(A) by striking "Portland/S. Portland,"; and

(B) by inserting after "Bridge" the following: "and improvements to the Carlton Bridge in Bath-Woolworth";

(11) in item 76, relating to Tennessee—

(A) by inserting "Improved access to" before "I–81";

(B) by striking "Interchange"; and

(C) by inserting after "Tennessee" the second place it appears the following: "via improvements at I–181/Eastern Star Road and I–81/Kendrick Creek Road";

(12) in item 100, relating to Arkansas, by striking "Thornton" and inserting "Little Rock";

(13) in item 113, relating to Durham County, North Carolina, by inserting after "Route 147" the following: ", including the interchange at I–85";

(14) in item 114, relating to Corpus Christi to Angleton, Texas, by striking "Construct new multi-lane freeway" and inserting "Construct a 4-lane divided highway";

(15) in item 162, relating to New York, New York, by inserting after "paint" the following: ", $40,000,000, and James A. Farley Post Office, Pennsylvania Station, and associated service buildings: redevelopment, $15,000,000";

(16) in item 193, relating to Corning, New York, by inserting "and other improvements" after "expressway lanes"; and

(17) in item 196, relating to Orlando, Florida—

(A) by striking "Orlando,"; and

(B) by striking "Land" and all that follows through "project" and inserting "One or more regionally significant, intercity ground transportation projects".

SEC. 336. CORRECTIONS TO INTERMODAL PROJECTS.

The table contained in section 1108(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2060–2063) is amended—

(1) in item 9, relating to E. Haven/Wallingford, Connecticut—

(A) by striking "for $8.8 million";

(B) by striking "for $2.4 million"; and

(C) by striking "for $0.7 million";

(2) in item 12, relating to Buffalo, New York, by inserting after "Project" the following: "and the Crossroads Arena Project";

(3) in item 31, relating to Los Angeles, California, by striking "To improve ground access from Sepulveda Blvd. to Los Angeles, California" and inserting the following: "For the Los Angeles International Airport central terminal ramp access project, $3,500,000; for the widening of Aviation Boulevard south of Imperial Highway, $3,500,000; for the widening of Aviation Boulevard north of Imperial Highway, $1,000,000; and for transportation systems management improvements in the vicinity of the Sepulveda Boulevard/Los Angeles International Airport tunnel, $950,000";

(4) in item 33, relating to Orange County, New York, strike "Stuart Airport Interchange Project" and insert "Stewart Airport interchange projects"; and

(5) in item 38, relating to Provo, Utah, strike "South" and all that follows through "Airport" and insert "East-West Connector from United States Route 89–189".

SEC. 337. NATIONAL RECREATIONAL TRAILS.

(a) STATE ELIGIBILITY.—Section 1302(c) of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261(c)) is amended—

(1) by striking "Act" each place it appears and inserting "part";

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(3) by adding at the end the following:

"(3) FEDERAL SHARE.—

"(A) PRIOR TO FISCAL YEAR 2001.—Prior to October 1, 2000, the Federal share of the cost of a project under this section shall be 50 percent.

"(B) FISCAL YEAR 2001 AND THEREAFTER.—For fiscal year 2001 and each fiscal year thereafter, a State shall be eligible to receive moneys under this part for a fiscal year only if the State agrees to expend from non-Federal sources for carrying out projects under this part an amount equal to 20 percent of the amount received by the State under this part in that fiscal year.".

(b) ADMINISTRATIVE COSTS.—Section 1302(d)(1) of such Act (16 U.S.C. 1261(d)(1)) is amended—

(1) by striking "and" at the end of subparagraph (C);

(2) by redesignating subparagraph (D) as subparagraph (E); and

(3) by inserting after subparagraph (C) the following:

"(D) contracting for services with other land management agencies; and".

(c) ENVIRONMENTAL MITIGATION.—

(1) IN GENERAL.—Section 1302(e) of such Act (16 U.S.C. 1261(e)) is amended—

(A) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) by inserting after paragraph (4) the following:

"(5) ENVIRONMENTAL MITIGATION.—

"(A) REQUIREMENT.—To the extent practicable and consistent with other requirements of this section, in complying with paragraph (4), a State should give consideration to project proposals that provide for the redesign, reconstruction, nonroutine maintenance, or relocation of trails in order to mitigate and minimize the impact to the natural environment.

"(B) GUIDANCE.—A recreational trail advisory board satisfying the requirements of subsection (c)(2)(A) shall issue guidance to a State for the purposes of implementing subparagraph (A).

(2) CONFORMING AMENDMENT.—Section 1302(e)(4) of such Act (16 U.S.C. 1261(e)(4)) is amended by striking "paragraphs (6) and (8)(B)" and inserting "paragraphs (7) and (9)(B)".

(d) RETURN OF MONEYS NOT EXPENDED.—Section 1302(e)(9)(B) of such Act, as redesignated by subsection (c)(1)(A), is amended—

(1) by inserting "the State" before "may be exempted"; and

(2) by striking "and expended or committed" and all that follows before the period.

(e) ADVISORY COMMITTEE.—

(1) IN GENERAL.—Section 1303(b) of such Act (16 U.S.C. 1262(b)) is amended—

(A) by striking "11 members" and inserting "12 members";

(B) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively; and

(C) by inserting after paragraph (1) the following:

"(2) 1 member appointed by the Secretary representing individuals with disabilities;".

(2) CONFORMING AMENDMENT.—Section 1303(c) of such Act (16 U.S.C. 1262(c)) is amended by striking "subsection (b)(2)" and inserting "subsection (b)(3)".

(f) FUNDING.—Section 104 of title 23, United States Code, is amended—

(1) by redesignating subsection (h) as subsection (j); and

(2) by inserting after subsection (g) the following:

"(h) NATIONAL RECREATIONAL TRAILS FUNDING.—In addition to funds made available from the National Recreational Trails Trust Fund, the Secretary shall obligate, from administrative funds (contract authority) deducted under subsection (a), to carry out section 1302 of the Intermodal Surface Transportation Efficiency Act of 1991 (16 U.S.C. 1261) $15,000,000 for each of fiscal years 1996 and 1997.".

SEC. 338. INTELLIGENT TRANSPORTATION SYSTEMS.

(a) IMPROVED COLLABORATION IN INTELLIGENT TRANSPORTATION SYSTEMS RESEARCH AND DEVELOPMENT.—Section 6054 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 307 note; 105 Stat. 2191–2192) is amended by adding at the end the following:

"(e) COLLABORATIVE RESEARCH AND DEVELOPMENT.—In carrying out this part, the Secretary may carry out collaborative research and development in accordance with section 307(a)(2) of title 23, United States Code.".

(b) TIME LIMIT FOR OBLIGATION OF FUNDS FOR INTELLIGENT TRANSPORTATION SYSTEMS PROJECTS.—Section 6058 of such Act (23 U.S.C. 307 note; 105 Stat. 2194–2195) is amended—

(1) in subsection (e) by striking "until expended" and inserting "for obligation in accordance with this section"; and

(2) by adding at the end the following:

"(f) OBLIGATION OF FUNDS.—

"(1) IN GENERAL.—Funds made available pursuant to subsections (a) and (b) on or after the date of the enactment of this subsection and other funds made available on or after that date to carry out specific intelligent transportation systems projects shall be obligated not later than the last day of the fiscal year following the fiscal year for which the funds are made available. Funds made available pursuant to subsections (a) and (b) before such date of enactment shall remain available until expended.

"(2) REALLOCATION OF FUNDS.—If funds described in paragraph (1) are not obligated by the date described in the paragraph, the Secretary may make the funds available to carry out any other project with respect to which funds may be made available under subsection (a) or (b).".

(c) CONFORMING AMENDMENTS.—

(1) FINDINGS.—Section 6009(a)(6) of such Act (23 U.S.C. 307 note; 105 Stat. 2176) is amended by striking "intelligent vehicle highway systems" and inserting "intelligent transportation systems".

(2) INTELLIGENT TRANSPORTATION SYSTEMS GENERALLY.—Part B of title VI of such Act (23 U.S.C. 307 note) is amended—

(A) by striking the part heading and inserting the following:

"PART B—INTELLIGENT TRANSPORTATION SYSTEMS";

(B) in section 6051 by striking "Intelligent Vehicle-Highway Systems" and inserting "Intelligent Transportation Systems";

(C) by striking "intelligent vehicle-highway systems" each place it appears and inserting "intelligent transportation systems";

(D) in section 6054(a)(2)(A) by striking "intelligent vehicle-highway" and inserting "intelligent transportation systems";

(E) in the subsection heading for section 6054(b) by striking "INTELLIGENT VEHICLE-HIGHWAY SYSTEMS" and inserting "INTELLIGENT TRANSPORTATION SYSTEMS";

(F) in the subsection heading for section 6056(a) by striking "IVHS" and inserting "ITS";

(G) in the subsection heading for each of subsections (a) and (b) of section 6058 by striking "IVHS" and inserting "ITS"; and

(H) in the paragraph heading for section 6059(1) by striking "IVHS" and inserting "ITS".

(3) DOT APPROPRIATIONS ACT.—Section 310(c)(3) of the Department of Transportation and Related Agencies Appropriations Act, 1995 (23 U.S.C. 104 note; 108 Stat. 2489–2490) is amended by striking "intelligent vehicle highway systems" and inserting "intelligent transportation systems".

(4) HAZMAT.—Section 109(a) of the Hazardous Materials Transportation Authorization Act of 1994 (23 U.S.C. 307 note) is amended—

(A) by striking "Intelligent Vehicle-Highway Systems" each place it appears and inserting "Intelligent Transportation Systems"; and

(B) by striking "intelligent vehicle-highway system" and inserting "intelligent transportation system".

(5) UNIVERSITY RESEARCH INSTITUTE.—Section 5316(d) of title 49, United States Code, is amended—

(A) in the subsection heading by striking "INTELLIGENT VEHICLE-HIGHWAY" and inserting "INTELLIGENT TRANSPORTATION"; and

(B) by striking "intelligent vehicle-highway" each place it appears and inserting "intelligent transportation".

SEC. 339. ELIGIBILITY.

(a) PENNSYLVANIA TURNPIKE AND I–95.—

(1) RECONSTRUCTION AND WIDENING.—The project authorized by section 162 of the Surface Transportation Assistance Act of 1982 (96 Stat. 2136) shall include reconstruction and widening to 6 lanes of existing Interstate Route 95 and of the Pennsylvania Turnpike from United States Route 1 to the junction with the New Jersey Turnpike, including the structure over the Delaware River.

(2) FEDERAL SHARE.—Notwithstanding any other provision of law, the Federal share payable on account of the project referred to in paragraph (1), including the additional through roadway and bridge travel lanes, shall be 90 percent of the cost of the project.

(3) TOLLS.—Notwithstanding section 301 of title 23, United States Code, the project for construction of an interchange between the Pennsylvania Turnpike and Interstate Route 95, including the widening of the Pennsylvania Turnpike, shall be treated as a reconstruction project described in section 129(a)(1)(B) of such title and tolls may be continued on all traffic on the Pennsylvania Turnpike between United States Route 1 and the New Jersey Turnpike.

(b) TYPE II NOISE BARRIERS.— 23 USC 109 note.

(1) GENERAL RULE.—No funds made available out of the Highway Trust Fund may be used to construct Type II noise barriers (as defined by section 772.5(i) of title 23, Code of Federal Regulations) pursuant to subsections (h) and (i) of section 109 of title 23, United States Code, if such barriers were not part of a project approved by the Secretary before the date of the enactment of this Act.

(2) EXCEPTIONS.—Paragraph (1) shall not apply to construction of Type II noise barriers along lands that were developed or were under substantial construction before approval of the acquisition of the rights-of-ways for, or construction of, the existing highway.

(c) ROUTE SEGMENTS IN WYOMING.—

(1) IN GENERAL.—The Secretary shall cooperate with the State of Wyoming in monitoring the changes in growth along, and traffic patterns of, the route segments in Wyoming described in paragraph (2), for the purpose of future consideration of the addition of the route segments to the National Highway System in accordance with section 103(b)(6) of title 23, United States Code.

(2) ROUTE SEGMENTS.—The route segments referred to in paragraph (1) are—

(A) United States Route 191 from Rock Springs to Hoback Junction;

(B) United States Route 16 from Worland to Interstate Route 90; and

(C) Wyoming Route 59 from Douglas to Gillette.

(d) ORANGE STREET BRIDGE, MISSOULA, MONTANA.—Notwithstanding section 149 of title 23, United States Code, or any other provision of law, a project to construct new capacity for the Orange Street Bridge in Missoula, Montana, shall be eligible for funding under the congestion mitigation and air quality improvement program established under such section.

(e) NATIONAL RAILROAD PASSENGER CORPORATION LINE.—The improvements to, or adjacent to, the main line of the National Railroad Passenger Corporation between milepost 190.23 at Central Falls, Rhode Island, and milepost 168.53 at Davisville, Rhode Island, that are necessary to support the rail movement of freight shall be eligible for funds apportioned under sections 103(e)(4), 104(b)(2), and 104(b)(3) of title 23, United States Code.

(f) POCONO NORTHEAST RAILWAY COMPANY LINE.—The improvements to the former Pocono Northeast Railway Company freight rail line by the Luzerne County Redevelopment Authority that are necessary to support the rail movement of freight shall be eligible for funds apportioned under sections 104(b)(2) and 104(b)(3) of title 23, United States Code.

(g) BRIGHTMAN STREET BRIDGE, FALL RIVER HARBOR, MASSACHUSETTS.—Notwithstanding any other provision of law, the Brightman Street Bridge in Fall River Harbor, Massachusetts, may be reconstructed to result in a clear channel width of less than 300 feet.

(h) ATLANTIC INTRACOASTAL WATERWAY BRIDGE REPLACEMENT AT GREAT BRIDGE, CHESAPEAKE, VIRGINIA.—The project for navigation at Great Bridge, Virginia, Highway 168, over the Atlantic Intracoastal Waterway in Chesapeake, Virginia: Report of the Chief of Engineers, dated July 1, 1994, at a total cost of $23,680,000, with an estimated Federal cost of $20,341,000 and an estimated non-Federal cost of $3,339,000. The city of Chesapeake shall assume full ownership of the replacement bridge to be constructed under the project, including all associated operation, maintenance, repair, replacement, and rehabilitation costs.

(i) FEDERAL LANDS HIGHWAYS PROGRAM.—Notwithstanding section 101(a) of title 23, United States Code, and the requirements of sections 202 and 204 of such title, the highway projects described in section 149(a)(62) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 191), section 1 of Public Law 100–211 (101 Stat. 1442), and Public Law 99–647 (100 Stat. 3625) and projects on State Highway 488 within the Great Basin National Park, Nevada, and United States Route 93 from Somers to Whitefish, Montana, shall be eligible for assistance

under sections 202 and 204 of such title. Any funds allocated for fiscal year 1996 and thereafter for such projects as a result of enactment of this subsection shall not affect the apportionment adjustments made under section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991.

(j) ALAMEDA TRANSPORTATION CORRIDOR, CALIFORNIA.—Funds apportioned to the State of California under section 104(b)(1) of title 23, United States Code, for the National Highway System may be obligated for construction of, and operational improvements for, grade separation projects for the Alameda Transportation Corridor along Alameda Street from the entrance to the ports of Los Angeles and Long Beach to Interstate Route 10, Los Angeles, California. The Federal share of the costs of such projects shall be determined in accordance with section 120(b) of such title.

SEC. 340. MISCELLANEOUS CORRECTIONS TO SURFACE TRANSPORTATION AND UNIFORM RELOCATION ASSISTANCE ACT OF 1987.

(a) 34TH STREET CORRIDOR PROJECT IN MOORHEAD, MINNESOTA.—Section 149(a)(5)(A) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 181), relating to Minnesota, is amended—

(1) by striking "and" at the end of clause (i); and

(2) by inserting "and (iii) a safety overpass," after "interchange,".

(b) CALIFORNIA.—Section 149(a)(69) of such Act (101 Stat. 191), relating to Burbank-Glendale-Pasadena Airport, California, is amended—

(1) by striking "highway";

(2) by striking "and construction of terminal and parking facilities at such airport"; and

(3) by striking "by making" and all that follows through the period at the end of the second sentence and inserting the following: "by preparing a feasibility study and conducting preliminary engineering, design, and construction of a link between such airport and the commuter rail system that is being developed by the Los Angeles County Metropolitan Transportation Authority.".

(c) PENNSYLVANIA.—Section 149(a)(74) of such Act (101 Stat. 192) is amended—

(1) by striking "CHAMBERSBURG, PENNSYLVANIA" in the paragraph heading and inserting "PENNSYLVANIA"; and

(2) by inserting before the period at the end the following: "and other projects in the counties of Bedford, Blair, Centre, Franklin, and Huntingdon, Pennsylvania".

(d) LOUISIANA.—

(1) RURAL ACCESS PROJECT.—Section 149(a)(87) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 194) is amended—

(A) by striking "WEST CALCASIEU PARISH, LOUISIANA" and inserting "LOUISIANA"; and

(B) by inserting before the period at the end the following: "and construction of roads and a bridge to provide access to the Rose Bluff industrial area, Lake Charles, Louisiana".

(2) I–10 EXIT RAMP AND OTHER PROJECTS.—Section 149(a)(89) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (101 Stat. 194) is amended—

(A) by inserting "AND LAKE CHARLES" after "LAFAYETTE" in the paragraph heading; and

(B) by inserting before the period at the end the following: "and, of amounts made available to carry out this paragraph, may use up to $456,022 to carry out a comprehensive transportation and land use plan for Lafayette, Louisiana, $1,000,000 to carry out a project to construct an exit ramp from the eastbound side of Interstate Route 10 to Ryan Street in Lake Charles, Louisiana, and $269,661 to carry out projects described in paragraph (90)".

(3) CONTRABAND BRIDGE.—Section 149(a)(90) of such Act (101 Stat. 194) is amended—

(A) by inserting "AND LAKE CHARLES" after "LAFAYETTE" in the paragraph heading; and

(B) by inserting before the period at the end "and a project to construct the Contraband Bridge portion of the Nelson Access Road Project".

(e) MARYLAND.—Section 149(a)(92) of such Act (101 Stat. 194) is amended—

(1) by striking "UNITED STATES ROUTE 48" in the paragraph heading and inserting "WASHINGTON AND FREDERICK COUNTIES"; and

(2) by inserting "and to construct an interchange between Interstate Route 70 and Interstate Route 270 in Frederick County, Maryland" after "Mountain Road".

(f) NORTH DAKOTA.—Of funds remaining available for obligation under sections 149(a)(111)(C), 149(a)(111)(E), 149(a)(111)(J), 149(a)(111)(K), 149(a)(111)(L), 149(a)(111)(M), and 149(a)(112) of the Surface Transportation and Uniform Relocation Assistance Act of 1987, $217,440 shall be made available for the repair of County Road 8 west of Lawton, Ramsey County, North Dakota. The remainder of such funds shall be made available to the North Dakota department of transportation for flood prevention and repair activities on North Dakota county roads on a Federal-aid system that are threatened by flooding (as determined by the North Dakota department of transportation).

SEC. 341. ACCESSIBILITY OF OVER-THE-ROAD BUSES TO INDIVIDUALS WITH DISABILITIES.

Section 306(a)(2)(B)(iii) of the Americans With Disabilities Act of 1990 (42 U.S.C. 12186(a)(2)(B)(iii)) is amended—

(1) in subclause (I) by striking "7 years after the date of the enactment of this Act" and inserting "3 years after the date of issuance of final regulations under clause (ii)"; and

(2) in subclause (II) by striking "6 years after such date of enactment" and inserting "2 years after the date of issuance of such final regulations".

SEC. 342. ALCOHOL AND CONTROLLED SUBSTANCES TESTING.

(a) MASS TRANSIT TESTING.—Section 5331(b) of title 49, United States Code, is amended by striking the subsection designation and all that follows through paragraph (1)(A) and inserting the following:

"(b) TESTING PROGRAM FOR MASS TRANSPORTATION EMPLOYEES.—(1)(A) In the interest of mass transportation safety, the Secretary shall prescribe regulations that establish a program requiring mass transportation operations that receive financial assistance under section 5307, 5309, or 5311 of this title or section 103(e)(4) of title 23 to conduct preemployment, reasonable suspicion, random, and post-accident testing of mass transportation employees responsible for safety-sensitive functions (as decided by the Secretary) for the use of a controlled substance in violation of law or a United States Government regulation, and to conduct reasonable suspicion, random, and post-accident testing of such employees for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit such operations to conduct preemployment testing of such employees for the use of alcohol.". Regulations.

(b) RAILROAD TESTING.—Section 20140(b)(1)(A) of title 49, United States Code, is amended to read as follows:

"(A) a railroad carrier to conduct preemployment, reasonable suspicion, random, and post-accident testing of all railroad employees responsible for safety-sensitive functions (as decided by the Secretary) for the use of a controlled substance in violation of law or a United States Government regulation, and to conduct reasonable suspicion, random, and post-accident testing of such employees for the use of alcohol in violation of law or a United States Government regulation; the regulations shall permit such railroad carriers to conduct preemployment testing of such employees for the use of alcohol; and".

(c) MOTOR CARRIER TESTING.—Section 31306(b) of such title is amended by striking the subsection designation and all that follows through paragraph (1)(A) and inserting the following:

"(b) TESTING PROGRAM FOR OPERATORS OF COMMERCIAL MOTOR VEHICLES.—(1)(A) In the interest of commercial motor vehicle safety, the Secretary of Transportation shall prescribe regulations that establish a program requiring motor carriers to conduct preemployment, reasonable suspicion, random, and post-accident testing of operators of commercial motor vehicles for the use of a controlled substance in violation of law or a United States Government regulation and to conduct reasonable suspicion, random, and post-accident testing of such operators for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit such motor carriers to conduct preemployment testing of such employees for the use of alcohol.". Regulations.

(d) AVIATION TESTING.—

(1) PROGRAM FOR EMPLOYEES OF AIR CARRIERS AND FOREIGN AIR CARRIERS.—Section 45102(a) of title 49, United States Code, is amended by striking the subsection designation and all that follows through paragraph (1) and inserting the following:

"(a) PROGRAM FOR EMPLOYEES OF AIR CARRIERS AND FOREIGN AIR CARRIERS.—(1) In the interest of aviation safety, the Administrator of the Federal Aviation Administration shall prescribe regulations that establish a program requiring air carriers and foreign air carriers to conduct preemployment, reasonable suspicion, random, and post-accident testing of airmen, crew members, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of a controlled substance in violation of law or a United States Government regulation; and to conduct Regulations.

reasonable suspicion, random, and post-accident testing of airmen, crew members, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of alcohol in violation of law or a United States Government regulation. The regulations shall permit air carriers and foreign air carriers to conduct preemployment testing of airmen, crew members, airport security screening contract personnel, and other air carrier employees responsible for safety-sensitive functions (as decided by the Administrator) for the use of alcohol.".

(2) PROGRAM FOR EMPLOYEES OF THE FEDERAL AVIATION ADMINISTRATION.—Section 45102(b) of title 49, United States Code, is amended by striking the subsection designation and all that follows through paragraph (1) and inserting the following:

"(b) PROGRAM FOR EMPLOYEES OF THE FEDERAL AVIATION ADMINISTRATION.—(1) The Administrator shall establish a program of preemployment, reasonable suspicion, random, and post-accident testing for the use of a controlled substance in violation of law or a United States Government regulation for employees of the Administration whose duties include responsibility for safety-sensitive functions and shall establish a program of reasonable suspicion, random, and post-accident testing for the use of alcohol in violation of law or a United States Government regulation for such employees. The Administrator may establish a program of preemployment testing for the use of alcohol for such employees.".

SEC. 343. NATIONAL DRIVER REGISTER.

Section 30308(a) of title 49, United States Code, is amended by striking "and $2,550,000 for fiscal year 1995" and inserting "and $2,550,000 for each of fiscal years 1995 and 1996".

SEC. 344. COMMERCIAL MOTOR VEHICLE SAFETY PILOT PROGRAM.

Section 31136(e) of title 49, United States Code, is amended—

(1) by inserting "(1) IN GENERAL.—" before "After";

(2) by indenting paragraph (1), as designated by paragraph (1) of this section, and moving that paragraph 2 ems to the right; and

(3) by adding at the end the following:

"(2) COMMERCIAL MOTOR VEHICLE SAFETY PILOT PROGRAM.—

"(A) IN GENERAL.—Not later than the 270th day following the date of the enactment of this paragraph, the Secretary shall implement a commercial motor vehicle regulatory relief and safety pilot program (hereinafter in this paragraph referred to as the 'program') to grant and to monitor exemptions from the provisions of this section and sections 504 and 31502. The program shall provide that the Secretary, within 120 days after receiving an application for participation in the program from an employer, shall determine whether to exempt some or all of the eligible vehicles operated by the applicant, and some or all of the drivers of such vehicles employed by the applicant, from some or all of the regulations prescribed under this section and sections 504 and 31502—

"(i) if the applicant has a satisfactory safety rating issued by the Secretary or meets criteria established by the Secretary pursuant to subparagraph (J) instead of such rating; and

"(ii) if the applicant and the Secretary enter into an agreement that provides that the applicant while participating in the program—

"(I) shall operate safely;

"(II) shall provide the Secretary with accident and nonconfidential insurance-related information relevant to the safety performance of the applicant and vehicles and drivers of the applicant subject to the program;

"(III) shall use in the program only drivers with good safety records in the preceding 36 months and who maintain such good safety records while in the program; and

"(IV) shall implement such safety management controls as the Secretary (in cooperation with the applicant) determines are necessary to carry out the objectives of this subsection.

"(B) SAFETY MANAGEMENT CONTROLS.—Safety management controls implemented by participants in the program shall be designed to achieve a level of operational safety equal to or greater than that resulting from compliance with the regulations prescribed under this section and sections 504 and 31502.

"(C) PAPERWORK BURDEN TO BE MINIMIZED.—The Secretary shall ensure that participants in the program are subject to a minimum of paperwork and regulatory burdens necessary to ensure compliance with the requirements of the program.

"(D) ENCOURAGEMENT OF ADVANCED TECHNOLOGY.—The Secretary shall encourage participants in the program to use such advanced technologies as may be necessary to ensure compliance with the requirements of the program.

"(E) APPROVAL FACTORS.—In approving applicants for participation in the program, the Secretary shall—

"(i) ensure that the participants represent a broad cross-section of fleet size and drivers of eligible vehicles; and

"(ii) ensure participation by qualified applicants, except to the extent limited by resources of the Secretary that are necessary to permit effective monitoring under subparagraph (G).

"(F) MODIFICATIONS TO REFLECT CHANGES IN REGULATIONS.—If there is a material change in the regulations prescribed under this section or section 504 or 31502, the Secretary shall require each participant in the program to modify the safety management controls applicable to such participant, and the agreement provided for in subparagraph (A)(ii), to the extent necessary to reflect the material change.

"(G) MONITORING.—The Secretary and participants in the program shall monitor periodically the safety of vehicles and drivers subject to the program.

"(H) TERMINATION OF PARTICIPATION.—A participant shall participate in the program until—

"(i) the Secretary finds that—

"(I) the participant has exceeded the average ratio of preventable accidents to vehicle miles traveled for a period of 12 months for eligible vehicles;

"(II) the participant has failed to comply with the requirements established by the Secretary for participation in the program (including applicable safety management controls); or

"(III) continued participation in the program is not in the public interest; or

"(ii) the participant voluntarily withdraws from the program.

"(I) EMERGENCIES.—The Secretary may suspend or modify participation in the program in case of emergency.

"(J) GUIDELINES.—

"(i) IN GENERAL.—Not later than the 270th day following the date of the enactment of this paragraph, the Secretary, after notice and opportunity for comment, shall establish criteria and define any terms necessary for implementing the program consistent with this section. In establishing the criteria, the Secretary may consider to what extent and under what conditions safety management controls may substitute, in whole or in part, for compliance with some or all of the regulations prescribed under this section and sections 504 and 31502.

Effective date.

"(ii) LIMITATION.—Notwithstanding clause (i), the program shall take effect on or before the 270th day following the date of the enactment of this paragraph. If the rulemaking described in clause (i) is not completed on or before such 270th day, the Secretary shall issue interim criteria, consistent with this section, pending the completion of the rulemaking described in this subsection.

"(K) ELIGIBLE VEHICLES.—For purposes of this subsection, the term 'eligible vehicle' means a commercial motor vehicle with a gross vehicle weight rating of at least 10,001 pounds, but not more than 26,000 pounds, other than a vehicle—

"(i) designed to transport more than 15 passengers, including the driver; or

"(ii) used in transporting material found by the Secretary to be hazardous under section 5103 and transported in a quantity requiring placarding under the regulations issued under such section.

"(3) REVIEW OF REGULATIONS.—Based in part on the information and experience obtained from the program, the Secretary shall conduct a zero-based review of the need for, and the costs and benefits of, all regulations prescribed under this section and sections 504 and 31502 to determine whether and to what extent such regulations should apply to eligible vehicles. The review shall focus on the appropriate level of safety that is in the public interest and the paperwork and regulatory burdens of such regulations as the regulations apply to employers and employees that use such vehicles. The Secretary shall complete the review by the last day of the 3-year period beginning on the date of the enactment of this paragraph. Upon completion of the review, the Secretary shall,

after notice and an opportunity for public comment, grant such exemptions or modify or repeal existing regulations to the extent appropriate.".

SEC. 345. EXEMPTIONS FROM REQUIREMENTS RELATING TO COMMERCIAL MOTOR VEHICLES AND THEIR OPERATORS. 49 USC 31136 note.

(a) EXEMPTIONS.—

(1) TRANSPORTATION OF AGRICULTURAL COMMODITIES AND FARM SUPPLIES.—Regulations prescribed by the Secretary under sections 31136 and 31502 of title 49, United States Code, regarding maximum driving and on-duty time for drivers used by motor carriers shall not apply to drivers transporting agricultural commodities or farm supplies for agricultural purposes in a State if such transportation is limited to an area within a 100 air mile radius from the source of the commodities or the distribution point for the farm supplies and is during the planting and harvesting seasons within such State, as determined by the State.

(2) TRANSPORTATION AND OPERATION OF GROUND WATER WELL DRILLING RIGS.—Such regulations shall, in the case of a driver of a commercial motor vehicle who is used primarily in the transportation and operation of a ground water well drilling rig, permit any period of 7 or 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

(3) TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.—Such regulations shall, in the case of a driver of a commercial motor vehicle who is used primarily in the transportation of construction materials and equipment, permit any period of 7 or 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

(4) DRIVERS OF UTILITY SERVICE VEHICLES.—Such regulations shall, in the case of a driver of a utility service vehicle, permit any period of 7 or 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum driving and on-duty time.

(5) SNOW AND ICE REMOVAL.—A State may waive the requirements of chapter 313 of title 49, United States Code, with respect to a vehicle that is being operated within the boundaries of an eligible unit of local government by an employee of such unit for the purpose of removing snow or ice from a roadway by plowing, sanding, or salting. Such waiver authority shall only apply in a case where the employee is needed to operate the vehicle because the employee of the eligible unit of local government who ordinarily operates the vehicle and who has a commercial drivers license is unable to operate the vehicle or is in need of additional assistance due to a snow emergency.

(b) PREEMPTION.—Nothing contained in this section shall require the preemption of State laws and regulations concerning the safe operation of commercial motor vehicles as the result of exemptions from Federal requirements provided under this section.

(c) REVIEW BY THE SECRETARY.—The Secretary may conduct a rulemaking proceeding to determine whether granting any exemp-

tion provided by subsection (a) (other than paragraph (2)) is not in the public interest and would have a significant adverse impact on the safety of commercial motor vehicles. If, at any time as a result of such a proceeding, the Secretary determines that granting such exemption would not be in the public interest and would have a significant adverse impact on the safety of commercial motor vehicles, the Secretary may prevent the exemption from going into effect, modify the exemption, or revoke the exemption. The Secretary may develop a program to monitor the exemption, including agreements with carriers to permit the Secretary to examine insurance information maintained by an insurer on a carrier.

(d) REPORT.—The Secretary shall monitor the commercial motor vehicle safety performance of drivers of vehicles that are subject to an exemption under this section. If the Secretary determines that public safety has been adversely affected by an exemption granted under this section, the Secretary shall report to Congress on the determination.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) 7 OR 8 CONSECUTIVE DAYS.—The term "7 or 8 consecutive days" means the period of 7 or 8 consecutive days beginning on any day at the time designated by the motor carrier for a 24-hour period.

(2) 24-HOUR PERIOD.—The term "24-hour period" means any 24 consecutive hour period beginning at the time designated by the motor carrier for the terminal from which the driver is normally dispatched.

(3) GROUND WATER WELL DRILLING RIG.—The term "ground water well drilling rig" means any vehicle, machine, tractor, trailer, semi-trailer, or specialized mobile equipment propelled or drawn by mechanical power and used on highways to transport water well field operating equipment, including water well drilling and pump service rigs equipped to access ground water.

(4) TRANSPORTATION OF CONSTRUCTION MATERIALS AND EQUIPMENT.—The term "transportation of construction materials and equipment" means the transportation of construction and pavement materials, construction equipment, and construction maintenance vehicles, by a driver to or from an active construction site (a construction site between initial mobilization of equipment and materials to the site to the final completion of the construction project) within a 50 air mile radius of the normal work reporting location of the driver. This paragraph does not apply to the transportation of material found by the Secretary to be hazardous under section 5103 of title 49, United States Code, in a quantity requiring placarding under regulations issued to carry out such section.

(5) ELIGIBLE UNIT OF LOCAL GOVERNMENT.—The term "eligible unit of local government" means a city, town, borough, county, parish, district, or other public body created by or pursuant to State law which has a total population of 3,000 individuals or less.

(6) UTILITY SERVICE VEHICLE.—The term "utility service vehicle" means any commercial motor vehicle—

(A) used in the furtherance of repairing, maintaining, or operating any structures or any other physical facilities necessary for the delivery of public utility services, including the furnishing of electric, gas, water, sanitary sewer,

telephone, and television cable or community antenna service;

(B) while engaged in any activity necessarily related to the ultimate delivery of such public utility services to consumers, including travel or movement to, from, upon, or between activity sites (including occasional travel or movement outside the service area necessitated by any utility emergency as determined by the utility provider); and

(C) except for any occasional emergency use, operated primarily within the service area of a utility's subscribers or consumers, without regard to whether the vehicle is owned, leased, or rented by the utility.

(f) EFFECTIVE DATE.—Subsection (a) of this section shall take effect on the 180th day following the date of the enactment of this Act; except that paragraphs (1) and (2) of subsection (a) shall take effect on such date of enactment.

SEC. 346. WINTER HOME HEATING OIL DELIVERY STATE FLEXIBILITY PROGRAM.

49 USC 31136 note.

(a) IN GENERAL.—After notice and opportunity for comment, the Secretary shall develop and implement a pilot program for the purpose of evaluating waivers of the regulations issued by the Secretary pursuant to sections 31136 and 31502 of title 49, United States Code, relating to maximum on-duty time, and sections 31102 and 31104(j) of such title, relating to the Motor Carrier Safety Assistance Program, to permit any period of 7 or 8 consecutive days to end with the beginning of an off-duty period of 24 or more consecutive hours for the purposes of determining maximum on-duty time for drivers of motor vehicles making intrastate home heating oil deliveries that occur within 100 air miles of a central terminal or distribution point of the delivery of such oil. The Secretary may approve up to 5 States to participate in the pilot program during the winter heating season in the 6-month period beginning on November 1, 1996.

(b) APPROVAL CRITERIA.—The Secretary shall select States to participate in the pilot program upon approval of applications submitted by States to the Secretary. The Secretary shall act on a State's application within 30 days after the date of its submission. The Secretary may only approve an application of a State under this section if the Secretary finds, at a minimum, that—

(1) a substantial number of the citizens of the State rely on home heating oil for heat during winter months;

(2) current maximum on-duty time regulations may endanger the welfare of these citizens by impeding timely deliveries of home heating oil;

(3) the State will ensure an equal to or greater level of safety with respect to home heating oil deliveries than the level of safety resulting from compliance with the regulations referred to in subsection (a);

(4) the State will monitor the safety of home heating oil deliveries while participating in the program;

(5) employers of deliverers of home heating oil that will be covered by the program will agree to make all safety data developed from the pilot program available to the State and to the Secretary;

(6) the State will only permit employers of deliverers of home heating oil with satisfactory safety records to be covered by the program; and

(7) the State will comply with such other criteria as the Secretary determines are necessary to implement the program consistent with this section.

(c) PARTICIPATION IN PROGRAM.—Upon approval of an application of a State under this section, the Secretary shall permit the State to participate in the pilot program for an initial period of 15 days during the winter heating season of the State (as determined by the Governor and the Secretary). If, after the last day of such 15-day period, the Secretary finds that a State's continued participation in the program is consistent with this section and has resulted in no significant adverse impact on public safety and is in the public interest, the Secretary shall extend the State's participation in the program for periods of up to 30 additional days during such heating season.

(d) SUSPENSION FROM PROGRAM.—The Secretary may suspend a State's participation in the pilot program at any time if the Secretary finds—

(1) that the State has not complied with any of the criteria for participation in the program under this section;

(2) that a State's participation in the program has caused a significant adverse impact on public safety and is not in the public interest; or

(3) the existence of an emergency.

Rulemaking.

(e) REVIEW BY SECRETARY.—Within 90 days after the completion of the pilot program, the Secretary shall initiate a rulemaking to determine, based in part on the results of the program, whether to—

(1) permit a State to grant waivers of the regulations referred to in subsection (a) to motor carriers transporting home heating oil within the borders of the State, subject to such conditions as the Secretary may impose, if the Secretary determines that such waivers by the State meet the conditions in section 31136(e) of title 49, United States Code; or

(2) amend the regulations referred to in subsection (a) as may be necessary to provide flexibility to motor carriers delivering home heating oil during winter periods of peak demand.

(f) DEFINITION.—In this section, the term "7 or 8 consecutive days" has the meaning such term has under section 345 of this Act.

23 USC 154 note.

SEC. 347. SAFETY REPORT.

Not later than September 30, 1997, the Secretary, in cooperation with any State which raises any speed limit in such State to a level above the level permitted under section 154 of title 23, United States Code, as such section was in effect on September 15, 1995, shall prepare and submit to Congress a study of—

(1) the costs to such State of deaths and injuries resulting from motor vehicle crashes; and

(2) the benefits associated with the repeal of the national maximum speed limit.

SEC. 348. MORATORIUM ON CERTAIN EMISSIONS TESTING REQUIREMENTS.

42 USC 7511a note.

(a) IN GENERAL.—The Administrator of the Environmental Protection Agency (hereinafter in this section referred to as the "Administrator") shall not require adoption or implementation by a State of a test-only I/M240 enhanced vehicle inspection and maintenance program as a means of compliance with section 182 or 187 of the Clean Air Act (42 U.S.C. 7511a; 7512a), but the Administrator may approve such a program if a State chooses to adopt the program as a means of compliance with such section.

(b) LIMITATION ON PLAN DISAPPROVAL.—The Administrator shall not disapprove or apply an automatic discount to a State implementation plan revision under section 182 or 187 of the Clean Air Act (42 U.S.C. 7511a; 7512a) on the basis of a policy, regulation, or guidance providing for a discount of emissions credits because the inspection and maintenance program in such plan revision is decentralized or a test-and-repair program.

(c) EMISSIONS REDUCTION CREDITS.—

(1) STATE PLAN REVISION; APPROVAL.—Within 120 days of the date of the enactment of this subsection, a State may submit an implementation plan revision proposing an interim inspection and maintenance program under section 182 or 187 of the Clean Air Act (42 U.S.C. 7511a; 7512a). The Administrator shall approve the program based on the full amount of credits proposed by the State for each element of the program if the proposed credits reflect good faith estimates by the State and the revision is otherwise in compliance with such Act. If, within such 120-day period, the State submits to the Administrator proposed revisions to the implementation plan, has all of the statutory authority necessary to implement the revisions, and has proposed a regulation to make the revisions, the Administrator may approve the revisions without regard to whether or not such regulation has been issued as a final regulation by the State.

(2) EXPIRATION OF INTERIM APPROVAL.—The interim approval shall expire on the earlier of (A) the last day of the 18-month period beginning on the date of the interim approval, or (B) the date of final approval. The interim approval may not be extended.

(3) FINAL APPROVAL.—The Administrator shall grant final approval of the revision based on the credits proposed by the State during or after the period of interim approval if data collected on the operation of the State program demonstrates that the credits are appropriate and the revision is otherwise in compliance with the Clean Air Act.

(4) BASIS OF APPROVAL; NO AUTOMATIC DISCOUNT.—Any determination with respect to interim or full approval shall be based on the elements of the program and shall not apply any automatic discount because the program is decentralized or a test-and-repair program.

SEC. 349. ROADS ON FEDERAL LANDS.

(a) MORATORIUM.—

(1) IN GENERAL.—Notwithstanding any other provision of law, no agency of the Federal Government may take any action to prepare, promulgate, or implement any rule or regulation addressing rights-of-way authorized pursuant to section 2477

of the Revised Statutes (43 U.S.C. 932), as such section was in effect before October 21, 1976.

(2) SUNSET.—This subsection shall not be effective after September 30, 1996.

Virginia.
16 USC 403 note.

(b) REQUIREMENT OF TRANSFER OF COUNTY ROAD CORRIDORS.—

(1) DEFINITIONS.—In this subsection, the following definitions apply:

(A) COUNTY ROAD CORRIDOR.—The term "county road corridor" means a corridor that is comprised of—

(i) a Shenandoah county road; and

(ii) land contiguous to the road that is selected by the Secretary of the Interior, in consultation with the Governor of the State of Virginia, such that the width of the corridor is 50 feet.

(B) SHENANDOAH COUNTY ROAD.—The term "Shenandoah county road" means the portion of any of the following roads that is located in the Shenandoah National Park and that has been in general use as a public roadway prior to the date of the enactment of this Act:

(i) Madison County Route 600.
(ii) Rockingham County Route 624.
(iii) Rockingham County Route 625.
(iv) Rockingham County Route 626.
(v) Warren County Route 604.
(vi) Page County Route 759.
(vii) Page County Route 611.
(viii) Page County Route 682.
(ix) Page County Route 662.
(x) Augusta County Route 611.
(xi) Augusta County Route 619.
(xii) Albemarle County Route 614.
(xiii) Augusta County Route 661.
(xiv) Rockingham County Route 663.
(xv) Rockingham County Route 659.
(xvi) Page County Route 669.
(xvii) Rockingham County Route 661.
(xviii) Criser Road (to the town of Front Royal).
(xix) The Government-owned parcel connecting Criser Road to the Warren County School Board parcel.

(2) PURPOSE.—The purpose of this subsection is to permit the State of Virginia to maintain and provide for safe public use of certain roads that the State donated to the United States at the time of the establishment of Shenandoah National Park.

(3) TRANSFER.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Interior shall transfer to the State of Virginia, without consideration or reimbursement, all right, title, and interest of the United States in and to each county road corridor.

(4) REVERSION.—A transfer under paragraph (3) shall be subject to the condition that if at any time a county road corridor is withdrawn from general use as a public roadway, all right, title, and interest in the county road corridor shall revert to the United States.

23 USC 101 note.

SEC. 350. STATE INFRASTRUCTURE BANK PILOT PROGRAM.

(a) IN GENERAL.—

(1) COOPERATIVE AGREEMENTS.—Subject to the provisions of this section, the Secretary may enter into cooperative agreements with not to exceed 10 States for the establishment of State infrastructure banks and multistate infrastructure banks for making loans and providing other assistance to public and private entities carrying out or proposing to carry out projects eligible for assistance under this section.

(2) INTERSTATE COMPACTS.—Congress grants consent to 2 or more of the States, entering into a cooperative agreement under paragraph (1) with the Secretary for the establishment of a multistate infrastructure bank, to enter into an interstate compact establishing such bank in accordance with this section.

(b) FUNDING.—

(1) SEPARATE ACCOUNTS.—An infrastructure bank established under this section shall maintain a separate highway account for Federal funds contributed to the bank under paragraph (2) and a separate transit account for Federal funds contributed to the bank under paragraph (3). No Federal funds contributed or credited to an account of an infrastructure bank established under this section may be commingled with Federal funds contributed or credited to any other account of such bank.

(2) HIGHWAY ACCOUNT.—Notwithstanding any other provision of law, the Secretary may allow, subject to subsection (g)(1), a State entering into a cooperative agreement under this section to contribute not to exceed—

(A) 10 percent of the funds apportioned to the State for each of fiscal years 1996 and 1997 under each of sections 104(b)(1), 104(b)(3), 104(b)(5)(B), 144, and 160 of title 23, United States Code, and section 1015 of the Intermodal Surface Transportation Efficiency Act of 1991; and

(B) 10 percent of the funds allocated to the State for each of such fiscal years under each of section 157 of such title and section 1013(c) of such Act;

into the highway account of the infrastructure bank established by the State. Federal funds contributed to such account under this paragraph shall constitute for purposes of this section a capitalization grant for the highway account of the infrastructure bank.

(3) TRANSIT ACCOUNT.—Notwithstanding any other provision of law, the Secretary may allow, subject to subsection (g)(1), a State entering into a cooperative agreement under this section, and any other Federal transit grant recipient, to contribute not to exceed 10 percent of the funds made available to the State or other Federal transit grant recipient in each of fiscal years 1996 and 1997 for capital projects under sections 5307, 5309, and 5311 of title 49, United States Code, into the transit account of the infrastructure bank established by the State. Federal funds contributed to such account under this paragraph shall constitute for purposes of this section a capitalization grant for the transit account of the infrastructure bank.

(4) SPECIAL RULE FOR URBANIZED AREAS OF OVER 200,000.—Funds that are apportioned or allocated to a State under section 104(b)(3) or 160 of title 23, United States Code, or under section 1013(c) or 1015 of the Intermodal Surface Transportation Efficiency Act of 1991 and attributed to urbanized areas

of a State with an urbanized population of over 200,000 under section 133(d)(3) of such title may be used to provide assistance with respect to a project only if the metropolitan planning organization designated for such area concurs, in writing, with the provision of such assistance.

(c) FORMS OF ASSISTANCE FROM INFRASTRUCTURE BANKS.—An infrastructure bank established under this section may make loans or provide other assistance to a public or private entity in an amount equal to all or part of the cost of carrying out a project eligible for assistance under this section. The amount of any loan or other assistance provided for such project may be subordinated to any other debt financing for the project. Initial assistance provided with respect to a project from Federal funds contributed to an infrastructure bank under this section may not be made in the form of a grant.

(d) QUALIFYING PROJECTS.—Federal funds in the highway account of an infrastructure bank established under this section may be used only to provide assistance with respect to construction of Federal-aid highways. Federal funds in the transit account of such bank may be used only to provide assistance with respect to capital projects.

(e) INFRASTRUCTURE BANK REQUIREMENTS.—In order to establish an infrastructure bank under this section, each State establishing the bank shall—

(1) contribute, at a minimum, in each account of the bank from non-Federal sources an amount equal to 25 percent of the amount of each capitalization grant made to the State and contributed to the bank; except that if the contribution is into the highway account of the bank and the State has a lower non-Federal share under section 120(b) of title 23, United States Code, such percentage shall be adjusted by the Secretary to correspond with such lower non-Federal share;

(2) ensure that the bank maintains on a continuing basis an investment grade rating on its debt issuances or has a sufficient level of bond or debt financing instrument insurance to maintain the viability of the bank;

(3) ensure that investment income generated by funds contributed to an account of the bank will be—

(A) credited to the account;

(B) available for use in providing loans and other assistance to projects eligible for assistance from the account; and

(C) invested in United States Treasury securities, bank deposits, or such other financing instruments as the Secretary may approve to earn interest to enhance the leveraging of projects assisted by the bank;

(4) provide that the repayment of a loan or other assistance from an account of the bank under this section shall be consistent with the repayment provisions of section 129(a)(7) of title 23, United States Code, except to the extent the Secretary determines that such provisions are not consistent with this section;

(5) ensure that any loan from the bank will bear interest at or below market interest rates, as determined by the State, to make the project that is the subject of the loan feasible;

(6) ensure that repayment of any loan from the bank will commence not later than 5 years after the project has been

completed or, in the case of a highway project, the facility has opened to traffic, whichever is later;

(7) ensure that the term for repaying any loan will not exceed 30 years after the date of the first payment on the loan under paragraph (6); and

(8) require the bank to make an annual report to the Secretary on its status no later than September 30, 1996, and September 30, 1997, and to make such other reports as the Secretary may require by guidelines. Reports.

(f) LIMITATION ON REPAYMENTS.—Notwithstanding any other provision of law, the repayment of a loan or other assistance provided from an infrastructure bank under this section may not be credited towards the non-Federal share of the cost of any project.

(g) SECRETARIAL REQUIREMENTS.—In administering this section, the Secretary shall—

(1) ensure that Federal disbursements shall be at a rate consistent with historic rates for the Federal-aid highway program and the Federal transit program, respectively;

(2) issue guidelines to ensure that all requirements of title 23, United States Code, or title 49, United States Code, that would otherwise apply to funds made available under such title and projects assisted with such funds apply to— Guidelines.

(A) funds made available under such title and contributed to an infrastructure bank established under this section; and

(B) projects assisted by the bank through the use of such funds;

except to the extent that the Secretary determines that any requirement of such title is not consistent with the objectives of this section; and

(3) specify procedures and guidelines for establishing, operating, and providing assistance from the bank.

(h) UNITED STATES NOT OBLIGATED.—The contribution of Federal funds into an infrastructure bank established under this section shall not be construed as a commitment, guarantee, or obligation on the part of the United States to any third party, nor shall any third party have any right against the United States for payment solely by virtue of the contribution. Any security or debt financing instrument issued by the infrastructure bank shall expressly state that the security or instrument does not constitute a commitment, guarantee, or obligation of the United States.

(i) MANAGEMENT OF FEDERAL FUNDS.—Sections 3335 and 6503 of title 31, United States Code, shall not apply to funds contributed under this section.

(j) PROGRAM ADMINISTRATION.—For each of fiscal years 1996 and 1997, a State may expend not to exceed 2 percent of the Federal funds contributed to an infrastructure bank established by the State under this section to pay the reasonable costs of administering the bank.

(k) SECRETARIAL REVIEW.—The Secretary shall review the financial condition of each infrastructure bank established under this section and transmit to Congress a report on the results of such review not later than March 1, 1997. In addition, the report shall contain— Reports.

(1) an evaluation of the pilot program conducted under this section and the ability of such program to increase public investment and attract non-Federal capital; and

(2) recommendations of the Secretary as to whether the program should be expanded or made a part of the Federal-aid highway and transit programs.

(l) DEFINITIONS.—In this section, the following definitions apply:

(1) CAPITAL PROJECT.—The term "capital project" has the meaning such term has under section 5302 of title 49, United States Code.

(2) CONSTRUCTION; FEDERAL-AID HIGHWAY.—The terms "construction" and "Federal-aid highway" have the meanings such terms have under section 101 of title 23, United States Code.

(3) OTHER ASSISTANCE.—The term "other assistance" includes any use of funds in an infrastructure bank—

(A) to provide credit enhancements;

(B) to serve as a capital reserve for bond or debt instrument financing;

(C) to subsidize interest rates;

(D) to ensure the issuance of letters of credit and credit instruments;

(E) to finance purchase and lease agreements with respect to transit projects;

(F) to provide bond or debt financing instrument security; and

(G) to provide other forms of debt financing and methods of leveraging funds that are approved by the Secretary and that relate to the project with respect to which such assistance is being provided.

(4) STATE.—The term "State" has the meaning such term has under section 101 of title 23, United States Code.

SEC. 351. RAILROAD-HIGHWAY GRADE CROSSING SAFETY.

23 USC 307 note.

(a) INTELLIGENT TRANSPORTATION SYSTEMS.—In implementing the Intelligent Transportation Systems Act of 1991 (23 U.S.C. 307 note; 105 Stat. 2189–2195), the Secretary shall ensure that the national intelligent transportation systems program addresses, in a comprehensive and coordinated manner, the use of intelligent transportation technologies to promote safety at railroad-highway grade crossings. The Secretary shall ensure that 2 or more operational tests funded under such Act are designed to promote highway traffic safety and railroad safety.

23 USC 130 note.

(b) SAFETY ENFORCEMENT.—

(1) COOPERATION BETWEEN FEDERAL AND STATE AGENCIES.—The National Highway Traffic Safety Administration and the Office of Motor Carriers within the Federal Highway Administration shall cooperate and work, on a continuing basis, with the National Association of Governors' Highway Safety Representatives, the Commercial Vehicle Safety Alliance, and Operation Lifesaver, Inc., to improve compliance with and enforcement of laws and regulations pertaining to railroad-highway grade crossings.

(2) REPORT.—Not later than June 1, 1998, the Secretary shall submit to Congress a report indicating—

(A) how the Department of Transportation worked with the entities referred to in paragraph (1) to improve the awareness of the highway and commercial vehicle safety and law enforcement communities of regulations and safety challenges at railroad-highway grade crossings; and

(B) how resources are being allocated to better address these challenges and enforce such regulations.

(c) FEDERAL-STATE PARTNERSHIP.— 23 USC 130 note.

(1) STATEMENT OF POLICY.—

(A) HAZARDS TO SAFETY.—Certain railroad-highway grade crossings present inherent hazards to the safety of railroad operations and to the safety of persons using those crossings. It is in the public interest—

(i) to promote grade crossing safety and reduce risk at high risk railroad-highway grade crossings; and

(ii) to reduce the number of grade crossings while maintaining the reasonable mobility of the American people and their property, including emergency access.

(B) EFFECTIVE PROGRAMS.—Effective programs to reduce the number of unneeded and unsafe railroad-highway grade crossings require the partnership of Federal, State, and local officials and agencies, and affected railroads.

(C) HIGHWAY PLANNING.—Promotion of a balanced national transportation system requires that highway planning specifically take into consideration grade crossing safety.

(2) PARTNERSHIP AND OVERSIGHT.—The Secretary shall encourage each State to make progress toward achievement of the purposes of this subsection.

SEC. 352. COLLECTION OF BRIDGE TOLLS. New York.

Notwithstanding any other provision of law, tolls collected for motor vehicles on any bridge connecting the boroughs of Brooklyn, New York, and Staten Island, New York, shall continue to be collected for only those vehicles exiting from such bridge in Staten Island.

SEC. 353. TRAFFIC CONTROL.

(a) SIGNS.—Traffic control signs referred to in the experimental project conducted in the State of Oregon in December 1991 shall be deemed to comply with the requirements of section 2B–4 of the Manual on Uniform Traffic Control Devices of the Department of Transportation. Oregon.

(b) STRIPES.—Notwithstanding any other provision of law, a red, white, and blue center line in the Main Street of Bristol, Rhode Island, shall be deemed to comply with the requirements of section 3B–1 of the Manual on Uniform Traffic Control Devices of the Department of Transportation. Rhode Island.

SEC. 354. PUBLIC USE OF REST AREAS. Rhode Island.

Notwithstanding section 111 of title 23, United States Code, or any project agreement under such section, the Secretary shall permit the conversion of any safety rest area adjacent to Interstate Route 95 within the State of Rhode Island that was closed as of May 1, 1995, to use as a motor vehicle emissions testing facility. At the option of the State, vehicles shall be permitted to enter and exit any such testing facility directly from Interstate Route 95.

SEC. 355. SAFETY BELT USE LAW REQUIREMENTS FOR NEW HAMPSHIRE AND MAINE.

(a) IN GENERAL.—For purposes of this section and section 153 of title 23, United States Code, the States of New Hampshire and Maine shall each be treated as having in effect a State law described in subsection (a)(2) of such section and as having achieved a rate of compliance with the State law required by subsections (f)(2) and (f)(3) of such section upon certification by the Secretary that the State has achieved—

(1) a safety belt use rate in each of fiscal years 1995 and 1996, of not less than 50 percent; and

(2) a safety belt use rate in each fiscal year thereafter of not less than the national average safety belt use rate, as determined by the Secretary.

(b) RETROACTIVE APPLICABILITY.—

(1) EFFECTIVE DATE.—Subsection (a) shall take effect September 30, 1995.

(2) TREATMENT OF CONTINUANCE OF SAFETY BELT USE LAW.—If the State of New Hampshire or Maine continues in effect a law described in subsection (a)(2) of section 153 of title 23, United States Code, within 60 days after the date of the enactment of this section, the State shall be treated, for purposes of this section and such section, as having in effect a State law described in such subsection on September 30, 1995.

(c) RESERVATION OF APPORTIONMENT PENDING CERTIFICATION.—If, at any time in a fiscal year beginning after September 30, 1994, the State of New Hampshire or Maine does not have in effect a law described in subsection (a)(2) of section 153 of title 23, United States Code, the Secretary shall reserve 3 percent of the funds to be apportioned to the State for the succeeding fiscal year, under each of subsections (b)(1), (b)(2), and (b)(3) of section 104 of such title, if the Secretary has not certified, in accordance with subsection (a) of this section, that the State has achieved the applicable safety belt use rate.

(d) EFFECT ON NONCERTIFICATION.—If, at the end of the fiscal year in which the funds are reserved under subsection (c), the Secretary has not certified, in accordance with subsection (a), that the State of New Hampshire or Maine achieved the applicable safety belt use rate, the Secretary shall transfer the funds reserved from the State under subsection (c) to the apportionment of the State under section 402 of title 23, United States Code.

SEC. 356. ORANGE COUNTY, CALIFORNIA, TOLL ROADS.

(a) MODIFICATION OF AGREEMENT.—The Secretary shall enter into an agreement modifying the agreement entered into pursuant to section 339 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1552) to conform such agreement to the provisions of section 336 of the Department of Transportation and Related Agencies Appropriations Act, 1995 (108 Stat. 2495).

(b) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to change the amount of the appropriation made by section 339 of the Department of Transportation and Related Agencies Appropriations Act, 1993 (106 Stat. 1552), and the line of credit provided for shall not exceed an amount supported by such appropriation.

(c) HIGHER INTEREST RATE.—In implementing sections 336 and 339 referred to in subsection (a), the Secretary may enter into an agreement requiring an interest rate that is higher than the rate specified in such sections.

SEC. 357. COMPILATION OF TITLE 23, UNITED STATES CODE.

(a) LEGISLATIVE PROPOSAL.—The Secretary shall, by March 31, 1997, prepare and submit to Congress a draft legislative proposal of necessary technical and conforming amendments to title 23, United States Code, and related laws. 23 USC note prec. 101.

(b) CONFORMING REPEAL.—Section 1066 of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2006) is repealed. 23 USC note prec. 101.

SEC. 358. SAFETY RESEARCH INITIATIVES.

(a) OLDER DRIVERS AND OTHER SPECIAL DRIVER GROUPS.— 23 USC 401 note.

(1) STUDY.—The Secretary shall conduct a study of technologies and practices to improve the driving performance of older drivers and other special driver groups.

(2) DEMONSTRATION ACTIVITIES.—In conducting the study under paragraph (1), the Secretary shall undertake demonstration activities that incorporate and build upon gerontology research related to the study of the normal aging process. The Secretary shall initially implement such activities in those States that have the highest population of aging citizens for whom driving a motor vehicle is their primary mobility mode.

(3) COOPERATIVE AGREEMENT.—The Secretary shall conduct the study under paragraph (1) by entering into a cooperative agreement with an institution that has demonstrated competencies in gerontological research, population demographics, human factors related to transportation, and advanced technology applied to transportation.

(b) WORK ZONE SAFETY.—In carrying out the work zone safety program under section 1051 of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 401 note; 105 Stat. 2001), the Secretary shall utilize a variety of methods to increase safety at highway construction sites, including each of the following: 23 USC 401 note.

(1) Conducting conferences to explore new techniques and stimulate dialogue for improving work zone safety.

(2) Establishing a national clearinghouse to assemble and disseminate, by electronic and other means, information relating to the improvement of work zone safety.

(3) Conducting a national promotional campaign in cooperation with the States to provide timely, site-specific information to motorists when construction workers are actually present.

(4) Encouraging the use of enforceable speed limits in work zones.

(5) Developing training programs for work site designers and construction workers to promote safe work zone practices.

(6) Encouraging the use of unit price bid items in contracts for traffic control devices and implementation of traffic control plans.

(c) RADIO AND MICROWAVE TECHNOLOGY FOR MOTOR VEHICLE SAFETY WARNING SYSTEM.— 23 USC 401 note.

(1) STUDY.—The Secretary, in consultation with the Federal Communications Commission and the National Telecommunications and Information Administration, shall conduct a study to develop and evaluate radio and microwave technology for

a motor vehicle safety warning system in furtherance of safety in all types of motor vehicles.

(2) EQUIPMENT.—Equipment developed under the study shall be directed toward, but not limited to, advance warning to operators of all types of motor vehicles of—

(A) temporary obstructions in a highway;

(B) poor visibility and highway surface conditions caused by adverse weather; and

(C) movement of emergency vehicles.

(3) SAFETY APPLICATIONS.—In conducting the study, the Secretary shall determine whether the technology described in this subsection has other appropriate safety applications.

23 USC 408 note.

(d) EFFECTIVENESS OF DRUNK DRIVING LAWS.—The Secretary shall conduct a study to evaluate the effectiveness on reducing drunk driving and appropriateness of laws enacted in the States which allow a health care provider who treats an individual involved in a vehicular accident to report the blood alcohol level, if known, of such individual to the local law enforcement agency which has jurisdiction over the accident site if the blood alcohol concentration level exceeds the maximum level permitted under State law.

SEC. 359. MISCELLANEOUS STUDIES.

23 USC 309 note.

(a) PAN AMERICAN HIGHWAY.—

(1) STUDY.—The Secretary shall conduct a study on the adequacy of and the need for improvements to the Pan American Highway.

(2) ELEMENTS.—The study shall include, at a minimum, the following elements:

(A) Findings on the benefits of constructing a highway at Darien Gap, Panama and Colombia.

(B) Recommendations for a self-financing arrangement for completion and maintenance of the Pan American Highway.

(C) Recommendations for establishing a Pan American highway authority to monitor financing, construction, maintenance, and operations of the Pan American Highway.

(D) Findings on the benefits to trade and prosperity of a more efficient Pan American Highway.

(E) Findings on the benefits to United States industry resulting from the use of United States technology and equipment in construction of improvements to the Pan American Highway.

(F) Findings on environmental considerations, including environmental considerations relating to Darien Gap.

(3) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

23 USC 109 note.

(b) HIGHWAY SIGNS FOR NATIONAL HIGHWAY SYSTEM.—

(1) STUDY.—The Secretary shall conduct a study to determine the cost, need, and efficacy of establishing a highway sign for identifying routes on the National Highway System. In conducting the study, the Secretary shall make a determination concerning whether to identify National Highway System route numbers.

(2) REPORT.—Not later than March 1, 1997, the Secretary shall transmit to Congress a report on the results of the study.

(c) COMPLIANCE WITH BUY AMERICAN ACT.— 23 USC 101 note.

(1) STUDY.—The Secretary shall conduct a study on compliance with the Buy American Act (41 U.S.C. 10a–10c) with respect to contracts entered into using amounts made available from the Highway Trust Fund.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall transmit to Congress a report on the results of the study.

(d) MAGNETIC LEVITATION.—

(1) STUDY.—The Secretary shall conduct a study evaluating the near-term applications of magnetic levitation ground transportation technology in the United States, with particular emphasis in identifying projects which would warrant immediate application of such technology. The study shall also evaluate the use of innovative financial techniques for the construction and operation of such projects.

(2) ELEMENTS.—The study shall be undertaken in consultation with a committee of 8 persons chosen by the Secretary with appropriate backgrounds in magnetic levitation transportation, design and construction, public and private finance, and infrastructure policy disciplines. The chairperson of the committee shall be elected by the members.

(3) REPORT.—Not later than September 30, 1996, the Secretary shall transmit to the President and Congress a report on the results of the study.

TITLE IV—WOODROW WILSON MEMORIAL BRIDGE

Woodrow Wilson Memorial Bridge Authority Act of 1995. Maryland. Virginia. Washington, DC.

SEC. 401. SHORT TITLE.

This title may be cited as the "Woodrow Wilson Memorial Bridge Authority Act of 1995".

SEC. 402. FINDINGS.

Congress finds that—

(1) traffic congestion imposes serious economic burdens on the metropolitan Washington, D.C., area, costing each commuter an estimated $1,000 per year;

(2) the volume of traffic in the metropolitan Washington, D.C., area is expected to increase by more than 70 percent between 1990 and 2020;

(3) the deterioration of the Woodrow Wilson Memorial Bridge and the growing population of the metropolitan Washington, D.C., area contribute significantly to traffic congestion;

(4) the Bridge serves as a vital link in the Interstate System and in the Northeast corridor;

(5) identifying alternative methods for maintaining this vital link of the Interstate System is critical to addressing the traffic congestion of the area;

(6) the Bridge is—

(A) the only drawbridge in the metropolitan Washington, D.C., area on the Interstate System;

(B) the only segment of the Capital Beltway with only 6 lanes; and

(C) the only segment of the Capital Beltway with a remaining expected life of less than 10 years;

(7) the Bridge is the only part of the Interstate System owned by the Federal Government;

(8)(A) the Bridge was constructed by the Federal Government;

(B) prior to the date of the enactment of this Act, the Federal Government has contributed 100 percent of the cost of building and rehabilitating the Bridge; and

(C) the Federal Government has a continuing responsibility to fund future costs associated with the upgrading of the Interstate Route 95 crossing, including the rehabilitation and reconstruction of the Bridge;

(9) the Woodrow Wilson Memorial Bridge Coordination Committee is undertaking planning studies pertaining to the Bridge, consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable Federal laws;

(10) the transfer of ownership of the Bridge to a regional entity under the terms and conditions described in this title would foster regional transportation planning efforts to identify solutions to the growing problem of traffic congestion on and around the Bridge;

(11) any material change to the Bridge must take into account the interests of nearby communities, the commuting public, Federal, State, and local government organizations, and other affected groups; and

(12) a commission of congressional, State, and local officials and transportation representatives has recommended to the Secretary that the Bridge be transferred to an independent authority to be established by the Capital Region jurisdictions.

SEC. 403. PURPOSES.

The purposes of this title are—

(1) to grant consent to the Commonwealth of Virginia, the State of Maryland, and the District of Columbia to establish by interstate agreement or compact the Woodrow Wilson Memorial Bridge Authority;

(2) to authorize the transfer of ownership of the Woodrow Wilson Memorial Bridge to the Authority for the purposes of owning, constructing, maintaining, and operating a bridge or tunnel or a bridge and tunnel project across the Potomac River; and

(3) to direct the Secretary to continue working with the parties that comprise the Woodrow Wilson Memorial Bridge Coordination Committee to complete all planning, preliminary engineering and design, environmental studies and documentation, and final engineering, and to submit a proposed agreement to Congress by October 1, 1996, that specifies the selected alternative, implementation schedule, and costs of the Project and the Federal share of the costs of the activities to be carried out as part of the Project.

SEC. 404. DEFINITIONS.

In this title, the following definitions apply:

(1) AUTHORITY.—The term "Authority" means the Woodrow Wilson Memorial Bridge Authority established under section 405.

(2) BOARD.—The term "Board" means the board of directors of the Authority established under section 406.

(3) BRIDGE.—The term "Bridge" means the Woodrow Wilson Memorial Bridge across the Potomac River, including approaches thereto.

(4) CAPITAL REGION JURISDICTION.—The term "Capital Region jurisdiction" means—

(A) the Commonwealth of Virginia;

(B) the State of Maryland; and

(C) the District of Columbia.

(5) PROJECT.—The term "Project" means the upgrading of the Interstate Route 95 Potomac River crossing, consistent with the selected alternative to be determined under section 407. Such term shall include ongoing short-term rehabilitation and repairs to the Bridge and may include 1 or more of the following:

(A) Construction of a new bridge or bridges in the vicinity of the Bridge.

(B) Construction of a tunnel in the vicinity of the Bridge.

(C) Long-term rehabilitation or reconstruction of the Bridge.

(D) Work necessary to provide rights-of-way for a rail or bus transit facility or bus or high occupancy vehicle lanes in connection with an activity described in subparagraph (A), (B), or (C).

(E) Work on Interstate Route 95 approaching the Bridge and other approach roadways if necessitated by an activity described in subparagraph (A), (B), or (C).

(F) Construction or acquisition of any building, improvement, addition, extension, replacement, appurtenance, land, interest in land, water right, air right, machinery, equipment, furnishing, landscaping, easement, utility, approach, roadway, or other facility that is necessary or desirable in connection with or incidental to a facility described in subparagraph (A), (B), or (C).

(6) SIGNATORY.—The term "Signatory" means any political jurisdiction that enters into the interstate agreement or compact that establishes the Authority.

(7) WOODROW WILSON MEMORIAL BRIDGE COORDINATION COMMITTEE.—The term "Woodrow Wilson Memorial Bridge Coordination Committee" means the Woodrow Wilson Memorial Bridge Coordination Committee established and chaired by the Federal Highway Administration and comprised of representatives of Federal, State, and local governments.

SEC. 405. ESTABLISHMENT OF AUTHORITY.

(a) CONSENT TO INTERSTATE AGREEMENT.—Congress grants consent to the Capital Region jurisdictions to enter into an interstate agreement or compact to establish the Authority and to designate the governance, powers, and duties of the Authority. The Authority shall be a non-Federal entity designated by the interstate agreement or compact.

(b) ESTABLISHMENT OF AUTHORITY.—

(1) IN GENERAL.—Upon execution of the interstate agreement or compact described in subsection (a) and an agreement between the Secretary and the Signatories as to the Federal

share of the cost of the Project and the terms and conditions related to the timing of the transfer of the Bridge to the Authority as provided in section 407(c), the Authority shall be considered to be established for purposes of subsection (c).

(2) GENERAL POWERS.—The Authority shall be a body corporate and politic, and an instrumentality of each of the Capital Region jurisdictions, having the powers and jurisdiction described in this title and such additional powers as are conferred on the Authority by the Capital Region jurisdictions, to the extent that the additional powers are consistent with this title.

(c) PURPOSES OF AUTHORITY.—The Authority shall be established—

(1) to assume ownership of the Bridge; and

(2) to undertake the Project.

SEC. 406. GOVERNMENT OF AUTHORITY.

(a) IN GENERAL.—The Authority shall be governed in accordance with this section and with the terms of any interstate agreement or compact relating to the Authority that is consistent with this title.

(b) BOARD.—The Authority shall be governed by a board of directors consisting of not more than 12 members appointed by the Capital Region jurisdictions and 1 member appointed by the Secretary.

(c) QUALIFICATIONS.—At least 2 members of the Board shall be elected officials each of whom represents a political subdivision that has jurisdiction over the area at an end of the Project crossing.

(d) FAILURE TO APPOINT.—The failure of a Capital Region jurisdiction to appoint 1 or more members of the Board shall not impair the establishment of the Authority if the condition of the establishment described in section 405(b)(1) has been met.

(e) PERSONAL LIABILITY OF MEMBERS.—A member of the Board, including any nonvoting member, shall not be personally liable for—

(1) any action taken in his or her capacity as a member of the Board; or

(2) any note, bond, or other financial obligation of the Authority.

(f) RESIDENCY REQUIREMENT.—Each member of the Board shall reside within a Capital Region jurisdiction.

SEC. 407. OWNERSHIP OF BRIDGE.

(a) CONVEYANCE BY SECRETARY.—

(1) IN GENERAL.—After execution of the agreement under subsection (c), the Secretary shall convey to the Authority all right, title, and interest of the United States in and to the Bridge, including such related riparian rights and interests in land underneath the Potomac River as are necessary to carry out the Project. Except as provided in paragraph (2), upon conveyance by the Secretary, the Authority shall accept the right, title, and interest in and to the Bridge and all duties and responsibilities associated with the Bridge.

(2) INTERIM RESPONSIBILITIES.—Until such time as the Project is constructed and operational, the conveyance under paragraph (1) shall not—

(A) relieve the Capital Region jurisdictions of the sole and exclusive responsibility to maintain and operate the Bridge; or

(B) relieve the Secretary of the responsibility to rehabilitate the Bridge or to comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and all other requirements applicable with respect to the Bridge.

(b) TRANSFERS OF JURISDICTION.—For the purpose of making the conveyance under subsection (a), the Secretary of the Interior and the head of any other Federal department or agency that has jurisdiction over land under or adjacent to the Bridge shall transfer such jurisdiction to the Secretary.

(c) AGREEMENT.—

(1) IN GENERAL.—The agreement referred to in subsection (a) is an agreement concerning the Project that is executed in accordance with this subsection.

(2) SUBMISSION TO CONGRESS.—Not later than October 1, 1996, the Secretary shall submit to Congress a proposed agreement between the Secretary and the Signatories that specifies—

(A) the selected alternative, implementation schedule, and costs of the Project;

(B) the Federal share of the costs of the activities to be carried out as part of the Project, including, at a minimum, a 100 percent Federal share of—

(i) the cost of the continuing rehabilitation of the Bridge until such time as the Project is constructed and operational;

(ii) an amount, as determined by the Woodrow Wilson Memorial Bridge Coordination Committee, equivalent to the cost of replacing the Bridge with a comparable modern bridge designed according to current engineering standards; and

(iii) the cost of planning, preliminary engineering and design, environmental studies and documentation, and final engineering for the Project; and

(C) the Federal share of the cost of activities to be carried out as part of the project after September 30, 1997, will be reduced by amounts expended by the United States for activities (other than environmental studies and documentation) described in subparagraph (B)(iii) in fiscal years 1996 and 1997.

(3) APPROVAL AND EXECUTION OF AGREEMENT.—After the enactment of a Federal law approving an agreement described in paragraph (2), the Secretary may execute the agreement.

SEC. 408. PROJECT PLANNING.

The Secretary shall work with the Woodrow Wilson Memorial Bridge Coordination Committee, or with the Authority consistent with the purpose of the Authority, to complete, at the earliest possible date, planning, preliminary engineering and design, environmental studies and documentation, and final engineering for the Project, consistent with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable Federal laws.

SEC. 409. ADDITIONAL POWERS AND RESPONSIBILITIES OF AUTHORITY.

In addition to the powers and responsibilities of the Authority under the other provisions of this title and under any interstate agreement or compact relating to the Authority that is consistent with this title, the Authority shall have all powers necessary and appropriate to carry out the duties of the Authority, including the power—

(1) to adopt and amend any bylaw that is necessary for the regulation of the affairs of the Authority and the conduct of the business of the Authority;

(2) to adopt and amend any regulation that is necessary to carry out the powers of the Authority;

(3) subject to section 407(a)(2), to plan, establish, finance, operate, develop, construct, enlarge, maintain, equip, or protect the facilities of the Project;

(4) to employ, in the discretion of the Authority, such personnel and agents as may be necessary to carry out the purposes of the Authority (including consulting engineers, attorneys, accountants, construction and financial experts, superintendents, and managers) and to fix the compensation and benefits of the employees and agents, except that—

(A) an employee of the Authority shall not engage in an activity described in section 7116(b)(7) of title 5, United States Code, with respect to the Authority; and

(B) an employment agreement entered into by the Authority shall contain an explicit prohibition against an activity described in subparagraph (A) with respect to the Authority by an employee covered by the agreement;

(5) to acquire personal and real property (including land lying under water and riparian rights), or any easement or other interest in real property, by purchase, lease, gift, transfer, or exchange;

(6) to exercise such powers of eminent domain in the Capital Region jurisdictions as are conferred on the Authority by the Signatories, in the exercise of the powers and the performance of the duties of the Authority;

(7) to apply for and accept any property, material, service, payment, appropriation, grant, gift, loan, advance, or other fund that is transferred or made available to the Authority by the Federal Government or by any other public or private entity or individual;

(8) to borrow money on a short-term basis and issue notes of the Authority for the borrowing payable on such terms and conditions as the Board considers advisable, and to issue long-term or short-term bonds in the discretion of the Authority for any purpose consistent with this title, which notes and bonds—

(A) shall not constitute a debt of the United States (or any political subdivision of the United States), or a general obligation of a Capital Region jurisdiction (or any political subdivision of a Capital Region jurisdiction), unless consented to by the jurisdiction or political subdivision; and

(B) may be secured solely by the general revenues of the Authority, or solely by the income and revenues of the Bridge or a new crossing of the Potomac River

constructed as part of the Project, or by other revenues in the discretion of the Authority;

(9) to fix, revise, charge, and collect any reasonable toll or other charge;

(10) to enter into any contract or agreement necessary or appropriate to the performance of the duties of the Authority or the proper operation of the Bridge or a new crossing of the Potomac River constructed as part of the Project;

(11) to make any payment necessary to reimburse a local political subdivision having jurisdiction over an area where the Bridge or a new crossing of the Potomac River is situated for any extraordinary law enforcement cost incurred by the subdivision in connection with the Authority facility;

(12) to enter into partnerships or grant concessions between the public and private sectors for the purpose of—

(A) financing, constructing, maintaining, improving, or operating the Bridge or a new crossing of the Potomac River constructed as part of the Project; or

(B) fostering development of a new transportation technology;

(13) to obtain any necessary Federal authorization, permit, or approval for the construction, repair, maintenance, or operation of the Bridge or a new crossing of the Potomac River constructed as part of the Project;

(14) to adopt an official seal and alter the seal, as the Board considers appropriate;

(15) to appoint 1 or more advisory committees;

(16) to sue and be sued in the name of the Authority;

(17) to carry out or contract with other entities to carry out such maintenance of traffic activities during construction of the Project as is considered necessary by the Authority to properly manage traffic and minimize congestion, such as public information campaigns, improvements designed to encourage appropriate use of alternative routes, use of high occupancy vehicles and transit services, and deployment and operation of intelligent transportation technologies; and

(18) to carry out any activity necessary or appropriate to the exercise of the powers or performance of the duties of the Authority under this title and under any interstate agreement or compact relating to the Authority that is consistent with this title, if the activity is coordinated and consistent with the transportation planning process implemented by the metropolitan planning organization for the Washington, District of Columbia, metropolitan area under section 134 of title 23, United States Code, and section 5303 of title 49, United States Code.

SEC. 410. FUNDING.

Section 104 of title 23, United States Code, as amended by section 337(f) of this Act, is amended by inserting before subsection (j), as redesignated by such section 337(f), the following:

"(i) WOODROW WILSON MEMORIAL BRIDGE.—

"(1) EXPENDITURE.—From any available administrative funds deducted under subsection (a), the Secretary shall obligate such sums as are necessary for each of fiscal years 1996 and 1997 for the rehabilitation of the Woodrow Wilson Memorial Bridge and for environmental studies and documentation,

planning, preliminary engineering and design, and final engineering for a new crossing of the Potomac River as part of the Project, as defined by section 404 of the Woodrow Wilson Memorial Bridge Authority Act of 1995.

"(2) FEDERAL SHARE.—The Federal share of the cost of any project funded with amounts expended under paragraph (1) shall be 100 percent.".

SEC. 411. AVAILABILITY OF PRIOR AUTHORIZATIONS.

In addition to the funds made available under section 104(i) of title 23, United States Code, any funds made available for the rehabilitation of the Bridge under sections 1069(i) and 1103(b) of the Intermodal Surface Transportation Efficiency Act of 1991 (105 Stat. 2009 and 2028) shall continue to be available after the conveyance under section 407(a) of the Bridge, in accordance with the terms under which the funds were made available under such sections 1069(i) and 1103(b).

Approved November 28, 1995.

LEGISLATIVE HISTORY—S. 440 (H.R. 2274):

HOUSE REPORTS: Nos. 104–246 accompanying H.R. 2274 (Comm. on Transportation and Infrastructure) and 104–345 (Comm. of Conference).
SENATE REPORTS: No. 104–86 (Comm. on Environment and Public Works).
CONGRESSIONAL RECORD, Vol. 141 (1995):
June 16, 19–22, considered and passed Senate.
Sept. 20, H.R. 2274 considered and passed House; S. 440, amended, passed in lieu.
Nov. 17, Senate agreed to conference report.
Nov. 18, House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Nov. 28, Presidential statement.

Public Law 104–60
104th Congress

An Act

To amend the commencement dates of certain temporary Federal judgeships.

Nov. 28, 1995
[S. 1328]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. COMMENCEMENT DATE OF TEMPORARY JUDGESHIPS.

Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101–650; 104 Stat. 5101; 28 U.S.C. 133 note) is amended by striking out the last sentence and inserting in lieu thereof "The first vacancy in the office of district judge in each of the judicial districts named in this subsection, except the western district of Michigan, occurring 5 years or more after the confirmation date of the judge named to fill a temporary judgeship created by this Act, shall not be filled. The first vacancy in the office of district judge in the western district of Michigan, occurring after December 1, 1995, shall not be filled.".

Approved November 28, 1995.

LEGISLATIVE HISTORY—S. 1328 (H.R. 2361):

HOUSE REPORTS: No. 104–334 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Oct. 24, considered and passed Senate.
Nov. 20, H.R. 2361 and S. 1328 considered and passed House.

Public Law 104–61
104th Congress

An Act

Dec. 1, 1995
[H.R. 2126]

Making appropriations for the Department of Defense for the fiscal year ending September 30, 1996, and for other purposes.

Department of Defense Appropriations Act, 1996.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 1996, for military functions administered by the Department of Defense, and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $19,946,187,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,008,563,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of

temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $5,885,740,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), to section 229(b) of the Social Security Act (42 U.S.C. 429(b)), and to the Department of Defense Military Retirement Fund; $17,207,743,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $2,122,466,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,355,523,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent

duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $378,151,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and for members of the Air Reserve Officers' Training Corps, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $784,586,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $3,242,422,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund; $1,259,627,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed $14,437,000 can be used for emergencies and

extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes; $18,321,965,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund.

OPERATION AND MAINTENANCE, NAVY

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed $4,151,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes; $21,279,425,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That of the funds appropriated under this heading, $595,100,000 shall be available only for the liquidation of prior year accumulated operating losses of the Department of the Navy activities included in the Defense Business Operations Fund.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law; $2,392,522,000.

OPERATION AND MAINTENANCE, AIR FORCE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed $8,326,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes; $18,561,267,000 and, in addition, $50,000,000 shall be derived by transfer from the National Defense Stockpile Transaction Fund: *Provided,* That the Secretary of the Air Force may acquire all right, title, and interest of any party in and to parcels of real property, including improvements thereon, consisting of not more than 92 acres, located near King Salmon Air Force Station for the purpose of conducting a response action in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601–9675) and the Air Force Installation Restoration Program.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law; $10,388,595,000, of which not to exceed $25,000,000 may be available for the CINC initiative fund account; and of

which not to exceed $28,588,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided,* That of the funds appropriated under this heading, $20,000,000 shall be made available only for use in federally owned education facilities located on military installations for the purpose of transferring title of such facilities to the local education agency: *Provided further,* That of the funds available under this heading, $300,000,000 shall be available only for transfer to the Coast Guard in support of the national security functions of the Coast Guard, while operating in conjunction with and in support of the Navy: *Provided further,* That funds transferred pursuant to this section are in addition to transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,119,191,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $859,542,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $100,283,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications; $1,519,287,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau;

travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft); $2,440,808,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For operation and maintenance of the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, repair, and other necessary expenses of facilities for the training and administration of the Air National Guard, including repair of facilities, maintenance, operation, and modification of aircraft; transportation of things; hire of passenger motor vehicles; supplies, materials, and equipment, as authorized by law for the Air National Guard; and expenses incident to the maintenance and use of supplies, materials, and equipment, including such as may be furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; $2,776,121,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces; $6,521,000, of which not to exceed $2,500 can be used for official representation purposes.

ENVIRONMENTAL RESTORATION, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense; $1,422,200,000, to remain available until transferred: *Provided,* That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes (including programs and operations at sites formerly used by the Department of Defense), transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same period as the appropriations of funds to which transferred, as follows:

Operation and Maintenance, Army, $631,900,000;
Operation and Maintenance, Navy, $365,300,000;
Operation and Maintenance, Air Force, $368,000,000; and
Operation and Maintenance, Defense-Wide, $57,000,000:

Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary

for the purposes provided herein, such amounts may be transferred back to this appropriation.

SUMMER OLYMPICS

For logistical support and personnel services (other than pay and non-travel-related allowances of members of the Armed Forces of the United States, except for members of the reserve components thereof called or ordered to active duty to provide support for the 1996 Games of the XXVI Olympiad to be held in Atlanta, Georgia) provided by any component of the Department of Defense to the 1996 Games of the XXVI Olympiad; $15,000,000: *Provided,* That funds appropriated under this heading shall remain available for obligation until September 30, 1997.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 2547, and 2551 of title 10, United States Code); $50,000,000: *Provided,* That of the funds available under this heading, $20,000,000 shall be available for training and activities related to the clearing of landmines for humanitarian purposes.

FORMER SOVIET UNION THREAT REDUCTION

For assistance to the republics of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise; $300,000,000 to remain available until expended.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,558,805,000, to remain available for obligation until September 30, 1998: *Provided,* That not less than nine UH–60L helicopters shall be made available to the Army National Guard for the medical evacuation mission.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $865,555,000, to remain available for obligation until September 30, 1998.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,652,745,000, to remain available for obligation until September 30, 1998.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $1,110,685,000, to remain available for obligation until September 30, 1998.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and nontracked combat vehicles; the purchase of not to exceed 41 passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment,

appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $2,769,443,000, to remain available for obligation until September 30, 1998.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $4,589,394,000, to remain available for obligation until September 30, 1998.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $1,669,827,000, to remain available for obligation until September 30, 1998.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $430,053,000, to remain available for obligation until September 30, 1998.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long leadtime components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor,

and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

For continuation of the SSN–21 attack submarine program, $700,000,000;

NSSN–1 (AP), $704,498,000;

NSSN–2 (AP), $100,000,000;

CVN Refuelings, $221,988,000;

DDG–51 destroyer program, $2,169,257,000;

LHD–1 amphibious assault ship program, $1,300,000,000;

LPD–17 amphibious transport dock ship, $974,000,000;

Fast patrol craft, $9,500,000;

T–AGS–64 multi-purpose oceanographic survey ship, $16,000,000;

LSD–52, $20,000,000; and

For craft, outfitting, post delivery, conversions, and first destination transportation, $428,715,000;

In all: $6,643,958,000, to remain available for obligation until September 30, 2000: *Provided,* That additional obligations may be incurred after September 30, 2000, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further,* That none of the funds herein provided for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further,* That none of the funds herein provided shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of not to exceed 252 passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; $2,483,581,000, to remain available for obligation until September 30, 1998.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of not to exceed 194 passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired and construction prosecuted thereon prior to approval of title; $458,947,000, to remain available for obligation until September 30, 1998.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $7,367,983,000, to remain available for obligation until September 30, 1998.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things; $2,943,931,000, to remain available for obligation until September 30, 1998.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities authorized by section 2854, title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes; $338,800,000, to remain available for obligation until September 30, 1998.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 385 passenger motor vehicles for replacement only; the purchase of 1 vehicle required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed $260,000 per vehicle; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests

therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $6,284,230,000, to remain available for obligation until September 30, 1998.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of not to exceed 451 passenger motor vehicles, of which 447 shall be for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; $2,124,379,000, to remain available for obligation until September 30, 1998.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons, and other procurement for the reserve components of the Armed Forces; $777,000,000, to remain available for obligation until September 30, 1998: *Provided,* That the Chiefs of the Reserve and National Guard components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective Reserve or National Guard component.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $4,870,684,000, to remain available for obligation until September 30, 1997.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $8,748,132,000, to remain available for obligation until September 30, 1997: *Provided,* That of the funds provided in Public Law 103–335, in title IV, under the heading "Research, Development, Test and Evaluation, Navy", $5,000,000 shall be made available as a grant only to the Marine and Environmental Research and Training Station (MERTS) for laboratory and other efforts associated with research, development, and other programs of major importance to the Department of Defense: *Provided further,* That

funds appropriated in this paragraph which are available for the V–22 may be used to meet unique requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $13,126,567,000, to remain available for obligation until September 30, 1997: *Provided,* That of the funds made available in this paragraph, $25,000,000 shall be only for development of reusable launch vehicle technologies: *Provided further,* That not less than $9,500,000 of the funds appropriated in this paragraph shall be made available only for the Joint Seismic Program and the Global Seismographic Network.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, as authorized by law; $9,411,057,000, to remain available for obligation until September 30, 1997: *Provided*, That not less than $200,442,000 of the funds appropriated in this paragraph shall be made available only for the Sea-Based Wide Area Defense (Navy Upper-Tier) program: *Provided further,* That the funds made available under the second proviso under this heading in Public Law 103–335 (108 Stat. 2613) shall also be available to cover the reasonable costs of the administration of loan guarantees referred to in that proviso and shall be available to cover such costs of administration and the costs of such loan guarantees until September 30, 1998.

DEVELOPMENTAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, of independent activities of the Director, Test and Evaluation in the direction and supervision of developmental test and evaluation, including performance and joint developmental testing and evaluation; and administrative expenses in connection therewith; $251,082,000, to remain available for obligation until September 30, 1997.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith; $22,587,000, to remain available for obligation until September 30, 1997.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE BUSINESS OPERATIONS FUND

For the Defense Business Operations Fund; $878,700,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744); $1,024,220,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all ship-board services; propulsion system components (that is; engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further,* That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further,* That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further,* That the Secretary of the Navy may obligate not to exceed $110,000,000 from available appropriations to the Navy for the procurement of one additional MPS ship.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense, as authorized by law; $10,226,358,000, of which $9,938,325,000 shall be for Operation and maintenance, of which $288,033,000, to remain available for obligation until September 30, 1998, shall be for Procurement: *Provided*, That of the funds appropriated under this heading, $14,500,000 shall be made available for obtaining emergency communications services for members of the Armed Forces and their families from the American National Red Cross as authorized by law: *Provided further,* That the date for implementation of the nation-wide managed care military health services system shall be extended to September 30, 1997: *Provided further,* That of the funds provided under this heading, $3,400,000 is available only to permit private sector or non-Federal physicians, who have used and will use the antibacterial treatment method based upon the excretion of dead decaying spherical bacteria to work in conjunction

10 USC 1073 note.

with the Walter Reed Army Medical Center on a treatment protocol and related studies for Desert Storm Syndrome-affected veterans.

CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, $672,250,000, of which $353,850,000 shall be for Operation and maintenance, $265,000,000 shall be for Procurement to remain available until September 30, 1998, and $53,400,000 shall be for Research, development, test and evaluation to remain available until September 30, 1997.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for Operation and maintenance; for Procurement; and for Research, development, test and evaluation; $688,432,000: *Provided*, That the funds appropriated by this paragraph shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That the transfer authority provided in this paragraph is in addition to any transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended; $178,226,000, of which $177,226,000 shall be for Operation and maintenance, of which not to exceed $400,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on his certificate of necessity for confidential military purposes; and of which $1,000,000 to remain available until September 30, 1998, shall be for Procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System; $213,900,000.

NATIONAL SECURITY EDUCATION TRUST FUND

For the purposes of title VIII of Public Law 102–183, $7,500,000, to be derived from the National Security Education Trust Fund, to remain available until expended: *Provided,* That any individual accepting a scholarship or fellowship from this program agrees to be employed by the Department of Defense or in the Intelligence Community in accordance with Federal employment standards.

INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT

For necessary expenses of the Intelligence Community Management Account; $90,683,000.

KAHO'OLAWE ISLAND CONVEYANCE, REMEDIATION, AND ENVIRONMENTAL RESTORATION TRUST FUND

For payment to the Kaho'olawe Island Conveyance, Remediation, and Environmental Restoration Trust Fund, as authorized by law; $25,000,000, to remain available until expended.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

Foreign nationals. 10 USC 1584 note.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided,* That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further,* That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further,* That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 per centum of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last two months of the fiscal year: *Provided,* That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed $2,400,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided,* That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: *Provided further,* That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further,* That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress.

Notification.

(TRANSFER OF FUNDS)

SEC. 8006. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided,* That transfers may be made between such funds and the "Foreign Currency Fluctuations, Defense" and "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8007. Using funds available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided,* That in the City of Kaiserslautern such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States defense installations: *Provided further,* That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source: *Provided further,* That none of the funds available to the Department of Defense in this Act shall be used

by the Secretary of a military department to purchase coal or coke from foreign nations for use at United States defense facilities in Europe when coal from the United States is available.

SEC. 8008. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in session in advance to the congressional defense committees.

SEC. 8009. None of the funds contained in this Act available for the Civilian Health and Medical Program of the Uniformed Services shall be available for payments to physicians and other non-institutional health care providers in excess of the amounts allowed in fiscal year 1995 for similar services, except that: (a) for services for which the Secretary of Defense determines an increase is justified by economic circumstances, the allowable amounts may be increased in accordance with appropriate economic index data similar to that used pursuant to title XVIII of the Social Security Act; and (b) for services the Secretary determines are overpriced based on allowable payments under title XVIII of the Social Security Act, the allowable amounts shall be reduced by not more than 15 percent (except that the reduction may be waived if the Secretary determines that it would impair adequate access to health care services for beneficiaries). The Secretary shall solicit public comment prior to promulgating regulations to implement this section. Such regulations shall include a limitation, similar to that used under title XVIII of the Social Security Act, on the extent to which a provider may bill a beneficiary an actual charge in excess of the allowable amount. Regulations.

SEC. 8010. None of the funds provided in this Act shall be available to initiate (1) a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of $20,000,000, or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of $20,000,000 in any one year, unless the congressional defense committees have been notified at least thirty days in advance of the proposed contract award: *Provided,* That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further,* That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed $500,000,000 unless specifically provided in this Act: *Provided further,* That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further,* That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement. Contracts.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts as follows:

UH–60 Blackhawk helicopter;
Apache Longbow helicopter; and
M1A2 tank upgrade.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, 10 USC 401 note.

Reports.

for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported to Congress on September 30 of each year: *Provided,* That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99–239: *Provided further,* That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 1996, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 1997.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds provided in this Act shall be available either to return any IOWA Class Battleships to the Naval Register, or to retain the logistical support necessary for support of any IOWA Class Battleships in active service.

SEC. 8014. Notwithstanding any other provision of law, none of the funds made available by this Act shall be used by the Department of Defense to exceed, outside the fifty United States, its territories, and the District of Columbia, 125,000 civilian workyears: *Provided,* That workyears shall be applied as defined in the Federal Personnel Manual: *Provided further,* That workyears expended in dependent student hiring programs for disadvantaged youths shall not be included in this workyear limitation.

SEC. 8015. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

10 USC 10101 note.

SEC. 8016. None of the funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be obligated for the pay of any individual who is initially employed after the date of enactment of this Act as a technician in the administration and training of the Army Reserve and the maintenance and repair of supplies issued to the Army Reserve unless such individual is also a military member of the Army Reserve

troop program unit that he or she is employed to support. Those technicians employed by the Army Reserve in areas other than Army Reserve troop program units need only be members of the Selected Reserve.

SEC. 8017. Notwithstanding any other provision of law, during the current fiscal year and hereafter, the Secretaries of the Army and Air Force may authorize the retention in an active status until age sixty of any person who would otherwise be removed from an active status and who is employed as a National Guard or Reserve technician in a position in which active status in a reserve component of the Army or Air Force is required as a condition of that employment. 10 USC 10101 note.

SEC. 8018. (a) None of the funds appropriated by this Act shall be used to make contributions to the Department of Defense Education Benefits Fund pursuant to section 2006(g) of title 10, United States Code, representing the normal cost for future benefits under section 1415(c) of title 38, United States Code, for any member of the armed services who, on or after the date of enactment of this Act—

(1) enlists in the armed services for a period of active duty of less than three years; or

(2) receives an enlistment bonus under section 308a or 308f of title 37, United States Code,

nor shall any amounts representing the normal cost of such future benefits be transferred from the Fund by the Secretary of the Treasury to the Secretary of Veterans Affairs pursuant to section 2006(d) of title 10, United States Code; nor shall the Secretary of Veterans Affairs pay such benefits to any such member: *Provided,* That, in the case of a member covered by clause (1), these limitations shall not apply to members in combat arms skills or to members who enlist in the armed services on or after July 1, 1989, under a program continued or established by the Secretary of Defense in fiscal year 1991 to test the cost-effective use of special recruiting incentives involving not more than nineteen non-combat arms skills approved in advance by the Secretary of Defense: *Provided further,* That this subsection applies only to active components of the Army.

(b) None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided,* That this subsection shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further,* That this subsection applies only to active components of the Army.

SEC. 8019. Funds appropriated for the Department of Defense during the current fiscal year and hereafter shall be available for the payment of not more than 75 percent of the charges of a postsecondary educational institution for the tuition or expenses of an officer in the Ready Reserve of the Army National Guard or Army Reserve for education or training during his off-duty periods, except that no part of the charges may be paid unless the officer agrees to remain a member of the Ready Reserve for at least four years after completion of such training or education. 10 USC 2007 note.

SEC. 8020. None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of enactment of this Act, is performed by more than ten Department of Defense civilian employees until a most efficient and cost-effective organization analysis is completed on such activity or function and certification of the analysis is made to the Committees on Appropriations of the House of Representatives and the Senate: *Provided,* That this section shall not apply to a commercial or industrial type function of the Department of Defense that: (1) is included on the procurement list established pursuant to section 2 of the Act of June 25, 1938 (41 U.S.C. 47), popularly referred to as the Javits-Wagner-O'Day Act; (2) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or (3) is planned to be converted to performance by a qualified firm under 51 percent Native American ownership.

(TRANSFER OF FUNDS)

SEC. 8021. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 10 U.S.C, 2301 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8022. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided,* That for the purpose of this section manufactured will include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further,* That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: *Provided further,* That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

(TRANSFER OF FUNDS)

SEC. 8023. None of the funds appropriated by this Act available for the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be available for the reimbursement of any health care provider for inpatient mental health service

for care received when a patient is referred to a provider of inpatient mental health care or residential treatment care by a medical or health care professional having an economic interest in the facility to which the patient is referred: *Provided,* That this limitation does not apply in the case of inpatient mental health services provided under the program for the handicapped under subsection (d) of section 1079 of title 10, United States Code, provided as partial hospital care, or provided pursuant to a waiver authorized by the Secretary of Defense because of medical or psychological circumstances of the patient that are confirmed by a health professional who is not a Federal employee after a review, pursuant to rules prescribed by the Secretary, which takes into account the appropriate level of care for the patient, the intensity of services required by the patient, and the availability of that care.

SEC. 8024. Of the funds made available by this Act in title III, Procurement, $8,000,000, drawn pro rata from each appropriations account in title III, shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974, 25 U.S.C. 1544. These payments shall be available only to contractors which have submitted subcontracting plans pursuant to 15 U.S.C. 637(d), and according to regulations which shall be promulgated by the Secretary of Defense within 90 days of the passage of this Act. Contracts. Regulations.

SEC. 8025. Funds available in this Act may be used to provide transportation for the next-of-kin of individuals who have been prisoners of war or missing in action from the Vietnam era to an annual meeting in the United States, under such regulations as the Secretary of Defense may prescribe.

SEC. 8026. During the current fiscal year, none of the funds available to the Department of Defense may be used to procure or acquire (1) defensive handguns unless such handguns are the M9 or M11 9mm Department of Defense standard handguns, or (2) offensive handguns except for the Special Operations Forces: *Provided,* That the foregoing shall not apply to handguns and ammunition for marksmanship competitions.

SEC. 8027. Notwithstanding any other provision of law, during the current fiscal year, the Secretary of Defense may, by Executive Agreement, establish with host nation governments in NATO member states a separate account into which such residual value amounts negotiated in the return of United States military installations in NATO member states may be deposited, in the currency of the host nation, in lieu of direct monetary transfers to the United States Treasury: *Provided,* That such credits may be utilized only for the construction of facilities to support United States military forces in that host nation, or such real property maintenance and base operating costs that are currently executed through monetary transfers to such host nations: *Provided further,* That the Department of Defense's budget submission for fiscal year 1997 shall identify such sums anticipated in residual value settlements, and identify such construction, real property maintenance or base operating costs that shall be funded by the host nation through such credits: *Provided further,* That all military construction projects to be executed from such accounts must be previously approved in a prior Act of Congress: *Provided further,* That each such Executive Agreement with a NATO member host nation shall be reported to the congressional defense committees, and the Committee on International Relations of the House of Representa- Reports.

tives and the Committee on Foreign Relations of the Senate thirty days prior to the conclusion and endorsement of any such agreement established under this provision.

SEC. 8028. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M–1 Carbines, M–1 Garand rifles, M–14 rifles, .22 caliber rifles, or M–1911 pistols.

SEC. 8029. None of the funds available to the Department of the Navy may be used to enter into any contract for the overhaul, repair, or maintenance of any naval vessel homeported on the West Coast of the United States which includes charges for interport differential as an evaluation factor for award.

SEC. 8030. Notwithstanding any other provision of law, none of the funds appropriated by this Act shall be available to pay more than 50 percent of an amount paid to any person under section 308 of title 37, United States Code, in a lump sum.

10 USC 129a note.

SEC. 8031. None of the funds appropriated during the current fiscal year and hereafter, may be used by the Department of Defense to assign a supervisor's title or grade when the number of people he or she supervises is considered as a basis for this determination: *Provided,* That savings that result from this provision are represented as such in future budget proposals.

SEC. 8032. None of the funds appropriated by this Act shall be available for payments under the Department of Defense contract with the Louisiana State University Medical Center involving the use of cats for Brain Missile Wound Research, and the Department of Defense shall not make payments under such contract from funds obligated prior to the date of the enactment of this Act, except as necessary for costs incurred by the contractor prior to the enactment of this Act: *Provided,* That funds necessary for the care of animals covered by this contract are allowed.

American Samoa.

SEC. 8033. Notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to American Samoa: *Provided,* That notwithstanding any other provision of law, funds available to the Department of Defense shall be made available to provide transportation of medical supplies and equipment, on a nonreimbursable basis, to the Indian Health Service when it is in conjunction with a civil-military project.

Native Americans.

SEC. 8034. None of the funds provided in this Act or any other Act shall be available to conduct bone trauma research at any Army Research Laboratory until the Secretary of the Army certifies that the synthetic compound to be used in the experiments is of such a type that its use will result in a significant medical finding, the research has military application, the research will be conducted in accordance with the standards set by an animal care and use committee, and the research does not duplicate research already conducted by a manufacturer or any other research organization.

SEC. 8035. No more than $50,000 of the funds appropriated or made available in this Act shall be used for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and Senate that such a relocation is required in the best interest of the Government.

SEC. 8036. During the current fiscal year, funds appropriated or otherwise available for any Federal agency, the Congress, the judicial branch, or the District of Columbia may be used for the pay, allowances, and benefits of an employee as defined by section 2105 of title 5 or an individual employed by the government of the District of Columbia, permanent or temporary indefinite, who—

(1) is a member of a Reserve component of the Armed Forces, as described in section 261 of title 10, or the National Guard, as described in section 101 of title 32;

(2) performs, for the purpose of providing military aid to enforce the law or providing assistance to civil authorities in the protection or saving of life or property or prevention of injury—

(A) Federal service under section 331, 332, 333, or 12406 of title 10, or other provision of law, as applicable, or

(B) full-time military service for his State, the District of Columbia, the Commonwealth of Puerto Rico, or a territory of the United States; and

(3) requests and is granted—

(A) leave under the authority of this section; or

(B) annual leave, which may be granted without regard to the provisions of sections 5519 and 6323(b) of title 5,

if such employee is otherwise entitled to such annual leave: *Provided,* That any employee who requests leave under subsection (3)(A) for service described in subsection (2) of this section is entitled to such leave, subject to the provisions of this section and of the last sentence of section 6323(b) of title 5, and such leave shall be considered leave under section 6323(b) of title 5.

SEC. 8037. None of the funds appropriated by this Act shall be available to perform any cost study pursuant to the provisions of OMB Circular A–76 if the study being performed exceeds a period of twenty-four months after initiation of such study with respect to a single function activity or forty-eight months after initiation of such study for a multi-function activity.

SEC. 8038. Funds appropriated by this Act for the American Forces Information Service shall not be used for any national or international political or psychological activities.

SEC. 8039. Notwithstanding any other provision of law, each contract awarded by the Department of Defense in fiscal year 1996 for construction or service performed in whole or in part in a State which is not contiguous with another State and has an unemployment rate in excess of the national average rate of unemployment as determined by the Secretary of Labor shall include a provision requiring the contractor to employ, for the purpose of performing that portion of the contract in such State that is not contiguous with another State, individuals who are residents of such State and who, in the case of any craft or trade, possess or would be able to acquire promptly the necessary skills: *Provided,* That the Secretary of Defense may waive the requirements of this section in the interest of national security. Contracts.

SEC. 8040. Notwithstanding any other provision of law or regulation, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8041. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC–130 Weather Reconnaissance mission below the levels funded in this Act.

Contracts. Handicapped persons.

SEC. 8042. (a) Of the funds for the procurement of supplies or services appropriated by this Act, qualified nonprofit agencies for the blind or other severely handicapped shall be afforded the maximum practicable opportunity to participate as subcontractors and suppliers in the performance of contracts let by the Department of Defense.

Small business.

(b) During the current fiscal year, a business concern which has negotiated with a military service or defense agency a subcontracting plan for the participation by small business concerns pursuant to section 8(d) of the Small Business Act (15 U.S.C. 637(d)) shall be given credit toward meeting that subcontracting goal for any purchases made from qualified nonprofit agencies for the blind or other severely handicapped.

(c) For the purpose of this section, the phrase "qualified nonprofit agency for the blind or other severely handicapped" means a nonprofit agency for the blind or other severely handicapped that has been approved by the Committee for the Purchase from the Blind and Other Severely Handicapped under the Javits-Wagner-O'Day Act (41 U.S.C. 46–48).

SEC. 8043. During the current fiscal year, net receipts pursuant to collections from third party payers pursuant to section 1095 of title 10, United States Code, shall be made available to the local facility of the uniformed services responsible for the collections and shall be over and above the facility's direct budget amount.

Kuwait.

SEC. 8044. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed $350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided,* That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriation or fund which incurred such obligations.

SEC. 8045. Of the funds made available in this Act, not less than $25,144,000 shall be available for the Civil Air Patrol, of which $16,704,000 shall be available for Operation and Maintenance.

SEC. 8046. (a) None of the funds appropriated in this Act are available to establish a new FFRDC, either as a new entity, or as a separate entity administered by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) LIMITATION ON COMPENSATION.—No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, may be compensated for his or her services as a member of such entity, or as a paid consultant, except under the same conditions, and to the same extent, as members of the Defense Science Board: *Provided,* That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the Department of Defense from any source during fiscal year 1996 may be used by a defense FFRDC, through a fee or other payment mechanism, for charitable contributions, for construction of new buildings, for payment of cost sharing for projects funded by government grants, or for absorption of contract overruns.

(d) Notwithstanding any other provision of law, of the amounts available to the Department of Defense during fiscal year 1996, not more than $1,162,650,000 may be obligated for financing activities of defense FFRDCs: *Provided,* That the total amounts appropriated in titles II, III, and IV of this Act are hereby reduced by $90,000,000 to reflect the funding ceiling contained in this subsection.

SEC. 8047. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided,* That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further,* That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further,* That these restrictions shall not apply to contracts which are in being as of the date of enactment of this Act.

SEC. 8048. None of the unobligated balances available in the National Defense Stockpile Transaction Fund during the current fiscal year may be obligated or expended to finance any grant or contract to conduct research, development, test and evaluation activities for the development or production of advanced materials, unless amounts for such purposes are specifically appropriated in a subsequent appropriations Act.

SEC. 8049. For the purposes of this Act, the term "congressional defense committees" means the National Security Committee of the House of Representatives, the Armed Services Committee of the Senate, the subcommittee on Defense of the Committee on Appropriations of the Senate, and the subcommittee on National Security of the Committee on Appropriations of the House of Representatives.

SEC. 8050. Notwithstanding any other provision of law, during the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided,* That the Senior Acquisition Executive of the military department or defense agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further,*

That Office of Management and Budget Circular A–76 shall not apply to competitions conducted under this section.

41 USC 10b–2.

SEC. 8051. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

Reports.

(b) The Secretary of Defense shall submit to Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 1996. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

10 USC 2774 note.

SEC. 8052. Notwithstanding any other provision of law, the Secretary of Defense may, when he considers it in the best interest of the United States, cancel any part of an indebtedness, up to $2,500, that is or was owed to the United States by a member or former member of a uniformed service if such indebtedness, as determined by the Secretary, was incurred in connection with Operation Desert Shield/Storm: *Provided,* That the amount of an indebtedness previously paid by a member or former member and cancelled under this section shall be refunded to the member.

SEC. 8053. Appropriations contained in this Act that remain available at the end of the current fiscal year as a result of energy cost savings realized by the Department of Defense shall remain available for obligation for the next fiscal year to the extent, and for the purposes, provided in section 2865 of title 10, United States Code.

SEC. 8054. During the current fiscal year, voluntary separation incentives payable under 10 U.S.C. 1175 may be paid in such amounts as are necessary from the assets of the Voluntary Separation Incentive Fund established by section 1175(h)(1).

10 USC 2488 note.

SEC. 8055. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided,* That in a case in which the military installation is located in more than one State, purchases may be

made in any State in which the installation is located: *Provided further,* That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further,* That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8056. Amounts deposited during the current fiscal year to the special account established under 40 U.S.C. 485(h)(2) and to the special account established under 10 U.S.C. 2667(d)(1) are appropriated and shall be available until transferred by the Secretary of Defense to current applicable appropriations or funds of the Department of Defense under the terms and conditions specified by 40 U.S.C. 485(h)(2) (A) and (B) and 10 U.S.C. 2667(d)(1)(B), to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred.

SEC. 8057. During the current fiscal year, appropriations available to the Department of Defense may be used to reimburse a member of a reserve component of the Armed Forces who is not otherwise entitled to travel and transportation allowances and who occupies transient government housing while performing active duty for training or inactive duty training: *Provided,* That such members may be provided lodging in kind if transient government quarters are unavailable as if the member was entitled to such allowances under subsection (a) of section 404 of title 37, United States Code: *Provided further,* That if lodging in kind is provided, any authorized service charge or cost of such lodging may be paid directly from funds appropriated for operation and maintenance of the reserve component of the member concerned.

SEC. 8058. The President shall include with each budget for a fiscal year submitted to the Congress under section 1105 of title 31, United States Code, materials that shall identify clearly and separately the amounts requested in the budget for appropriation for that fiscal year for salaries and expenses related to administrative activities of the Department of Defense, the military departments, and the Defense Agencies. President. 10 USC 221 note.

SEC. 8059. None of the funds in this or any other Act shall be available for the preparation of studies on—

(a) the feasibility of removal and transportation of unitary chemical weapons from the eight chemical storage sites within the continental United States to Johnston Atoll: *Provided,* That this prohibition shall not apply to General Accounting Office studies requested by a Member of Congress or a Congressional Committee; and

(b) the potential future uses of the nine chemical disposal facilities other than for the destruction of stockpile chemical munitions and as limited by section 1412(c)(2), Public Law 99–145: *Provided,* That this prohibition does not apply to future use studies for the CAMDS facility at Tooele, Utah.

SEC. 8060. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101–510; 10 U.S.C.

2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8061. During the current fiscal year, annual payments granted under the provisions of section 4416 of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–428; 106 Stat. 2714) shall be made from appropriations in this Act which are available for the pay of reserve component personnel.

SEC. 8062. For fiscal year 1996, the total amount appropriated in this Act to fund the Uniformed Services Treatment Facilities program, operated pursuant to section 911 of Public Law 97–99 (42 U.S.C. 248c), shall not exceed $315,000,000.

SEC. 8063. Of the funds appropriated or otherwise made available by this Act, not more than $119,200,000 shall be available for payment of the operating costs of NATO Headquarters: *Provided,* That the Secretary of Defense may waive this section for Department of Defense support provided to NATO forces in and around the former Yugoslavia.

SEC. 8064. Notwithstanding any other provision of law, the Naval shipyards of the United States shall be eligible to participate in any manufacturing extension program financed by funds appropriated in this or any other Act.

SEC. 8065. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than $100,000.

SEC. 8066. During the current fiscal year, appropriations available for the pay and allowances of active duty members of the Armed Forces shall be available to pay the retired pay which is payable pursuant to section 4403 of Public Law 102–484 (10 U.S.C. 1293 note) under the terms and conditions provided in section 4403.

SEC. 8067. (a) During the current fiscal year, none of the appropriations or funds available to the Defense Business Operations Fund shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Defense Business Operations Fund if such an item would not have been chargeable to the Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 1997 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 1997 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 1997 procurement appropriation and not in the supply management business area or any other area or category of the Defense Business Operations Fund.

SEC. 8068. None of the funds provided in this Act shall be available for use by a Military Department to modify an aircraft, weapon, ship or other item of equipment, that the Military Department concerned plans to retire or otherwise dispose of within five years after completion of the modification: *Provided,* That this prohibition shall not apply to safety modifications: *Provided further,*

That this prohibition may be waived by the Secretary of a Military Department if the Secretary determines it is in the best national security interest of the United States to provide such waiver and so notifies the congressional defense committees in writing.

SEC. 8069. (a) None of the funds appropriated or otherwise made available in this Act may be used to transport or provide for the transportation of chemical munitions to the Johnston Atoll for the purpose of storing or demilitarizing such munitions.

(b) The prohibition in subsection (a) shall not apply to any obsolete World War II chemical munition of the United States found in the World War II Pacific Theater of Operations.

(c) The President may suspend the application of subsection (a) during a period of war in which the United States is a party.

SEC. 8070. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 1997.

SEC. 8071. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

Native Americans.

SEC. 8072. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than $8,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8073. Notwithstanding any other provision of law, funds appropriated in this Act for the High Performance Computing Modernization Program shall be made available only for the acquisition and sustainment of operations, including maintenance of the supercomputing and related networking capability at (1) the DOD Science and Technology sites under the cognizance of the DDR&E, (2) the DOD Test and Evaluation centers under the Director, Test and Evaluation, OUSD (A&T), and (3) the Ballistic Missile Defense Organization: *Provided,* That the contracts, contract modifications, or contract options are awarded upon the requirements of the users.

Contracts.

SEC. 8074. Amounts collected for the use of the facilities of the National Science Center for Communications and Electronics during the current fiscal year pursuant to section 1459(g) of the Department of Defense Authorization Act, 1986 and deposited to the special account established under subsection 1459(g)(2) of that Act are appropriated and shall be available until expended for the operation and maintenance of the Center as provided for in subsection 1459(g)(2).

Loans.

SEC. 8075. To the extent authorized in law, the Secretary of Defense shall issue loan guarantees in support of United States defense exports not otherwise provided for: *Provided,* That the total contingent liability of the United States for guarantees issued under the authority of this section may not exceed $15,000,000,000: *Provided further,* That the exposure fees charged and collected

by the Secretary for each guarantee, shall be paid by the country involved and shall not be financed as part of a loan guaranteed by the United States: *Provided further,* That the Secretary shall provide quarterly reports to the Committees on Appropriations, Armed Services and Foreign Relations of the Senate and the Committees of Appropriations, National Security and International Relations in the House of Representatives on the implementation of this program.

Reports.

SEC. 8076. None of the funds appropriated in this Act may be used to fill the commander's position at any military medical facility with a health care professional unless the prospective candidate can demonstrate professional administrative skills.

SEC. 8077. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means title III of the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1934, and for other purposes", approved March 3, 1933 (41 U.S.C. 10a et seq.).

Labeling.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

SEC. 8078. None of the funds provided in this Act may be obligated or expended for the sale of zinc in the National Defense Stockpile if zinc commodity prices decline more than five percent below the London Metals Exchange market price reported on the date of enactment of this Act.

Contracts.

SEC. 8079. None of the funds appropriated by this Act shall be available for a contract for studies, analyses, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work, or

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source, or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support:

Provided, That this limitation shall not apply to contracts in an amount of less than $25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8080. Funds appropriated by this Act for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947

(50 U.S.C. 414) during fiscal year 1996 until the enactment of the Intelligence Authorization Act for fiscal year 1996.

SEC. 8081. (a) None of the funds made available by this Act may be obligated for design, development, acquisition, or operation of more than 47 Titan IV expendable launch vehicles, or for satellite mission-model planning for a Titan IV requirement beyond 47 vehicles.

(b) $115,226,000 made available in this Act for Research, Development, Test and Evaluation, Air Force, may only be obligated for development of a new family of medium-lift and heavy-lift expendable launch vehicles evolved from existing technologies.

SEC. 8082. None of the funds available to the Department of Defense in this Act may be used to establish additional field operating agencies of any element of the Department during fiscal year 1996, except for field operating agencies funded within the National Foreign Intelligence Program: *Provided,* That the Secretary of Defense may waive this section by certifying to the House and Senate Committees on Appropriations that the creation of such field operating agencies will reduce either the personnel and/or financial requirements of the Department of Defense.

(RESCISSIONS)

SEC. 8083. Of the funds provided in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts in the specified amounts:

"Aircraft Procurement, Air Force, 1994/1996", $53,654,000;
"Missile Procurement, Air Force, 1994/1996", $16,783,000;
"Weapons Procurement, Navy, 1995/1997", $14,600,000;
"Shipbuilding and Conversion, Navy, 1995/1999", $87,700,000;
"Other Procurement, Navy, 1995/1997", $8,600,000;
"Aircraft Procurement, Air Force, 1995/1997", $24,000,000;
"Missile Procurement, Air Force, 1995/1997", $140,978,000;
"Other Procurement, Air Force, 1995/1997", $180,000,000;
"Research, Development, Test and Evaluation, Army, 1995/1996", $9,000,000;
"Research, Development, Test and Evaluation, Navy, 1995/1996", $6,000,000;
"Research, Development, Test and Evaluation, Air Force, 1995/1996", $7,902,000;
"Research, Development, Test and Evaluation, Defense-Wide, 1995/1996", $12,000,000.

Colleges and universities. 10 USC note prec. 2161.

SEC. 8084. Notwithstanding any other provision of law, for resident classes entering the war colleges after September 30, 1996, the Department of Defense shall require that not less than 20 percent of the total of United States military students at each war college shall be from military departments other than the hosting military department: *Provided,* That each military department will recognize the attendance at a sister military department war college as the equivalent of attendance at its own war college for promotion and advancement of personnel.

SEC. 8085. None of the funds in this or any other Act may be used to implement the plan to reorganize the regional headquarters and basic camps structure of the Reserve Officer Training Corps program of the Army until the Comptroller General of the United States has certified to the congressional defense committees that the methodology and evaluation of the potential sites were

consistent with the established criteria for the consolidation, that all data used by the Army in the evaluation was accurate and complete, and that the conclusions reached are based upon the total costs of the Army's final plan to establish the Eastern Reserve Officer Training Corps Headquarters at Fort Benning, Georgia: *Provided,* That all cost, including Military Construction, shall be considered as well as an analysis of the impact of the consolidation on the surrounding communities for all affected installations.

SEC. 8086. None of the funds provided in this Act may be obligated for payment on new contracts on which allowable costs charged to the government include payments for individual compensation at a rate in excess of $200,000 per year after July 1, 1996, unless the Office of Federal Procurement Policy establishes in the Federal Acquisition Regulations guidance governing the allowability of individual compensation.

SEC. 8087. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, the Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8088. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of North Korea unless specifically appropriated for that purpose.

SEC. 8089. During the current fiscal year, funds appropriated in this Act are available to compensate members of the National Guard for duty performed pursuant to a plan submitted by a Governor of a State and approved by the Secretary of Defense under section 112 of title 32, United States Code: *Provided,* That during the performance of such duty, the members of the National Guard shall be under State command and control: *Provided further,* That such duty shall be treated as full-time National Guard duty for purposes of sections 12602 (a)(2) and (b)(2) of title 10, United States Code.

SEC. 8090. Funds appropriated in this Act for operation and maintenance of the Military Departments, Unified and Specified Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence support to Unified Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the General Defense Intelligence Program and the Consolidated Cryptologic Program: *Provided,* That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8091. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 1995 level.

(TRANSFER OF FUNDS)

SEC. 8092. Upon enactment of this Act, the Secretary of Defense shall make the following transfers of funds: *Provided,* That the amounts transferred shall be available for the same purposes as

the appropriations to which transferred, and for the same time period as the appropriation from which transferred: *Provided further,* That the amounts shall be transferred between the following appropriations in the amount specified:

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1986/1996":

SSN–688 attack submarine program, $5,051,000;
CG–47 cruiser program, $2,500,000;
BB battleship reactivation, $4,400,000;
T–AGOS SURTASS ship program, $2,135,000;
LCAC landing craft air cushion program, $700,000;
For craft, outfitting, post delivery, and cost growth, $12,360,000;
Weapons Procurement, Navy, 1994/1996, $30,900,000;
Other Procurement, Navy, 1994/1996, $4,200,000;
Other Procurement, Navy, 1995/1997, $5,000,000;
Aircraft Procurement, Navy, 1994/1996, $2,056,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1986/1996":

MSH coastal mine hunter program, $69,302,000;

From:

Weapons Procurement, Navy 1994/1996, $5,500,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1987/1996":

AOE combat support ship program, $5,500,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1988/2001":

SSN–688 attack submarine program, $1,500,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1988/2001":

T–ACS auxiliary crane ship program, $1,500,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1989/2000":

SSN–688 attack submarine program, $23,535,000;
DDG–51 destroyer program, $33,700,000;
T–AO fleet oiler program, $38,969,000;
Other Procurement, Navy, 1995/1997, $3,500,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1989/2000":

SSN–21 attack submarine program, $65,886,000;
MHC coastal mine hunter program, $30,318,000;
AOE combat support ship program, $3,500,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1990/2002":

SSN–688 attack submarine program, $1,907,000;
DDG–51 destroyer program, $22,669,000;

For craft, outfitting and post delivery, $3,900,000;
Aircraft Procurement, Navy, 1994/1996, $17,944,000;
Procurement of Ammunition, Navy and Marine Corps, 1995/1997, $5,116,000;
Weapons Procurement, Navy, 1995/1997, $2,000,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1990/2002":
MHC coastal mine hunter, $9,536,000;
T–AGOS surveillance ship program, $42,000,000;
AOE combat support ship program, $2,000,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":
SSN–21 attack submarine program, $18,330,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1991/2001":
LHD–1 amphibious assault ship program, $6,178,000;
MHC coastal mine hunter program, $12,152,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":
DDG–51 destroyer program, $5,315,000;
For craft, outfitting, post delivery, and DBOF transfer, $9,675,000;
For escalation, $3,347,000;
Weapons Procurement, Navy, 1995/1997, $7,500,000;
Procurement, Marine Corps, 1995/1997, $378,000;
Other Procurement, Navy, 1995/1997, $355,000;
Aircraft Procurement, Navy, 1995/1997, $3,600,000;
Research, Development, Test and Evaluation, Navy, 1995/1996, $5,600,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1992/1996":
MHC coastal mine hunter program, $35,770,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":
LSD–41 cargo variant ship program, $1,600,000;
For craft, outfitting, post delivery, and first destination transportation, and inflation adjustments, $5,627,000;
Procurement of Ammunition, Navy and Marine Corps, 1995/1997, $1,784,000;
Other Procurement, Navy, 1995/1997, $645,000;
Weapons Procurement, Navy, 1994/1996, $1,963,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1993/1997":

DDG–51 destroyer program, $7,356,000;
AOE combat support ship program, $2,300,000;
MHC coastal mine hunter program, $1,963,000;

From:

Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":

MCS(C) program, $4,819,000;

Under the heading, "Shipbuilding and Conversion, Navy, 1995/1999":

Nuclear submarine main steam condensor industrial base, $900,000;

To:

Under the heading, "Shipbuilding and Conversion, Navy, 1994/1998":

LHD program, $5,719,000.

SEC. 8093. The Department shall include, in the operation of TRICARE Regions 7/8, a region-wide wraparound care package that requires providers of residential treatment services to share financial risk through case rate reimbursement, to include planning and individualized wraparound services to prevent recidivism.

SEC. 8094. All refunds or other amounts collected in the administration of the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS) shall be credited to current year appropriations.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. None of the funds appropriated in this Act may be transferred to or obligated from the Pentagon Reservation Maintenance Revolving Fund, unless the Secretary of Defense certifies that the total cost for the planning, design, construction and installation of equipment for the renovation of the Pentagon Reservation will not exceed $1,218,000,000.

SEC. 8096. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law. 10 USC 374 note.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law. 50 USC 403f note.

(TRANSFER OF FUNDS)

SEC. 8097. Appropriations available in this Act under the heading "Operation and Maintenance, Defense-Wide" for increasing energy and water efficiency in Federal buildings may, during their period of availability, be transferred to other appropriations or funds of the Department of Defense for projects related to increasing energy and water efficiency, to be merged with and to be available for the same general purposes, and for the same time period, as the appropriation or fund to which transferred.

SEC. 8098. Funds in the amount of $61,300,000 received during fiscal year 1996 by the Department of the Air Force pursuant to the "Memorandum of Agreement between the National Aeronautics and Space Administration and the United States Air Force on Titan IV/Centaur Launch Support for the Cassini Mission",

signed September 8, 1994, and September 23, 1994, and Attachments A, B, and C to the Memorandum, shall be merged with appropriations available for research, development, test and evaluation and procurement for fiscal year 1996, and shall be available for the same time period as the appropriation with which merged, and shall be available for obligation only for those Titan IV vehicles and Titan IV-related activities under contract as of the date of enactment of this Act, as well as on the follow-on launch services and program sustaining support contract to be awarded in fiscal year 1996.

SEC. 8099. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided,* That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8100. Not less than 30 percent of the total inventory, or 60,000 pounds, of the pentaborane currently stored in non-defective containers at Edwards Air Force Base, California, will be retained until the Secretary of Energy certifies to the House and Senate Committees on Appropriations that the Secretary does not intend to use the pentaborane at the Idaho National Engineering Laboratory for: (a) a source of raw material for environmental remediation of high level, liquid radioactive waste, or (b) as a source of raw material for boron drugs for the Boron Neutron Capture Therapy or other medical or industrial applications: *Provided,* That the Secretary of the Air Force is authorized to dispose of any materials that pose a significant health or safety hazard.

SEC. 8101. The total amount appropriated in titles II, III, and IV of this Act is hereby reduced by $30,000,000 for savings through improved management of contractor automatic data processing costs charged through indirect rates on Department of Defense acquisition contracts.

10 USC 113 note.

SEC. 8102. (a) Not later than October 1, 1995, the Secretary of Defense shall require that each disbursement by the Department of Defense in an amount in excess of $5,000,000 be matched to a particular obligation before the disbursement is made.

(b) The Secretary shall ensure that a disbursement in excess of the threshold amount applicable under subsection (a) is not divided into multiple disbursements of less than that amount for the purpose of avoiding the applicability of such subsection to that disbursement.

(c) The Secretary of Defense may waive a requirement for advance matching of a disbursement of the Department of Defense with a particular obligation in the case of (1) a disbursement involving deployed forces, (2) a disbursement for an operation in a war declared by Congress or a national emergency declared by the President or Congress, or (3) a disbursement under any other circumstances for which the waiver is necessary in the national security interests of the United States, as determined by the Secretary and certified by the Secretary to the congressional defense committees.

(d) This section shall not be construed to limit the authority of the Secretary of Defense to require that a disbursement not in excess of the amount applicable under subsection (a) be matched to a particular obligation before the disbursement is made.

SEC. 8103. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8104. None of the funds appropriated in this Act to the Department of the Army may be obligated for procurement of 120mm mortars or 120mm mortar ammunition manufactured outside of the United States: *Provided,* That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8105. The Department of Defense shall release all funds appropriated and available for the HAVE GAZE program to the Department of the Air Force for obligation under existing contractual arrangements.

SEC. 8106. None of the funds available to the Department of Defense during fiscal year 1996 may be obligated or expended to support or finance the activities of the Defense Policy Advisory Committee on Trade.

SEC. 8107. Notwithstanding any other provision of law, within the funds available in this Act, the Secretary of the Air Force may enter into agrements to modify leases of housing units being constructed if deemed to be in the best interest of the Department. The housing units shall be assigned, without rental charge, as family housing to members of the armed forces who are eligible for assignment to military family housing.

SEC. 8107A. Notwithstanding any other provision of law, the authorization for the Indiana, Pennsylvania armory project set forth in section 2601 of Public Law 102–484 (division B) shall remain in effect until September 30, 1997.

Termination date.

SEC. 8108. None of the funds appropriated by this Act shall be available to lease or charter a vessel in excess of seventeen months (inclusive of any option periods) to transport fuel or oil for the Department of Defense if the vessel was constructed after October 1, 1995 unless the Secretary of Defense requires that the vessel be constructed in the United States with a double hull under the long-term lease or charter authority provided in section 2401 note of title 10, United States Code: *Provided,* That this limitation shall not apply to contracts in force on the date of enactment of this Act: *Provided further,* That by 1997 at least 20 percent of annual leases and charters must be for ships of double hull design constructed after October 1, 1995 if available in numbers sufficient to satisfy this requirement: *Provided further,* That the Military Sealift Command shall plan to achieve the goal of eliminating single hull ship leases by the year 2015.

SEC. 8109. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop

or procure main propulsion engines for the LPD–17 class of ships unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8110. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop or procure an emergency generator set for the New Attack Submarine unless such equipment is powered by a diesel engine manufactured in the United States by a domestically operated entity: *Provided,* That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8111. None of the funds in this Act may be used to transport military personnel into Edwards Air Force Base for training rotations at the National Training Center after April 15, 1996: *Provided,* That the Department of Defense shall comply with the recommendations of the fiscal year 1996 Military Construction bill as it pertains to the interim and permanent National Training Center Airhead.

SEC. 8112. The Secretary of Defense and the Secretary of the Army shall reconsider the decision not to include the infantry military occupational specialty among the military skills and specialties for which special pays are provided under the Selected Reserve Incentive Program.

Reports.

SEC. 8113. (a) The Secretary of Defense shall submit, on a quarterly basis, a report to the congressional defense committees, the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate setting forth all costs (including incremental costs) incurred by the Department of Defense during the preceding quarter in implementing or supporting resolutions of the United Nations Security Council, including any such resolution calling for international sanctions, international peacekeeping operations, and humanitarian missions undertaken by the Department of Defense. The quarterly report shall include an aggregate of all such Department of Defense costs by operation or mission.

(b) The Secretary of Defense shall detail in the quarterly reports all efforts made to seek credit against past United Nations expenditures and all efforts made to seek compensation from the United Nations for costs incurred by the Department of Defense in implementing and supporting United Nations activities.

SEC. 8114. (a) LIMITATION.—Of the funds available under title II under the heading "FORMER SOVIET UNION THREAT REDUCTION" for dismantlement and destruction of chemical weapons, not more

than $52,000,000 may be obligated or expended for that purpose until the President certifies to Congress the following:

(1) That the United States and Russia have completed a joint laboratory study evaluating the proposal of Russia to neutralize its chemical weapons and the United States agrees with the proposal.

(2) That Russia is in the process of preparing, with the assistance of the United States as necessary, a comprehensive plan to manage the dismantlement and destruction of the Russia chemical weapons stockpile.

(3) That the United States and Russia are committed to resolving outstanding issues under the 1989 Wyoming Memorandum of Understanding and the 1990 Bilateral Destruction Agreement.

(b) DEFINITIONS.—In this section:

(1) The term "1989 Wyoming Memorandum of Understanding" means the Memorandum of Understanding between the Government of the United States of America and the Government of the Union of Soviet Socialist Republics Regarding a Bilateral Verification Experiment and Data Exchange Related to Prohibition on Chemical Weapons, signed at Jackson Hole, Wyoming, on September 23, 1989.

(2) The term "1990 Bilateral Destruction Agreement" means the Agreement between the United States of America and the Union of Soviet Socialist Republics on destruction and non-production of chemical weapons and on measures to facilitate the multilateral convention on banning chemical weapons signed on June 1, 1990.

SEC. 8115. (a) INTERNATIONAL PEACEKEEPING, PEACE ENFORCEMENT, AND HUMANITARIAN ASSISTANCE OPERATIONS.—It is the sense of Congress that in the event of a deployment or participation of United States Armed Forces units in any international peacekeeping, peace enforcement, and humanitarian assistance operation, the President must engage in consultations with the bipartisan leadership of Congress and the congressional committees named in subsection (e) regarding such operation in accordance with subsection (c)(1).

(b) COVERED OPERATIONS.—(1) This section applies to the following:

(A) Any international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act and that is authorized by the Security Council of the United Nations under chapter VI or VII of the Charter of the United Nations.

(B) Any other international peacekeeping or peace-enforcement operation that is not underway as of the date of the enactment of this Act.

(C) Any deployment after the date of the enactment of this Act of United States ground forces in the territory of the former Yugoslavia above the level of such forces so deployed as of such date of enactment, other than a deployment involving fewer than 100 personnel.

(D) Except as provided in paragraph (2), any international humanitarian assistance operation.

(2) This section does not apply with respect to—

(A) an international humanitarian assistance operation carried out in response to a disaster; or

(B) any other international humanitarian assistance operation if the President reports to Congress that the estimated cost of such operation is less than $50,000,000.

(c) CONSULTATION WITH CONGRESS.—(1) Consultations under subsection (a) in the case of any operation shall be initiated before the initial deployment of United States Armed Forces units to participate in the operation and, whenever possible, at least 15 days before such deployment. However, if the President determines that the national security so requires, the President may delay the initiation of such consultations until after such initial deployment, but in no case may such consultations be initiated later than 48 hours after such deployment.

(2) Such consultations shall include discussion of all of the following:

(A) The goals of the operation and the mission of any United States Armed Forces units involved in the operation.

(B) The United States interests that will be served by the operation.

(C) The estimated cost of the operation.

(D) The strategy by which the President proposes to fund the operation, including possible supplemental appropriations or payments from international organizations, foreign countries, or other donors.

(E) The extent of involvement of armed forces and other contributions of personnel from other nations.

(F) The anticipated duration and scope of the operation.

(3) Such consultations shall continue on a periodic basis throughout the period of the deployment.

(d) REQUESTS FOR EMERGENCY SUPPLEMENTAL APPROPRIATIONS.—Whenever there is a deployment of United States Armed Forces to perform an international humanitarian, peacekeeping, or peace-enforcement operation, the President should seek emergency supplemental appropriations to meet the incremental costs to the Department of Defense of that deployment not later than 90 days after the date on which such deployment commences.

(e) COMMITTEES TO BE INCLUDED IN CONSULTATIONS.—The committees referred to in subsection (a) are the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(3) The Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 8116. (a) FINDINGS.—The Senate makes the following findings:

(1) The President of France stated on June 13, 1995, that the Republic of France plans to conduct eight nuclear test explosions over the next several months.

(2) The People's Republic of China continues to conduct underground nuclear weapons tests.

(3) The United States, France, Russia, and Great Britain have observed a moratorium on nuclear testing since 1992.

(4) A resumption of testing by the Republic of France could result in the disintegration of the current testing moratorium and a renewal of underground testing by other nuclear weapon states.

(5) A resumption of nuclear testing by the Republic of France raises serious environmental and health concerns.

(6) The United Nations Conference on Disarmament presently is meeting in Geneva, Switzerland, for the purpose of negotiating a Comprehensive Nuclear Test Ban Treaty (CTBT), which would halt permanently the practice of conducting nuclear test explosions.

(7) Continued underground weapons testing by the Republic of France and the People's Republic of China undermines the efforts of the international community to conclude a CTBT by 1996, a goal endorsed by 175 nations, at the recently completed NPT Extension and Review Conference (the conference for the extension and review of the Nuclear Non-Proliferation Treaty).

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Republic of France and the People's Republic of China should abide by the current international moratorium on nuclear test explosions and refrain from conducting underground nuclear tests in advance of a Comprehensive Test Ban Treaty.

SEC. 8117. (a) LIMITATION ON TRANSFER OF DEFENSE ARTICLES AND SERVICES.—Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) COVERED ACTIVITIES.—(1) This section applies to—

(A) any international peacekeeping or peace-enforcement operation under the authority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(B) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) REQUIRED NOTICE.—A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8118. None of the funds available to the Department of Defense shall be obligated or expended to make a financial contribution to the United Nations for the cost of an United Nations peacekeeping activity (whether pursuant to assessment or a voluntary contribution) or for payment of any United States arrearage to the United Nations.

Abortion.

SEC. 8119. None of the funds made available in this Act may be used to administer any policy that permits the performance of abortions at medical treatment or other facilities of the Department of Defense.

SEC. 8119A. The provision of section 8119 shall not apply where the life of the mother would be endangered if the fetus were carried to term, or that the pregnancy is the result of an act of rape or incest.

SEC. 8120. None of the funds made available in this Act under the heading "Procurement of Ammunition, Army" may be obligated or expended for the procurement of munitions unless such acquisition fully complies with the Competition in Contracting Act.

SEC. 8121. None of the funds in this Act may be used to implement any change to the computation of military retired pay as required by law in fiscal year 1995 for military personnel who entered the Service before September 8, 1980.

SEC. 8122. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when it is made known to the Federal official having authority to obligate or expend such funds that—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

SEC. 8123. None of the funds provided in title II of this Act for "FORMER SOVIET UNION THREAT REDUCTION" may be obligated or expended to finance housing for any individual when it is made known to the Federal official having authority to obligate or expend such funds that such individual was a member of the military forces of the Soviet Union or that such individual is or was a member of the military forces of the Russian Federation.

SEC. 8124. It is the sense of Congress that none of the funds available to the Department of Defense shall be obligated or expended for the deployment or participation of United States Armed Forces in any peacekeeping operation in Bosnia-Herzegovina, unless such deployment or participation is specifically authorized by a law enacted after the date of enactment of this Act: *Provided,* That this section shall not apply to operations of the nature and extent conducted by United States Armed Forces in Bosnia-Herzegovina during fiscal year 1995, emergency air rescue operations, the airborne delivery of humanitarian supplies, or the planning and execution of OPLAN 40104 or similar operations to extract UNPROFOR personnel.

SEC. 8125. Notwithstanding any other provision in this Act, the total amount appropriated in this Act is hereby reduced by $832,000,000 to reflect savings from revised economic assumptions, to be distributed as follows:

Operation and Maintenance, Army, $54,000,000;
Operation and Maintenance, Navy, $80,000,000;
Operation and Maintenance, Marine Corps, $9,000,000;
Operation and Maintenance, Air Force, $51,000,000;
Operation and Maintenance, Defense-Wide, $36,000,000;
Operation and Maintenance, Army Reserve, $4,000,000;
Operation and Maintenance, Navy Reserve, $4,000,000;

Operation and Maintenance, Marine Corps Reserve, $1,000,000;
Operation and Maintenance, Air Force Reserve, $3,000,000;
Operation and Maintenance, Army National Guard, $7,000,000;
Operation and Maintenance, Air National Guard, $7,000,000;
Drug Interdiction and Counter-Drug Activities, Defense, $5,000,000;
Environmental Restoration, Defense, $11,000,000;
Overseas Humanitarian, Disaster, and Civic Aid, $1,000,000;
Former Soviet Union Threat Reduction, $2,000,000;
Defense Health Program, $51,000,000;
Aircraft Procurement, Army, $9,000,000;
Missile Procurement, Army, $5,000,000;
Procurement of Weapons and Tracked Combat Vehicles, Army, $10,000,000;
Procurement of Ammunition, Army, $6,000,000;
Other Procurement, Army, $17,000,000;
Aircraft Procurement, Navy, $29,000,000;
Weapons Procurement, Navy, $13,000,000;
Shipbuilding and Conversion, Navy, $42,000,000;
Other Procurement, Navy, $18,000,000;
Procurement, Marine Corps, $4,000,000;
Aircraft Procurement, Air Force, $50,000,000;
Missile Procurement, Air Force, $29,000,000;
Other Procurement, Air Force, $45,000,000;
Procurement, Defense-Wide, $16,000,000;
Chemical Agents and Munitions Destruction, Defense, $5,000,000;
Research, Development, Test and Evaluation, Army, $20,000,000;
Research, Development, Test and Evaluation, Navy, $50,000,000;
Research, Development, Test and Evaluation, Air Force, $79,000,000;
Research, Development, Test and Evaluation, Defense-Wide, $57,000,000; and
Developmental Test and Evaluation, Defense, $2,000,000: *Provided,* That these reductions shall be applied proportionally to each budget activity, activity group and subactivity group and each program, project, and activity within each appropriation account.

SEC. 8126. Notwithstanding any other provision of law, of the revenue collected by the Defense Business Operations Fund, $117,000,000 shall be made available for obligation and expenditure for termination liability, lease and operational costs for aircraft to accomplish the VC–137 aircraft mission: *Provided,* That the funds made available pursuant to this section shall remain available until expended.

SEC. 8127. Funds appropriated by this and future Acts under the heading "Missile Procurement, Air Force" may be obligated for payment of satellite on-orbit incentives in the fiscal year in which an incentive payment is earned: *Provided,* That any obligation made pursuant to this section may not be entered into until 30 calendar days in session after the congressional defense commit-

tees have been notified that an on-orbit incentive payment has been earned.

SEC. 8128. (a) Not more than a total of $11,000,000 of the funds appropriated under the heading "Research, Development, Test and Evaluation, Army", in title IV of Public Law 103–335, and in title IV of this Act, may be made available for support of a NATO Alliance Ground Surveillance (AGS) program based on the Joint Surveillance/Target Attack Radar System (JSTARS).

(b) Not more than a total of $6,450,000 of the funds appropriated under the heading "Research, Development, Test and Evaluation, Air Force", in title IV of Public Law 103–335, and in title IV of this Act, may be made available for support of a NATO Alliance Ground Surveillance (AGS) program based on JSTARS.

SEC. 8129. (a) In addition to any other reductions required by this Act, the following funds are hereby reduced from the following accounts in title IV of this Act in the specified amounts:

"Research, Development, Test and Evaluation, Army", $65,062,000;

"Research, Development, Test and Evaluation, Navy", $116,909,000;

"Research, Development, Test and Evaluation, Air Force", $175,386,000; and

"Research, Development, Test and Evaluation, Defense-Wide", $84,643,000.

(b) The reductions taken pursuant to subsection (a) shall be applied on a pro-rata basis by subproject within each R–1 program element as modified by this Act, except that no reduction may be taken against the funds made available to the Department of Defense for Ballistic Missile Defense.

SEC. 8130. Notwithstanding any other provision of law, fixed and mobile telecommunications support shall be provided by the White House Communications Agency (WHCA) to the United States Secret Service (USSS), without reimbursement, in connection with the Secret Service's duties directly related to the protection of the President or the Vice President or other officer immediately next in order of succession to the office of the President at the White House Security Complex in the Washington, D.C. Metropolitan Area and Camp David, Maryland. For these purposes, the White House Security Complex includes the White House, the White House grounds, the Old Executive Office Building, the New Executive Office Building, the Blair House, the Treasury Building, and the Vice President's Residence at the Naval Observatory.

This Act may be cited as the "Department of Defense Appropriations Act, 1996".

[Note by the Office of the Federal Register: The foregoing Act, having been presented to the President of the United States on Saturday, November 18, 1995, and not having been returned by him to the House of Congress in which it originated within the time prescribed by the Constitution of the United States, has become law without his signature on December 1, 1995.]

LEGISLATIVE HISTORY—H.R. 2126 (S. 1087):

HOUSE REPORTS: Nos. 104–208 (Comm. on Appropriations) and 104–261 and 104–344 (both from Comm. of Conference).

SENATE REPORTS: No. 104–124 accompanying S. 1087 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 141 (1995):

July 31, Sept. 7, considered and passed House.

Aug. 10, 11, Sept. 5, S. 1087 considered and passed Senate.

Sept. 8, H.R. 2126 considered and passed Senate, amended, in lieu of S. 1087.

Sept. 29, House rejected conference report.

Nov. 16, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 30, Presidential statement.

Public Law 104–62
104th Congress

An Act

Dec. 8, 1995
[H.R. 2519]

To facilitate contributions to charitable organizations by codifying certain exemptions from the Federal securities laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Philanthropy Protection Act of 1995.

15 USC 80a–51 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Philanthropy Protection Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Amendments to the Investment Company Act of 1940.
Sec. 3. Amendment to the Securities Act of 1933.
Sec. 4. Amendments to the Securities Exchange Act of 1934.
Sec. 5. Amendment of the Investment Advisers Act of 1940.
Sec. 6. Protection of philanthropy under State law.
Sec. 7. Effective dates and applicability.

SEC. 2. AMENDMENTS TO THE INVESTMENT COMPANY ACT OF 1940.

(a) EXEMPTION.—Section 3(c)(10) of the Investment Company Act of 1940 (15 U.S.C. 80a–3(c)(10)) is amended to read as follows:

"(10)(A) Any company organized and operated exclusively for religious, educational, benevolent, fraternal, charitable, or reformatory purposes—

"(i) no part of the net earnings of which inures to the benefit of any private shareholder or individual; or

"(ii) which is or maintains a fund described in subparagraph (B).

"(B) For the purposes of subparagraph (A)(ii), a fund is described in this subparagraph if such fund is a pooled income fund, collective trust fund, collective investment fund, or similar fund maintained by a charitable organization exclusively for the collective investment and reinvestment of one or more of the following:

"(i) assets of the general endowment fund or other funds of one or more charitable organizations;

"(ii) assets of a pooled income fund;

"(iii) assets contributed to a charitable organization in exchange for the issuance of charitable gift annuities;

"(iv) assets of a charitable remainder trust or of any other trust, the remainder interests of which are irrevocably dedicated to any charitable organization;

"(v) assets of a charitable lead trust;

"(vi) assets of a trust, the remainder interests of which are revocably dedicated to or for the benefit of 1 or more

charitable organizations, if the ability to revoke the dedication is limited to circumstances involving—

"(I) an adverse change in the financial circumstances of a settlor or an income beneficiary of the trust;

"(II) a change in the identity of the charitable organization or organizations having the remainder interest, provided that the new beneficiary is also a charitable organization; or

"(III) both the changes described in subclauses (I) and (II);

"(vii) assets of a trust not described in clauses (i) through (v), the remainder interests of which are revocably dedicated to a charitable organization, subject to subparagraph (C); or

"(viii) such assets as the Commission may prescribe by rule, regulation, or order in accordance with section 6(c).

"(C) A fund that contains assets described in clause (vii) of subparagraph (B) shall be excluded from the definition of an investment company for a period of 3 years after the date of enactment of this subparagraph, but only if—

"(i) such assets were contributed before the date which is 60 days after the date of enactment of this subparagraph; and

"(ii) such assets are commingled in the fund with assets described in one or more of clauses (i) through (vi) and (viii) of subparagraph (B).

"(D) For purposes of this paragraph—

"(i) a trust or fund is 'maintained' by a charitable organization if the organization serves as a trustee or administrator of the trust or fund or has the power to remove the trustees or administrators of the trust or fund and to designate new trustees or administrators;

"(ii) the term 'pooled income fund' has the same meaning as in section 642(c)(5) of the Internal Revenue Code of 1986;

"(iii) the term 'charitable organization' means an organization described in paragraphs (1) through (5) of section 170(c) or section 501(c)(3) of the Internal Revenue Code of 1986;

"(iv) the term 'charitable lead trust' means a trust described in section 170(f)(2)(B), 2055(e)(2)(B), or 2522(c)(2)(B) of the Internal Revenue Code of 1986;

"(v) the term 'charitable remainder trust' means a charitable remainder annuity trust or a charitable remainder unitrust, as those terms are defined in section 664(d) of the Internal Revenue Code of 1986; and

"(vi) the term 'charitable gift annuity' means an annuity issued by a charitable organization that is described in section 501(m)(5) of the Internal Revenue Code of 1986.".

(b) DISCLOSURE BY EXEMPT CHARITABLE ORGANIZATIONS.—Section 7 of the Investment Company Act of 1940 (15 U.S.C. 80a–7) is amended by adding at the end the following new subsection:

"(e) DISCLOSURE BY EXEMPT CHARITABLE ORGANIZATIONS.—Each fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of this Act shall provide, to

each donor to such fund, at the time of the donation or within 90 days after the date of enactment of this subsection, whichever is later, written information describing the material terms of the operation of such fund.".

SEC. 3. AMENDMENT TO THE SECURITIES ACT OF 1933.

Section 3(a)(4) of the Securities Act of 1933 (15 U.S.C. 77c(a)(4)) is amended by inserting after the semicolon at the end the following: "or any security of a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940;".

SEC. 4. AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.

(a) EXEMPTED SECURITIES.—Section 3(a)(12)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(12)(A)) is amended—

(1) in clause (iv) by striking "and" at the end;

(2) by redesignating clause (v) as clause (vi); and

(3) by inserting after clause (iv) the following new clause:

"(v) any security issued by or any interest or participation in any pooled income fund, collective trust fund, collective investment fund, or similar fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940; and".

(b) EXEMPTION FROM BROKER-DEALER PROVISIONS.—Section 3 of such Act (15 U.S.C. 78c) is amended by adding at the end the following new subsection:

"(e) CHARITABLE ORGANIZATIONS.—

"(1) EXEMPTION.—Notwithstanding any other provision of this title, but subject to paragraph (2) of this subsection, a charitable organization, as defined in section 3(c)(10)(D) of the Investment Company Act of 1940, or any trustee, director, officer, employee, or volunteer of such a charitable organization acting within the scope of such person's employment or duties with such organization, shall not be deemed to be a 'broker', 'dealer', 'municipal securities broker', 'municipal securities dealer', 'government securities broker', or 'government securities dealer' for purposes of this title solely because such organization or person buys, holds, sells, or trades in securities for its own account in its capacity as trustee or administrator of, or otherwise on behalf of or for the account of—

"(A) such a charitable organization;

"(B) a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940; or

"(C) a trust or other donative instrument described in section 3(c)(10)(B) of the Investment Company Act of 1940, or the settlors (or potential settlors) or beneficiaries of any such trust or other instrument.

"(2) LIMITATION ON COMPENSATION.—The exemption provided under paragraph (1) shall not be available to any charitable organization, or any trustee, director, officer, employee, or volunteer of such a charitable organization, unless each person who, on or after 90 days after the date of enactment of this subsection, solicits donations on behalf of such charitable organization from any donor to a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940, is either a volunteer or is engaged in the overall fund raising activities

of a charitable organization and receives no commission or other special compensation based on the number or the value of donations collected for the fund.".

(d) CONFORMING AMENDMENT.—Section 12(g)(2)(D) of such Act (15 U.S.C. 78l(g)(2)(D)) is amended by inserting before the period "; or any security of a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940".

SEC. 5. AMENDMENT OF THE INVESTMENT ADVISERS ACT OF 1940.

Section 203(b) of the Investment Advisers Act of 1940 (15 U.S.C. 80b–3(b)) is amended—

(1) by striking "or" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting "; or"; and

(3) by adding at the end the following new paragraph:

"(4) any investment adviser that is a charitable organization, as defined in section 3(c)(10)(D) of the Investment Company Act of 1940, or is a trustee, director, officer, employee, or volunteer of such a charitable organization acting within the scope of such person's employment or duties with such organization, whose advice, analyses, or reports are provided only to one or more of the following:

"(A) any such charitable organization;

"(B) a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940; or

"(C) a trust or other donative instrument described in section 3(c)(10)(B) of the Investment Company Act of 1940, or the trustees, administrators, settlors (or potential settlors), or beneficiaries of any such trust or other instrument.".

SEC. 6. PROTECTION OF PHILANTHROPY UNDER STATE LAW. 15 USC 80a–3a.

(a) REGISTRATION REQUIREMENTS.—A security issued by or any interest or participation in any pooled income fund, collective trust fund, collective investment fund, or similar fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940, and the offer or sale thereof, shall be exempt from any statute or regulation of a State that requires registration or qualification of securities.

(b) TREATMENT OF CHARITABLE ORGANIZATIONS.—No charitable organization, or any trustee, director, officer, employee, or volunteer of a charitable organization acting within the scope of such person's employment or duties, shall be required to register as, or be subject to regulation as, a dealer, broker, agent, or investment adviser under the securities laws of any State because such organization or person buys, holds, sells, or trades in securities for its own account in its capacity as trustee or administrator of, or otherwise on behalf of or for the account of one or more of the following:

(1) a charitable organization;

(2) a fund that is excluded from the definition of an investment company under section 3(c)(10)(B) of the Investment Company Act of 1940; or

(3) a trust or other donative instrument described in section 3(c)(10)(B) of the Investment Company Act of 1940, or the settlors (or potential settlors) or beneficiaries of any such trusts or other instruments.

(c) STATE ACTION.—Notwithstanding subsections (a) and (b), during the 3-year period beginning on the date of enactment of this Act, a State may enact a statute that specifically refers to this section and provides prospectively that this section shall not preempt the laws of that State referred to in this section.

(d) DEFINITIONS.—For purposes of this section—

(1) the term "charitable organization" means an organization described in paragraphs (1) through (5) of section 170(c) or section 501(c)(3) of the Internal Revenue Code of 1986;

(2) the term "security" has the same meaning as in section 3 of the Securities Exchange Act of 1934; and

(3) the term "State" means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

15 USC 77c note.

SEC. 7. EFFECTIVE DATES AND APPLICABILITY.

This Act and the amendments made by this Act shall apply in all administrative and judicial actions pending on or commenced after the date of enactment of this Act, as a defense to any claim that any person, security, interest, or participation of the type described in this Act and the amendments made by this Act is subject to the provisions of the Securities Act of 1933, the Securities Exchange Act of 1934, the Investment Company Act of 1940, or the Investment Advisers Act of 1940, or any State statute or regulation preempted as provided in section 6 of this Act, except as otherwise specifically provided in such Acts or State law.

Approved December 8, 1995.

LEGISLATIVE HISTORY—H.R. 2519:

HOUSE REPORTS: No. 104–333 (Comm. on Commerce).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 28, considered and passed House.
Nov. 29, considered and passed Senate.

Public Law 104–63
104th Congress

An Act

To modify the operation of the antitrust laws, and of State laws similar to the antitrust laws, with respect to charitable gift annuities.

Dec. 8, 1995
[H.R. 2525]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Charitable Gift Annuity Antitrust Relief Act of 1995.
15 USC 1 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Charitable Gift Annuity Antitrust Relief Act of 1995".

15 USC 37.

SEC. 2. MODIFICATION OF ANTITRUST LAWS.

(a) EXEMPT CONDUCT.—Except as provided in subsection (b), it shall not be unlawful under any of the antitrust laws, or under a State law similar to any of the antitrust laws, for 2 or more persons described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) that are exempt from taxation under section 501(a) of such Code to use, or to agree to use, the same annuity rate for the purpose of issuing 1 or more charitable gift annuities.

(b) LIMITATION.—Subsection (a) shall not apply with respect to the enforcement of a State law similar to any of the antitrust laws, with respect to conduct described in subsection (a) occurring after the State enacts a statute, not later than 3 years after the date of the enactment of this Act, that expressly provides that subsection (a) shall not apply with respect to such conduct.

15 USC 37a.

SEC. 3. DEFINITIONS.

For purposes of this Act:

(1) ANNUITY RATE.—The term "annuity rate" means the percentage of the fair market value of a gift (determined as of the date of the gift) given in exchange for a charitable gift annuity, that represents the amount of the annual payment to be made to 1 or 2 annuitants over the life of either or both under the terms of the agreement to give such gift in exchange for such annuity.

(2) ANTITRUST LAWS.—The term "antitrust laws" has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12), except that such term includes section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section 5 applies to unfair methods of competition.

(3) CHARITABLE GIFT ANNUITY.—The term "charitable gift annuity" has the meaning given it in section 501(m)(5) of the Internal Revenue Code of 1986 (26 U.S.C. 501(m)(5)).

(4) PERSON.—The term "person" has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)).

(5) STATE.—The term "State" has the meaning given it in section 4G(2) of the Clayton Act (15 U.S.C. 15g(2)).

15 USC 37 note.

SEC. 4. APPLICATION OF ACT.

This Act shall apply with respect to conduct occurring before, on, or after the date of the enactment of this Act.

Approved December 8, 1995.

LEGISLATIVE HISTORY—H.R. 2525:

HOUSE REPORTS: No. 104–336 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 28, considered and passed House.
Nov. 29, considered and passed Senate.

Public Law 104–64
104th Congress

An Act

To extend and reauthorize the Defense Production Act of 1950, and for other purposes.

Dec. 18, 1995
[H.R. 2204]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Defense Production Act Amendments of 1995.
50 USC app. 2061 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Defense Production Act Amendments of 1995".

SEC. 2. EXTENSION OF PROGRAMS.

Section 717(a) of the Defense Production Act of 1950 (50 U.S.C. App. 2166(a)) is amended in the first sentence by striking "Title I (except section 104), title III, and title VII (except sections 708, 714, 719, and 721) of this Act, and all authority conferred thereunder shall terminate at the close of September 30, 1995" and inserting "Title I (except section 104), title III, and title VII (except sections 708 and 721), and all authority conferred thereunder, shall terminate at the close of September 30, 1998".

SEC. 3. AUTHORIZING APPROPRIATIONS FOR TITLE III PROJECTS.

Section 711 of the Defense Production Act of 1950 (50 U.S.C. App. 2161) is amended—

(1) in subsection (a), by striking "(a) AUTHORIZATION.—" and all that follows through "subsection (c)," and inserting "(a) AUTHORIZATION.—Except as provided in subsection (b),"; and

(2) by striking subsections (b), (c), and (d) and inserting after subsection (a) the following new subsection:

"(b) TITLE III AUTHORIZATION.—There are authorized to be appropriated for each of the fiscal years 1996, 1997, and 1998, such sums as may be necessary to carry out title III.".

SEC. 4. REPORTS TO THE CONGRESS.

President.
50 USC app. 2062 note.

(a) IN GENERAL.—The President shall prepare and transmit to the Committee on Banking and Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate an interim report and a final report on proposed legislative modernization of the authorities contained in the Defense Production Act of 1950.

(b) TIMING.—The President shall so transmit—

(1) the interim report required by subsection (a), not later than January 31, 1997; and

(2) the final report required by subsection (a), not later than September 30, 1997.

Approved December 18, 1995.

LEGISLATIVE HISTORY—H.R. 2204 (S. 1147):

SENATE REPORTS: No. 104–134 accompanying S. 1147 (Comm. on Banking, Housing, and Urban Affairs).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Sept. 28, S. 1147 considered and passed Senate.

Nov. 13, H.R. 2204 considered and passed House.

Dec. 5, considered and passed Senate.

Public Law 104–65
104th Congress

An Act

To provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes.

Dec. 19, 1995
[S. 1060]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Lobbying Disclosure Act of 1995.
Public information.
2 USC 1601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Lobbying Disclosure Act of 1995".

SEC. 2. FINDINGS.

2 USC 1601.

The Congress finds that—

(1) responsible representative Government requires public awareness of the efforts of paid lobbyists to influence the public decisionmaking process in both the legislative and executive branches of the Federal Government;

(2) existing lobbying disclosure statutes have been ineffective because of unclear statutory language, weak administrative and enforcement provisions, and an absence of clear guidance as to who is required to register and what they are required to disclose; and

(3) the effective public disclosure of the identity and extent of the efforts of paid lobbyists to influence Federal officials in the conduct of Government actions will increase public confidence in the integrity of Government.

SEC. 3. DEFINITIONS.

2 USC 1602.

As used in this Act:

(1) AGENCY.—The term "agency" has the meaning given that term in section 551(1) of title 5, United States Code.

(2) CLIENT.—The term "client" means any person or entity that employs or retains another person for financial or other compensation to conduct lobbying activities on behalf of that person or entity. A person or entity whose employees act as lobbyists on its own behalf is both a client and an employer of such employees. In the case of a coalition or association that employs or retains other persons to conduct lobbying activities, the client is the coalition or association and not its individual members.

(3) COVERED EXECUTIVE BRANCH OFFICIAL.—The term "covered executive branch official" means—

(A) the President;

(B) the Vice President;

(C) any officer or employee, or any other individual functioning in the capacity of such an officer or employee, in the Executive Office of the President;

(D) any officer or employee serving in a position in level I, II, III, IV, or V of the Executive Schedule, as designated by statute or Executive order;

(E) any member of the uniformed services whose pay grade is at or above O–7 under section 201 of title 37, United States Code; and

(F) any officer or employee serving in a position of a confidential, policy-determining, policy-making, or policy-advocating character described in section 7511(b)(2) of title 5, United States Code.

(4) COVERED LEGISLATIVE BRANCH OFFICIAL.—The term "covered legislative branch official" means—

(A) a Member of Congress;

(B) an elected officer of either House of Congress;

(C) any employee of, or any other individual functioning in the capacity of an employee of—

(i) a Member of Congress;

(ii) a committee of either House of Congress;

(iii) the leadership staff of the House of Representatives or the leadership staff of the Senate;

(iv) a joint committee of Congress; and

(v) a working group or caucus organized to provide legislative services or other assistance to Members of Congress; and

(D) any other legislative branch employee serving in a position described under section 109(13) of the Ethics in Government Act of 1978 (5 U.S.C. App.).

(5) EMPLOYEE.—The term "employee" means any individual who is an officer, employee, partner, director, or proprietor of a person or entity, but does not include—

(A) independent contractors; or

(B) volunteers who receive no financial or other compensation from the person or entity for their services.

(6) FOREIGN ENTITY.—The term "foreign entity" means a foreign principal (as defined in section 1(b) of the Foreign Agents Registration Act of 1938 (22 U.S.C. 611(b)).

(7) LOBBYING ACTIVITIES.—The term "lobbying activities" means lobbying contacts and efforts in support of such contacts, including preparation and planning activities, research and other background work that is intended, at the time it is performed, for use in contacts, and coordination with the lobbying activities of others.

(8) LOBBYING CONTACT.—

(A) DEFINITION.—The term "lobbying contact" means any oral or written communication (including an electronic communication) to a covered executive branch official or a covered legislative branch official that is made on behalf of a client with regard to—

(i) the formulation, modification, or adoption of Federal legislation (including legislative proposals);

(ii) the formulation, modification, or adoption of a Federal rule, regulation, Executive order, or any other program, policy, or position of the United States Government;

(iii) the administration or execution of a Federal program or policy (including the negotiation, award, or administration of a Federal contract, grant, loan, permit, or license); or

(iv) the nomination or confirmation of a person for a position subject to confirmation by the Senate.

(B) EXCEPTIONS.—The term "lobbying contact" does not include a communication that is—

(i) made by a public official acting in the public official's official capacity;

(ii) made by a representative of a media organization if the purpose of the communication is gathering and disseminating news and information to the public;

(iii) made in a speech, article, publication or other material that is distributed and made available to the public, or through radio, television, cable television, or other medium of mass communication;

(iv) made on behalf of a government of a foreign country or a foreign political party and disclosed under the Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.);

(v) a request for a meeting, a request for the status of an action, or any other similar administrative request, if the request does not include an attempt to influence a covered executive branch official or a covered legislative branch official;

(vi) made in the course of participation in an advisory committee subject to the Federal Advisory Committee Act;

(vii) testimony given before a committee, subcommittee, or task force of the Congress, or submitted for inclusion in the public record of a hearing conducted by such committee, subcommittee, or task force;

(viii) information provided in writing in response to an oral or written request by a covered executive branch official or a covered legislative branch official for specific information;

(ix) required by subpoena, civil investigative demand, or otherwise compelled by statute, regulation, or other action of the Congress or an agency;

(x) made in response to a notice in the Federal Register, Commerce Business Daily, or other similar publication soliciting communications from the public and directed to the agency official specifically designated in the notice to receive such communications;

(xi) not possible to report without disclosing information, the unauthorized disclosure of which is prohibited by law;

(xii) made to an official in an agency with regard to—

(I) a judicial proceeding or a criminal or civil law enforcement inquiry, investigation, or proceeding; or

(II) a filing or proceeding that the Government is specifically required by statute or regulation to maintain or conduct on a confidential basis,

if that agency is charged with responsibility for such proceeding, inquiry, investigation, or filing;

(xiii) made in compliance with written agency procedures regarding an adjudication conducted by the agency under section 554 of title 5, United States Code, or substantially similar provisions;

(xiv) a written comment filed in the course of a public proceeding or any other communication that is made on the record in a public proceeding;

(xv) a petition for agency action made in writing and required to be a matter of public record pursuant to established agency procedures;

(xvi) made on behalf of an individual with regard to that individual's benefits, employment, or other personal matters involving only that individual, except that this clause does not apply to any communication with—

(I) a covered executive branch official, or

(II) a covered legislative branch official (other than the individual's elected Members of Congress or employees who work under such Members' direct supervision),

with respect to the formulation, modification, or adoption of private legislation for the relief of that individual;

(xvii) a disclosure by an individual that is protected under the amendments made by the Whistleblower Protection Act of 1989, under the Inspector General Act of 1978, or under another provision of law;

(xviii) made by—

(I) a church, its integrated auxiliary, or a convention or association of churches that is exempt from filing a Federal income tax return under paragraph 2(A)(i) of section 6033(a) of the Internal Revenue Code of 1986, or

(II) a religious order that is exempt from filing a Federal income tax return under paragraph (2)(A)(iii) of such section 6033(a); and

(xix) between—

(I) officials of a self-regulatory organization (as defined in section 3(a)(26) of the Securities Exchange Act) that is registered with or established by the Securities and Exchange Commission as required by that Act or a similar organization that is designated by or registered with the Commodities Future Trading Commission as provided under the Commodity Exchange Act; and

(II) the Securities and Exchange Commission or the Commodities Future Trading Commission, respectively;

relating to the regulatory responsibilities of such organization under that Act.

(9) LOBBYING FIRM.—The term "lobbying firm" means a person or entity that has 1 or more employees who are lobbyists on behalf of a client other than that person or entity. The term also includes a self-employed individual who is a lobbyist.

(10) LOBBYIST.—The term "lobbyist" means any individual who is employed or retained by a client for financial or other compensation for services that include more than one lobbying contact, other than an individual whose lobbying activities constitute less than 20 percent of the time engaged in the services provided by such individual to that client over a six month period.

(11) MEDIA ORGANIZATION.—The term "media organization" means a person or entity engaged in disseminating information to the general public through a newspaper, magazine, other publication, radio, television, cable television, or other medium of mass communication.

(12) MEMBER OF CONGRESS.—The term "Member of Congress" means a Senator or a Representative in, or Delegate or Resident Commissioner to, the Congress.

(13) ORGANIZATION.—The term "organization" means a person or entity other than an individual.

(14) PERSON OR ENTITY.—The term "person or entity" means any individual, corporation, company, foundation, association, labor organization, firm, partnership, society, joint stock company, group of organizations, or State or local government.

(15) PUBLIC OFFICIAL.—The term "public official" means any elected official, appointed official, or employee of—

(A) a Federal, State, or local unit of government in the United States other than—

(i) a college or university;

(ii) a government-sponsored enterprise (as defined in section 3(8) of the Congressional Budget and Impoundment Control Act of 1974);

(iii) a public utility that provides gas, electricity, water, or communications;

(iv) a guaranty agency (as defined in section 435(j) of the Higher Education Act of 1965 (20 U.S.C. 1085(j))), including any affiliate of such an agency; or

(v) an agency of any State functioning as a student loan secondary market pursuant to section 435(d)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1085(d)(1)(F));

(B) a Government corporation (as defined in section 9101 of title 31, United States Code);

(C) an organization of State or local elected or appointed officials other than officials of an entity described in clause (i), (ii), (iii), (iv), or (v) of subparagraph (A);

(D) an Indian tribe (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e));

(E) a national or State political party or any organizational unit thereof; or

(F) a national, regional, or local unit of any foreign government.

(16) STATE.—The term "State" means each of the several States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

2 USC 1603.

SEC. 4. REGISTRATION OF LOBBYISTS.

(a) REGISTRATION.—

(1) GENERAL RULE.—No later than 45 days after a lobbyist first makes a lobbying contact or is employed or retained to make a lobbying contact, whichever is earlier, such lobbyist (or, as provided under paragraph (2), the organization employing such lobbyist), shall register with the Secretary of the Senate and the Clerk of the House of Representatives.

(2) EMPLOYER FILING.—Any organization that has 1 or more employees who are lobbyists shall file a single registration under this section on behalf of such employees for each client on whose behalf the employees act as lobbyists.

(3) EXEMPTION.—

(A) GENERAL RULE.—Notwithstanding paragraphs (1) and (2), a person or entity whose—

(i) total income for matters related to lobbying activities on behalf of a particular client (in the case of a lobbying firm) does not exceed and is not expected to exceed $5,000; or

(ii) total expenses in connection with lobbying activities (in the case of an organization whose employees engage in lobbying activities on its own behalf) do not exceed or are not expected to exceed $20,000,

(as estimated under section 5) in the semiannual period described in section 5(a) during which the registration would be made is not required to register under subsection (a) with respect to such client.

(B) ADJUSTMENT.—The dollar amounts in subparagraph (A) shall be adjusted—

(i) on January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) since the date of enactment of this Act; and

(ii) on January 1 of each fourth year occurring after January 1, 1997, to reflect changes in the Consumer Price Index (as determined by the Secretary of Labor) during the preceding 4-year period,

rounded to the nearest $500.

(b) CONTENTS OF REGISTRATION.—Each registration under this section shall contain—

(1) the name, address, business telephone number, and principal place of business of the registrant, and a general description of its business or activities;

(2) the name, address, and principal place of business of the registrant's client, and a general description of its business or activities (if different from paragraph (1));

(3) the name, address, and principal place of business of any organization, other than the client, that—

(A) contributes more than $10,000 toward the lobbying activities of the registrant in a semiannual period described in section 5(a); and

(B) in whole or in major part plans, supervises, or controls such lobbying activities.

(4) the name, address, principal place of business, amount of any contribution of more than $10,000 to the lobbying activities of the registrant, and approximate percentage of equitable ownership in the client (if any) of any foreign entity that—

(A) holds at least 20 percent equitable ownership in the client or any organization identified under paragraph (3);

(B) directly or indirectly, in whole or in major part, plans, supervises, controls, directs, finances, or subsidizes the activities of the client or any organization identified under paragraph (3); or

(C) is an affiliate of the client or any organization identified under paragraph (3) and has a direct interest in the outcome of the lobbying activity;

(5) a statement of—

(A) the general issue areas in which the registrant expects to engage in lobbying activities on behalf of the client; and

(B) to the extent practicable, specific issues that have (as of the date of the registration) already been addressed or are likely to be addressed in lobbying activities; and

(6) the name of each employee of the registrant who has acted or whom the registrant expects to act as a lobbyist on behalf of the client and, if any such employee has served as a covered executive branch official or a covered legislative branch official in the 2 years before the date on which such employee first acted (after the date of enactment of this Act) as a lobbyist on behalf of the client, the position in which such employee served.

(c) GUIDELINES FOR REGISTRATION.—

(1) MULTIPLE CLIENTS.—In the case of a registrant making lobbying contacts on behalf of more than 1 client, a separate registration under this section shall be filed for each such client.

(2) MULTIPLE CONTACTS.—A registrant who makes more than 1 lobbying contact for the same client shall file a single registration covering all such lobbying contacts.

(d) TERMINATION OF REGISTRATION.—A registrant who after registration—

(1) is no longer employed or retained by a client to conduct lobbying activities, and

(2) does not anticipate any additional lobbying activities for such client,

may so notify the Secretary of the Senate and the Clerk of the House of Representatives and terminate its registration.

SEC. 5. REPORTS BY REGISTERED LOBBYISTS. 2 USC 1604.

(a) SEMIANNUAL REPORT.—No later than 45 days after the end of the semiannual period beginning on the first day of each January and the first day of July of each year in which a registrant is registered under section 4, each registrant shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives on its lobbying activities during such semiannual period. A separate report shall be filed for each client of the registrant.

(b) CONTENTS OF REPORT.—Each semiannual report filed under subsection (a) shall contain—

(1) the name of the registrant, the name of the client, and any changes or updates to the information provided in the initial registration;

(2) for each general issue area in which the registrant engaged in lobbying activities on behalf of the client during the semiannual filing period—

(A) a list of the specific issues upon which a lobbyist employed by the registrant engaged in lobbying activities, including, to the maximum extent practicable, a list of bill numbers and references to specific executive branch actions;

(B) a statement of the Houses of Congress and the Federal agencies contacted by lobbyists employed by the registrant on behalf of the client;

(C) a list of the employees of the registrant who acted as lobbyists on behalf of the client; and

(D) a description of the interest, if any, of any foreign entity identified under section 4(b)(4) in the specific issues listed under subparagraph (A);

(3) in the case of a lobbying firm, a good faith estimate of the total amount of all income from the client (including any payments to the registrant by any other person for lobbying activities on behalf of the client) during the semiannual period, other than income for matters that are unrelated to lobbying activities; and

(4) in the case of a registrant engaged in lobbying activities on its own behalf, a good faith estimate of the total expenses that the registrant and its employees incurred in connection with lobbying activities during the semiannual filing period.

(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, estimates of income or expenses shall be made as follows:

(1) Estimates of amounts in excess of $10,000 shall be rounded to the nearest $20,000.

(2) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $10,000 for the reporting period.

(3) A registrant that reports lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may satisfy the requirement to report income or expenses by filing with the Secretary of the Senate and the Clerk of the House of Representatives a copy of the form filed in accordance with section 6033(b)(8).

2 USC 1605.

SEC. 6. DISCLOSURE AND ENFORCEMENT.

The Secretary of the Senate and the Clerk of the House of Representatives shall—

(1) provide guidance and assistance on the registration and reporting requirements of this Act and develop common standards, rules, and procedures for compliance with this Act;

(2) review, and, where necessary, verify and inquire to ensure the accuracy, completeness, and timeliness of registration and reports;

(3) develop filing, coding, and cross-indexing systems to carry out the purpose of this Act, including—

(A) a publicly available list of all registered lobbyists, lobbying firms, and their clients; and

(B) computerized systems designed to minimize the burden of filing and maximize public access to materials filed under this Act;

(4) make available for public inspection and copying at reasonable times the registrations and reports filed under this Act;

(5) retain registrations for a period of at least 6 years after they are terminated and reports for a period of at least 6 years after they are filed;

(6) compile and summarize, with respect to each semiannual period, the information contained in registrations and reports filed with respect to such period in a clear and complete manner; Records.

(7) notify any lobbyist or lobbying firm in writing that may be in noncompliance with this Act; and

(8) notify the United States Attorney for the District of Columbia that a lobbyist or lobbying firm may be in noncompliance with this Act, if the registrant has been notified in writing and has failed to provide an appropriate response within 60 days after notice was given under paragraph (7).

SEC. 7. PENALTIES. 2 USC 1606.

Whoever knowingly fails to—

(1) remedy a defective filing within 60 days after notice of such a defect by the Secretary of the Senate or the Clerk of the House of Representatives; or

(2) comply with any other provision of this Act;

shall, upon proof of such knowing violation by a preponderance of the evidence, be subject to a civil fine of not more than $50,000, depending on the extent and gravity of the violation.

SEC. 8. RULES OF CONSTRUCTION. 2 USC 1607.

(a) CONSTITUTIONAL RIGHTS.—Nothing in this Act shall be construed to prohibit or interfere with—

(1) the right to petition the Government for the redress of grievances;

(2) the right to express a personal opinion; or

(3) the right of association,

protected by the first amendment to the Constitution.

(b) PROHIBITION OF ACTIVITIES.—Nothing in this Act shall be construed to prohibit, or to authorize any court to prohibit, lobbying activities or lobbying contacts by any person or entity, regardless of whether such person or entity is in compliance with the requirements of this Act.

(c) AUDIT AND INVESTIGATIONS.—Nothing in this Act shall be construed to grant general audit or investigative authority to the Secretary of the Senate or the Clerk of the House of Representatives.

SEC. 9. AMENDMENTS TO THE FOREIGN AGENTS REGISTRATION ACT.

The Foreign Agents Registration Act of 1938 (22 U.S.C. 611 et seq.) is amended—

(1) in section 1— 22 USC 611.

(A) by striking subsection (j);

(B) in subsection (o) by striking "the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence" and inserting "any activity that the person engaging in believes will, or that the person intends to, in any way influence";

(C) in subsection (p) by striking the semicolon and inserting a period; and

(D) by striking subsection (q);

(2) in section 3(g) (22 U.S.C. 613(g)), by striking "established agency proceedings, whether formal or informal." and inserting "judicial proceedings, criminal or civil law enforcement inquiries, investigations, or proceedings, or agency proceedings required by statute or regulation to be conducted on the record.";

(3) in section 3 (22 U.S.C. 613) by adding at the end the following:

"(h) Any agent of a person described in section 1(b)(2) or an entity described in section 1(b)(3) if the agent is required to register and does register under the Lobbying Disclosure Act of 1995 in connection with the agent's representation of such person or entity.";

(4) in section 4(a) (22 U.S.C. 614(a))—

(A) by striking "political propaganda" and inserting "informational materials"; and

(B) by striking "and a statement, duly signed by or on behalf of such an agent, setting forth full information as to the places, times, and extent of such transmittal";

(5) in section 4(b) (22 U.S.C. 614(b))—

(A) in the matter preceding clause (i), by striking "political propaganda" and inserting "informational materials"; and

(B) by striking "(i) in the form of prints, or" and all that follows through the end of the subsection and inserting "without placing in such informational materials a conspicuous statement that the materials are distributed by the agent on behalf of the foreign principal, and that additional information is on file with the Department of Justice, Washington, District of Columbia. The Attorney General may by rule define what constitutes a conspicuous statement for the purposes of this subsection.";

(6) in section 4(c) (22 U.S.C. 614(c)), by striking "political propaganda" and inserting "informational materials";

(7) in section 6 (22 U.S.C. 616)—

(A) in subsection (a) by striking "and all statements concerning the distribution of political propaganda";

(B) in subsection (b) by striking ", and one copy of every item of political propaganda"; and

(C) in subsection (c) by striking "copies of political propaganda,"; and

(8) in section 8 (22 U.S.C. 618)—

(A) in subsection (a)(2) by striking "or in any statement under section 4(a) hereof concerning the distribution of political propaganda"; and

(B) by striking subsection (d).

SEC. 10. AMENDMENTS TO THE BYRD AMENDMENT.

(a) REVISED CERTIFICATION REQUIREMENTS.—Section 1352(b) of title 31, United States Code, is amended—

(1) in paragraph (2) by striking subparagraphs (A), (B), and (C) and inserting the following:

"(A) the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts

on behalf of the person with respect to that Federal contract, grant, loan, or cooperative agreement; and

"(B) a certification that the person making the declaration has not made, and will not make, any payment prohibited by subsection (a).";

(2) in paragraph (3) by striking all that follows "loan shall contain" and inserting "the name of any registrant under the Lobbying Disclosure Act of 1995 who has made lobbying contacts on behalf of the person in connection with that loan insurance or guarantee."; and

(3) by striking paragraph (6) and redesignating paragraph (7) as paragraph (6).

(b) REMOVAL OF OBSOLETE REPORTING REQUIREMENT.—Section 1352 of title 31, United States Code, is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

SEC. 11. REPEAL OF CERTAIN LOBBYING PROVISIONS.

(a) REPEAL OF THE FEDERAL REGULATION OF LOBBYING ACT.—The Federal Regulation of Lobbying Act (2 U.S.C. 261 et seq.) is repealed.

(b) REPEAL OF PROVISIONS RELATING TO HOUSING LOBBYIST ACTIVITIES.—

(1) Section 13 of the Department of Housing and Urban Development Act (42 U.S.C. 3537b) is repealed.

(2) Section 536(d) of the Housing Act of 1949 (42 U.S.C. 1490p(d)) is repealed.

SEC. 12. CONFORMING AMENDMENTS TO OTHER STATUTES.

(a) AMENDMENT TO COMPETITIVENESS POLICY COUNCIL ACT.—Section 5206(e) of the Competitiveness Policy Council Act (15 U.S.C. 4804(e)) is amended by inserting "or a lobbyist for a foreign entity (as the terms 'lobbyist' and 'foreign entity' are defined under section 3 of the Lobbying Disclosure Act of 1995)" after "an agent for a foreign principal".

(b) AMENDMENTS TO TITLE 18, UNITED STATES CODE.—Section 219(a) of title 18, United States Code, is amended—

(1) by inserting "or a lobbyist required to register under the Lobbying Disclosure Act of 1995 in connection with the representation of a foreign entity, as defined in section 3(6) of that Act" after "an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938"; and

(2) by striking out ", as amended,".

(c) AMENDMENT TO FOREIGN SERVICE ACT OF 1980.—Section 602(c) of the Foreign Service Act of 1980 (22 U.S.C. 4002(c)) is amended by inserting "or a lobbyist for a foreign entity (as defined in section 3(6) of the Lobbying Disclosure Act of 1995)" after "an agent of a foreign principal (as defined by section 1(b) of the Foreign Agents Registration Act of 1938)".

SEC. 13. SEVERABILITY. 2 USC 1608.

If any provision of this Act, or the application thereof, is held invalid, the validity of the remainder of this Act and the application of such provision to other persons and circumstances shall not be affected thereby.

2 USC 1609.

SEC. 14. IDENTIFICATION OF CLIENTS AND COVERED OFFICIALS.

(a) ORAL LOBBYING CONTACTS.—Any person or entity that makes an oral lobbying contact with a covered legislative branch official or a covered executive branch official shall, on the request of the official at the time of the lobbying contact—

(1) state whether the person or entity is registered under this Act and identify the client on whose behalf the lobbying contact is made; and

(2) state whether such client is a foreign entity and identify any foreign entity required to be disclosed under section 4(b)(4) that has a direct interest in the outcome of the lobbying activity.

(b) WRITTEN LOBBYING CONTACTS.—Any person or entity registered under this Act that makes a written lobbying contact (including an electronic communication) with a covered legislative branch official or a covered executive branch official shall—

(1) if the client on whose behalf the lobbying contact was made is a foreign entity, identify such client, state that the client is considered a foreign entity under this Act, and state whether the person making the lobbying contact is registered on behalf of that client under section 4; and

(2) identify any other foreign entity identified pursuant to section 4(b)(4) that has a direct interest in the outcome of the lobbying activity.

(c) IDENTIFICATION AS COVERED OFFICIAL.—Upon request by a person or entity making a lobbying contact, the individual who is contacted or the office employing that individual shall indicate whether or not the individual is a covered legislative branch official or a covered executive branch official.

2 USC 1610.

SEC. 15. ESTIMATES BASED ON TAX REPORTING SYSTEM.

(a) ENTITIES COVERED BY SECTION 6033(b) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is required to report and does report lobbying expenditures pursuant to section 6033(b)(8) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts that would be required to be disclosed under such section for the appropriate semiannual period to meet the requirements of sections 4(a)(3) and 5(b)(4); and

(2) in lieu of using the definition of "lobbying activities" in section 3(7) of this Act, consider as lobbying activities only those activities that are influencing legislation as defined in section 4911(d) of the Internal Revenue Code of 1986.

(b) ENTITIES COVERED BY SECTION 162(e) OF THE INTERNAL REVENUE CODE OF 1986.—A registrant that is subject to section 162(e) of the Internal Revenue Code of 1986 may—

(1) make a good faith estimate (by category of dollar value) of applicable amounts that would not be deductible pursuant to such section for the appropriate semiannual period to meet the requirements of sections 4(a)(3) and 5(b)(4); and

(2) in lieu of using the definition of "lobbying activities" in section 3(7) of this Act, consider as lobbying activities only those activities, the costs of which are not deductible pursuant to section 162(e) of the Internal Revenue Code of 1986.

(c) DISCLOSURE OF ESTIMATE.—Any registrant that elects to make estimates required by this Act under the procedures authorized by subsection (a) or (b) for reporting or threshold purposes shall—

(1) inform the Secretary of the Senate and the Clerk of the House of Representatives that the registrant has elected to make its estimates under such procedures; and

(2) make all such estimates, in a given calendar year, under such procedures.

(d) STUDY.—Not later than March 31, 1997, the Comptroller General of the United States shall review reporting by registrants under subsections (a) and (b) and report to the Congress—

(1) the differences between the definition of "lobbying activities" in section 3(7) and the definitions of "lobbying expenditures", "influencing legislation", and related terms in sections 162(e) and 4911 of the Internal Revenue Code of 1986, as each are implemented by regulations;

(2) the impact that any such differences may have on filing and reporting under this Act pursuant to this subsection; and

(3) any changes to this Act or to the appropriate sections of the Internal Revenue Code of 1986 that the Comptroller General may recommend to harmonize the definitions.

SEC. 16. REPEAL OF THE RAMSPECK ACT.

(a) REPEAL.—Subsection (c) of section 3304 of title 5, United States Code, is repealed.

(b) REDESIGNATION.—Subsection (d) of section 3304 of title 5, United States Code, is redesignated as subsection (c).

(c) EFFECTIVE DATE.—The repeal and amendment made by this section shall take effect 2 years after the date of the enactment of this Act. 5 USC 3304 note.

SEC. 17. EXCEPTED SERVICE AND OTHER EXPERIENCE CONSIDERATIONS FOR COMPETITIVE SERVICE APPOINTMENTS.

(a) IN GENERAL.—Section 3304 of title 5, United States Code (as amended by section 2 of this Act) is further amended by adding at the end thereof the following new subsection:

"(d) The Office of Personnel Management shall promulgate regulations on the manner and extent that experience of an individual in a position other than the competitive service, such as the excepted service (as defined under section 2103) in the legislative or judicial branch, or in any private or nonprofit enterprise, may be considered in making appointments to a position in the competitive service (as defined under section 2102). In promulgating such regulations OPM shall not grant any preference based on the fact of service in the legislative or judicial branch. The regulations shall be consistent with the principles of equitable competition and merit based appointments.". Regulations.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect 2 years after the date of the enactment of this Act, except the Office of Personnel Management shall— 5 USC 3304 note.

(1) conduct a study on excepted service considerations for competitive service appointments relating to such amendment; and

(2) take all necessary actions for the regulations described under such amendment to take effect as final regulations on the effective date of this section.

SEC. 18. EXEMPT ORGANIZATIONS. 2 USC 1611.

An organization described in section 501(c)(4) of the Internal Revenue Code of 1986 which engages in lobbying activities shall

not be eligible for the receipt of Federal funds constituting an award, grant, contract, loan, or any other form.

SEC. 19. AMENDMENT TO THE FOREIGN AGENTS REGISTRATION ACT (P.L. 75–583).

22 USC 621.

Strike section 11 of the Foreign Agents Registration Act of 1938, as amended, and insert in lieu thereof the following:

"SECTION 11. REPORTS TO THE CONGRESS.—The Attorney General shall every six months report to the Congress concerning administration of this Act, including registrations filed pursuant to the Act, and the nature, sources and content of political propaganda disseminated and distributed.".

SEC. 20. DISCLOSURE OF THE VALUE OF ASSETS UNDER THE ETHICS IN GOVERNMENT ACT OF 1978.

5 USC app. 102.

(a) INCOME.—Section 102(a)(1)(B) of the Ethics in Government Act of 1978 is amended—

(1) in clause (vii) by striking "or"; and

(2) by striking clause (viii) and inserting the following:

"(viii) greater than $1,000,000 but not more than $5,000,000, or

"(ix) greater than $5,000,000.".

(b) ASSETS AND LIABILITIES.—Section 102(d)(1) of the Ethics in Government Act of 1978 is amended—

(1) in subparagraph (F) by striking "and"; and

(2) by striking subparagraph (G) and inserting the following:

"(G) greater than $1,000,000 but not more than $5,000,000;

"(H) greater than $5,000,000 but not more than $25,000,000;

"(I) greater than $25,000,000 but not more than $50,000,000; and

"(J) greater than $50,000,000.".

(c) EXCEPTION.—Section 102(e)(1) of the Ethics in Government Act of 1978 is amended by adding after subparagraph (E) the following:

"(F) For purposes of this section, categories with amounts or values greater than $1,000,000 set forth in sections 102(a)(1)(B) and 102(d)(1) shall apply to the income, assets, or liabilities of spouses and dependent children only if the income, assets, or liabilities are held jointly with the reporting individual. All other income, assets, or liabilities of the spouse or dependent children required to be reported under this section in an amount or value greater than $1,000,000 shall be categorized only as an amount or value greater than $1,000,000.".

SEC. 21. BAN ON TRADE REPRESENTATIVE REPRESENTING OR ADVISING FOREIGN ENTITIES.

(a) REPRESENTING AFTER SERVICE.—Section 207(f)(2) of title 18, United States Code, is amended by—

(1) inserting "or Deputy United States Trade Representative" after "is the United States Trade Representative"; and

(2) striking "within 3 years" and inserting "at any time".

(b) LIMITATION ON APPOINTMENT AS UNITED STATES TRADE REPRESENTATIVE AND DEPUTY UNITED STATES TRADE REPRESENTA-

TIVE.—Section 141(b) of the Trade Act of 1974 (19 U.S.C. 2171(b)) is amended by adding at the end the following new paragraph:

"(3) LIMITATION ON APPOINTMENTS.—A person who has directly represented, aided, or advised a foreign entity (as defined by section 207(f)(3) of title 18, United States Code) in any trade negotiation, or trade dispute, with the United States may not be appointed as United States Trade Representative or as a Deputy United States Trade Representative.".

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to an individual appointed as United States Trade Representative or as a Deputy United States Trade Representative on or after the date of enactment of this Act. 18 USC 207 note.

SEC. 22. FINANCIAL DISCLOSURE OF INTEREST IN QUALIFIED BLIND TRUST.

(a) IN GENERAL.—Section 102(a) of the Ethics in Government Act of 1978 is amended by adding at the end thereof the following: 5 USC app. 102.

"(8) The category of the total cash value of any interest of the reporting individual in a qualified blind trust, unless the trust instrument was executed prior to July 24, 1995 and precludes the beneficiary from receiving information on the total cash value of any interest in the qualified blind trust.".

(b) CONFORMING AMENDMENT.—Section 102(d)(1) of the Ethics in Government Act of 1978 is amended by striking "and (5) and inserting "(5), and (8)".

(c) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to reports filed under title I of the Ethics in Government Act of 1978 for calendar year 1996 and thereafter. 5 USC app. 102 note.

SEC. 23. SENSE OF THE SENATE THAT LOBBYING EXPENSES SHOULD REMAIN NONDEDUCTIBLE. 2 USC 1612.

(a) FINDINGS.—The Senate finds that ordinary Americans generally are not allowed to deduct the costs of communicating with their elected representatives.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that lobbying expenses should not be tax deductible.

SEC. 24. EFFECTIVE DATES. 2 USC 1601 note.

(a) Except as otherwise provided in this section, this Act and the amendments made by this Act shall take effect on January 1, 1996.

(b) The repeals and amendments made under sections 9, 10, 11, and 12 shall take effect as provided under subsection (a), except that such repeals and amendments—

(1) shall not affect any proceeding or suit commenced before the effective date under subsection (a), and in all such proceedings or suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted; and

(2) shall not affect the requirements of Federal agencies to compile, publish, and retain information filed or received before the effective date of such repeals and amendments.

Approved December 19, 1995.

LEGISLATIVE HISTORY—S. 1060 (H.R. 2564) (S. 101):

HOUSE REPORTS: No. 104–339, Pt. 1, accompanying H.R. 2564 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 141 (1995):

July 24, 25, considered and passed Senate.

Nov. 16, 28, 29, H.R. 2564 considered and passed House; S. 1060 passed in lieu.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Nov. 19, Presidential statement.

Public Law 104–66
104th Congress

An Act

To provide for the modification or elimination of Federal reporting requirements.

Dec. 21, 1995
[S. 790]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Reports Elimination and Sunset Act of 1995.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Reports Elimination and Sunset Act of 1995".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—DEPARTMENTS

Subtitle A—Department of Agriculture

Sec. 1011. Reports eliminated.
Sec. 1012. Reports modified.

Subtitle B—Department of Commerce

Sec. 1021. Reports eliminated.
Sec. 1022. Reports modified.

Subtitle C—Department of Defense

Sec. 1031. Reports eliminated.

Subtitle D—Department of Education

Sec. 1041. Reports eliminated.
Sec. 1042. Reports modified.

Subtitle E—Department of Energy

Sec. 1051. Reports eliminated.
Sec. 1052. Reports modified.

Subtitle F—Department of Health and Human Services

Sec. 1061. Reports eliminated.
Sec. 1062. Reports modified.

Subtitle G—Department of Housing and Urban Development

Sec. 1071. Reports eliminated.
Sec. 1072. Reports modified.

Subtitle H—Department of the Interior

Sec. 1081. Reports eliminated.
Sec. 1082. Reports modified.

Subtitle I—Department of Justice

Sec. 1091. Reports eliminated.

Subtitle J—Department of Labor

Sec. 1101. Reports eliminated.

Sec. 1102. Reports modified.

Subtitle K—Department of State

Sec. 1111. Reports eliminated.
Sec. 1112. International narcotics control.

Subtitle L—Department of Transportation

Sec. 1121. Reports eliminated.
Sec. 1122. Reports modified.

Subtitle M—Department of the Treasury

Sec. 1131. Reports eliminated.
Sec. 1132. Reports modified.

Subtitle N—Department of Veterans Affairs

Sec. 1141. Reports eliminated.

TITLE II—INDEPENDENT AGENCIES

Subtitle A—Action

Sec. 2011. Reports eliminated.

Subtitle B—Environmental Protection Agency

Sec. 2021. Reports modified.

Subtitle C—Equal Employment Opportunity Commission

Sec. 2031. Reports modified.

Subtitle D—Federal Aviation Administration

Sec. 2041. Reports eliminated.

Subtitle E—Federal Communications Commission

Sec. 2051. Reports eliminated.

Subtitle F—Federal Deposit Insurance Corporation

Sec. 2061. Reports eliminated.

Subtitle G—Federal Emergency Management Agency

Sec. 2071. Reports eliminated.

Subtitle H—Federal Retirement Thrift Investment Board

Sec. 2081. Reports eliminated.

Subtitle I—General Services Administration

Sec. 2091. Reports eliminated.

Subtitle J—Interstate Commerce Commission

Sec. 2101. Reports eliminated.

Subtitle K—Legal Services Corporation

Sec. 2111. Reports modified.

Subtitle L—National Aeronautics and Space Administration

Sec. 2121. Reports eliminated.

Subtitle M—National Council on Disability

Sec. 2131. Reports eliminated.

Subtitle N—National Science Foundation

Sec. 2141. Reports eliminated.

Subtitle O—National Transportation Safety Board

Sec. 2151. Reports modified.

Subtitle P—Neighborhood Reinvestment Corporation

Sec. 2161. Reports eliminated.

Subtitle Q—Nuclear Regulatory Commission

Sec. 2171. Reports modified.

Subtitle R—Office of Personnel Management

Sec. 2181. Reports eliminated.
Sec. 2182. Reports modified.

Subtitle S—Office of Thrift Supervision

Sec. 2191. Reports modified.

Subtitle T—Panama Canal Commission

Sec. 2201. Reports eliminated.

Subtitle U—Postal Service

Sec. 2211. Reports modified.

Subtitle V—Railroad Retirement Board

Sec. 2221. Reports modified.

Subtitle W—Thrift Depositor Protection Oversight Board

Sec. 2231. Reports modified.

Subtitle X—United States Information Agency

Sec. 2241. Reports eliminated.

TITLE III—REPORTS BY ALL DEPARTMENTS AND AGENCIES

Sec. 3001. Reports eliminated.
Sec. 3002. Reports modified.
Sec. 3003. Termination of reporting requirements.

TITLE I—DEPARTMENTS

Subtitle A—Department of Agriculture

SEC. 1011. REPORTS ELIMINATED.

(a) REPORT ON MONITORING AND EVALUATION.—Section 1246 of the Food Security Act of 1985 (16 U.S.C. 3846) is repealed.

(b) REPORT ON RETURN ON ASSETS.—Section 2512 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421b) is amended—

(1) in subsection (a), by striking "(a) IMPROVING" and all that follows through "FORECASTS.—"; and

(2) by striking subsection (b).

(c) REPORT ON FARM VALUE OF AGRICULTURAL PRODUCTS.—Section 2513 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 1421c) is repealed.

(d) REPORT ON ORIGIN OF EXPORTS OF PEANUTS.—Section 1558 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 958) is repealed and sections 1559 and 1560 of such Act are redesignated as sections 1558 and 1559, respectively. 104 Stat. 3700.

(e) REPORT ON REPORTING OF IMPORTING FEES.—Section 407 of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a) is amended—

(1) by striking subsection (b); and

(2) by redesignating subsections (c) through (h) as subsections (b) through (g), respectively.

(f) REPORT ON AGRICULTURAL INFORMATION EXCHANGE WITH IRELAND.—Section 1420 of the Food Security Act of 1985 (Public Law 99–198; 99 Stat. 1551) is amended—

(1) in subsection (a), by striking "(a)"; and

(2) by striking subsection (b).

(g) REPORT ON POTATO INSPECTION.—Section 1704 of the Food Security Act of 1985 (Public Law 99–198; 7 U.S.C. 499n note) is amended by striking the second sentence.

(h) REPORT ON TRANSPORTATION OF FERTILIZER AND AGRICULTURAL CHEMICALS.—Section 2517 of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 4077) is repealed and sections 2518 and 2519 of such Act are redesignated as sections 2517 and 2518, respectively.

15 USC 714 note, 7 USC 1421 note.

(i) REPORT ON UNIFORM END-USE VALUE TESTS.—Section 307 of the Futures Trading Act of 1986 (Public Law 99–641; 7 U.S.C. 76 note) is amended by striking subsection (c).

(j) REPORT ON PROJECT AREAS WITH HIGH FOOD STAMP PAYMENT ERROR RATES.—Section 16(i) of the Food Stamp Act of 1977 (7 U.S.C. 2025(i)) is amended by striking paragraph (3).

(k) REPORT ON EFFECT OF EFAP DISPLACEMENT ON COMMERCIAL SALES.—Section 203C(a) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 612c note) is amended by striking the last sentence.

(l) REPORT ON WIC EXPENDITURES AND PARTICIPATION LEVELS.—Section 17(m) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(m)) is amended—

(1) by striking paragraph (9); and

(2) by redesignating paragraphs (10) and (11) as paragraphs (9) and (10), respectively.

(m) REPORT ON DEMONSTRATIONS INVOLVING INNOVATIVE HOUSING UNITS.—Section 506(b) of the Housing Act of 1949 (42 U.S.C. 1476(b)) is amended by striking the last sentence.

(n) REPORT ON LAND EXCHANGES IN COLUMBIA RIVER GORGE NATIONAL SCENIC AREA.—Section 9(d)(3) of the Columbia River Gorge National Scenic Area Act (16 U.S.C. 544g(d)(3)) is amended by striking the second sentence.

(o) REPORT ON INCOME AND EXPENDITURES OF CERTAIN LAND ACQUISITIONS.—Section 2(e) of Public Law 96–586 (94 Stat. 3382) is amended by striking the second sentence.

(p) REPORT ON SPECIAL AREA DESIGNATIONS.—Section 1506 of the Agriculture and Food Act of 1981 (16 U.S.C. 3415) is repealed and sections 1507, 1508, 1509, and 1511 of such Act are redesignated as sections 1506, 1507, 1508, and 1509, respectively.

16 USC 3416–3418, 3420.

(q) REPORT ON EVALUATION OF SPECIAL AREA DESIGNATIONS.—Section 1510 of the Agriculture and Food Act of 1981 (16 U.S.C. 3419) is repealed.

(r) REPORT ON AGRICULTURAL PRACTICES AND WATER RESOURCES DATABASE DEVELOPMENT.—Section 1485 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5505) is amended—

(1) in subsection (a), by striking "(a) REPOSITORY.—"; and

(2) by striking subsection (b).

(s) REPORT ON PLANT GENOME MAPPING.—Section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) is amended—

(1) by striking subsection (g); and

(2) by redesignating subsection (h) as subsection (g).

(t) REPORT ON APPRAISAL OF PROPOSED BUDGET FOR FOOD AND AGRICULTURAL SCIENCES.—Section 1408(g) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(g)) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(u) REPORT ON ECONOMIC IMPACT OF ANIMAL DAMAGE ON AQUACULTURE INDUSTRY.—Section 1475(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(e)) is amended—

(1) in paragraph (1), by striking "(1)"; and

(2) by striking paragraph (2).

(v) REPORT ON AWARDS MADE BY THE NATIONAL RESEARCH INITIATIVE AND SPECIAL GRANTS.—Section 2 of the Act of August 4, 1965 (7 U.S.C. 450i), is amended—

(1) by striking subsection (l); and

(2) by redesignating subsection (m) as subsection (l).

(w) REPORT ON PAYMENTS MADE UNDER RESEARCH FACILITIES ACT.—Section 8 of the Research Facilities Act (7 U.S.C. 390i) is repealed.

(x) REPORT ON FINANCIAL AUDIT REVIEWS OF STATES WITH HIGH FOOD STAMP PARTICIPATION.—The first sentence of section 11(l) of the Food Stamp Act of 1977 (7 U.S.C. 2020(l)) is amended by striking ", and shall, upon completion of the audit, provide a report to Congress of its findings and recommendations within one hundred and eighty days".

(y) REPORT ON RURAL TELEPHONE BANK.—Section 408(b)(3) of the Rural Electrification Act of 1936 (7 U.S.C. 948(b)(3)) is amended by striking out subparagraph (I) and redesignating subparagraph (J) as subparagraph (I).

(z) CONFORMING AMENDMENTS.—The table of contents appearing in section 1(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 is amended— 104 Stat. 3359.

(1) by striking the items relating to sections 1558, 1559, and 1560 and inserting the following:

"Sec. 1558. Sense of Congress concerning rebalancing proposal of the European community.
"Sec. 1559. Sense of the Senate regarding multilateral trade negotations.";

(2) by striking the item relating to section 2513; and

(C) by striking the items relating to sections 2517, 2518, and 2519 and inserting the following:

"Sec. 2517. Establishing quality as a goal for Commodity Credit Corporation programs.
"Sec. 2518. Severability.".

SEC. 1012. REPORTS MODIFIED.

(a) REPORT ON ANIMAL WELFARE ENFORCEMENT.—The first sentence of section 25 of the Animal Welfare Act (7 U.S.C. 2155) is amended—

(1) by striking "and" at the end of paragraph (3);

(2) by striking the period at the end of paragraph (4) and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(5) the information and recommendations described in section 11 of the Horse Protection Act of 1970 (15 U.S.C. 1830).".

(b) REPORT ON HORSE PROTECTION ENFORCEMENT.—Section 11 of the Horse Protection Act of 1970 (15 U.S.C. 1830) is amended by striking "On or before the expiration of thirty calendar months following the date of enactment of this Act, and every twelve calendar months thereafter, the Secretary shall submit to the Congress a report upon" and inserting the following: "As part of the report submitted by the Secretary under section 25 of the Animal Welfare Act (7 U.S.C. 2155), the Secretary shall include information on".

21 USC 136a note.

(c) REPORT ON AGRICULTURAL QUARANTINE INSPECTION FUND.—The Secretary of Agriculture shall not be required to submit a report to the appropriate committees of Congress on the status of the Agricultural Quarantine Inspection fund more frequently than annually.

(d) REPORT ON PRIORITIES FOR RESEARCH, EXTENSION, AND TEACHING.—Section 1407(f)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3122(f)(1)) is amended—

(1) in the paragraph heading, by striking "ANNUAL REPORT" and inserting "REPORT"; and

(2) by striking "Not later than June 30 of each year" and inserting "At such times as the Joint Council determines appropriate".

(e) 5-YEAR PLAN FOR FOOD AND AGRICULTURAL SCIENCES.—Section 1407(f)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3122(f)(2)) is amended by striking the second sentence.

(f) REPORT ON EXAMINATION OF FEDERALLY SUPPORTED AGRICULTURAL RESEARCH AND EXTENSION PROGRAMS.—Section 1408(g)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(g)(1)) is amended by inserting "may provide" before "a written report".

(g) REPORT ON EFFECTS OF FOREIGN OWNERSHIP OF AGRICULTURAL LAND.—Section 5(b) of the Agricultural Foreign Investment Disclosure Act of 1978 (7 U.S.C. 3504(b)) is amended to read as follows:

"(b) An analysis and determination shall be made, and a report on the Secretary's findings and conclusions regarding such analysis and determination under subsection (a) shall be transmitted within 90 days after the end of each of the following periods:

"(1) The period beginning on the date of the enactment of the Federal Reports Elimination and Sunset Act of 1995 and ending on December 31, 1995.

"(2) Each 10-year period thereafter.".

Subtitle B—Department of Commerce

SEC. 1021. REPORTS ELIMINATED.

(a) REPORT ON LONG RANGE PLAN FOR PUBLIC BROADCASTING.—Section 393A(b) of the Communications Act of 1934 (47 U.S.C. 393a(b)) is repealed.

(b) REPORT ON STATUS, ACTIVITIES, AND EFFECTIVENESS OF UNITED STATES COMMERCIAL CENTERS IN ASIA, LATIN AMERICA, AND AFRICA AND PROGRAM RECOMMENDATIONS.—Section 401(j) of the Jobs Through Exports Act of 1992 (15 U.S.C. 4723a(j)) is repealed.

(c) REPORT ON KUWAIT RECONSTRUCTION CONTRACTS.—Section 606(f) of the Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991 is repealed.

105 Stat. 110.

(d) REPORT ON UNITED STATES-CANADA FREE-TRADE AGREEMENT.—Section 409(a)(3) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (19 U.S.C. 2112 note) is amended to read as follows:

"(3) The United States members of the working group established under article 1907 of the Agreement shall consult

regularly with the Committee on Finance of the Senate, the Committee on Ways and Means of the House of Representatives, and advisory committees established under section 135 of the Trade Act of 1974 regarding—

"(A) the issues being considered by the working group; and

"(B) as appropriate, the objectives and strategy of the United States in the negotiations.".

(e) REPORT ON ESTABLISHMENT OF AMERICAN BUSINESS CENTERS AND ON ACTIVITIES OF THE INDEPENDENT STATES BUSINESS AND AGRICULTURE ADVISORY COUNCIL.—Section 305 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5825) is repealed.

(f) REPORT ON FISHERMAN'S CONTINGENCY FUND REPORT.—Section 406 of the Outer Continental Shelf Lands Act Amendments of 1978 (43 U.S.C. 1846) is repealed.

(g) REPORT ON USER FEES ON SHIPPERS.—Section 208 of the Water Resources Development Act of 1986 (33 U.S.C. 2236) is amended by—

(1) striking subsection (b); and

(2) redesignating subsections (c), (d), (e), and (f) as subsections (b), (c), (d), and (e), respectively.

SEC. 1022. REPORTS MODIFIED.

(a) REPORT ON FEDERAL TRADE PROMOTION STRATEGIC PLAN.—Section 2312(f) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(f) is amended to read as follows:

"(f) REPORT TO THE CONGRESS.—The chairperson of the TPCC shall prepare and submit to the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Committee on International Relations of the House of Representatives, not later than September 30, 1995, and annually thereafter, a report describing—

"(1) the strategic plan developed by the TPCC pursuant to subsection (c), the implementation of such plan, and any revisions thereto; and

"(2) the implementation of sections 303 and 304 of the Freedom for Russia and Emerging Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5823 and 5824) concerning funding for export promotion activities and the interagency working groups on energy of the TPCC.".

(b) REPORT ON EXPORT POLICY.—Section 2314(b)(1) of the Export Enhancement Act of 1988 (15 U.S.C. 4729(b)(1)) is amended—

(1) in subparagraph (E) by striking out "and" after the semicolon;

(2) in subparagraph (F) by striking out the period and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following new subparagraphs:

"(G) the status, activities, and effectiveness of the United States commercial centers established under section 401 of the Jobs Through Exports Act of 1992 (15 U.S.C. 4723a);

"(H) the implementation of sections 301 and 302 of the Freedom for Russia and Emerging Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5821 and 5822) concerning American Business Centers and the

Independent States Business and Agriculture Advisory Council;

"(I) the programs of other industrialized nations to assist their companies with their efforts to transact business in the independent states of the former Soviet Union; and

"(J) the trading practices of other Organization for Economic Cooperation and Development nations, as well as the pricing practices of transitional economies in the independent states, that may disadvantage United States companies.".

Subtitle C—Department of Defense

SEC. 1031. REPORTS ELIMINATED.

(a) REPORT ON SEMATECH.—The National Defense Authorization Act for Fiscal Years 1988 and 1989 (Public Law 100–180; 101 Stat. 1071) is amended—

101 Stat. 1019.

101 Stat. 1020.

(1) in section 6 by striking out the item relating to section 274; and

15 USC 4604.

(2) by striking out section 274.

(b) REPORT ON REVIEW OF DOCUMENTATION IN SUPPORT OF WAIVERS FOR PEOPLE ENGAGED IN ACQUISITION ACTIVITIES.—

(1) IN GENERAL.—Section 1208 of the National Defense Authorization Act for Fiscal Year 1991 (10 U.S.C. 1701 note) is repealed.

(2) CLERICAL AMENDMENT TO TABLE OF CONTENTS.—Section 2(b) of such Act is amended by striking out the item relating to section 1208.

104 Stat. 1485.

Subtitle D—Department of Education

SEC. 1041. REPORTS ELIMINATED.

(a) REPORT ON PERSONNEL REDUCTION AND ANNUAL LIMITATIONS.—Subsection (a) of section 403 of the Department of Education Organization Act (20 U.S.C. 3463(a)) is amended in paragraph (2), by striking all beginning with "and shall," through the end thereof and inserting a period.

(b) REPORT ON SUPPORTED EMPLOYMENT ACTIVITIES.—Subsection (c) of section 311 of the Rehabilitation Act of 1973 (29 U.S.C. 777a(c)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraph (4) as paragraph (3).

(c) REPORT ON THE CLIENT ASSISTANCE PROGRAM.—Subsection (g) of section 112 of the Rehabilitation Act of 1973 (29 U.S.C. 732(g)) is amended—

(1) by striking paragraphs (4) and (5); and

(2) in paragraph (6), by striking "such report or for any other" and inserting "any".

(d) REPORT ON THE SUMMARY OF LOCAL EVALUATIONS OF COMMUNITY EDUCATION EMPLOYMENT CENTERS.—Section 370 of the Carl D. Perkins Vocational and Applied Technology Act (20 U.S.C. 2396h) is amended—

(1) in the section heading, by striking "**AND REPORT**";

(2) in subsection (a), by striking "(a) LOCAL EVALUATION.—"; and

(3) by striking subsection (b).

(e) REPORT ON THE ADMINISTRATION OF THE VOCATIONAL EDUCATION ACT OF 1917.—Section 18 of the Vocational Education Act of 1917 (20 U.S.C. 28) is repealed.

(f) REPORT BY THE INTERDEPARTMENTAL TASK FORCE ON COORDINATING VOCATIONAL EDUCATION AND RELATED PROGRAMS.—Subsection (d) of section 4 of the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990 (20 U.S.C. 2303(d)) is repealed.

(g) REPORT ON THE EVALUATION OF THE GATEWAY GRANTS PROGRAM.—Subparagraph (B) of section 322(a)(3) of the Adult Education Act (20 U.S.C. 1203a(a)(3)(B)) is amended by striking "and report the results of such evaluation to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate".

(h) REPORT ON THE BILINGUAL VOCATIONAL TRAINING PROGRAM.—Paragraph (3) of section 441(e) of the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2441(e)(3)) is amended by striking the last sentence thereof.

(i) REPORT ON ANNUAL UPWARD MOBILITY PROGRAM ACTIVITY.—Section 2(a)(6)(A) of the Act of June 20, 1936 (20 U.S.C. 107a(a)(6)(A)), is amended by striking "and annually submit to the appropriate committees of Congress a report based on such evaluations,".

SEC. 1042. REPORTS MODIFIED.

(a) REPORT ON THE CONDITION OF BILINGUAL EDUCATION IN THE NATION.—Section 6213 of the Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988 (20 U.S.C. 3303 note) is amended— 20 USC 7451 note.

(1) in the section heading, by striking "**REPORT ON**" and inserting "**INFORMATION REGARDING**"; and

(2) by striking the matter preceding paragraph (1) and inserting "The Secretary shall collect data for program management and accountability purposes regarding—".

(b) REPORT TO GIVE NOTICE TO CONGRESS.—Subsection (d) of section 482 of the Higher Education Act of 1965 (20 U.S.C. 1089(d)) is amended—

(1) in the first sentence by striking "the items specified in the calendar have been completed and provide all relevant forms, rules, and instructions with such notice" and inserting "a deadline included in the calendar described in subsection (a) is not met"; and

(2) by striking the second sentence.

(c) ANNUAL REPORT ON ACTIVITIES UNDER THE REHABILITATION ACT OF 1973.—Section 13 of the Rehabilitation Act of 1973 (29 U.S.C. 712) is amended by striking "twenty" and inserting "eighty".

(d) REPORT TO THE CONGRESS REGARDING REHABILITATION TRAINING PROGRAMS.—The second sentence of section 302(c) of the Rehabilitation Act of 1973 (29 U.S.C. 774(c)) is amended by striking "simultaneously with the budget submission for the succeeding fiscal year for the Rehabilitation Services Administration" and inserting "by September 30 of each fiscal year". 29 USC 771a.

(e) ANNUAL AUDIT OF STUDENT LOAN INSURANCE FUND.—Section 432(b) of the Higher Education Act of 1965 (20 U.S.C. 1082(b)) is amended to read as follows:

"(b) FINANCIAL OPERATIONS RESPONSIBILITIES.—The Secretary shall, with respect to the financial operations arising by reason of this part prepare annually and submit a budget program as provided for wholly owned Government corporations by chapter 91 of title 31, United States Code. The transactions of the Secretary, including the settlement of insurance claims and of claims for payments pursuant to section 1078 of this title, and transactions related thereto and vouchers approved by the Secretary in connection with such transactions, shall be final and conclusive upon all accounting and other officers of the Government.".

Subtitle E—Department of Energy

SEC. 1051. REPORTS ELIMINATED.

(a) REPORTS ON PERFORMANCE AND DISPOSAL OF ALTERNATIVE FUELED HEAVY DUTY VEHICLES.—Paragraphs (3) and (4) of section 400AA(b) of the Energy Policy and Conservation Act (42 U.S.C. 6374(b)(3), 6374(b)(4)) are repealed, and paragraph (5) of that section is redesignated as paragraph (3).

(b) REPORT ON WIND ENERGY SYSTEMS.—Section 9(a) of the Wind Energy Systems Act of 1980 (42 U.S.C. 9208(a)) is amended—

(1) by striking paragraph (3);

(2) in paragraph (1) by adding "and" after the semicolon; and

(3) in paragraph (2) by striking "; and" and inserting a period.

(c) REPORT ON COMPREHENSIVE PROGRAM MANAGEMENT PLAN FOR OCEAN THERMAL ENERGY CONVERSION.—Section 3(d) of the Ocean Thermal Energy Conversion Research, Development, and Demonstration Act (42 U.S.C. 9002(d)) is repealed.

(d) REPORTS ON SUBSEABED DISPOSAL OF SPENT NUCLEAR FUEL AND HIGH-LEVEL RADIOACTIVE WASTE.—Subsections (a) and (b)(5) of section 224 of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10204(a), 10204(b)(5)) are repealed.

(e) REPORT ON FUEL USE ACT.—Sections 711(c)(2) and 806 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8421(c)(2), 8482) are repealed.

(f) REPORT ON TEST PROGRAM OF STORAGE OF REFINED PETROLEUM PRODUCTS WITHIN THE STRATEGIC PETROLEUM RESERVE.—Section 160(g)(7) of the Energy Policy and Conservation Act (42 U.S.C. 6240(g)(7)) is repealed.

(g) REPORT ON NAVAL PETROLEUM AND OIL SHALE RESERVES PRODUCTION.—Section 7434 of title 10, United States Code, is repealed.

(h) REPORT ON EFFECTS OF PRESIDENTIAL MESSAGE ESTABLISHING A NUCLEAR NONPROLIFERATION POLICY ON NUCLEAR RESEARCH AND DEVELOPMENT COOPERATIVE AGREEMENTS.—Section 203 of the Department of Energy Act of 1978—Civilian Applications (22 U.S.C. 2429 note) is repealed.

(i) REPORT ON WRITTEN AGREEMENTS REGARDING NUCLEAR WASTE REPOSITORY SITES.—Section 117(c) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10137(c)) is amended by striking the following: "If such written agreement is not completed within

such period, the Secretary shall report to the Congress in writing within 30 days on the status of negotiations to develop such agreement and the reasons why such agreement has not been completed. Prior to submission of such report to the Congress, the Secretary shall transmit such report to the Governor of such State or the governing body of such affected Indian tribe, as the case may be, for their review and comments. Such comments shall be included in such report prior to submission to the Congress.".

(j) QUARTERLY REPORT ON STRATEGIC PETROLEUM RESERVES.—Section 165 of the Energy Policy and Conservation Act (42 U.S.C. 6245) is amended—

(1) by striking subsection (b); and

(2) by striking "(a)".

(k) REPORT ON THE DEPARTMENT OF ENERGY.—The Federal Energy Administration Act of 1974 (15 U.S.C. 790d), is amended by striking out section 55.

(l) REPORT ON CURRENT STATUS OF COMPREHENSIVE MANAGEMENT FOR NUCLEAR SAFETY RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—Section 8(c) of the Nuclear Safety Research, Development, and Demonstration Act of 1980 (42 U.S.C. 9707(c)) is repealed.

(m) REPORT ON ACTIVITIES OF THE GEOTHERMAL ENERGY COORDINATION AND MANAGEMENT PROJECT.—Section 302(a) of the Geothermal Energy Research, Development, and Demonstration Act of 1974 (30 U.S.C. 1162(a)) is repealed.

(n) REPORT ON ACTIVITIES UNDER THE MAGNETIC FUSION ENERGY ENGINEERING ACT OF 1980.—Section 12 of the Magnetic Fusion Energy Engineering Act of 1980 (42 U.S.C. 9311) is repealed.

(o) REPORT ON ACTIVITIES UNDER THE ELECTRIC AND HYBRID VEHICLE RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1976.—Section 14 of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 (15 U.S.C. 2513) is repealed.

(p) REPORT ON ACTIVITIES UNDER THE METHANE TRANSPORTATION RESEARCH, DEVELOPMENT, AND DEMONSTRATION ACT OF 1980.—Section 9 of the Methane Transportation Research, Development, and Demonstration Act of 1980 (15 U.S.C. 3808) is repealed.

SEC. 1052. REPORTS MODIFIED.

(a) REPORTS ON PROCESS-ORIENTED INDUSTRIAL ENERGY EFFICIENCY AND INDUSTRIAL INSULATION AUDIT GUIDELINES.—

(1) Section 132(d) of the Energy Policy Act of 1992 (42 U.S.C. 6349(d)) is amended—

(A) in the language preceding paragraph (1), by striking "Not later than 2 years after the date of the enactment of this Act and annually thereafter" and inserting "Not later than October 24, 1995, and biennially thereafter";

(B) in paragraph (4), by striking "and" at the end;

(C) in paragraph (5), by striking the period at the end and inserting "; and"; and

(D) by adding at the end the following new paragraph: "(6) the information required under section 133(c).".

(2) Section 133(c) of the Energy Policy Act of 1992 (42 U.S.C. 6350(c)) is amended—

(A) by striking, "the date of the enactment of this Act" and inserting "October 24, 1995"; and

(B) by inserting "as part of the report required under section 132(d)," after "and biennially thereafter,".

(b) REPORT ON AGENCY REQUESTS FOR WAIVER FROM FEDERAL ENERGY MANAGEMENT REQUIREMENTS.—Section 543(b)(2) of the National Energy Conservation Policy Act (42 U.S.C. 8253(b)(2)) is amended—

(1) by inserting ", as part of the report required under section 548(b)," after "the Secretary shall"; and

(2) by striking "promptly".

(c) REPORT ON THE PROGRESS, STATUS, ACTIVITIES, AND RESULTS OF PROGRAMS REGARDING THE PROCUREMENT AND IDENTIFICATION OF ENERGY EFFICIENT PRODUCTS.—Section 161(d) of the Energy Policy Act of 1992 (42 U.S.C. 8262g(d)) is amended by striking "of each year thereafter," and inserting "thereafter as part of the report required under section 548(b) of the National Energy Conservation Policy Act,".

(d) REPORT ON THE FEDERAL GOVERNMENT ENERGY MANAGEMENT PROGRAM.—Section 548(b) of the National Energy Conservation Policy Act (42 U.S.C. 8258(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by striking "and" after the semicolon;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following new subparagraph:

"(B) the information required under section 543(b)(2); and";

(2) in paragraph (2), by striking "and" after the semicolon;

(3) in paragraph (3), by striking the period at the end and inserting "; and"; and

(4) by adding at the end the following new paragraph:

"(4) the information required under section 161(d) of the Energy Policy Act of 1992.".

(e) REPORT ON ALTERNATIVE FUEL USE BY SELECTED FEDERAL VEHICLES.—Section 400AA(b)(1)(B) of the Energy Policy and Conservation Act (42 U.S.C. 6374(b)(1)(B)) is amended by striking ", and annually thereafter".

(f) REPORT ON THE OPERATION OF STATE ENERGY CONSERVATION PLANS.—Section 365(c) of the Energy Policy and Conservation Act (42 U.S.C. 6325(c)) is amended by striking "report annually" and inserting ", as part of the report required under section 657 of the Department of Energy Organization Act, report".

(g) REPORT ON THE DEPARTMENT OF ENERGY.—Section 657 of the Department of Energy Organization Act (42 U.S.C. 7267) is amended by inserting after "section 15 of the Federal Energy Administration Act of 1974," the following: "section 365(c) of the Energy Policy and Conservation Act, section 304(c) of the Nuclear Waste Policy Act of 1982,".

(h) REPORT ON COST-EFFECTIVE WAYS TO INCREASE HYDROPOWER PRODUCTION AT FEDERAL WATER FACILITIES.—Section 2404 of the Energy Policy Act of 1992 (16 U.S.C. 797 note) is amended—

(1) in subsection (a), by striking "The Secretary, in consultation with the Secretary of the Interior and the Secretary of the Army," and inserting "The Secretary of the Interior and the Secretary of the Army, in consultation with the Secretary,"; and

(2) in subsection (b), by striking "the Secretary" and inserting "the Secretary of the Interior, or the Secretary of the Army,".

(i) REPORT ON PROGRESS MEETING FUSION ENERGY PROGRAM OBJECTIVES.—Section 2114(c)(5) of the Energy Policy Act of 1992 (42 U.S.C. 13474(c)(5)) is amended by striking out the first sentence and inserting in lieu thereof "The President shall include in the budget submitted to the Congress each year under section 1105 of title 31, United States Code, a report prepared by the Secretary describing the progress made in meeting the program objectives, milestones, and schedules established in the management plan.". President.

(j) REPORT ON HIGH-PERFORMANCE COMPUTING ACTIVITIES.—Section 203(d) of the High-Performance Computing Act of 1991 (15 U.S.C. 5523(d)) is amended to read as follows:

"(d) REPORTS.—Not later than 1 year after the date of enactment of this subsection, and thereafter as part of the report required under section 101(a)(3)(A), the Secretary of Energy shall report on activities taken to carry out this Act.".

(k) REPORT ON NATIONAL HIGH-PERFORMANCE COMPUTING PROGRAM.—Section 101(a)(4) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(4)) is amended—

(1) in subparagraph (D), by striking "and" at the end;

(2) by redesignating subparagraph (E) as subparagraph (F); and

(3) by inserting after subparagraph (D) the following new subparagraph:

"(E) include the report of the Secretary of Energy required by section 203(d); and".

(l) REPORT ON NUCLEAR WASTE DISPOSAL PROGRAM.—Section 304(d) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10224(d)) is amended to read as follows:

"(d) AUDIT BY GAO.—If requested by either House of the Congress (or any committee thereof) or if considered necessary by the Comptroller General, the General Accounting Office shall conduct an audit of the Office, in accord with such regulations as the Comptroller General may prescribe. The Comptroller General shall have access to such books, records, accounts, and other materials of the Office as the Comptroller General determines to be necessary for the preparation of such audit. The Comptroller General shall submit a report on the results of each audit conducted under this section.".

Subtitle F—Department of Health and Human Services

SEC. 1061. REPORTS ELIMINATED.

(a) REPORT ON THE EFFECTS OF TOXIC SUBSTANCES.—Subsection (c) of section 27 of the Toxic Substances Control Act (15 U.S.C. 2626(c)) is repealed.

(b) REPORT ON COMPLIANCE WITH THE CONSUMER-PATIENT RADIATION HEALTH AND SAFETY ACT.—Subsection (d) of section 981 of the Consumer-Patient Radiation Health and Safety Act of 1981 (42 U.S.C. 10006(d)) is repealed.

(c) REPORT ON EVALUATION OF TITLE VIII PROGRAMS.—Section 859 of the Public Health Service Act (42 U.S.C. 298b–6) is repealed.

(d) REPORT ON MEDICARE TREATMENT OF UNCOMPENSATED CARE.—Paragraph (2) of section 603(a) of the Social Security Amendments of 1983 (42 U.S.C. 1395ww note) is repealed.

(e) REPORT ON PROGRAM TO ASSIST HOMELESS INDIVIDUALS.—Subsection (d) of section 9117 of the Omnibus Budget Reconciliation Act of 1987 (42 U.S.C. 1383 note) is repealed.

SEC. 1062. REPORTS MODIFIED.

(a) REPORT OF THE SURGEON GENERAL.—Section 239 of the Public Health Service Act (42 U.S.C. 238h) is amended to read as follows:

"BIANNUAL REPORT

"SEC. 239. The Surgeon General shall transmit to the Secretary, for submission to the Congress, on January 1, 1995, and on January 1, every 2 years thereafter, a full report of the administration of the functions of the Service under this Act, including a detailed statement of receipts and disbursements.".

(b) REPORT ON HEALTH SERVICE RESEARCH ACTIVITIES.—Subsection (b) of section 494A of the Public Health Service Act (42 U.S.C. 289c–1(b)) is amended by striking "September 30, 1993, and annually thereafter" and inserting "December 30, 1993, and each December 30 thereafter".

(c) REPORT ON FAMILY PLANNING.—Section 1009(a) of the Public Health Service Act (42 U.S.C. 300a–7(a)) is amended by striking "each fiscal year" and inserting "fiscal year 1995, and each second fiscal year thereafter".

42 USC 300a–6a.

(d) REPORT ON THE STATUS OF HEALTH INFORMATION AND HEALTH PROMOTION.—Section 1705(a) of the Public Health Service Act (42 U.S.C. 300u–4) is amended in the first sentence by striking out "annually" and inserting in lieu thereof "biannually".

Subtitle G—Department of Housing and Urban Development

SEC. 1071. REPORTS ELIMINATED.

(a) REPORTS ON PUBLIC HOUSING HOMEOWNERSHIP AND MANAGEMENT OPPORTUNITIES.—Section 21(f) of the United States Housing Act of 1937 (42 U.S.C. 1437s(f)) is repealed.

(b) INTERIM REPORT ON PUBLIC HOUSING MIXED INCOME NEW COMMUNITIES STRATEGY DEMONSTRATION.—Section 522(k)(1) of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 1437f note) is repealed.

(c) BIENNIAL REPORT ON INTERSTATE LAND SALES REGISTRATION PROGRAM.—Section 1421 of the Interstate Land Sales Full Disclosure Act (15 U.S.C. 1719a) is repealed.

(d) QUARTERLY REPORT ON ACTIVITIES UNDER THE FAIR HOUSING INITIATIVES PROGRAM.—Section 561(e)(2) of the Housing and Community Development Act of 1987 (42 U.S.C. 3616a(e)(2)) is repealed.

(e) COLLECTION OF AND ANNUAL REPORT ON RACIAL AND ETHNIC DATA.—Section 562 of the Housing and Community Development Act of 1987 (42 U.S.C. 3608a) is amended—

(1) in subsection (a)—

(A) in the first sentence—

(i) by striking "the Secretary of Housing and Urban Development and"; and

(ii) by striking "each", the first place it appears; and

(B) in the second sentence, by striking "involved"; and

(2) in subsection (b)—

(A) by striking "The Secretary of Housing and Urban Development and the" and inserting "The"; and

(B) by striking "each".

SEC. 1072. REPORTS MODIFIED.

(a) REPORT ON HOMEOWNERSHIP OF MULTIFAMILY UNITS PROGRAM.—Section 431 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12880) is amended—

(1) in the section heading, by striking "**ANNUAL**"; and

(2) by striking "The Secretary shall annually" and inserting "The Secretary shall no later than December 31, 1995,".

(b) TRIENNIAL AUDIT OF TRANSACTIONS OF NATIONAL HOMEOWNERSHIP FOUNDATION.—Section 107(g)(1) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701y(g)(1)) is amended by striking the last sentence.

(c) REPORT ON LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.—Section 2605(h) of the Low-Income Home Energy Assistance Act of 1981 (Public Law 97–35; 42 U.S.C. 8624(h)), is amended by striking out "(but not less frequently than every three years),".

Subtitle H—Department of the Interior

SEC. 1081. REPORTS ELIMINATED.

(a) REPORT ON AUDITS IN FEDERAL ROYALTY MANAGEMENT SYSTEM.—Section 17(j) of the Mineral Leasing Act (30 U.S.C. 226(j)) is amended by striking the last sentence.

(b) REPORT ON DOMESTIC MINING, MINERALS, AND MINERAL RECLAMATION INDUSTRIES.—Section 2 of the Mining and Minerals Policy Act of 1970 (30 U.S.C. 21a) is amended by striking the last sentence.

(c) REPORT ON PHASE I OF THE HIGH PLAINS STATES GROUNDWATER DEMONSTRATION PROJECT.—Section 3(d) of the High Plains States Groundwater Demonstration Program Act of 1983 (43 U.S.C. 390g–1(d)) is repealed.

(d) REPORT ON RECLAMATION REFORM ACT COMPLIANCE.—Section 224(g) of the Reclamation Reform Act of 1982 (43 U.S.C. 390ww(g)) is amended by striking the last 2 sentences.

(e) REPORT ON GEOLOGICAL SURVEYS CONDUCTED OUTSIDE THE DOMAIN OF THE UNITED STATES.—Section 2 of Public Law 87–626 (43 U.S.C. 31(c)) is repealed.

(f) REPORT ON RECREATION USE FEES.—Section 4(h) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–6a(h)) is repealed.

SEC. 1082. REPORTS MODIFIED.

(a) REPORT ON LEVELS OF THE OGALLALA AQUIFER.—Title III of the Water Resources Research Act of 1984 (42 U.S.C. 10301 note) is amended—

(1) in section 306, by striking "annually" and inserting "biennially"; and

(2) in section 308, by striking "intervals of one year" and inserting "intervals of 2 years".

(b) REPORT ON EFFECTS OF OUTER CONTINENTAL SHELF LEASING ACTIVITIES ON HUMAN, MARINE, AND COASTAL ENVIRONMENTS.—Section 20(e) of the Outer Continental Shelf Lands Act (43 U.S.C. 1346(e)) is amended by striking "each fiscal year" and inserting "every 3 fiscal years".

Subtitle I—Department of Justice

SEC. 1091. REPORTS ELIMINATED.

(a) REPORT ON DRUG INTERDICTION TASK FORCE.—Section 3301(a)(1)(C) of the National Drug Interdiction Act of 1986 (21 U.S.C. 801 note; Public Law 99–570; 100 Stat. 3207–98) is repealed.

(b) REPORT ON EQUAL ACCESS TO JUSTICE.—Section 2412(d)(5) of title 28, United States Code, is repealed.

(c) REPORT ON FEDERAL OFFENDER CHARACTERISTICS.—Section 3624(f)(6) of title 18, United States Code, is repealed.

(d) REPORT ON COSTS OF DEATH PENALTY.—The Anti-Drug Abuse Act of 1988 (Public Law 100–690; 102 Stat. 4395; 21 U.S.C. 848 note) is amended by striking out section 7002.

(e) MINERAL LEASING ACT.—Section 8B of the Mineral Leasing Act (30 U.S.C. 208–2) is repealed.

(f) SMALL BUSINESS ACT.—Subsection (c) of section 10 of the Small Business Act (15 U.S.C. 639(c)) is repealed.

(g) ENERGY POLICY AND CONSERVATION ACT.—Section 252(i) of the Energy Policy Conservation Act (42 U.S.C. 6272(i)) is amended by striking ", at least once every 6 months, a report" and inserting ", at such intervals as are appropriate based on significant developments and issues, reports".

(h) REPORT ON FORFEITURE FUND.—Section 524(c) of title 28, United States Code, is amended—

(1) by striking out paragraph (7); and

(2) by redesignating paragraphs (8) through (12) as paragraphs (7) through (11), respectively.

Subtitle J—Department of Labor

SEC. 1101. REPORTS ELIMINATED.

Section 408(d) of the Veterans Education and Employment Amendments of 1989 (38 U.S.C. 4100 note) is repealed.

SEC. 1102. REPORTS MODIFIED.

(a) REPORT ON THE ACTIVITIES CONDUCTED UNDER THE FAIR LABOR STANDARDS ACT OF 1938.—Section 4(d)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 204(d)(1)) is amended—

(1) by striking "annually" and inserting "biennially"; and

(2) by striking "preceding year" and inserting "preceding two years".

(b) ANNUAL REPORT OF THE OFFICE OF WORKERS' COMPENSATION.—

(1) REPORT ON THE ADMINISTRATION OF THE LONGSHORE AND HARBOR WORKERS' COMPENSATION ACT.—Section 42 of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 942) is amended—

(A) by striking "beginning of each" and all that follows through "Amendments of 1984" and inserting "end of each fiscal year"; and

(B) by adding the following new sentence at the end: "Such report shall include the annual report required under section 426(b) of the Black Lung Benefits Act (30 U.S.C. 936(b)) and shall be identified as the Annual Report of the Office of Workers' Compensation Programs.".

(2) REPORT ON THE ADMINISTRATION OF THE BLACK LUNG BENEFITS PROGRAM.—Section 426(b) of the Black Lung Benefits Act (30 U.S.C. 936(b)) is amended—

(A) by striking "Within" and all that follows through "Congress the" and inserting "At the end of each fiscal year, the"; and

(B) by adding the following new sentence at the end: "Each such report shall be prepared and submitted to Congress in accordance with the requirement with respect to submission under section 42 of the Longshore Harbor Workers' Compensation Act (33 U.S.C. 942).".

(3) REPORT ON THE ADMINISTRATION OF THE FEDERAL EMPLOYEES' COMPENSATION ACT.—(A) Subchapter I of chapter 81 of title 5, United States Code, is amended by adding at the end thereof the following new section:

"§ 8152. Annual report

"The Secretary of Labor shall, at the end of each fiscal year, prepare a report with respect to the administration of this chapter. Such report shall be submitted to Congress in accordance with the requirement with respect to submission under section 42 of the Longshore Harbor Workers' Compensation Act (33 U.S.C. 942).".

(B) The table of sections for chapter 81 of title 5, United States Code, is amended by inserting after the item relating to section 8151 the following:

"8152. Annual report.".

(c) ANNUAL REPORT ON THE DEPARTMENT OF LABOR.—Section 9 of an Act entitled "An Act to create a Department of Labor", approved March 4, 1913 (29 U.S.C. 560) is amended by striking "make a report" and all that follows through "the department" and inserting "prepare and submit to Congress the financial statements of the Department that have been audited".

Subtitle K—Department of State

SEC. 1111. REPORTS ELIMINATED.

(a) REPORT ON AUDIT OF USE OF FUNDS FOR UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES.—Section 8 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2606) is amended by striking subsection (b), and redesignating subsection (c) as subsection (b).

(b) REPORT ON MATTERS RELATING TO FOREIGN RELATIONS AND SCIENCE AND TECHNOLOGY.—Section 503(b) of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 2656c(b)) is repealed.

SEC. 1112. INTERNATIONAL NARCOTICS CONTROL.

(a) Section 489A of the Foreign Assistance Act of 1961 (22 U.S.C. 2291I) is repealed. 22 USC 2291i.

22 USC 2291k.

(b) Section 490A of that Act (22 U.S.C. 2991k) is repealed.
(c) Section 489 of that Act (22 U.S.C. 2291h) is amended:
(1) in the section heading by striking "**FOR FISCAL YEAR 1995**"; and
(2) by striking subsection (c).
(d) Section 490 of that Act (22 U.S.C. 2291j) is amended:
(1) in the section heading by striking "**FOR FISCAL YEAR 1995**"; and
(2) by striking subsection (i).

Subtitle L—Department of Transportation

SEC. 1121. REPORTS ELIMINATED.

(a) REPORT ON DEEPWATER PORT ACT OF 1974.—Section 20 of the Deepwater Port Act of 1974 (33 U.S.C. 1519) is repealed.

(b) REPORT ON COAST GUARD LOGISTICS CAPABILITIES CRITICAL TO MISSION PERFORMANCE.—Sections 5(a)(2) and 5(b) of the Coast Guard Authorization Act of 1988 (10 U.S.C. 2304 note) are repealed.

(c) REPORT ON MARINE PLASTIC POLLUTION RESEARCH AND CONTROL ACT OF 1987.—Section 2201(a) of the Marine Plastic Pollution Research and Control Act of 1987 (33 U.S.C. 1902 note) is amended by striking "biennially" and inserting "triennially".

(d) REPORT ON HIGHWAY SAFETY PROGRAM STANDARDS.—Section 402(a) of title 23, United States Code, is amended by striking the fifth sentence.

(e) REPORT ON RAILROAD-HIGHWAY DEMONSTRATION PROJECTS.—Section 163(o) of the Federal-Aid Highway Act of 1973 (23 U.S.C. 130 note) is repealed.

(f) REPORT ON UNIFORM RELOCATION ACT AMENDMENTS OF 1987.—Section 103(b)(2) of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4604(b)(2)) is repealed.

(g) REPORT ON FEDERAL RAILROAD SAFETY.—(1) Section 20116 of title 49, United States Code, is repealed.

(2) The table of sections at the beginning of chapter 201 of title 49, United States Code, is amended by striking the item relating to section 20116.

(h) REPORT ON RAILROAD FINANCIAL ASSISTANCE.—Section 308(d) of title 49, United States Code, is repealed.

(i) REPORT ON USE OF ADVANCED TECHNOLOGY BY THE AUTOMOBILE INDUSTRY.—Section 305 of the Automotive Propulsion Research and Development Act of 1978 (15 U.S.C. 2704) is amended by striking the last sentence.

(j) REPORT ON SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION.—Section 10(a) of the Act of May 13, 1954 (68 Stat. 96, chapter 201; 33 U.S.C. 989(a)) is repealed.

(k) REPORTS ON PIPELINES ON FEDERAL LANDS.—Section 28(w)(4) of the Mineral Leasing Act (30 U.S.C. 185(w)(4)) is repealed.

(l) REPORT ON PIPELINE SAFETY.—Section 60124(a) of title 49, United States Code, is amended in the first sentence by striking "of each year" and inserting "of each odd-numbered year".

SEC. 1122. REPORTS MODIFIED.

26 USC 9509 note.

(a) REPORT ON OIL SPILL LIABILITY TRUST FUND.—The quarterly report regarding the Oil Spill Liability Trust Fund required

to be submitted to the House and Senate Committees on Appropriations under House Report 101–892, accompanying the appropriations for the Coast Guard in the Department of Transportation and Related Agencies Appropriations Act, 1991, shall be submitted not later than 30 days after the end of the fiscal year in which this Act is enacted and annually thereafter.

(b) REPORT ON JOINT FEDERAL AND STATE MOTOR FUEL TAX COMPLIANCE PROJECT.—Section 1040(d)(1) of the Intermodal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 101 note) is amended by striking "September 30 and".

Subtitle M—Department of the Treasury

SEC. 1131. REPORTS ELIMINATED.

(a) REPORT ON THE OPERATION AND STATUS OF STATE AND LOCAL GOVERNMENT FISCAL ASSISTANCE TRUST FUND.—Paragraph (8) of section 14001(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (31 U.S.C. 6701 note) is repealed.

(b) REPORT ON THE ANTIRECESSION PROVISIONS OF THE PUBLIC WORKS EMPLOYMENT ACT OF 1976.—Section 213 of the Public Works Employment Act of 1976 (42 U.S.C. 6733) is repealed.

(c) REPORT ON THE ASBESTOS TRUST FUND.—Paragraph (2) of section 5(c) of the Asbestos Hazard Emergency Response Act of 1986 (20 U.S.C. 4022(c)) is repealed.

SEC. 1132. REPORTS MODIFIED.

(a) REPORT ON THE WORLD CUP USA 1994 COMMEMORATIVE COIN ACT.—Subsection (g) of section 205 of the World Cup USA 1994 Commemorative Coin Act (31 U.S.C. 5112 note) is amended by striking "month" and inserting "calendar quarter".

(b) REPORTS ON VARIOUS FUNDS.—Subsection (b) of section 321 of title 31, United States Code, is amended—

(1) by striking "and" at the end of paragraph (5),

(2) by striking the period at the end of paragraph (6) and inserting "; and", and

(3) by adding after paragraph (6) the following new paragraph:

"(7) notwithstanding any other provision of law, fulfill any requirement to issue a report on the financial condition of any fund on the books of the Treasury by including the required information in a consolidated report, except that information with respect to a specific fund shall be separately reported if the Secretary determines that the consolidation of such information would result in an unwarranted delay in the availability of such information.".

(c) REPORT ON THE JAMES MADISON-BILL OF RIGHTS COMMEMORATIVE COIN ACT.—Subsection (c) of section 506 of the James Madison-Bill of Rights Commemorative Coin Act (31 U.S.C. 5112 note) is amended by striking out "month" each place it appears and inserting in lieu thereof "calendar quarter".

Subtitle N—Department of Veterans Affairs

SEC. 1141. REPORTS ELIMINATED.

(a) REPORT ON ADEQUACY OF RATES FOR STATE HOME CARE.—Section 1741 of title 38, United States Code, is amended—

(1) by striking out subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(b) REPORT ON LOANS TO PURCHASE MANUFACTURED HOMES.—Section 3712 of title 38, United States Code, is amended—

(1) by striking out subsection (l); and

(2) by redesignating subsection (m) as subsection (l).

(c) REPORT ON COMPLIANCE WITH FUNDED PERSONNEL CODING.—

(1) REPEAL OF REPORT REQUIREMENT.—Section 8110(a)(4) of title 38, United States Code, is amended by striking out subparagraph (C).

(2) CONFORMING AMENDMENTS.—Section 8110(a)(4) of title 38, United States Code, is amended by—

(A) redesignating subparagraph (D) as subparagraph (C);

(B) in subparagraph (A), by striking out "subparagraph (D)" and inserting in lieu thereof "subparagraph (C)"; and

(C) in subparagraph (B), by striking out "subparagraph (D)" and inserting in lieu thereof "subparagraph (C)".

TITLE II—INDEPENDENT AGENCIES

Subtitle A—Action

SEC. 2011. REPORTS ELIMINATED.

Section 226 of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 5026) is amended—

(1) by striking subsection (b); and

(2) in subsection (a)—

(A) in paragraph (2), by striking "(2)" and inserting "(b)"; and

(B) in paragraph (1)—

(i) by striking "(1)(A)" and inserting "(1)"; and

(ii) in subparagraph (B)—

(I) by striking "(B)" and inserting "(2)"; and

(II) by striking "subparagraph (A)" and inserting "paragraph (1)".

Subtitle B—Environmental Protection Agency

SEC. 2021. REPORTS MODIFIED.

(a) REPORT ON ALLOCATION OF WATER.—Section 102 of the Federal Water Pollution Control Act (33 U.S.C. 1252) is amended by striking subsection (d).

(b) REPORT ON VARIANCE REQUESTS.—Section 301(n)(8) of the Federal Water Pollution Control Act (33 U.S.C. 1311(n)(8)) is amended by striking "Every 6 months after the date of the enactment of this subsection, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Public Works and Transportation" and inserting "By January 1, 1997, and January 1 of every odd-numbered year thereafter, the Administrator shall submit to the Committee on Environment and Public Works of the Senate and the Committee on Transportation and Infrastructure".

(c) REPORT ON IMPLEMENTATION OF CLEAN LAKES PROJECTS.—Section 314(d)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1324(d)(3)) is amended by striking "The Administrator shall report annually to the Committee on Public Works and Transportation" and inserting "By January 1, 1997, and January 1 of every odd-numbered year thereafter, the Administrator shall report to the Committee on Transportation and Infrastructure".

(d) REPORT ON USE OF MUNICIPAL SECONDARY EFFLUENT AND SLUDGE.—Section 516 of the Federal Water Pollution Control Act (33 U.S.C. 1375) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (g) as subsections (d) and (e), respectively. 33 USC 1342.

(e) REPORT ON CERTAIN WATER QUALITY STANDARDS AND PERMITS.—Section 404 of the Water Quality Act of 1987 (Public Law 100–4; 33 U.S.C. 1375 note) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

(f) REPORT ON CLASS V WELLS.—Section 1426 of title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act") (42 U.S.C. 300h–5) is amended—

(1) in subsection (a), by striking "(a) MONITORING METHODS.—"; and

(2) by striking subsection (b).

(g) REPORT ON SOLE SOURCE AQUIFER DEMONSTRATION PROGRAM.—Section 1427 of title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act") (42 U.S.C. 300h–6) is amended—

(1) by striking subsection (l); and

(2) by redesignating subsections (m) and (n) as subsections (l) and (m), respectively.

(h) REPORT ON SUPPLY OF SAFE DRINKING WATER.—Section 1442 of title XIV of the Public Health Service Act (commonly known as the "Safe Drinking Water Act") (42 U.S.C. 300h–6) is amended— 42 USC 300j–1.

(1) by striking subsection (c);

(2) by redesignating subsection (d) as subsection (c); and

(3) by redesignating subsections (f) and (g) as subsections (d) and (e), respectively.

(i) REPORT ON NONNUCLEAR ENERGY AND TECHNOLOGIES.—Section 11 of the Federal Nonnuclear Energy Research and Development Act of 1974 (42 U.S.C. 5910) is repealed.

(j) REPORT ON EMISSIONS AT COAL-BURNING POWERPLANTS.—

(1) Section 745 of the Powerplant and Industrial Fuel Use Act of 1978 (42 U.S.C. 8455) is repealed.

(2) The table of contents in section 101(b) of such Act (42 U.S.C. prec. 8301) is amended by striking the item relating to section 745.

(k) 5-YEAR PLAN FOR ENVIRONMENTAL RESEARCH, DEVELOPMENT, AND DEMONSTRATION.—

(1) Section 5 of the Environmental Research, Development, and Demonstration Authorization Act of 1976 (42 U.S.C. 4361) is repealed.

(2) Section 4 of the Environmental Research, Development, and Demonstration Authorization Act of 1978 (42 U.S.C. 4361a) is repealed.

(3) Section 8 of such Act (42 U.S.C. 4365) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (e) through (i) as subsections (c) through (g), respectively.

(l) PLAN ON ASSISTANCE TO STATES FOR RADON PROGRAMS.—Section 305 of the Toxic Substances Control Act (15 U.S.C. 2665) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

Subtitle C—Equal Employment Opportunity Commission

SEC. 2031. REPORTS MODIFIED.

Section 705(k)(2)(C) of the Civil Rights Act of 1964 (42 U.S.C. 2000e–4(k)(2)(C)) is amended—

(1) in the matter preceding clause (i), by striking "including" and inserting "including information, presented in the aggregate, relating to";

(2) in clause (i), by striking "the identity of each person or entity" and inserting "the number of persons and entities";

(3) in clause (ii), by striking "such person or entity" and inserting "such persons and entities"; and

(4) in clause (iii)—

(A) by striking "fee" and inserting "fees"; and

(B) by striking "such person or entity" and inserting "such persons and entities".

Subtitle D—Federal Aviation Administration

SEC. 2041. REPORTS ELIMINATED.

49 USC 45302 note.

The provision that was section 7207(c)(4) of the Anti-Drug Abuse Act of 1988 (Public Law 100–690; 102 Stat. 4428; 49 U.S.C. App. 1354 note) is amended—

(1) by striking out "GAO"; and

(2) by striking out "the Comptroller General" and inserting in lieu thereof "the Department of Transportation Inspector General".

Subtitle E—Federal Communications Commission

SEC. 2051. REPORTS ELIMINATED.

(a) REPORT TO THE CONGRESS UNDER THE COMMUNICATIONS SATELLITE ACT OF 1962.—Section 404(c) of the Communications Satellite Act of 1962 (47 U.S.C. 744(c)) is repealed.

(b) REIMBURSEMENT FOR AMATEUR EXAMINATION EXPENSES.—Section 4(f)(4)(J) of the Communications Act of 1934 (47 U.S.C. 154(f)(4)(J)) is amended by striking out the last sentence.

Subtitle F—Federal Deposit Insurance Corporation

SEC. 2061. REPORTS ELIMINATED.

Section 102(b)(1) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (Public Law 102–242; 105 Stat. 2237; 12 U.S.C. 1825 note) is amended to read as follows:

"(1) QUARTERLY REPORTING.—Not later than 90 days after the end of any calendar quarter in which the Federal Deposit Insurance Corporation (hereafter in this section referred to as the 'Corporation') has any obligations pursuant to section 14 of the Federal Deposit Insurance Act outstanding, the Comptroller General of the United States shall submit a report on the Corporation's compliance at the end of that quarter with section 15(c) of the Federal Deposit Insurance Act to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives. Such a report shall be included in the Comptroller General's audit report for that year, as required by section 17 of the Federal Deposit Insurance Act.".

Subtitle G—Federal Emergency Management Agency

SEC. 2071. REPORTS ELIMINATED.

Section 611(i) of The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(i)) is amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively.

Subtitle H—Federal Retirement Thrift Investment Board

SEC. 2081. REPORTS ELIMINATED.

Section 9503 of title 31, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) The requirements of this section are satisfied with respect to the Thrift Savings Plan described under subchapter III of chapter

84 of title 5, by preparation and transmission of the report described under section 8439(b) of such title.".

Subtitle I—General Services Administration

SEC. 2091. REPORTS ELIMINATED.

(a) REPORT ON PROPERTIES CONVEYED FOR HISTORIC MONUMENTS AND CORRECTIONAL FACILITIES.—Section 203(o) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(o)) is amended—

(1) by striking out paragraph (1);

(2) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively; and

(3) in paragraph (2) (as so redesignated) by striking out "paragraph (2)" and inserting in lieu thereof "paragraph (3)".

(b) REPORT ON PROPERTIES CONVEYED FOR WILDLIFE CONSERVATION.—Section 3 of the Act entitled "An Act authorizing the transfer of certain real property for wildlife, or other purposes.", approved May 19, 1948 (16 U.S.C. 667d; 62 Stat. 241) is amended by striking out "and shall be included in the annual budget transmitted to the Congress".

Subtitle J—Interstate Commerce Commission

SEC. 2101. REPORTS ELIMINATED.

Section 10327(k) of title 49, United States Code, is amended to read as follows:

"(k) If an extension granted under subsection (j) is not sufficient to allow for completion of necessary proceedings, the Commission may grant a further extension in an extraordinary situation if a majority of the Commissioners agree to the further extension by public vote.".

Subtitle K—Legal Services Corporation

SEC. 2111. REPORTS MODIFIED.

Section 1009(c)(2) of the Legal Services Corporation Act (42 U.S.C. 2996h(c)(2)) is amended by striking out "The" and inserting in lieu thereof "Upon request, the".

Subtitle L—National Aeronautics and Space Administration

SEC. 2121. REPORTS ELIMINATED.

Section 21(g) of the Small Business Act (15 U.S.C. 648(g)) is amended to read as follows:

"(g) NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AND REGIONAL TECHNOLOGY TRANSFER CENTERS.—The National Aeronautics and Space Administration and regional technology transfer centers supported by the National Aeronautics and Space Adminis-

tration are authorized and directed to cooperate with small business development centers participating in the program.".

Subtitle M—National Council on Disability

SEC. 2131. REPORTS ELIMINATED.

Section 401(a) of the Rehabilitation Act of 1973 (29 U.S.C. 781(a)) is amended—

(1) by striking paragraph (9); and

(2) by redesignating paragraphs (10) and (11) as paragraphs (9) and (10), respectively.

Subtitle N—National Science Foundation

SEC. 2141. REPORTS ELIMINATED.

(a) STRATEGIC PLAN FOR SCIENCE AND ENGINEERING EDUCATION.—Section 107 of the Education for Economic Security Act (20 U.S.C. 3917) is repealed.

(b) BUDGET ESTIMATE.—Section 14 of the National Science Foundation Act of 1950 (42 U.S.C. 1873) is amended by striking subsection (j).

Subtitle O—National Transportation Safety Board

SEC. 2151. REPORTS MODIFIED.

Section 1117 of title 49, United States Code, is amended—

(1) in paragraph (2) by adding "and" after the semicolon;

(2) in paragraph (3) by striking out "; and" and inserting in lieu thereof a period; and

(3) by striking out paragraph (4).

Subtitle P—Neighborhood Reinvestment Corporation

SEC. 2161. REPORTS ELIMINATED.

Section 607(c) of the Neighborhood Reinvestment Corporation Act (42 U.S.C. 8106(c)) is amended by striking the second sentence.

Subtitle Q—Nuclear Regulatory Commission

SEC. 2171. REPORTS MODIFIED.

Section 208 of the Energy Reorganization Act of 1974 (42 U.S.C. 5848) is amended by striking "each quarter a report listing for that period" and inserting "an annual report listing for the previous fiscal year".

Subtitle R—Office of Personnel Management

SEC. 2181. REPORTS ELIMINATED.

(a) REPORT ON SENIOR EXECUTIVE SERVICE.—(1) Section 3135 of title 5, United States Code, is repealed.

(2) The table of sections for chapter 31 of title 5, United States Code, is amended by striking out the item relating to section 3135.

(b) REPORT ON PERFORMANCE AWARDS.—Section 4314(d) of title 5, United States Code, is repealed.

(c) REPORT ON TRAINING PROGRAMS.—(1) Section 4113 of title 5, United States Code, is repealed.

(2) The table of sections for chapter 41 of title 5, United States Code, is amended by striking out the item relating to section 4113.

(d) REPORT ON PREVAILING RATE SYSTEM.—Section 5347(e) of title 5, United States Code, is amended by striking out the fourth and fifth sentences.

(e) REPORT ON ACTIVITIES OF THE MERIT SYSTEMS PROTECTION BOARD AND THE OFFICE OF PERSONNEL MANAGEMENT.—Section 2304 of title 5, United States Code, is amended—

(1) in subsection (a) by striking out "(a)"; and

(2) by striking subsection (b).

SEC. 2182. REPORTS MODIFIED.

Section 1304(e)(6) of title 5, United States Code, is amended by striking out "at least once every three years".

Subtitle S—Office of Thrift Supervision

SEC. 2191. REPORTS MODIFIED.

Section 18(c)(6)(B) of the Federal Home Loan Bank Act (12 U.S.C. 1438(c)(6)(B)) is amended—

(1) by striking out "annually";

(2) by striking out "audit, settlement," and inserting in lieu thereof "settlement"; and

(3) by striking out ", and the first audit" and all that follows through "enacted".

Subtitle T—Panama Canal Commission

SEC. 2201. REPORTS ELIMINATED.

(a) REPORTS ON PANAMA CANAL.—Section 1312 of the Panama Canal Act of 1979 (Public Law 96–70; 22 U.S.C. 3722) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents in section 1 of such Act is amended by striking out the item relating to section 1312.

Subtitle U—Postal Service

SEC. 2211. REPORTS MODIFIED.

(a) REPORT ON CONSUMER EDUCATION PROGRAMS.—Section 4(b) of the Mail Order Consumer Protection Amendments of 1983 (39

U.S.C. 3005 note; Public Law 98–186; 97 Stat. 1318) is amended to read as follows:

"(b) A summary of the activities carried out under subsection (a) shall be included in the first semiannual report submitted each year as required under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.).".

(b) REPORT ON INVESTIGATIVE ACTIVITIES.—Section 3013 of title 39, United States Code, is amended in the last sentence by striking out "the Board shall transmit such report to the Congress" and inserting in lieu thereof "the information in such report shall be included in the next semiannual report required under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.)".

Subtitle V—Railroad Retirement Board

SEC. 2221. REPORTS MODIFIED.

(a) COMBINATION OF REPORTS.—Section 502 of the Railroad Retirement Solvency Act of 1983 (45 U.S.C. 231f–1) is amended by striking "On or before July 1, 1985, and each calendar year thereafter" and inserting "As part of the annual report required under section 22(a) of the Railroad Retirement Act of 1974 (45 U.S.C. 231u(a))".

(b) MODIFICATION OF DATES FOR PROJECTION AND REPORT.—Section 22 of the Railroad Retirement Act of 1974 (45 U.S.C. 231u) is amended—

(1) by striking "February 1" and inserting "May 1"; and

(2) by striking "April 1" and inserting "July 1".

Subtitle W—Thrift Depositor Protection Oversight Board

SEC. 2231. REPORTS MODIFIED.

Section 21A(k)(9) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(k)(9)) is amended by striking out "the end of each calendar quarter" and inserting in lieu thereof "June 30 and December 31 of each calendar year".

Subtitle X—United States Information Agency

SEC. 2241. REPORTS ELIMINATED.

22 USC 4001 note.

Notwithstanding section 601(c)(4) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)(4)), the reports otherwise required under such section shall not cover the activities of the United States Information Agency.

TITLE III—REPORTS BY ALL DEPARTMENTS AND AGENCIES

SEC. 3001. REPORTS ELIMINATED.

(a) REPORT ON PART-TIME EMPLOYMENT.—(1) Section 3407 of title 5, United States Code, is repealed.

(2) The table of sections for chapter 34 of title 5, United States Code, is amended by striking out the item relating to section 3407.

(b) SEMIANNUAL REPORT ON LOBBYING.—Section 1352 of title 31, United States Code, is amended by—

(1) striking out subsection (d); and

(2) redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

(c) REPORTS ON PROGRAM FRAUD AND CIVIL REMEDIES.—(1) Section 3810 of title 31, United States Code, is repealed.

(2) The table of sections for chapter 38 of title 31, United States Code, is amended by striking out the item relating to section 3810.

(d) REPORT ON RIGHT TO FINANCIAL PRIVACY ACT.—Section 1121 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3421) is repealed.

(e) REPORT ON PLANS TO CONVERT TO THE METRIC SYSTEM.—Section 12 of the Metric Conversion Act of 1975 (15 U.S.C. 205j–1) is repealed.

(f) REPORT ON TECHNOLOGY UTILIZATION AND INTELLECTUAL PROPERTY RIGHTS.—Section 11(f) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710(f)) is repealed.

(g) REPORT ON EXTRAORDINARY CONTRACTUAL ACTIONS TO FACILITATE THE NATIONAL DEFENSE.—Section 4(a) of the Act entitled "An Act to authorize the making, amendment, and modification of contracts to facilitate the national defense", approved August 28, 1958 (50 U.S.C. 1434(a)), is amended by striking out "all such actions taken" and inserting in lieu thereof "if any such action has been taken".

(h) REPORTS ON DETAILING EMPLOYEES.—Section 619 of the Treasury, Postal Service, and General Government Appropriations Act, 1993 (Public Law 102–393; 106 Stat. 1769), is repealed.

5 USC note prec. 3341.

SEC. 3002. REPORTS MODIFIED.

Section 552b(j) of title 5, United States Code, is amended to read as follows:

"(j) Each agency subject to the requirements of this section shall annually report to the Congress regarding the following:

"(1) The changes in the policies and procedures of the agency under this section that have occurred during the preceding 1-year period.

"(2) A tabulation of the number of meetings held, the exemptions applied to close meetings, and the days of public notice provided to close meetings.

"(3) A brief description of litigation or formal complaints concerning the implementation of this section by the agency.

"(4) A brief explanation of any changes in law that have affected the responsibilities of the agency under this section.".

31 USC 1113 note.

SEC. 3003. TERMINATION OF REPORTING REQUIREMENTS.

(a) TERMINATION.—

(1) IN GENERAL.—Subject to the provisions of paragraph (2) of this subsection and subsection (d), each provision of law requiring the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report specified on the list described under subsection (c) shall cease to be effective, with respect to that requirement, 4 years after the date of the enactment of this Act.

(2) EXCEPTION.—The provisions of paragraph (1) shall not apply to any report required under—

(A) the Inspector General Act of 1978 (5 U.S.C. App.); or

(B) the Chief Financial Officers Act of 1990 (Public Law 101–576), including provisions enacted by the amendments made by that Act.

(b) IDENTIFICATION OF WASTEFUL REPORTS.—The President shall include in the first annual budget submitted pursuant to section 1105 of title 31, United States Code, after the date of enactment of this Act a list of reports that the President has determined are unnecessary or wasteful and the reasons for such determination. President.

(c) LIST OF REPORTS.—The list referred to under subsection (a) is the list prepared by the Clerk of the House of Representatives for the first session of the One Hundred Third Congress under clause 2 of rule III of the Rules of the House of Representatives (House Document No. 103–7).

(d) SPECIFIC REPORTS EXEMPTED.—Subsection (a)(1) shall not apply to any report required under—

(1) section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n);

(2) section 306 of that Act (22 U.S.C. 2226);

(3) section 489 of that Act (22 U.S.C. 2291h);

(4) section 502B of that Act (22 U.S.C. 2304);

(5) section 634 of that Act (22 U.S.C. 2394);

(6) section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a);

(7) section 25 of the Arms Export Control Act (22 U.S.C. 2765);

(8) section 28 of that Act (22 U.S.C. 2768);

(9) section 36 of that Act (22 U.S.C. 2776);

(10) section 6 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3425);

(11) section 104 of the FREEDOM Support Act (22 U.S.C. 5814);

(12) section 508 of that Act (22 U.S.C. 5858);

(13) section 4 of the War Powers Resolution (50 U.S.C. 1543);

(14) section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703);

(15) section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413);

(16) section 207 of the International Economic Policy Act of 1972 (Public Law 92–412; 86 Stat. 648);

(17) section 4 of Public Law 93–121 (87 Stat. 448);

(18) section 108 of the National Security Act of 1947 (50 U.S.C. 404a);

(19) section 704 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5474);

(20) section 804 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 104 Stat. 72);

(21) section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f);

(22) section 2 of the Act of September 21, 1950 (Chapter 976; 64 Stat. 903);

(23) section 3301 of the Panama Canal Act of 1979 (22 U.S.C. 3871);

(24) section 2202 of the Export Enhancement Act of 1988 (15 U.S.C. 4711);

(25) section 1504 of Public Law 103–160 (10 U.S.C. 402 note);

(26) section 502 of the International Security and Development Coordination Act of 1985 (22 U.S.C. 2349aa–7);

(27) section 23 of the Act of August 1, 1956 (Chapter 841; 22 U.S.C. 2694(2));

(28) section 5(c)(5) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(c)(5));

(29) section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413);

(30) section 50 of Public Law 87–297 (22 U.S.C. 2590);

(31) section 240A of the Foreign Assistance Act of 1961 (22 U.S.C. 2200a); or

(32) section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469).

Approved December 21, 1995.

LEGISLATIVE HISTORY—S. 790:

HOUSE REPORTS: No. 104–327 (Comm. on Government Reform and Oversight).
CONGRESSIONAL RECORD, Vol. 141 (1995):
July 17, considered and passed Senate.
Nov. 14, considered and passed House, amended.
Dec. 6, Senate concurred in House amendment with an amendment.
Dec. 7, House concurred in Senate amendment.

Public Law 104–67
104th Congress

An Act

To reform Federal securities litigation, and for other purposes.

Dec. 22, 1995
[H.R. 1058]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Private Securities Litigation Reform Act of 1995.
15 USC 78a note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Private Securities Litigation Reform Act of 1995".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—REDUCTION OF ABUSIVE LITIGATION

Sec. 101. Private securities litigation reform.
Sec. 102. Safe harbor for forward-looking statements.
Sec. 103. Elimination of certain abusive practices.
Sec. 104. Authority of Commission to prosecute aiding and abetting.
Sec. 105. Loss causation.
Sec. 106. Study and report on protections for senior citizens and qualified retirement plans.
Sec. 107. Amendment to Racketeer Influenced and Corrupt Organizations Act.
Sec. 108. Applicability.

TITLE II—REDUCTION OF COERCIVE SETTLEMENTS

Sec. 201. Proportionate liability.
Sec. 202. Applicability.
Sec. 203. Rule of construction.

TITLE III—AUDITOR DISCLOSURE OF CORPORATE FRAUD

Sec. 301. Fraud detection and disclosure.

TITLE I—REDUCTION OF ABUSIVE LITIGATION

SEC. 101. PRIVATE SECURITIES LITIGATION REFORM.

(a) SECURITIES ACT OF 1933.—Title I of the Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended by adding at the end the following new section:

"SEC. 27. PRIVATE SECURITIES LITIGATION.

15 USC 77z–1.

"(a) PRIVATE CLASS ACTIONS.—

"(1) IN GENERAL.—The provisions of this subsection shall apply to each private action arising under this title that is brought as a plaintiff class action pursuant to the Federal Rules of Civil Procedure.

"(2) CERTIFICATION FILED WITH COMPLAINT.—

"(A) IN GENERAL.—Each plaintiff seeking to serve as a representative party on behalf of a class shall provide a sworn certification, which shall be personally signed by such plaintiff and filed with the complaint, that—

"(i) states that the plaintiff has reviewed the complaint and authorized its filing;

"(ii) states that the plaintiff did not purchase the security that is the subject of the complaint at the direction of plaintiff's counsel or in order to participate in any private action arising under this title;

"(iii) states that the plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary;

"(iv) sets forth all of the transactions of the plaintiff in the security that is the subject of the complaint during the class period specified in the complaint;

"(v) identifies any other action under this title, filed during the 3-year period preceding the date on which the certification is signed by the plaintiff, in which the plaintiff has sought to serve, or served, as a representative party on behalf of a class; and

"(vi) states that the plaintiff will not accept any payment for serving as a representative party on behalf of a class beyond the plaintiff's pro rata share of any recovery, except as ordered or approved by the court in accordance with paragraph (4).

"(B) NONWAIVER OF ATTORNEY-CLIENT PRIVILEGE.—The certification filed pursuant to subparagraph (A) shall not be construed to be a waiver of the attorney-client privilege.

"(3) APPOINTMENT OF LEAD PLAINTIFF.—

Publication.

"(A) EARLY NOTICE TO CLASS MEMBERS.—

"(i) IN GENERAL.—Not later than 20 days after the date on which the complaint is filed, the plaintiff or plaintiffs shall cause to be published, in a widely circulated national business-oriented publication or wire service, a notice advising members of the purported plaintiff class—

"(I) of the pendency of the action, the claims asserted therein, and the purported class period; and

"(II) that, not later than 60 days after the date on which the notice is published, any member of the purported class may move the court to serve as lead plaintiff of the purported class.

"(ii) MULTIPLE ACTIONS.—If more than one action on behalf of a class asserting substantially the same claim or claims arising under this title is filed, only the plaintiff or plaintiffs in the first filed action shall be required to cause notice to be published in accordance with clause (i).

"(iii) ADDITIONAL NOTICES MAY BE REQUIRED UNDER FEDERAL RULES.—Notice required under clause (i) shall be in addition to any notice required pursuant to the Federal Rules of Civil Procedure.

"(B) APPOINTMENT OF LEAD PLAINTIFF.—

"(i) IN GENERAL.—Not later than 90 days after the date on which a notice is published under subparagraph (A)(i), the court shall consider any motion made by a purported class member in response to the notice, including any motion by a class member who is not individually named as a plaintiff in the complaint or complaints, and shall appoint as lead plaintiff the member or members of the purported plaintiff class that the court determines to be most capable of adequately representing the interests of class members (hereafter in this paragraph referred to as the 'most adequate plaintiff') in accordance with this subparagraph.

"(ii) CONSOLIDATED ACTIONS.—If more than one action on behalf of a class asserting substantially the same claim or claims arising under this title has been filed, and any party has sought to consolidate those actions for pretrial purposes or for trial, the court shall not make the determination required by clause (i) until after the decision on the motion to consolidate is rendered. As soon as practicable after such decision is rendered, the court shall appoint the most adequate plaintiff as lead plaintiff for the consolidated actions in accordance with this subparagraph.

"(iii) REBUTTABLE PRESUMPTION.—

"(I) IN GENERAL.—Subject to subclause (II), for purposes of clause (i), the court shall adopt a presumption that the most adequate plaintiff in any private action arising under this title is the person or group of persons that—

"(aa) has either filed the complaint or made a motion in response to a notice under subparagraph (A)(i);

"(bb) in the determination of the court, has the largest financial interest in the relief sought by the class; and

"(cc) otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure.

"(II) REBUTTAL EVIDENCE.—The presumption described in subclause (I) may be rebutted only upon proof by a member of the purported plaintiff class that the presumptively most adequate plaintiff—

"(aa) will not fairly and adequately protect the interests of the class; or

"(bb) is subject to unique defenses that render such plaintiff incapable of adequately representing the class.

"(iv) DISCOVERY.—For purposes of this subparagraph, discovery relating to whether a member or members of the purported plaintiff class is the most adequate plaintiff may be conducted by a plaintiff only if the plaintiff first demonstrates a reasonable basis for a finding that the presumptively most adequate plaintiff is incapable of adequately representing the class.

"(v) SELECTION OF LEAD COUNSEL.—The most adequate plaintiff shall, subject to the approval of the court, select and retain counsel to represent the class.

"(vi) RESTRICTIONS ON PROFESSIONAL PLAINTIFFS.—Except as the court may otherwise permit, consistent with the purposes of this section, a person may be a lead plaintiff, or an officer, director, or fiduciary of a lead plaintiff, in no more than 5 securities class actions brought as plaintiff class actions pursuant to the Federal Rules of Civil Procedure during any 3-year period.

"(4) RECOVERY BY PLAINTIFFS.—The share of any final judgment or of any settlement that is awarded to a representative party serving on behalf of a class shall be equal, on a per share basis, to the portion of the final judgment or settlement awarded to all other members of the class. Nothing in this paragraph shall be construed to limit the award of reasonable costs and expenses (including lost wages) directly relating to the representation of the class to any representative party serving on behalf of the class.

"(5) RESTRICTIONS ON SETTLEMENTS UNDER SEAL.—The terms and provisions of any settlement agreement of a class action shall not be filed under seal, except that on motion of any party to the settlement, the court may order filing under seal for those portions of a settlement agreement as to which good cause is shown for such filing under seal. For purposes of this paragraph, good cause shall exist only if publication of a term or provision of a settlement agreement would cause direct and substantial harm to any party.

"(6) RESTRICTIONS ON PAYMENT OF ATTORNEYS' FEES AND EXPENSES.—Total attorneys' fees and expenses awarded by the court to counsel for the plaintiff class shall not exceed a reasonable percentage of the amount of any damages and prejudgment interest actually paid to the class.

"(7) DISCLOSURE OF SETTLEMENT TERMS TO CLASS MEMBERS.—Any proposed or final settlement agreement that is published or otherwise disseminated to the class shall include each of the following statements, along with a cover page summarizing the information contained in such statements:

"(A) STATEMENT OF PLAINTIFF RECOVERY.—The amount of the settlement proposed to be distributed to the parties to the action, determined in the aggregate and on an average per share basis.

"(B) STATEMENT OF POTENTIAL OUTCOME OF CASE.—

"(i) AGREEMENT ON AMOUNT OF DAMAGES.—If the settling parties agree on the average amount of damages per share that would be recoverable if the plaintiff prevailed on each claim alleged under this title, a statement concerning the average amount of such potential damages per share.

"(ii) DISAGREEMENT ON AMOUNT OF DAMAGES.—If the parties do not agree on the average amount of damages per share that would be recoverable if the plaintiff prevailed on each claim alleged under this title, a statement from each settling party concerning the issue or issues on which the parties disagree.

"(iii) INADMISSIBILITY FOR CERTAIN PURPOSES.—A statement made in accordance with clause (i) or (ii) concerning the amount of damages shall not be admissible in any Federal or State judicial action or administrative proceeding, other than an action or proceeding arising out of such statement.

"(C) STATEMENT OF ATTORNEYS' FEES OR COSTS SOUGHT.—If any of the settling parties or their counsel intend to apply to the court for an award of attorneys' fees or costs from any fund established as part of the settlement, a statement indicating which parties or counsel intend to make such an application, the amount of fees and costs that will be sought (including the amount of such fees and costs determined on an average per share basis), and a brief explanation supporting the fees and costs sought.

"(D) IDENTIFICATION OF LAWYERS' REPRESENTATIVES.—The name, telephone number, and address of one or more representatives of counsel for the plaintiff class who will be reasonably available to answer questions from class members concerning any matter contained in any notice of settlement published or otherwise disseminated to the class.

"(E) REASONS FOR SETTLEMENT.—A brief statement explaining the reasons why the parties are proposing the settlement.

"(F) OTHER INFORMATION.—Such other information as may be required by the court.

"(8) ATTORNEY CONFLICT OF INTEREST.—If a plaintiff class is represented by an attorney who directly owns or otherwise has a beneficial interest in the securities that are the subject of the litigation, the court shall make a determination of whether such ownership or other interest constitutes a conflict of interest sufficient to disqualify the attorney from representing the plaintiff class.

"(b) STAY OF DISCOVERY; PRESERVATION OF EVIDENCE.—

"(1) IN GENERAL.—In any private action arising under this title, all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss, unless the court finds, upon the motion of any party, that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

"(2) PRESERVATION OF EVIDENCE.—During the pendency of any stay of discovery pursuant to this subsection, unless otherwise ordered by the court, any party to the action with actual notice of the allegations contained in the complaint shall treat all documents, data compilations (including electronically recorded or stored data), and tangible objects that are in the custody or control of such person and that are relevant to the allegations, as if they were the subject of a continuing request for production of documents from an opposing party under the Federal Rules of Civil Procedure.

"(3) SANCTION FOR WILLFUL VIOLATION.—A party aggrieved by the willful failure of an opposing party to comply with paragraph (2) may apply to the court for an order awarding appropriate sanctions.

"(c) SANCTIONS FOR ABUSIVE LITIGATION.—

Records.

"(1) MANDATORY REVIEW BY COURT.—In any private action arising under this title, upon final adjudication of the action, the court shall include in the record specific findings regarding compliance by each party and each attorney representing any party with each requirement of Rule 11(b) of the Federal Rules of Civil Procedure as to any complaint, responsive pleading, or dispositive motion.

"(2) MANDATORY SANCTIONS.—If the court makes a finding under paragraph (1) that a party or attorney violated any requirement of Rule 11(b) of the Federal Rules of Civil Procedure as to any complaint, responsive pleading, or dispositive motion, the court shall impose sanctions on such party or attorney in accordance with Rule 11 of the Federal Rules of Civil Procedure. Prior to making a finding that any party or attorney has violated Rule 11 of the Federal Rules of Civil Procedure, the court shall give such party or attorney notice and an opportunity to respond.

"(3) PRESUMPTION IN FAVOR OF ATTORNEYS' FEES AND COSTS.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), for purposes of paragraph (2), the court shall adopt a presumption that the appropriate sanction—

"(i) for failure of any responsive pleading or dispositive motion to comply with any requirement of Rule 11(b) of the Federal Rules of Civil Procedure is an award to the opposing party of the reasonable attorneys' fees and other expenses incurred as a direct result of the violation; and

"(ii) for substantial failure of any complaint to comply with any requirement of Rule 11(b) of the Federal Rules of Civil Procedure is an award to the opposing party of the reasonable attorneys' fees and other expenses incurred in the action.

"(B) REBUTTAL EVIDENCE.—The presumption described in subparagraph (A) may be rebutted only upon proof by the party or attorney against whom sanctions are to be imposed that—

"(i) the award of attorneys' fees and other expenses will impose an unreasonable burden on that party or attorney and would be unjust, and the failure to make such an award would not impose a greater burden on the party in whose favor sanctions are to be imposed; or

"(ii) the violation of Rule 11(b) of the Federal Rules of Civil Procedure was de minimis.

"(C) SANCTIONS.—If the party or attorney against whom sanctions are to be imposed meets its burden under subparagraph (B), the court shall award the sanctions that the court deems appropriate pursuant to Rule 11 of the Federal Rules of Civil Procedure.

"(d) DEFENDANT'S RIGHT TO WRITTEN INTERROGATORIES.—In any private action arising under this title in which the plaintiff may recover money damages only on proof that a defendant acted with a particular state of mind, the court shall, when requested by a defendant, submit to the jury a written interrogatory on the issue of each such defendant's state of mind at the time the alleged violation occurred.".

(b) SECURITIES EXCHANGE ACT OF 1934.—Title I of the Securities Exchange Act of 1934 (78a et seq.) is amended by inserting after section 21C the following new section:

"SEC. 21D. PRIVATE SECURITIES LITIGATION. 15 USC 78u–4.

"(a) PRIVATE CLASS ACTIONS.—

"(1) IN GENERAL.—The provisions of this subsection shall apply in each private action arising under this title that is brought as a plaintiff class action pursuant to the Federal Rules of Civil Procedure.

"(2) CERTIFICATION FILED WITH COMPLAINT.—

"(A) IN GENERAL.—Each plaintiff seeking to serve as a representative party on behalf of a class shall provide a sworn certification, which shall be personally signed by such plaintiff and filed with the complaint, that—

"(i) states that the plaintiff has reviewed the complaint and authorized its filing;

"(ii) states that the plaintiff did not purchase the security that is the subject of the complaint at the direction of plaintiff's counsel or in order to participate in any private action arising under this title;

"(iii) states that the plaintiff is willing to serve as a representative party on behalf of a class, including providing testimony at deposition and trial, if necessary;

"(iv) sets forth all of the transactions of the plaintiff in the security that is the subject of the complaint during the class period specified in the complaint;

"(v) identifies any other action under this title, filed during the 3-year period preceding the date on which the certification is signed by the plaintiff, in which the plaintiff has sought to serve as a representative party on behalf of a class; and

"(vi) states that the plaintiff will not accept any payment for serving as a representative party on behalf of a class beyond the plaintiff's pro rata share of any recovery, except as ordered or approved by the court in accordance with paragraph (4).

"(B) NONWAIVER OF ATTORNEY-CLIENT PRIVILEGE.—The certification filed pursuant to subparagraph (A) shall not be construed to be a waiver of the attorney-client privilege.

"(3) APPOINTMENT OF LEAD PLAINTIFF.—

"(A) EARLY NOTICE TO CLASS MEMBERS.— Publication.

"(i) IN GENERAL.—Not later than 20 days after the date on which the complaint is filed, the plaintiff or plaintiffs shall cause to be published, in a widely circulated national business-oriented publication or wire service, a notice advising members of the purported plaintiff class—

"(I) of the pendency of the action, the claims asserted therein, and the purported class period; and

"(II) that, not later than 60 days after the date on which the notice is published, any member of the purported class may move the court to serve as lead plaintiff of the purported class.

"(ii) MULTIPLE ACTIONS.—If more than one action on behalf of a class asserting substantially the same claim or claims arising under this title is filed, only the plaintiff or plaintiffs in the first filed action shall be required to cause notice to be published in accordance with clause (i).

"(iii) ADDITIONAL NOTICES MAY BE REQUIRED UNDER FEDERAL RULES.—Notice required under clause (i) shall be in addition to any notice required pursuant to the Federal Rules of Civil Procedure.

"(B) APPOINTMENT OF LEAD PLAINTIFF.—

"(i) IN GENERAL.—Not later than 90 days after the date on which a notice is published under subparagraph (A)(i), the court shall consider any motion made by a purported class member in response to the notice, including any motion by a class member who is not individually named as a plaintiff in the complaint or complaints, and shall appoint as lead plaintiff the member or members of the purported plaintiff class that the court determines to be most capable of adequately representing the interests of class members (hereafter in this paragraph referred to as the 'most adequate plaintiff') in accordance with this subparagraph.

"(ii) CONSOLIDATED ACTIONS.—If more than one action on behalf of a class asserting substantially the same claim or claims arising under this title has been filed, and any party has sought to consolidate those actions for pretrial purposes or for trial, the court shall not make the determination required by clause (i) until after the decision on the motion to consolidate is rendered. As soon as practicable after such decision is rendered, the court shall appoint the most adequate plaintiff as lead plaintiff for the consolidated actions in accordance with this paragraph.

"(iii) REBUTTABLE PRESUMPTION.—

"(I) IN GENERAL.—Subject to subclause (II), for purposes of clause (i), the court shall adopt a presumption that the most adequate plaintiff in any private action arising under this title is the person or group of persons that—

"(aa) has either filed the complaint or made a motion in response to a notice under subparagraph (A)(i);

"(bb) in the determination of the court, has the largest financial interest in the relief sought by the class; and

"(cc) otherwise satisfies the requirements of Rule 23 of the Federal Rules of Civil Procedure.

"(II) REBUTTAL EVIDENCE.—The presumption described in subclause (I) may be rebutted only upon proof by a member of the purported plaintiff class that the presumptively most adequate plaintiff—

"(aa) will not fairly and adequately protect the interests of the class; or

"(bb) is subject to unique defenses that render such plaintiff incapable of adequately representing the class.

"(iv) DISCOVERY.—For purposes of this subparagraph, discovery relating to whether a member or members of the purported plaintiff class is the most adequate plaintiff may be conducted by a plaintiff only if the plaintiff first demonstrates a reasonable basis for a finding that the presumptively most adequate plaintiff is incapable of adequately representing the class.

"(v) SELECTION OF LEAD COUNSEL.—The most adequate plaintiff shall, subject to the approval of the court, select and retain counsel to represent the class.

"(vi) RESTRICTIONS ON PROFESSIONAL PLAINTIFFS.—Except as the court may otherwise permit, consistent with the purposes of this section, a person may be a lead plaintiff, or an officer, director, or fiduciary of a lead plaintiff, in no more than 5 securities class actions brought as plaintiff class actions pursuant to the Federal Rules of Civil Procedure during any 3-year period.

"(4) RECOVERY BY PLAINTIFFS.—The share of any final judgment or of any settlement that is awarded to a representative party serving on behalf of a class shall be equal, on a per share basis, to the portion of the final judgment or settlement awarded to all other members of the class. Nothing in this paragraph shall be construed to limit the award of reasonable costs and expenses (including lost wages) directly relating to the representation of the class to any representative party serving on behalf of a class.

"(5) RESTRICTIONS ON SETTLEMENTS UNDER SEAL.—The terms and provisions of any settlement agreement of a class action shall not be filed under seal, except that on motion of any party to the settlement, the court may order filing under seal for those portions of a settlement agreement as to which good cause is shown for such filing under seal. For purposes of this paragraph, good cause shall exist only if publication of a term or provision of a settlement agreement would cause direct and substantial harm to any party.

"(6) RESTRICTIONS ON PAYMENT OF ATTORNEYS' FEES AND EXPENSES.—Total attorneys' fees and expenses awarded by the court to counsel for the plaintiff class shall not exceed a reasonable percentage of the amount of any damages and prejudgment interest actually paid to the class.

"(7) DISCLOSURE OF SETTLEMENT TERMS TO CLASS MEMBERS.—Any proposed or final settlement agreement that is published or otherwise disseminated to the class shall include each of the following statements, along with a cover page summarizing the information contained in such statements:

"(A) STATEMENT OF PLAINTIFF RECOVERY.—The amount of the settlement proposed to be distributed to the parties to the action, determined in the aggregate and on an average per share basis.

"(B) STATEMENT OF POTENTIAL OUTCOME OF CASE.—

"(i) AGREEMENT ON AMOUNT OF DAMAGES.—If the settling parties agree on the average amount of dam-

ages per share that would be recoverable if the plaintiff prevailed on each claim alleged under this title, a statement concerning the average amount of such potential damages per share.

"(ii) DISAGREEMENT ON AMOUNT OF DAMAGES.—If the parties do not agree on the average amount of damages per share that would be recoverable if the plaintiff prevailed on each claim alleged under this title, a statement from each settling party concerning the issue or issues on which the parties disagree.

"(iii) INADMISSIBILITY FOR CERTAIN PURPOSES.—A statement made in accordance with clause (i) or (ii) concerning the amount of damages shall not be admissible in any Federal or State judicial action or administrative proceeding, other than an action or proceeding arising out of such statement.

"(C) STATEMENT OF ATTORNEYS' FEES OR COSTS SOUGHT.—If any of the settling parties or their counsel intend to apply to the court for an award of attorneys' fees or costs from any fund established as part of the settlement, a statement indicating which parties or counsel intend to make such an application, the amount of fees and costs that will be sought (including the amount of such fees and costs determined on an average per share basis), and a brief explanation supporting the fees and costs sought. Such information shall be clearly summarized on the cover page of any notice to a party of any proposed or final settlement agreement.

"(D) IDENTIFICATION OF LAWYERS' REPRESENTATIVES.—The name, telephone number, and address of one or more representatives of counsel for the plaintiff class who will be reasonably available to answer questions from class members concerning any matter contained in any notice of settlement published or otherwise disseminated to the class.

"(E) REASONS FOR SETTLEMENT.—A brief statement explaining the reasons why the parties are proposing the settlement.

"(F) OTHER INFORMATION.—Such other information as may be required by the court.

"(8) SECURITY FOR PAYMENT OF COSTS IN CLASS ACTIONS.—In any private action arising under this title that is certified as a class action pursuant to the Federal Rules of Civil Procedure, the court may require an undertaking from the attorneys for the plaintiff class, the plaintiff class, or both, or from the attorneys for the defendant, the defendant, or both, in such proportions and at such times as the court determines are just and equitable, for the payment of fees and expenses that may be awarded under this subsection.

"(9) ATTORNEY CONFLICT OF INTEREST.—If a plaintiff class is represented by an attorney who directly owns or otherwise has a beneficial interest in the securities that are the subject of the litigation, the court shall make a determination of whether such ownership or other interest constitutes a conflict of interest sufficient to disqualify the attorney from representing the plaintiff class.

"(b) REQUIREMENTS FOR SECURITIES FRAUD ACTIONS.—

"(1) MISLEADING STATEMENTS AND OMISSIONS.—In any private action arising under this title in which the plaintiff alleges that the defendant—

"(A) made an untrue statement of a material fact; or

"(B) omitted to state a material fact necessary in order to make the statements made, in the light of the circumstances in which they were made, not misleading;

the complaint shall specify each statement alleged to have been misleading, the reason or reasons why the statement is misleading, and, if an allegation regarding the statement or omission is made on information and belief, the complaint shall state with particularity all facts on which that belief is formed.

"(2) REQUIRED STATE OF MIND.—In any private action arising under this title in which the plaintiff may recover money damages only on proof that the defendant acted with a particular state of mind, the complaint shall, with respect to each act or omission alleged to violate this title, state with particularity facts giving rise to a strong inference that the defendant acted with the required state of mind.

"(3) MOTION TO DISMISS; STAY OF DISCOVERY.—

"(A) DISMISSAL FOR FAILURE TO MEET PLEADING REQUIREMENTS.—In any private action arising under this title, the court shall, on the motion of any defendant, dismiss the complaint if the requirements of paragraphs (1) and (2) are not met.

"(B) STAY OF DISCOVERY.—In any private action arising under this title, all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party.

"(C) PRESERVATION OF EVIDENCE.—

"(i) IN GENERAL.—During the pendency of any stay of discovery pursuant to this paragraph, unless otherwise ordered by the court, any party to the action with actual notice of the allegations contained in the complaint shall treat all documents, data compilations (including electronically recorded or stored data), and tangible objects that are in the custody or control of such person and that are relevant to the allegations, as if they were the subject of a continuing request for production of documents from an opposing party under the Federal Rules of Civil Procedure.

"(ii) SANCTION FOR WILLFUL VIOLATION.—A party aggrieved by the willful failure of an opposing party to comply with clause (i) may apply to the court for an order awarding appropriate sanctions.

"(4) LOSS CAUSATION.—In any private action arising under this title, the plaintiff shall have the burden of proving that the act or omission of the defendant alleged to violate this title caused the loss for which the plaintiff seeks to recover damages.

"(c) SANCTIONS FOR ABUSIVE LITIGATION.—

"(1) MANDATORY REVIEW BY COURT.—In any private action arising under this title, upon final adjudication of the action, Records.

the court shall include in the record specific findings regarding compliance by each party and each attorney representing any party with each requirement of Rule 11(b) of the Federal Rules of Civil Procedure as to any complaint, responsive pleading, or dispositive motion.

"(2) MANDATORY SANCTIONS.—If the court makes a finding under paragraph (1) that a party or attorney violated any requirement of Rule 11(b) of the Federal Rules of Civil Procedure as to any complaint, responsive pleading, or dispositive motion, the court shall impose sanctions on such party or attorney in accordance with Rule 11 of the Federal Rules of Civil Procedure. Prior to making a finding that any party or attorney has violated Rule 11 of the Federal Rules of Civil Procedure, the court shall give such party or attorney notice and an opportunity to respond.

"(3) PRESUMPTION IN FAVOR OF ATTORNEYS' FEES AND COSTS.—

"(A) IN GENERAL.—Subject to subparagraphs (B) and (C), for purposes of paragraph (2), the court shall adopt a presumption that the appropriate sanction—

"(i) for failure of any responsive pleading or dispositive motion to comply with any requirement of Rule 11(b) of the Federal Rules of Civil Procedure is an award to the opposing party of the reasonable attorneys' fees and other expenses incurred as a direct result of the violation; and

"(ii) for substantial failure of any complaint to comply with any requirement of Rule 11(b) of the Federal Rules of Civil Procedure is an award to the opposing party of the reasonable attorneys' fees and other expenses incurred in the action.

"(B) REBUTTAL EVIDENCE.—The presumption described in subparagraph (A) may be rebutted only upon proof by the party or attorney against whom sanctions are to be imposed that—

"(i) the award of attorneys' fees and other expenses will impose an unreasonable burden on that party or attorney and would be unjust, and the failure to make such an award would not impose a greater burden on the party in whose favor sanctions are to be imposed; or

"(ii) the violation of Rule 11(b) of the Federal Rules of Civil Procedure was de minimis.

"(C) SANCTIONS.—If the party or attorney against whom sanctions are to be imposed meets its burden under subparagraph (B), the court shall award the sanctions that the court deems appropriate pursuant to Rule 11 of the Federal Rules of Civil Procedure.

"(d) DEFENDANT'S RIGHT TO WRITTEN INTERROGATORIES.—In any private action arising under this title in which the plaintiff may recover money damages, the court shall, when requested by a defendant, submit to the jury a written interrogatory on the issue of each such defendant's state of mind at the time the alleged violation occurred.

"(e) LIMITATION ON DAMAGES.—

"(1) IN GENERAL.—Except as provided in paragraph (2), in any private action arising under this title in which the

plaintiff seeks to establish damages by reference to the market price of a security, the award of damages to the plaintiff shall not exceed the difference between the purchase or sale price paid or received, as appropriate, by the plaintiff for the subject security and the mean trading price of that security during the 90-day period beginning on the date on which the information correcting the misstatement or omission that is the basis for the action is disseminated to the market.

"(2) EXCEPTION.—In any private action arising under this title in which the plaintiff seeks to establish damages by reference to the market price of a security, if the plaintiff sells or repurchases the subject security prior to the expiration of the 90-day period described in paragraph (1), the plaintiff's damages shall not exceed the difference between the purchase or sale price paid or received, as appropriate, by the plaintiff for the security and the mean trading price of the security during the period beginning immediately after dissemination of information correcting the misstatement or omission and ending on the date on which the plaintiff sells or repurchases the security.

"(3) DEFINITION.—For purposes of this subsection, the 'mean trading price' of a security shall be an average of the daily trading price of that security, determined as of the close of the market each day during the 90-day period referred to in paragraph (1).".

SEC. 102. SAFE HARBOR FOR FORWARD-LOOKING STATEMENTS.

(a) AMENDMENT TO THE SECURITIES ACT OF 1933.—Title I of the Securities Act of 1933 (15 U.S.C. 77a et seq.) is amended by inserting after section 27 (as added by this Act) the following new section:

"SEC. 27A. APPLICATION OF SAFE HARBOR FOR FORWARD-LOOKING STATEMENTS. 15 USC 77z–2.

"(a) APPLICABILITY.—This section shall apply only to a forward-looking statement made by—

"(1) an issuer that, at the time that the statement is made, is subject to the reporting requirements of section 13(a) or section 15(d) of the Securities Exchange Act of 1934;

"(2) a person acting on behalf of such issuer;

"(3) an outside reviewer retained by such issuer making a statement on behalf of such issuer; or

"(4) an underwriter, with respect to information provided by such issuer or information derived from information provided by the issuer.

"(b) EXCLUSIONS.—Except to the extent otherwise specifically provided by rule, regulation, or order of the Commission, this section shall not apply to a forward-looking statement—

"(1) that is made with respect to the business or operations of the issuer, if the issuer—

"(A) during the 3-year period preceding the date on which the statement was first made—

"(i) was convicted of any felony or misdemeanor described in clauses (i) through (iv) of section 15(b)(4)(B) of the Securities Exchange Act of 1934; or

"(ii) has been made the subject of a judicial or administrative decree or order arising out of a governmental action that—

"(I) prohibits future violations of the antifraud provisions of the securities laws;

"(II) requires that the issuer cease and desist from violating the antifraud provisions of the securities laws; or

"(III) determines that the issuer violated the antifraud provisions of the securities laws;

"(B) makes the forward-looking statement in connection with an offering of securities by a blank check company;

"(C) issues penny stock;

"(D) makes the forward-looking statement in connection with a rollup transaction; or

"(E) makes the forward-looking statement in connection with a going private transaction; or

"(2) that is—

"(A) included in a financial statement prepared in accordance with generally accepted accounting principles;

"(B) contained in a registration statement of, or otherwise issued by, an investment company;

"(C) made in connection with a tender offer;

"(D) made in connection with an initial public offering;

"(E) made in connection with an offering by, or relating to the operations of, a partnership, limited liability company, or a direct participation investment program; or

"(F) made in a disclosure of beneficial ownership in a report required to be filed with the Commission pursuant to section 13(d) of the Securities Exchange Act of 1934.

"(c) SAFE HARBOR.—

"(1) IN GENERAL.—Except as provided in subsection (b), in any private action arising under this title that is based on an untrue statement of a material fact or omission of a material fact necessary to make the statement not misleading, a person referred to in subsection (a) shall not be liable with respect to any forward-looking statement, whether written or oral, if and to the extent that—

"(A) the forward-looking statement is—

"(i) identified as a forward-looking statement, and is accompanied by meaningful cautionary statements identifying important factors that could cause actual results to differ materially from those in the forward-looking statement; or

"(ii) immaterial; or

"(B) the plaintiff fails to prove that the forward-looking statement—

"(i) if made by a natural person, was made with actual knowledge by that person that the statement was false or misleading; or

"(ii) if made by a business entity; was—

"(I) made by or with the approval of an executive officer of that entity, and

"(II) made or approved by such officer with actual knowledge by that officer that the statement was false or misleading.

"(2) ORAL FORWARD-LOOKING STATEMENTS.—In the case of an oral forward-looking statement made by an issuer that is subject to the reporting requirements of section 13(a) or section 15(d) of the Securities Exchange Act of 1934, or by a person acting on behalf of such issuer, the requirement set forth in paragraph (1)(A) shall be deemed to be satisfied—

"(A) if the oral forward-looking statement is accompanied by a cautionary statement—

"(i) that the particular oral statement is a forward-looking statement; and

"(ii) that the actual results could differ materially from those projected in the forward-looking statement; and

"(B) if—

"(i) the oral forward-looking statement is accompanied by an oral statement that additional information concerning factors that could cause actual results to differ materially from those in the forward-looking statement is contained in a readily available written document, or portion thereof;

"(ii) the accompanying oral statement referred to in clause (i) identifies the document, or portion thereof, that contains the additional information about those factors relating to the forward-looking statement; and

"(iii) the information contained in that written document is a cautionary statement that satisfies the standard established in paragraph (1)(A).

"(3) AVAILABILITY.—Any document filed with the Commission or generally disseminated shall be deemed to be readily available for purposes of paragraph (2).

"(4) EFFECT ON OTHER SAFE HARBORS.—The exemption provided for in paragraph (1) shall be in addition to any exemption that the Commission may establish by rule or regulation under subsection (g).

"(d) DUTY TO UPDATE.—Nothing in this section shall impose upon any person a duty to update a forward-looking statement.

"(e) DISPOSITIVE MOTION.—On any motion to dismiss based upon subsection (c)(1), the court shall consider any statement cited in the complaint and cautionary statement accompanying the forward-looking statement, which are not subject to material dispute, cited by the defendant.

"(f) STAY PENDING DECISION ON MOTION.—In any private action arising under this title, the court shall stay discovery (other than discovery that is specifically directed to the applicability of the exemption provided for in this section) during the pendency of any motion by a defendant for summary judgment that is based on the grounds that—

"(1) the statement or omission upon which the complaint is based is a forward-looking statement within the meaning of this section; and

"(2) the exemption provided for in this section precludes a claim for relief.

"(g) EXEMPTION AUTHORITY.—In addition to the exemptions provided for in this section, the Commission may, by rule or regulation, provide exemptions from or under any provision of this title, including with respect to liability that is based on a statement or that is based on projections or other forward-looking information,

if and to the extent that any such exemption is consistent with the public interest and the protection of investors, as determined by the Commission.

"(h) EFFECT ON OTHER AUTHORITY OF COMMISSION.—Nothing in this section limits, either expressly or by implication, the authority of the Commission to exercise similar authority or to adopt similar rules and regulations with respect to forward-looking statements under any other statute under which the Commission exercises rulemaking authority.

"(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) FORWARD-LOOKING STATEMENT.—The term 'forward-looking statement' means—

"(A) a statement containing a projection of revenues, income (including income loss), earnings (including earnings loss) per share, capital expenditures, dividends, capital structure, or other financial items;

"(B) a statement of the plans and objectives of management for future operations, including plans or objectives relating to the products or services of the issuer;

"(C) a statement of future economic performance, including any such statement contained in a discussion and analysis of financial condition by the management or in the results of operations included pursuant to the rules and regulations of the Commission;

"(D) any statement of the assumptions underlying or relating to any statement described in subparagraph (A), (B), or (C);

"(E) any report issued by an outside reviewer retained by an issuer, to the extent that the report assesses a forward-looking statement made by the issuer; or

"(F) a statement containing a projection or estimate of such other items as may be specified by rule or regulation of the Commission.

"(2) INVESTMENT COMPANY.—The term 'investment company' has the same meaning as in section 3(a) of the Investment Company Act of 1940.

"(3) PENNY STOCK.—The term 'penny stock' has the same meaning as in section 3(a)(51) of the Securities Exchange Act of 1934, and the rules and regulations, or orders issued pursuant to that section.

"(4) GOING PRIVATE TRANSACTION.—The term 'going private transaction' has the meaning given that term under the rules or regulations of the Commission issued pursuant to section 13(e) of the Securities Exchange Act of 1934.

"(5) SECURITIES LAWS.—The term 'securities laws' has the same meaning as in section 3 of the Securities Exchange Act of 1934.

"(6) PERSON ACTING ON BEHALF OF AN ISSUER.—The term 'person acting on behalf of an issuer' means an officer, director, or employee of the issuer.

"(7) OTHER TERMS.—The terms 'blank check company', 'roll-up transaction', 'partnership', 'limited liability company', 'executive officer of an entity' and 'direct participation investment program', have the meanings given those terms by rule or regulation of the Commission.".

(b) AMENDMENT TO THE SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting after section 21D (as added by this Act) the following new section:

"SEC. 21E. APPLICATION OF SAFE HARBOR FOR FORWARD-LOOKING STATEMENTS. 15 USC 78u–5.

"(a) APPLICABILITY.—This section shall apply only to a forward-looking statement made by—

"(1) an issuer that, at the time that the statement is made, is subject to the reporting requirements of section 13(a) or section 15(d);

"(2) a person acting on behalf of such issuer;

"(3) an outside reviewer retained by such issuer making a statement on behalf of such issuer; or

"(4) an underwriter, with respect to information provided by such issuer or information derived from information provided by such issuer.

"(b) EXCLUSIONS.—Except to the extent otherwise specifically provided by rule, regulation, or order of the Commission, this section shall not apply to a forward-looking statement—

"(1) that is made with respect to the business or operations of the issuer, if the issuer—

"(A) during the 3-year period preceding the date on which the statement was first made—

"(i) was convicted of any felony or misdemeanor described in clauses (i) through (iv) of section 15(b)(4)(B); or

"(ii) has been made the subject of a judicial or administrative decree or order arising out of a governmental action that—

"(I) prohibits future violations of the antifraud provisions of the securities laws;

"(II) requires that the issuer cease and desist from violating the antifraud provisions of the securities laws; or

"(III) determines that the issuer violated the antifraud provisions of the securities laws;

"(B) makes the forward-looking statement in connection with an offering of securities by a blank check company;

"(C) issues penny stock;

"(D) makes the forward-looking statement in connection with a rollup transaction; or

"(E) makes the forward-looking statement in connection with a going private transaction; or

"(2) that is—

"(A) included in a financial statement prepared in accordance with generally accepted accounting principles;

"(B) contained in a registration statement of, or otherwise issued by, an investment company;

"(C) made in connection with a tender offer;

"(D) made in connection with an initial public offering;

"(E) made in connection with an offering by, or relating to the operations of, a partnership, limited liability company, or a direct participation investment program; or

"(F) made in a disclosure of beneficial ownership in a report required to be filed with the Commission pursuant to section 13(d).

"(c) SAFE HARBOR.—

"(1) IN GENERAL.—Except as provided in subsection (b), in any private action arising under this title that is based on an untrue statement of a material fact or omission of a material fact necessary to make the statement not misleading, a person referred to in subsection (a) shall not be liable with respect to any forward-looking statement, whether written or oral, if and to the extent that—

"(A) the forward-looking statement is—

"(i) identified as a forward-looking statement, and is accompanied by meaningful cautionary statements identifying important factors that could cause actual results to differ materially from those in the forward-looking statement; or

"(ii) immaterial; or

"(B) the plaintiff fails to prove that the forward-looking statement—

"(i) if made by a natural person, was made with actual knowledge by that person that the statement was false or misleading; or

"(ii) if made by a business entity; was—

"(I) made by or with the approval of an executive officer of that entity; and

"(II) made or approved by such officer with actual knowledge by that officer that the statement was false or misleading.

"(2) ORAL FORWARD-LOOKING STATEMENTS.—In the case of an oral forward-looking statement made by an issuer that is subject to the reporting requirements of section 13(a) or section 15(d), or by a person acting on behalf of such issuer, the requirement set forth in paragraph (1)(A) shall be deemed to be satisfied—

"(A) if the oral forward-looking statement is accompanied by a cautionary statement—

"(i) that the particular oral statement is a forward-looking statement; and

"(ii) that the actual results might differ materially from those projected in the forward-looking statement; and

"(B) if—

"(i) the oral forward-looking statement is accompanied by an oral statement that additional information concerning factors that could cause actual results to materially differ from those in the forward-looking statement is contained in a readily available written document, or portion thereof;

"(ii) the accompanying oral statement referred to in clause (i) identifies the document, or portion thereof, that contains the additional information about those factors relating to the forward-looking statement; and

"(iii) the information contained in that written document is a cautionary statement that satisfies the standard established in paragraph (1)(A).

"(3) AVAILABILITY.—Any document filed with the Commission or generally disseminated shall be deemed to be readily available for purposes of paragraph (2).

"(4) EFFECT ON OTHER SAFE HARBORS.—The exemption provided for in paragraph (1) shall be in addition to any exemption that the Commission may establish by rule or regulation under subsection (g).

"(d) DUTY TO UPDATE.—Nothing in this section shall impose upon any person a duty to update a forward-looking statement.

"(e) DISPOSITIVE MOTION.—On any motion to dismiss based upon subsection (c)(1), the court shall consider any statement cited in the complaint and any cautionary statement accompanying the forward-looking statement, which are not subject to material dispute, cited by the defendant.

"(f) STAY PENDING DECISION ON MOTION.—In any private action arising under this title, the court shall stay discovery (other than discovery that is specifically directed to the applicability of the exemption provided for in this section) during the pendency of any motion by a defendant for summary judgment that is based on the grounds that—

"(1) the statement or omission upon which the complaint is based is a forward-looking statement within the meaning of this section; and

"(2) the exemption provided for in this section precludes a claim for relief.

"(g) EXEMPTION AUTHORITY.—In addition to the exemptions provided for in this section, the Commission may, by rule or regulation, provide exemptions from or under any provision of this title, including with respect to liability that is based on a statement or that is based on projections or other forward-looking information, if and to the extent that any such exemption is consistent with the public interest and the protection of investors, as determined by the Commission.

"(h) EFFECT ON OTHER AUTHORITY OF COMMISSION.—Nothing in this section limits, either expressly or by implication, the authority of the Commission to exercise similar authority or to adopt similar rules and regulations with respect to forward-looking statements under any other statute under which the Commission exercises rulemaking authority.

"(i) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) FORWARD-LOOKING STATEMENT.—The term 'forward-looking statement' means—

"(A) a statement containing a projection of revenues, income (including income loss), earnings (including earnings loss) per share, capital expenditures, dividends, capital structure, or other financial items;

"(B) a statement of the plans and objectives of management for future operations, including plans or objectives relating to the products or services of the issuer;

"(C) a statement of future economic performance, including any such statement contained in a discussion and analysis of financial condition by the management or in the results of operations included pursuant to the rules and regulations of the Commission;

"(D) any statement of the assumptions underlying or relating to any statement described in subparagraph (A), (B), or (C);

"(E) any report issued by an outside reviewer retained by an issuer, to the extent that the report assesses a forward-looking statement made by the issuer; or

"(F) a statement containing a projection or estimate of such other items as may be specified by rule or regulation of the Commission.

"(2) INVESTMENT COMPANY.—The term 'investment company' has the same meaning as in section 3(a) of the Investment Company Act of 1940.

"(3) GOING PRIVATE TRANSACTION.—The term 'going private transaction' has the meaning given that term under the rules or regulations of the Commission issued pursuant to section 13(e).

"(4) PERSON ACTING ON BEHALF OF AN ISSUER.—The term 'person acting on behalf of an issuer' means any officer, director, or employee of such issuer.

"(5) OTHER TERMS.—The terms 'blank check company', 'roll-up transaction', 'partnership', 'limited liability company', 'executive officer of an entity' and 'direct participation investment program', have the meanings given those terms by rule or regulation of the Commission.".

SEC. 103. ELIMINATION OF CERTAIN ABUSIVE PRACTICES.

(a) PROHIBITION OF REFERRAL FEES.—Section 15(c) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(c)) is amended by adding at the end the following new paragraph:

"(8) PROHIBITION OF REFERRAL FEES.—No broker or dealer, or person associated with a broker or dealer, may solicit or accept, directly or indirectly, remuneration for assisting an attorney in obtaining the representation of any person in any private action arising under this title or under the Securities Act of 1933.".

(b) PROHIBITION OF ATTORNEYS' FEES PAID FROM COMMISSION DISGORGEMENT FUNDS.—

(1) SECURITIES ACT OF 1933.—Section 20 of the Securities Act of 1933 (15 U.S.C. 77t) is amended by adding at the end the following new subsection:

"(f) PROHIBITION OF ATTORNEYS' FEES PAID FROM COMMISSION DISGORGEMENT FUNDS.—Except as otherwise ordered by the court upon motion by the Commission, or, in the case of an administrative action, as otherwise ordered by the Commission, funds disgorged as the result of an action brought by the Commission in Federal court, or as a result of any Commission administrative action, shall not be distributed as payment for attorneys' fees or expenses incurred by private parties seeking distribution of the disgorged funds.".

(2) SECURITIES EXCHANGE ACT OF 1934.—Section 21(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78u(d)) is amended by adding at the end the following new paragraph:

"(4) PROHIBITION OF ATTORNEYS' FEES PAID FROM COMMISSION DISGORGEMENT FUNDS.—Except as otherwise ordered by the court upon motion by the Commission, or, in the case of an administrative action, as otherwise ordered by the Commission, funds disgorged as the result of an action brought

by the Commission in Federal court, or as a result of any Commission administrative action, shall not be distributed as payment for attorneys' fees or expenses incurred by private parties seeking distribution of the disgorged funds.".

SEC. 104. AUTHORITY OF COMMISSION TO PROSECUTE AIDING AND ABETTING.

Section 20 of the Securities Exchange Act of 1934 (15 U.S.C. 78t) is amended—

(1) by striking the section heading and inserting the following:

"LIABILITY OF CONTROLLING PERSONS AND PERSONS WHO AID AND ABET VIOLATIONS";

and

(2) by adding at the end the following new subsection:

"(f) PROSECUTION OF PERSONS WHO AID AND ABET VIOLATIONS.—For purposes of any action brought by the Commission under paragraph (1) or (3) of section 21(d), any person that knowingly provides substantial assistance to another person in violation of a provision of this title, or of any rule or regulation issued under this title, shall be deemed to be in violation of such provision to the same extent as the person to whom such assistance is provided.".

SEC. 105. LOSS CAUSATION.

Section 12 of the Securities Act of 1933 (15 U.S.C. 77l) is amended—

(1) by inserting "(a) IN GENERAL.—" before "Any person";

(2) by inserting ", subject to subsection (b)," after "shall be liable"; and

(3) by adding at the end the following:

"(b) LOSS CAUSATION.—In an action described in subsection (a)(2), if the person who offered or sold such security proves that any portion or all of the amount recoverable under subsection (a)(2) represents other than the depreciation in value of the subject security resulting from such part of the prospectus or oral communication, with respect to which the liability of that person is asserted, not being true or omitting to state a material fact required to be stated therein or necessary to make the statement not misleading, then such portion or amount, as the case may be, shall not be recoverable.".

SEC. 106. STUDY AND REPORT ON PROTECTIONS FOR SENIOR CITIZENS AND QUALIFIED RETIREMENT PLANS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Securities and Exchange Commission shall—

(1) determine whether investors that are senior citizens or qualified retirement plans require greater protection against securities fraud than is provided in this Act and the amendments made by this Act;

(2) determine whether investors that are senior citizens or qualified retirement plans have been adversely impacted by abusive or unnecessary securities fraud litigation, and whether the provisions in this Act or amendments made by

this Act are sufficient to protect their investments from such litigation; and

Reports. (3) if so, submit to the Congress a report containing recommendations on protections from securities fraud and abusive or unnecessary securities fraud litigation that the Commission determines to be appropriate to thoroughly protect such investors.

(b) DEFINITIONS.—For purposes of this section—

(1) the term "qualified retirement plan" has the same meaning as in section 4974(c) of the Internal Revenue Code of 1986; and

(2) the term "senior citizen" means an individual who is 62 years of age or older as of the date of the securities transaction at issue.

SEC. 107. AMENDMENT TO RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT.

Section 1964(c) of title 18, United States Code, is amended by inserting before the period ", except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section 1962. The exception contained in the preceding sentence does not apply to an action against any person that is criminally convicted in connection with the fraud, in which case the statute of limitations shall start to run on the date on which the conviction becomes final".

15 USC 77*l* note. **SEC. 108. APPLICABILITY.**

The amendments made by this title shall not affect or apply to any private action arising under title I of the Securities Exchange Act of 1934 or title I of the Securities Act of 1933, commenced before and pending on the date of enactment of this Act.

TITLE II—REDUCTION OF COERCIVE SETTLEMENTS

SEC. 201. PROPORTIONATE LIABILITY.

(a) AMENDMENT TO SECURITIES AND EXCHANGE ACT OF 1934.—Section 21D of the Securities Exchange Act of 1934 (as added 15 USC 78u–4. by this Act) is amended by adding at the end the following new subsection:

"(g) PROPORTIONATE LIABILITY.—

"(1) APPLICABILITY.—Nothing in this subsection shall be construed to create, affect, or in any manner modify, the standard for liability associated with any action arising under the securities laws.

"(2) LIABILITY FOR DAMAGES.—

"(A) JOINT AND SEVERAL LIABILITY.—Any covered person against whom a final judgment is entered in a private action shall be liable for damages jointly and severally only if the trier of fact specifically determines that such covered person knowingly committed a violation of the securities laws.

"(B) PROPORTIONATE LIABILITY.—

"(i) IN GENERAL.—Except as provided in paragraph (1), a covered person against whom a final judgment

is entered in a private action shall be liable solely for the portion of the judgment that corresponds to the percentage of responsibility of that covered person, as determined under paragraph (3).

"(ii) RECOVERY BY AND COSTS OF COVERED PERSON.—In any case in which a contractual relationship permits, a covered person that prevails in any private action may recover the attorney's fees and costs of that covered person in connection with the action.

"(3) DETERMINATION OF RESPONSIBILITY.—

"(A) IN GENERAL.—In any private action, the court shall instruct the jury to answer special interrogatories, or if there is no jury, shall make findings, with respect to each covered person and each of the other persons claimed by any of the parties to have caused or contributed to the loss incurred by the plaintiff, including persons who have entered into settlements with the plaintiff or plaintiffs, concerning—

"(i) whether such person violated the securities laws;

"(ii) the percentage of responsibility of such person, measured as a percentage of the total fault of all persons who caused or contributed to the loss incurred by the plaintiff; and

"(iii) whether such person knowingly committed a violation of the securities laws.

"(B) CONTENTS OF SPECIAL INTERROGATORIES OR FINDINGS.—The responses to interrogatories, or findings, as appropriate, under subparagraph (A) shall specify the total amount of damages that the plaintiff is entitled to recover and the percentage of responsibility of each covered person found to have caused or contributed to the loss incurred by the plaintiff or plaintiffs.

"(C) FACTORS FOR CONSIDERATION.—In determining the percentage of responsibility under this paragraph, the trier of fact shall consider—

"(i) the nature of the conduct of each covered person found to have caused or contributed to the loss incurred by the plaintiff or plaintiffs; and

"(ii) the nature and extent of the causal relationship between the conduct of each such person and the damages incurred by the plaintiff or plaintiffs.

"(4) UNCOLLECTIBLE SHARE.—

"(A) IN GENERAL.—Notwithstanding paragraph (2)(B), upon motion made not later than 6 months after a final judgment is entered in any private action, the court determines that all or part of the share of the judgment of the covered person is not collectible against that covered person, and is also not collectible against a covered person described in paragraph (2)(A), each covered person described in paragraph (2)(B) shall be liable for the uncollectible share as follows:

"(i) PERCENTAGE OF NET WORTH.—Each covered person shall be jointly and severally liable for the uncollectible share if the plaintiff establishes that—

"(I) the plaintiff is an individual whose recoverable damages under the final judgment are

equal to more than 10 percent of the net worth of the plaintiff; and

"(II) the net worth of the plaintiff is equal to less than $200,000.

"(ii) OTHER PLAINTIFFS.—With respect to any plaintiff not described in subclauses (I) and (II) of clause (i), each covered person shall be liable for the uncollectible share in proportion to the percentage of responsibility of that covered person, except that the total liability of a covered person under this clause may not exceed 50 percent of the proportionate share of that covered person, as determined under paragraph (3)(B).

"(iii) NET WORTH.—For purposes of this subparagraph, net worth shall be determined as of the date immediately preceding the date of the purchase or sale (as applicable) by the plaintiff of the security that is the subject of the action, and shall be equal to the fair market value of assets, minus liabilities, including the net value of the investments of the plaintiff in real and personal property (including personal residences).

"(B) OVERALL LIMIT.—In no case shall the total payments required pursuant to subparagraph (A) exceed the amount of the uncollectible share.

"(C) COVERED PERSONS SUBJECT TO CONTRIBUTION.—A covered person against whom judgment is not collectible shall be subject to contribution and to any continuing liability to the plaintiff on the judgment.

"(5) RIGHT OF CONTRIBUTION.—To the extent that a covered person is required to make an additional payment pursuant to paragraph (4), that covered person may recover contribution—

"(A) from the covered person originally liable to make the payment;

"(B) from any covered person liable jointly and severally pursuant to paragraph (2)(A);

"(C) from any covered person held proportionately liable pursuant to this paragraph who is liable to make the same payment and has paid less than his or her proportionate share of that payment; or

"(D) from any other person responsible for the conduct giving rise to the payment that would have been liable to make the same payment.

"(6) NONDISCLOSURE TO JURY.—The standard for allocation of damages under paragraphs (2) and (3) and the procedure for reallocation of uncollectible shares under paragraph (4) shall not be disclosed to members of the jury.

"(7) SETTLEMENT DISCHARGE.—

"(A) IN GENERAL.—A covered person who settles any private action at any time before final verdict or judgment shall be discharged from all claims for contribution brought by other persons. Upon entry of the settlement by the court, the court shall enter a bar order constituting the final discharge of all obligations to the plaintiff of the settling covered person arising out of the action. The order

shall bar all future claims for contribution arising out of the action—

"(i) by any person against the settling covered person; and

"(ii) by the settling covered person against any person, other than a person whose liability has been extinguished by the settlement of the settling covered person.

"(B) REDUCTION.—If a covered person enters into a settlement with the plaintiff prior to final verdict or judgment, the verdict or judgment shall be reduced by the greater of—

"(i) an amount that corresponds to the percentage of responsibility of that covered person; or

"(ii) the amount paid to the plaintiff by that covered person.

"(8) CONTRIBUTION.—A covered person who becomes jointly and severally liable for damages in any private action may recover contribution from any other person who, if joined in the original action, would have been liable for the same damages. A claim for contribution shall be determined based on the percentage of responsibility of the claimant and of each person against whom a claim for contribution is made.

"(9) STATUTE OF LIMITATIONS FOR CONTRIBUTION.—In any private action determining liability, an action for contribution shall be brought not later than 6 months after the entry of a final, nonappealable judgment in the action, except that an action for contribution brought by a covered person who was required to make an additional payment pursuant to paragraph (4) may be brought not later than 6 months after the date on which such payment was made.

"(10) DEFINITIONS.—For purposes of this subsection—

"(A) a covered person 'knowingly commits a violation of the securities laws'—

"(i) with respect to an action that is based on an untrue statement of material fact or omission of a material fact necessary to make the statement not misleading, if—

"(I) that covered person makes an untrue statement of a material fact, with actual knowledge that the representation is false, or omits to state a fact necessary in order to make the statement made not misleading, with actual knowledge that, as a result of the omission, one of the material representations of the covered person is false; and

"(II) persons are likely to reasonably rely on that misrepresentation or omission; and

"(ii) with respect to an action that is based on any conduct that is not described in clause (i), if that covered person engages in that conduct with actual knowledge of the facts and circumstances that make the conduct of that covered person a violation of the securities laws;

"(B) reckless conduct by a covered person shall not be construed to constitute a knowing commission of a violation of the securities laws by that covered person;

"(C) the term 'covered person' means—

"(i) a defendant in any private action arising under this title; or

"(ii) a defendant in any private action arising under section 11 of the Securities Act of 1933, who is an outside director of the issuer of the securities that are the subject of the action; and

"(D) the term 'outside director' shall have the meaning given such term by rule or regulation of the Commission.".

(b) AMENDMENTS TO THE SECURITIES ACT OF 1933.—Section 11(f) of the Securities Act of 1933 (12 U.S.C. 77k(f)) is amended— 15 USC 77k.

(1) by striking "All" and inserting "(1) Except as provided in paragraph (2), all"; and

(2) by adding at the end the following new paragraph:

"(2)(A) The liability of an outside director under subsection (e) shall be determined in accordance with section 38 of the Securities Exchange Act of 1934.

"(B) For purposes of this paragraph, the term 'outside director' shall have the meaning given such term by rule or regulation of the Commission .".

15 USC 77k note.

SEC. 202. APPLICABILITY.

The amendments made by this title shall not affect or apply to any private action arising under the securities laws commenced before and pending on the date of enactment of this Act.

15 USC 78j–1 note.

SEC. 203. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be deemed to create or ratify any implied private right of action, or to prevent the Commission, by rule or regulation, from restricting or otherwise regulating private actions under the Securities Exchange Act of 1934.

TITLE III—AUDITOR DISCLOSURE OF CORPORATE FRAUD

SEC. 301. FRAUD DETECTION AND DISCLOSURE.

(a) IN GENERAL.—The Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) is amended by inserting immediately after section 10 the following new section:

15 USC 78j–1.

"SEC. 10A. AUDIT REQUIREMENTS.

"(a) IN GENERAL.—Each audit required pursuant to this title of the financial statements of an issuer by an independent public accountant shall include, in accordance with generally accepted auditing standards, as may be modified or supplemented from time to time by the Commission—

"(1) procedures designed to provide reasonable assurance of detecting illegal acts that would have a direct and material effect on the determination of financial statement amounts;

"(2) procedures designed to identify related party transactions that are material to the financial statements or otherwise require disclosure therein; and

"(3) an evaluation of whether there is substantial doubt about the ability of the issuer to continue as a going concern during the ensuing fiscal year.

"(b) REQUIRED RESPONSE TO AUDIT DISCOVERIES.—

"(1) INVESTIGATION AND REPORT TO MANAGEMENT.—If, in the course of conducting an audit pursuant to this title to which subsection (a) applies, the independent public accountant detects or otherwise becomes aware of information indicating that an illegal act (whether or not perceived to have a material effect on the financial statements of the issuer) has or may have occurred, the accountant shall, in accordance with generally accepted auditing standards, as may be modified or supplemented from time to time by the Commission—

"(A)(i) determine whether it is likely that an illegal act has occurred; and

"(ii) if so, determine and consider the possible effect of the illegal act on the financial statements of the issuer, including any contingent monetary effects, such as fines, penalties, and damages; and

"(B) as soon as practicable, inform the appropriate level of the management of the issuer and assure that the audit committee of the issuer, or the board of directors of the issuer in the absence of such a committee, is adequately informed with respect to illegal acts that have been detected or have otherwise come to the attention of such accountant in the course of the audit, unless the illegal act is clearly inconsequential.

"(2) RESPONSE TO FAILURE TO TAKE REMEDIAL ACTION.—If, after determining that the audit committee of the board of directors of the issuer, or the board of directors of the issuer in the absence of an audit committee, is adequately informed with respect to illegal acts that have been detected or have otherwise come to the attention of the accountant in the course of the audit of such accountant, the independent public accountant concludes that—

"(A) the illegal act has a material effect on the financial statements of the issuer;

"(B) the senior management has not taken, and the board of directors has not caused senior management to take, timely and appropriate remedial actions with respect to the illegal act; and

"(C) the failure to take remedial action is reasonably expected to warrant departure from a standard report of the auditor, when made, or warrant resignation from the audit engagement;

the independent public accountant shall, as soon as practicable, directly report its conclusions to the board of directors.

"(3) NOTICE TO COMMISSION; RESPONSE TO FAILURE TO NOTIFY.—An issuer whose board of directors receives a report under paragraph (2) shall inform the Commission by notice not later than 1 business day after the receipt of such report and shall furnish the independent public accountant making such report with a copy of the notice furnished to the Commission. If the independent public accountant fails to receive a copy of the notice before the expiration of the required 1-business-day period, the independent public accountant shall—

"(A) resign from the engagement; or

"(B) furnish to the Commission a copy of its report (or the documentation of any oral report given) not later than 1 business day following such failure to receive notice.

"(4) REPORT AFTER RESIGNATION.—If an independent public accountant resigns from an engagement under paragraph (3)(A), the accountant shall, not later than 1 business day following the failure by the issuer to notify the Commission under paragraph (3), furnish to the Commission a copy of the accountant's report (or the documentation of any oral report given).

"(c) AUDITOR LIABILITY LIMITATION.—No independent public accountant shall be liable in a private action for any finding, conclusion, or statement expressed in a report made pursuant to paragraph (3) or (4) of subsection (b), including any rule promulgated pursuant thereto.

"(d) CIVIL PENALTIES IN CEASE-AND-DESIST PROCEEDINGS.—If the Commission finds, after notice and opportunity for hearing in a proceeding instituted pursuant to section 21C, that an independent public accountant has willfully violated paragraph (3) or (4) of subsection (b), the Commission may, in addition to entering an order under section 21C, impose a civil penalty against the independent public accountant and any other person that the Commission finds was a cause of such violation. The determination to impose a civil penalty and the amount of the penalty shall be governed by the standards set forth in section 21B.

"(e) PRESERVATION OF EXISTING AUTHORITY.—Except as provided in subsection (d), nothing in this section shall be held to limit or otherwise affect the authority of the Commission under this title.

"(f) DEFINITION.—As used in this section, the term 'illegal act' means an act or omission that violates any law, or any rule or regulation having the force of law.".

15 USC 78j–1 note.

(b) EFFECTIVE DATES.—The amendment made by subsection (a) shall apply to each annual report—

(1) for any period beginning on or after January 1, 1996, with respect to any registrant that is required to file selected quarterly financial data pursuant to the rules or regulations of the Securities and Exchange Commission; and

(2) for any period beginning on or after January 1, 1997, with respect to any other registrant.

Newt Gingrich
Speaker of the House of Representatives.

Strom Thurmond
President of the Senate pro tempore.

IN THE HOUSE OF REPRESENTATIVES, U.S.

December 20, 1995.

The House of Representatives having proceeded to reconsider the bill (H.R. 1058) entitled "An Act to reform Federal securities litigation, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was

Resolved, That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same.

Robin H. Carle
Clerk.

I certify that this Act originated in the House of Representatives.

Clerk.

IN THE SENATE OF THE UNITED STATES,

December 22, 1995.

The Senate having proceeded to reconsider the bill (H.R. 1058) entitled "An Act to reform Federal securities litigation, and for other purposes", returned by the President of the United States with his objections, to the House of Representatives, in which it originated, and passed by the House of Representatives on reconsideration of the same, it was

Resolved, That the said bill pass, two-thirds of the Senators present having voted in the affirmative.

Attest:

Kelly P. Johnston
Secretary.

LEGISLATIVE HISTORY—H.R. 1058 (S. 240):

HOUSE REPORTS: No. 104–369 (Comm. of Conference).
SENATE REPORTS: No. 104–98 accompanying S. 240 (Comm. on Banking, Housing, and Urban Affairs).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Mar. 7, 8, considered and passed House.
June 22, 23, 26–28, considered and passed Senate, amended, in lieu of S. 240.
Dec. 5, Senate agreed to conference report.
Dec. 6, House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Dec. 19, Presidential veto message.
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 20, House overrode veto.
Dec. 22, Senate overrode veto.

Public Law 104–68
104th Congress

An Act

Dec. 22, 1995
[H.R. 2481]

To designate the Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the "Ronald Reagan Building and International Trade Center".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

40 USC 1101 note.

SECTION 1. DESIGNATION.

The Federal Triangle Project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, shall be known and designated as the "Ronald Reagan Building and International Trade Center".

40 USC 1101 note.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the building referred to in section 1 shall be deemed to be a reference to the "Ronald Reagan Building and International Trade Center".

Approved December 22, 1995.

LEGISLATIVE HISTORY—H.R. 2481 (S. 1315):

HOUSE REPORTS: No. 104–414 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 18, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–69
104th Congress

Joint Resolution

Making further continuing appropriations for the fiscal year 1996, and for other purposes.

Dec. 22, 1995
[H.J. Res. 136]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I

AID TO FAMILIES WITH DEPENDENT CHILDREN AND FOSTER CARE AND ADOPTION ASSISTANCE

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 101. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing the following projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this joint resolution) which were conducted in the fiscal year 1995:

All projects and activities funded under the account heading "Family support payments to States" under the Administration For Children and Families in the Department of Health and Human Services;

All projects and activities funded under the account heading "Payments to States for foster care and adoption assistance" under the Administration For Children and Families in the Department of Health and Human Services; and

All administrative activities necessary to carry out the projects and activities in the preceeding two paragraphs:

Provided, That whenever the amount which would be made available or the authority which would be granted under an Act which included funding for fiscal year 1996 for the projects and activities listed in this section is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act which included funding for fiscal year 1996 for the projects and activities listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be avail-

able or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

(c) Whenever an Act which included funding for fiscal year 1996 for the projects and activities listed in this section has been passed by only the House or only the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued under the appropriation, fund, or authority granted by the one House at a rate for operations not exceeding the current rate or the rate permitted by the action of the one House, whichever is lower, and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 104. No provision which is included in the appropriations Act enumerated in section 101 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund, or authority shall be applicable to any appropriation, fund, or authority provided in this joint resolution.

SEC. 105. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this joint resolution.

Termination date.

SEC. 106. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

SEC. 107. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 108. No provision in the appropriations Act for the fiscal year 1996 referred to in section 101 of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 106(c) of this joint resolution.

SEC. 109. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution

may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

TITLE II

DISTRICT OF COLUMBIA

The following sums are hereby appropriated, out of the general fund and enterprise funds of the District of Columbia for the District of Columbia for the fiscal year 1996, and for other purposes, namely:

SEC. 201. (a) Such amounts as may be necessary under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 for continuing projects or activities including the costs of direct loans and loan guarantees (not otherwise specifically provided for in this title of this joint resolution) which were conducted in the fiscal year 1995 and for which appropriations, funds, or other authority would be available in the following appropriations Act:

The District of Columbia Appropriations Act, 1996:

Provided, That whenever the amount which would be made available or the authority which would be granted in this Act is greater than that which would be available or granted under current operations, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate.

(b) Whenever the amount which would be made available or the authority which would be granted under the Act listed in this section as passed by the House as of the date of enactment of this joint resolution, is different from that which would be available or granted under such Act as passed by the Senate as of the date of enactment of this joint resolution, the pertinent project or activity shall be continued at a rate for operations not exceeding the current rate or the rate permitted by the action of the House or the Senate, whichever is lower, under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995: *Provided,* That where an item is not included in either version or where an item is included in only one version of the Act as passed by both Houses as of the date of enactment of this joint resolution, the pertinent project or activity shall not be continued except as provided for in section 211 or 212 under the appropriation, fund, or authority granted by the applicable appropriations Act for the fiscal year 1995 and under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995.

SEC. 202. Appropriations made by section 201 shall be available to the extent and in the manner which would be provided by the pertinent appropriations Act.

SEC. 203. No appropriation or funds made available or authority granted pursuant to section 201 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during the fiscal year 1995.

SEC. 204. No provision which is included in the appropriations Act enumerated in section 201 but which was not included in the applicable appropriations Act for fiscal year 1995 and which by its terms is applicable to more than one appropriation, fund,

or authority shall be applicable to any appropriation, fund, or authority provided in this title of this joint resolution.

SEC. 205. Appropriations made and authority granted pursuant to this title of this joint resolution shall cover all obligations or expenditures incurred for any program, project, or activity during the period for which funds or authority for such project or activity are available under this title of this joint resolution.

Termination date.

SEC. 206. Unless otherwise provided for in this title of this joint resolution or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this title of this joint resolution shall be available until (a) enactment into law of an appropriation for any project or activity provided for in this title of this joint resolution, or (b) the enactment into law of the applicable appropriations Act by both Houses without any provision for such project or activity, or (c) January 3, 1996, whichever first occurs.

Abortion.

SEC. 207. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 208. Expenditures made pursuant to this title of this joint resolution shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 209. No provision in the appropriations Act for the fiscal year 1996 referred to in section 201 of this title of this joint resolution that makes the availability of any appropriation provided therein dependent upon the enactment of additional authorizing or other legislation shall be effective before the date set forth in section 206(c) of this joint resolution.

SEC. 210. Appropriations and funds made available by or authority granted pursuant to this title of this joint resolution may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing herein shall be construed to waive any other provision of law governing the apportionment of funds.

SEC. 211. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the Act listed in section 201 as passed by both the House and Senate as of the date of enactment of this joint resolution, does not include funding for an ongoing project or activity for which there is a budget request, or whenever the rate for operations for an ongoing project or activity provided by section 201 for which there is a budget request would result in the project or activity being significantly reduced, the pertinent project or activity may be continued under the authority and conditions provided in the applicable appropriations Act for the fiscal year 1995 by increasing the rate for operations provided by section 201 to a rate for operations not to exceed one that provides the minimal level that would enable existing activities to continue. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366. For the purposes

of this title of this joint resolution the minimal level means a rate for operations that is reduced from the current rate by 25 percent.

SEC. 212. Notwithstanding any other provision of this title of this joint resolution, except section 206, whenever the rate for operations for any continuing project or activity provided by section 201 or section 211 for which there is a budget request would result in a furlough of Government employees, that rate for operations may be increased to the minimum level that would enable the furlough to be avoided. No new contracts or grants shall be awarded in excess of an amount that bears the same ratio to the rate for operations provided by this section as the number of days covered by this resolution bears to 366.

SEC. 213. Notwithstanding any other provision of this title of this joint resolution, except sections 206, 211, and 212, for those programs that had high initial rates of operation or complete distribution of funding at the beginning of the fiscal year in fiscal year 1995 because of distributions of funding to States, foreign countries, grantees, or others, similar distributions of funds for fiscal year 1996 shall not be made and no grants shall be awarded for such programs funded by this title of this resolution that would impinge on final funding prerogatives.

SEC. 214. This title of this joint resolution shall be implemented so that only the most limited funding action of that permitted in this title of this resolution shall be taken in order to provide for continuation of projects and activities.

SEC. 215. The provisions of section 132 of the District of Columbia Appropriations Act, 1988, Public Law 100–202, shall not apply for this title of this joint resolution.

Domestic partners.

SEC. 216. Notwithstanding any other provision of this title of this joint resolution, except section 206, none of the funds appropriated under this title of this joint resolution shall be used to implement or enforce any system of registration of unmarried, cohabiting couples whether they are homosexual, lesbian, heterosexual, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples; nor shall any funds made available pursuant to any provision of this title of this joint resolution otherwise be used to implement or enforce D.C. Act 9–188, signed by the Mayor of the District of Columbia on April 15, 1992.

TITLE III

VETERANS AFFAIRS

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations and other organizational units of Government for the fiscal year 1996, and for other purposes, namely:

SEC. 301. ENSURED PAYMENT DURING FISCAL YEAR 1996 OF VETERANS' BENEFITS IN EVENT OF LACK OF APPROPRIATIONS.

(a) PAYMENTS REQUIRED.—In any case during fiscal year 1996 in which appropriations are not otherwise available for programs,

projects, and activities of the Department of Veterans Affairs, the Secretary of Veterans Affairs shall nevertheless ensure that—

(1) payments of existing veterans benefits are made in accordance with regular procedures and schedules and in accordance with eligibility requirements for such benefits; and

(2) payments to contractors of the Veterans Health Administration of the Department of Veterans Affairs are made when due in the case of services provided that directly relate to patient health and safety.

(b) FUNDING.—There is hereby appropriated such sums as may be necessary for the payments pursuant to subsection (a), including such amounts as may be necessary for the costs of administration of such payments.

(c) CHARGING OF ACCOUNTS WHEN APPROPRIATIONS MADE.—In any case in which the Secretary uses the authority of subsection (a) to make payments, applicable accounts shall be charged for amounts so paid, and for the costs of administration of such payments, when regular appropriations become available for those purposes.

(d) EXISTING BENEFITS SPECIFIED.—For purposes of this section, existing veterans benefits are benefits under laws administered by the Secretary of Veterans Affairs that have been adjudicated and authorized for payment as of—

(1) December 15, 1995; or

(2) if appropriations for such benefits are available (other than pursuant to subsection (b)) after December 15, 1995, the last day on which appropriations for payment of such benefits are available (other than pursuant to subsection (b)).

Termination date.

SEC. 302. Section 301 shall cease to be effective on January 3, 1996.

Approved December 22, 1995.

LEGISLATIVE HISTORY—H.J. Res. 136:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 22, considered and passed House and Senate.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):
Dec. 22, Presidential statement.

Public Law 104–70
104th Congress

An Act

To amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone nonattainment areas designated as severe, and for other purposes.

Dec. 23, 1995
[H.R. 325]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. OPTIONAL EMPLOYER MANDATED TRIP REDUCTION.

Section 182(d)(1)(B) of the Clean Air Act is amended to read as follows: 42 USC 7511a.

"(B) The State may also, in its discretion, submit a revision at any time requiring employers in such area to implement programs to reduce work-related vehicle trips and miles travelled by employees. Such revision shall be developed in accordance with guidance issued by the Administrator pursuant to section 108(f) and may require that employers in such area increase average passenger occupancy per vehicle in commuting trips between home and the workplace during peak travel periods. The guidance of the Administrator may specify average vehicle occupancy rates which vary for locations within a nonattainment area (suburban, center city, business district) or among nonattainment areas reflecting existing occupancy rates and the availability of high occupancy modes. Any State required to submit a revision under this subparagraph (as in effect before the date of enactment of this sentence) containing provisions requiring employers to reduce work-related vehicle trips and miles travelled by employees may, in accordance with State law, remove such provisions from the implementation plan, or withdraw its submission, if the State notifies the Administrator, in writing, that the State has undertaken, or will undertake, one or more alternative methods that will achieve emission reductions equivalent to those to be achieved by the removed or withdrawn provisions.". Guidelines.

Approved December 23, 1995.

LEGISLATIVE HISTORY—H.R. 325:

HOUSE REPORTS: No. 104–387 (Comm. on Commerce).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 12, considered and passed House.
Dec. 13, considered and passed Senate.

Public Law 104–71
104th Congress

An Act

Dec. 23, 1995
[H.R. 1240]

To combat crime by enhancing the penalties for certain sexual crimes against children.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Sex Crimes Against Children Prevention Act of 1995.
28 USC 994 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Sex Crimes Against Children Prevention Act of 1995".

28 USC 994 note.

SEC. 2. INCREASED PENALTIES FOR CERTAIN CONDUCT INVOLVING THE SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to—

(1) increase the base offense level for an offense under section 2251 of title 18, United States Code, by at least 2 levels; and

(2) increase the base offense level for an offense under section 2252 of title 18, United States Code, by at least 2 levels.

28 USC 994 note.

SEC. 3. INCREASED PENALTIES FOR USE OF COMPUTERS IN SEXUAL EXPLOITATION OF CHILDREN.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level by at least 2 levels for an offense committed under section 2251(c)(1)(A) or 2252(a) of title 18, United States Code, if a computer was used to transmit the notice or advertisement to the intended recipient or to transport or ship the visual depiction.

28 USC 994 note.

SEC. 4. INCREASED PENALTIES FOR TRANSPORTATION OF CHILDREN WITH INTENT TO ENGAGE IN CRIMINAL SEXUAL ACTIVITY.

The United States Sentencing Commission shall amend the sentencing guidelines to increase the base offense level for an offense under section 2423(a) of title 18, United States Code, by at least 3 levels.

SEC. 5. TECHNICAL CORRECTION.

Section 2423(b) of title 18, United States Code, is amended by striking "2245" and inserting "2246".

SEC. 6. REPORT BY THE UNITED STATES SENTENCING COMMISSION.

Not later than 180 days after the date of the enactment of this Act, the United States Sentencing Commission shall submit a report to Congress concerning offenses involving child pornog-

raphy and other sex offenses against children. The Commission shall include in the report—

(1) an analysis of the sentences imposed for offenses under sections 2251, 2252, and 2423 of title 18, United States Code, and recommendations regarding any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(2) an analysis of the sentences imposed for offenses under sections 2241, 2242, 2243, and 2244 of title 18, United States Code, in cases in which the victim was under the age of 18 years, and recommendations regarding any modifications to the sentencing guidelines that may be appropriate with respect to those offenses;

(3) an analysis of the type of substantial assistance that courts have recognized as warranting a downward departure from the sentencing guidelines relating to offenses under section 2251 or 2252 of title 18, United States Code;

(4) a survey of the recidivism rate for offenders convicted of committing sex crimes against children, an analysis of the impact on recidivism of sexual abuse treatment provided during or after incarceration or both, and an analysis of whether increased penalties would reduce recidivism for those crimes; and

(5) such other recommendations with respect to the offenses described in this section as the Commission deems appropriate.

Approved December 23, 1995.

LEGISLATIVE HISTORY—H.R. 1240:

HOUSE REPORTS: No. 104–90 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 4, considered and passed House.
Apr. 6, considered and passed Senate, amended.
Dec. 12, House concurred in Senate amendment.

Public Law 104–72
104th Congress

An Act

Dec. 23, 1995
[S. 1465]

To extend au pair programs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AU PAIR PROGRAMS.

104 Stat. 1065.

(a) REPEAL.—Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101–454) is repealed.

(b) AUTHORITY FOR AU PAIR PROGRAMS.—The Director of the United States Information Agency is authorized to continue to administer an au pair program, operating on a world-wide basis, through fiscal year 1997.

(c) REPORT.—Not later than October 1, 1996, the Director of the United States Information Agency shall submit a report regarding the continued extension of au pair programs to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives. This report shall specifically detail the compliance of all au pair organizations with regulations governing au pair programs as published on February 15, 1995.

Approved December 23, 1995.

LEGISLATIVE HISTORY—S. 1465:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 13, considered and passed Senate.
Dec. 18, considered and passed House.

Public Law 104–73
104th Congress

An Act

To amend the Public Health Service Act to permanently extend and clarify malpractice coverage for health centers, and for other purposes.

Dec. 26, 1995
[H.R. 1747]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federally Supported Health Centers Assistance Act of 1995.
42 USC 201 note.

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the "Federally Supported Health Centers Assistance Act of 1995".

(b) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Public Health Service Act.

SEC. 2. PERMANENT EXTENSION OF PROGRAM.

(a) IN GENERAL.—Section 224(g)(3) (42 U.S.C. 233(g)(3)) is amended by striking the last sentence.

(b) CONFORMING AMENDMENTS.—Section 224(k) (42 U.S.C. 233(k)) is amended—

(1) in paragraph (1)(A)—

(A) by striking "For each of the fiscal years 1993, 1994, and 1995" and inserting "For each fiscal year"; and

(B) by striking "(except" and all that follows through "thereafter)"; and

(2) in paragraph (2), by striking "for each of the fiscal years 1993, 1994, and 1995" and inserting "for each fiscal year".

SEC. 3. CLARIFICATION OF COVERAGE.

Section 224 (42 U.S.C. 233) is amended—

(1) in subsection (g)(1), by striking "an entity described in paragraph (4)" in the first sentence and all that follows through "contractor" in the second sentence and inserting the following: "an entity described in paragraph (4), and any officer, governing board member, or employee of such an entity, and any contractor of such an entity who is a physician or other licensed or certified health care practitioner (subject to paragraph (5)), shall be deemed to be an employee of the Public Health Service for a calendar year that begins during a fiscal year for which a transfer was made under subsection (k)(3) (subject to paragraph (3)). The remedy against the United States for an entity described in paragraph (4) and any officer, governing board member, employee, or contractor"; and

(2) in subsection (k)(3), by inserting "governing board member," after "officer,".

SEC. 4. COVERAGE FOR SERVICES FURNISHED TO INDIVIDUALS OTHER THAN CENTER PATIENTS.

Section 224(g)(1) (42 U.S.C. 233(g)) is amended—

(1) by redesignating paragraph (1) as paragraph (1)(A); and

(2) by adding at the end thereof the following:

"(B) The deeming of any entity or officer, governing board member, employee, or contractor of the entity to be an employee of the Public Health Service for purposes of this section shall apply with respect to services provided—

"(i) to all patients of the entity, and

"(ii) subject to subparagraph (C), to individuals who are not patients of the entity.

"(C) Subparagraph (B)(ii) applies to services provided to individuals who are not patients of an entity if the Secretary determines, after reviewing an application submitted under subparagraph (D), that the provision of the services to such individuals—

"(i) benefits patients of the entity and general populations that could be served by the entity through community-wide intervention efforts within the communities served by such entity;

"(ii) facilitates the provision of services to patients of the entity; or

"(iii) are otherwise required under an employment contract (or similar arrangement) between the entity and an officer, governing board member, employee, or contractor of the entity.".

SEC. 5. APPLICATION PROCESS.

(a) APPLICATION REQUIREMENT.—Section 224(g)(1) (42 U.S.C. 233(g)(1)) (as amended by section 4) is further amended—

(1) in subparagraph (A), by inserting after "For purposes of this section" the following: "and subject to the approval by the Secretary of an application under subparagraph (D)"; and

(2) by adding at the end thereof the following:

"(D) The Secretary may not under subparagraph (A) deem an entity or an officer, governing board member, employee, or contractor of the entity to be an employee of the Public Health Service for purposes of this section, and may not apply such deeming to services described in subparagraph (B)(ii), unless the entity has submitted an application for such deeming to the Secretary in such form and such manner as the Secretary shall prescribe. The application shall contain detailed information, along with supporting documentation, to verify that the entity, and the officer, governing board member, employee, or contractor of the entity, as the case may be, meets the requirements of subparagraphs (B) and (C) of this paragraph and that the entity meets the requirements of paragraphs (1) through (4) of subsection (h).

"(E) The Secretary shall make a determination of whether an entity or an officer, governing board member, employee, or contractor of the entity is deemed to be an employee of the Public Health Service for purposes of this section within 30 days after the receipt of an application under subparagraph (D). The determination of the Secretary that an entity or an officer, governing board member, employee, or contractor of the entity is deemed

to be an employee of the Public Health Service for purposes of this section shall apply for the period specified by the Secretary under subparagraph (A).

"(F) Once the Secretary makes a determination that an entity or an officer, governing board member, employee, or contractor of an entity is deemed to be an employee of the Public Health Service for purposes of this section, the determination shall be final and binding upon the Secretary and the Attorney General and other parties to any civil action or proceeding. Except as provided in subsection (i), the Secretary and the Attorney General may not determine that the provision of services which are the subject of such a determination are not covered under this section.

"(G) In the case of an entity described in paragraph (4) that has not submitted an application under subparagraph (D):

"(i) The Secretary may not consider the entity in making estimates under subsection (k)(1).

"(ii) This section does not affect any authority of the entity to purchase medical malpractice liability insurance coverage with Federal funds provided to the entity under section 329, 330, 340, or 340A.

"(H) In the case of an entity described in paragraph (4) for which an application under subparagraph (D) is in effect, the entity may, through notifying the Secretary in writing, elect to terminate the applicability of this subsection to the entity. With respect to such election by the entity:

"(i) The election is effective upon the expiration of the 30-day period beginning on the date on which the entity submits such notification. Effective date.

"(ii) Upon taking effect, the election terminates the applicability of this subsection to the entity and each officer, governing board member, employee, and contractor of the entity.

"(iii) Upon the effective date for the election, clauses (i) and (ii) of subparagraph (G) apply to the entity to the same extent and in the same manner as such clauses apply to an entity that has not submitted an application under subparagraph (D).

"(iv) If after making the election the entity submits an application under subparagraph (D), the election does not preclude the Secretary from approving the application (and thereby restoring the applicability of this subsection to the entity and each officer, governing board member, employee, and contractor of the entity, subject to the provisions of this subsection and the subsequent provisions of this section.".

(b) APPROVAL PROCESS.—Section 224(h) (42 U.S.C. 233(h)) is amended—

(1) in the matter preceding paragraph (1), by striking "Notwithstanding" and all that follows through "entity—" and inserting the following: "The Secretary may not approve an application under subsection (g)(1)(D) unless the Secretary determines that the entity—"; and

(2) by striking "has fully cooperated" in paragraph (4) and inserting "will fully cooperate".

(c) DELAYED APPLICABILITY FOR CURRENT PARTICIPANTS.—If, on the day before the date of the enactment of this Act, an entity was deemed to be an employee of the Public Health Service for purposes of section 224(g) of the Public Health Service Act, the 42 USC 233 note.

condition under paragraph (1)(D) of such section (as added by subsection (a) of this section) that an application be approved with respect to the entity does not apply until the expiration of the 180-day period beginning on such date.

SEC. 6. TIMELY RESPONSE TO FILING OF ACTION OR PROCEEDING.

Section 224 (42 U.S.C. 233) is amended by adding at the end thereof the following subsection:

"(l)(1) If a civil action or proceeding is filed in a State court against any entity described in subsection (g)(4) or any officer, governing board member, employee, or any contractor of such an entity for damages described in subsection (a), the Attorney General, within 15 days after being notified of such filing, shall make an appearance in such court and advise such court as to whether the Secretary has determined under subsections (g) and (h), that such entity, officer, governing board member, employee, or contractor of the entity is deemed to be an employee of the Public Health Service for purposes of this section with respect to the actions or omissions that are the subject of such civil action or proceeding. Such advice shall be deemed to satisfy the provisions of subsection (c) that the Attorney General certify that an entity, officer, governing board member, employee, or contractor of the entity was acting within the scope of their employment or responsibility.

"(2) If the Attorney General fails to appear in State court within the time period prescribed under paragraph (1), upon petition of any entity or officer, governing board member, employee, or contractor of the entity named, the civil action or proceeding shall be removed to the appropriate United States district court. The civil action or proceeding shall be stayed in such court until such court conducts a hearing, and makes a determination, as to the appropriate forum or procedure for the assertion of the claim for damages described in subsection (a) and issues an order consistent with such determination.".

SEC. 7. APPLICATION OF COVERAGE TO MANAGED CARE PLANS.

42 USC 233.

Section 224 (42 U.S.C. 223) (as amended by section 6) is amended by adding at the end thereof the following subsection:

"(m)(1) An entity or officer, governing board member, employee, or contractor of an entity described in subsection (g)(1) shall, for purposes of this section, be deemed to be an employee of the Public Health Service with respect to services provided to individuals who are enrollees of a managed care plan if the entity contracts with such managed care plan for the provision of services.

"(2) Each managed care plan which enters into a contract with an entity described in subsection (g)(4) shall deem the entity and any officer, governing board member, employee, or contractor of the entity as meeting whatever malpractice coverage requirements such plan may require of contracting providers for a calendar year if such entity or officer, governing board member, employee, or contractor of the entity has been deemed to be an employee of the Public Health Service for purposes of this section for such calendar year. Any plan which is found by the Secretary on the record, after notice and an opportunity for a full and fair hearing, to have violated this subsection shall upon such finding cease, for a period to be determined by the Secretary, to receive and to be eligible to receive any Federal funds under titles XVIII or XIX of the Social Security Act.

"(3) For purposes of this subsection, the term 'managed care plan' shall mean health maintenance organizations and similar entities that contract at-risk with payors for the provision of health services or plan enrollees and which contract with providers (such as entities described in subsection (g)(4)) for the delivery of such services to plan enrollees.".

SEC. 8. COVERAGE FOR PART-TIME PROVIDERS UNDER CONTRACTS.

Section 224(g)(5)(B) (42 U.S.C. 223(g)(5)(B)) is amended to read as follows: 42 USC 233.

"(B) in the case of an individual who normally performs an average of less than 32½ hours of services per week for the entity for the period of the contract, the individual is a licensed or certified provider of services in the fields of family practice, general internal medicine, general pediatrics, or obstetrics and gynecology.".

SEC. 9. DUE PROCESS FOR LOSS OF COVERAGE.

Section 224(i)(1) (42 U.S.C. 233(i)(1)) is amended by striking "may determine, after notice and opportunity for a hearing" and inserting "may on the record determine, after notice and opportunity for a full and fair hearing".

SEC. 10. AMOUNT OF RESERVE FUND.

Section 224(k)(2) (42 U.S.C. 223(k)(2)) is amended by striking "$30,000,000" and inserting "$10,000,000". 42 USC 233.

SEC. 11. REPORT ON RISK EXPOSURE OF COVERED ENTITIES.

Section 224 (as amended by section 7) is amended by adding at the end thereof the following subsection:

"(n)(1) Not later than one year after the date of the enactment of the Federally Supported Health Centers Assistance Act of 1995, the Comptroller General of the United States shall submit to the Congress a report on the following:

"(A) The medical malpractice liability claims experience of entities that have been deemed to be employees for purposes of this section.

"(B) The risk exposure of such entities.

"(C) The value of private sector risk-management services, and the value of risk-management services and procedures required as a condition of receiving a grant under section 329, 330, 340, or 340A.

"(D) A comparison of the costs and the benefits to taxpayers of maintaining medical malpractice liability coverage for such entities pursuant to this section, taking into account—

"(i) a comparison of the costs of premiums paid by such entities for private medical malpractice liability insurance with the cost of coverage pursuant to this section; and

"(ii) an analysis of whether the cost of premiums for private medical malpractice liability insurance coverage is consistent with the liability claims experience of such entities.

"(2) The report under paragraph (1) shall include the following:

"(A) A comparison of—

"(i) an estimate of the aggregate amounts that such entities (together with the officers, governing board members, employees, and contractors of such entities who have

been deemed to be employees for purposes of this section) would have directly or indirectly paid in premiums to obtain medical malpractice liability insurance coverage if this section were not in effect; with

"(ii) the aggregate amounts by which the grants received by such entities under this Act were reduced pursuant to subsection (k)(2).

"(B) A comparison of—

"(i) an estimate of the amount of privately offered such insurance that such entities (together with the officers, governing board members, employees, and contractors of such entities who have been deemed to be employees for purposes of this section) purchased during the three-year period beginning on January 1, 1993; with

"(ii) an estimate of the amount of such insurance that such entities (together with the officers, governing board members, employees, and contractors of such entities who have been deemed to be employees for purposes of this section) will purchase after the date of the enactment of the Federally Supported Health Centers Assistance Act of 1995.

"(C) An estimate of the medical malpractice liability loss history of such entities for the 10-year period preceding October 1, 1996, including but not limited to the following:

"(i) Claims that have been paid and that are estimated to be paid, and legal expenses to handle such claims that have been paid and that are estimated to be paid, by the Federal Government pursuant to deeming entities as employees for purposes of this section.

"(ii) Claims that have been paid and that are estimated to be paid, and legal expenses to handle such claims that have been paid and that are estimated to be paid, by private medical malpractice liability insurance.

"(D) An analysis of whether the cost of premiums for private medical malpractice liability insurance coverage is consistent with the liability claims experience of entities that have been deemed as employees for purposes of this section.

"(3) In preparing the report under paragraph (1), the Comptroller General of the United States shall consult with public and

private entities with expertise on the matters with which the report is concerned.".

Approved December 26, 1995.

LEGISLATIVE HISTORY—H.R. 1747:

HOUSE REPORTS: No. 104–398 (Comm. on Commerce).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 12, considered and passed House.
Dec. 14, considered and passed Senate.

Public Law 104–74
104th Congress

An Act

Dec. 26, 1995
[H.R. 2336]

To amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CHANGES IN COIN SPECIFICATIONS.

31 USC 5112 note.

Section 102 of the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act (91 U.S.C. 5112 note) is amended—

(1) in the table at the end of subsection (a)—

(A) by striking "Not more than 175,000 each of 2 coins of different designs" and inserting "2 coins of different designs, in quantities not to exceed 175,000 of each design"; and

(B) by striking "Not more than 300,000 each of 2 coins of different designs" and inserting "2 coins of different designs, in quantities not to exceed 100,000 of the first design and not to exceed 150,000 of the second design";

(2) in the table at the end of subsection (b)—

(A) by striking "Not more than 750,000 each of 4 coins of different designs" and inserting "4 coins of different designs, in quantities not to exceed 750,000 of each design"; and

(B) by striking "Not more than 1,000,000 each of 4 coins of different designs" and inserting "4 coins of different designs, in quantities not to exceed 350,000 of each of the first 2 designs, and not to exceed 500,000 of each of the remaining 2 designs"; and

(3) by striking subsection (c) and inserting the following:

"(c) HALF DOLLAR CLAD COINS.—

"(1) SPECIFICATIONS.—The Secretary shall issue not more than 8,000,000 half dollar coins, each of which shall—

"(A) weigh 11.34 grams;

"(B) have a diameter of 30.61 millimeters;

"(C) be minted to the specifications for half dollar coins under section 5112(b) of title 31, United States Code; and

"(D) contain an inscription of the year '1995' or '1996', as the Secretary determines to be appropriate.

"(2) DESIGNS.—Coins issued under paragraph (1) shall be of 4 designs selected in accordance with this Act in such quantities as the Secretary determines to be appropriate.".

Approved December 26, 1995.

LEGISLATIVE HISTORY—H.R. 2336:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 5, considered and passed House.
Dec. 14, considered and passed Senate.

Public Law 104–75
104th Congress

An Act

Dec. 28, 1995
[H.R. 395]

To designate the United States courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, Nevada, as the "Bruce R. Thompson United States Courthouse and Federal Building".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, Nevada, is designated as the "Bruce R. Thompson United States Courthouse and Federal Building".

SEC. 2. LEGAL REFERENCES.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the courthouse and Federal building referred to in section 1 is deemed to be a reference to the "Bruce R. Thompson United States Courthouse and Federal Building".

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 395 (S. 734):

HOUSE REPORTS: No. 104–362 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 9, S. 734 considered and passed Senate.
Dec. 5, H.R. 395 considered and passed House.
Dec. 18, considered and passed Senate.

Public Law 104–76
104th Congress

An Act

To amend the Fair Housing Act to modify the exemption from certain familial status discrimination prohibitions granted to housing for older persons.

Dec. 28, 1995
[H.R. 660]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Housing for Older Persons Act of 1995. 46 USC 3601 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Housing for Older Persons Act of 1995".

SEC. 2. DEFINITION OF HOUSING FOR OLDER PERSONS.

Section 807(b)(2)(C) of the Fair Housing Act (42 U.S.C. 3607(b)(2)(C)) is amended to read as follows:

"(C) intended and operated for occupancy by persons 55 years of age or older, and—

"(i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;

"(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subparagraph; and

"(iii) the housing facility or community complies with rules issued by the Secretary for verification of occupancy, which shall—

"(I) provide for verification by reliable surveys and affidavits; and

"(II) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.".

SEC. 3. GOOD FAITH ATTEMPT AT COMPLIANCE; DEFENSE AGAINST CIVIL MONEY DAMAGES.

Section 807(b) of the Fair Housing Act (42 U.S.C. 3607(b)) is amended by adding at the end the following new paragraph:

"(5)(A) A person shall not be held personally liable for monetary damages for a violation of this title if such person reasonably relied, in good faith, on the application of the exemption under this subsection relating to housing for older persons.

"(B) For the purposes of this paragraph, a person may only show good faith reliance on the application of the exemption by showing that—

"(i) such person has no actual knowledge that the facility or community is not, or will not be, eligible for such exemption; and

"(ii) the facility or community has stated formally, in writing, that the facility or community complies with the requirements for such exemption.".

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 660:

HOUSE REPORTS: No. 104–91 (Comm. on the Judiciary).
SENATE REPORTS: No. 104–172 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Apr. 6, considered and passed House.
Dec. 6, considered and passed Senate, amended.
Dec. 18, House concurred in Senate amendment.

Public Law 104–77
104th Congress

An Act

To designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the "Romano L. Mazzoli Federal Building".

Dec. 28, 1995
[H.R. 965]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, shall be known and designated as the "Romano L. Mazzoli Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Romano L. Mazzoli Federal Building".

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 965:

HOUSE REPORTS: No. 104-366 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 5, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–78
104th Congress

An Act

Dec. 28, 1995
[H.R. 1253]

To rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE RENAMED AS DON EDWARDS SAN FRANCISCO BAY NATIONAL WILDLIFE REFUGE.

(a) REFUGE RENAMED.—The San Francisco Bay National Wildlife Refuge (established by the Act entitled "An Act to provide for the establishment of the San Francisco Bay National Wildlife Refuge", approved June 30, 1972 (86 Stat. 399 et seq.)), is hereby renamed and shall be known as "the Don Edwards San Francisco Bay National Wildlife Refuge".

(b) REFERENCES.—Any reference in any statute, rule, regulation, Executive order, publication, map, or paper or other document of the United States to the San Francisco Bay National Wildlife Refuge is deemed to refer to the Don Edwards San Francisco Bay National Wildlife Refuge.

(c) CONFORMING AMENDMENT.—The Act entitled "An Act to provide for the establishment of the San Francisco Bay National Wildlife Refuge", approved June 30, 1972 (86 Stat. 399 et seq.), is amended by striking "San Francisco Bay National Wildlife Refuge" each place it appears and inserting "Don Edwards San Francisco Bay National Wildlife Refuge".

16 USC 668dd note.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 1253:

HOUSE REPORTS: No. 104–290 (Comm. on Resources).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 12, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–79
104th Congress

An Act

To amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.

Dec. 28, 1995
[H.R. 2527]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ELECTRONIC FILING AND PRESERVATION OF FEDERAL ELECTION COMMISSION REPORTS.

(a) SECTION 304 AMENDMENT.—Subsection (a) of section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434(a)) is amended by adding at the end the following new paragraph:

"(11)(A) The Commission shall permit reports required by this Act to be filed and preserved by means of computer disk or any other appropriate electronic format or method, as determined by the Commission.

"(B) In carrying out subparagraph (A) with respect to filing of reports, the Commission shall provide for one or more methods (other than requiring a signature on the report being filed) for verifying reports filed by means of computer disk or other electronic format or method. Any verification under the preceding sentence shall be treated for all purposes (including penalties for perjury) in the same manner as a verification by signature.

"(C) As used in this paragraph, the term 'report' means, with respect to the Commission, a report, designation, or statement required by this Act to be filed with the Commission.".

(b) SECTION 302 AMENDMENT.—Subsection (d) of section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(d)) is amended by adding at the end the following new sentence: "For any report filed in electronic format under section 304(a)(11), the treasurer shall retain a machine-readable copy of the report as the copy preserved under the preceding sentence.".

(c) EFFECTIVE DATE.—The amendments made by subsection (a) and subsection (b) shall apply with respect to reports for periods beginning after December 31, 1996. 2 USC 432 note.

SEC. 2. WAIVER OF DUPLICATE FILING REQUIREMENT FOR STATES WITH ELECTRONIC ACCESS TO FEDERAL ELECTION COMMISSION REPORTS AND STATEMENTS.

Section 312 of the Federal Election Campaign Act of 1971 (2 U.S.C. 439) is amended by adding at the end the following new subsection:

"(c) Subsections (a) and (b) shall not apply with respect to any State that, as determined by the Commission, has a system

that permits electronic access to, and duplication of, reports and statements that are filed with the Commission.".

SEC. 3. FILING OF HOUSE OF REPRESENTATIVES ELECTION REPORTS WITH THE FEDERAL ELECTION COMMISSION, RATHER THAN WITH THE CLERK OF THE HOUSE OF REPRESENTATIVES.

(a) SECTION 302 AMENDMENTS.—Subsection (g) of section 302 of the Federal Election Campaign Act of 1971 (2 U.S.C. 432(g)) is amended—

(1) by striking out paragraph (1);

(2) by redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively;

(3) in paragraph (2), as so redesignated by paragraph (2) of this subsection—

(A) by striking out "Clerk of the House of Representatives and the"; and

(B) by striking out "them" and inserting in lieu thereof "the Secretary";

(4) in paragraph (3), as so redesignated by paragraph (2) of this subsection, by striking out "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1)"; and

(5) in paragraph (4), as so redesignated by paragraph (2) of this subsection, by striking out "Clerk of the House of Representatives and the".

(b) SECTION 304 AMENDMENTS.—Section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434) is amended—

(1) in the first sentence of subsection (a)(6), by striking out "Clerk, the Secretary," and inserting in lieu thereof "Secretary"; and

(2) in the third sentence of subsection (c)(2), by striking out "Clerk, the Secretary," and inserting in lieu thereof "Secretary".

(c) SECTION 311 AMENDMENT.—Section 311(a)(4) of the Federal Election Campaign Act of 1971 (2 U.S.C. 438(a)(4)) is amended by striking out "Clerk, Secretary," and inserting in lieu thereof "Secretary".

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to reports, designations, and statements required to be filed after December 31, 1995. 2 USC 432 note.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 2527:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 13, considered and passed House.
Nov. 20, considered and passed Senate.

Public Law 104–80
104th Congress

An Act

Dec. 28, 1995
[H.R. 2547]

To designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse".

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 800 Market Street in Knoxville, Tennessee, shall be known and designated as the "Howard H. Baker, Jr. United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Howard H. Baker, Jr. United States Courthouse".

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.R. 2547 (S. 1388):

HOUSE REPORTS: No. 104–417 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 18, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–81
104th Congress

Joint Resolution

Providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.

Dec. 28, 1995
[H.J. Res. 69]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Homer Alfred Neal of Michigan on December 6, 1995, is filled by the reappointment of the incumbent for a term of six years, effective December 7, 1995.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.J. Res. 69:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 7, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–82
104th Congress

Joint Resolution

Dec. 28, 1995
[H.J. Res. 110]

Providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Jeannine Smith Clark of the District of Columbia on August 25, 1995, is filled by the appointment of Howard H. Baker, Jr. of the District of Columbia. The appointment is for a term of six years and shall take effect on the date on which this joint resolution becomes law.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.J. Res. 110:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 7, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–83
104th Congress

Joint Resolution

Providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.

Dec. 28, 1995
[H.J. Res. 111]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the expiration of the term of Samuel Curtis Johnson of Wisconsin on December 4, 1995, is filled by the appointment of Anne D'Harnoncourt of Pennsylvania. The appointment is for a term of six years and shall take effect on December 5, 1995.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.J. Res. 111:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 7, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–84
104th Congress

Joint Resolution

Dec. 28, 1995
[H.J. Res. 112]

Providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in accordance with section 5581 of the Revised Statutes of the United States (20 U.S.C. 43), the vacancy on the Board of Regents of the Smithsonian Institution, in the class other than Members of Congress, occurring by reason of the resignation of Ira Michael Heyman of California on May 27, 1994, is filled by the appointment of Louis Gerstner of Connecticut. The appointment is for a term of six years and shall take effect on the date on which this joint resolution becomes law.

Approved December 28, 1995.

LEGISLATIVE HISTORY—H.J. Res. 112:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Nov. 7, considered and passed House.
Dec. 20, considered and passed Senate.

Public Law 104–85
104th Congress

An Act

To designate the Federal Courthouse in Decatur, Alabama, as the "Seybourn H. Lynne Federal Courthouse", and for other purposes.

Dec. 28, 1995
[S. 369]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal Courthouse in Decatur, Alabama, is designated as the "Seybourn H. Lynne Federal Courthouse".

SEC. 2. LEGAL REFERENCES.

Any reference in any law, regulation, document, record, map, or other paper of the United States to the building referred to in section 1 is deemed to be a reference to the Seybourn H. Lynne Federal Courthouse.

Approved December 28, 1995.

LEGISLATIVE HISTORY—S. 369:

HOUSE REPORTS: No. 104–419 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 9, considered and passed Senate.
Dec. 18, considered and passed House.

Public Law 104–86
104th Congress

An Act

Dec. 28, 1995
[S. 965]

To designate the United States Courthouse for the Eastern District of Virginia in Alexandria, Virginia, as the Albert V. Bryan United States Courthouse.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF ALBERT V. BRYAN UNITED STATES COURTHOUSE.

(a) NEW COURTHOUSE.—

(1) IN GENERAL.—The Federal building located at Courthouse Square South and Jamieson Avenue in Alexandria, Virginia, shall be known and designated as the "Albert V. Bryan United States Courthouse".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in paragraph (1) shall be deemed to be a reference to the "Albert V. Bryan United States Courthouse".

(b) OLD COURTHOUSE.—

(1) IN GENERAL.—The Federal building located at 200 South Washington Street in Alexandria, Virginia, shall not be known and designated as the "Albert V. Bryan United States Courthouse".

(2) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building known and designated prior to the effective date of this section as the "Albert V. Bryan United States Courthouse" shall be deemed to be a reference to the Federal building referred to in paragraph (1).

(c) EFFECTIVE DATE.—This section shall become effective on the date of the completion of the construction of the Federal building referred to in subsection (a)(1).

Approved December 28, 1995.

LEGISLATIVE HISTORY—S. 965:

HOUSE REPORTS: No. 104–420 (Comm. on Transportation and Infrastructure).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Aug. 9, considered and passed Senate.
Dec. 18, considered and passed House.

Public Law 104–87
104th Congress

An Act

Dec. 29, 1995
[H.R. 1878]

To extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENDING PERIOD OF APPLICABILITY OF ENROLLMENT MIX REQUIREMENT TO CERTAIN HEALTH MAINTENANCE ORGANIZATIONS PROVIDING SERVICES UNDER DAYTON AREA HEALTH PLAN.

106 Stat. 126.

Section 2 of Public Law 102–276, as amended by section 13644 of the Omnibus Budget Reconciliation Act of 1993, is amended by striking "December 31, 1995" and inserting "December 31, 1999".

Approved December 29, 1995.

LEGISLATIVE HISTORY—H.R. 1878:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 18, considered and passed House.
Dec. 22, considered and passed Senate.

Public Law 104–88
104th Congress

An Act

To abolish the Interstate Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes.

Dec. 29, 1995
[H.R. 2539]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ICC Termination Act of 1995. Government organization. 49 USC 101 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "ICC Termination Act of 1995".

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. Effective date.

TITLE I—ABOLITION OF INTERSTATE COMMERCE COMMISSION

Sec. 101. Abolition.
Sec. 102. Rail provisions.
Sec. 103. Motor carrier, water carrier, and freight forwarder provisions.
Sec. 104. Miscellaneous motor carrier provisions.
Sec. 105. Creditability of annual leave for purposes of meeting minimum eligibility requirements for an immediate annuity.
Sec. 106. Pipeline carrier provisions.

TITLE II—SURFACE TRANSPORTATION BOARD

Sec. 201. Title 49 amendment.
Sec. 202. Reorganization.
Sec. 203. Transfer of assets and personnel.
Sec. 204. Saving provisions.
Sec. 205. References.

TITLE III—CONFORMING AMENDMENTS

Subtitle A—Amendments to United States Code

Sec. 301. Title 5 amendments.
Sec. 302. Title 11 amendments.
Sec. 303. Title 18 amendments.
Sec. 304. Internal Revenue Code of 1986 amendments.
Sec. 305. Title 28 amendments.
Sec. 306. Title 31 amendments.
Sec. 307. Title 39 amendments.
Sec. 308. Title 49 amendments.

Subtitle B—Other Amendments

Sec. 311. Agricultural Adjustment Act of 1938 amendments.
Sec. 312. Animal Welfare Act amendment.
Sec. 313. Federal Election Campaign Act of 1971 amendments.
Sec. 314. Fair Credit Reporting Act amendment.
Sec. 315. Equal Credit Opportunity Act amendment.
Sec. 316. Fair Debt Collection Practices Act amendment.
Sec. 317. National Trails System Act amendments.
Sec. 318. Clayton Act amendments.
Sec. 319. Inspector General Act of 1978 amendment.
Sec. 320. Energy Policy Act of 1992 amendments.

Sec. 321. Merchant Marine Act, 1920, amendments.
Sec. 322. Railway Labor Act amendments.
Sec. 323. Railroad Retirement Act of 1974 amendments.
Sec. 324. Railroad Unemployment Insurance Act amendments.
Sec. 325. Emergency Rail Services Act of 1970 amendments.
Sec. 326. Alaska Railroad Transfer Act of 1982 amendments.
Sec. 327. Regional Rail Reorganization Act of 1973 amendments.
Sec. 328. Milwaukee Railroad Restructuring Act amendment.
Sec. 329. Rock Island Railroad Transition and Employee Assistance Act amendments.
Sec. 330. Railroad Revitalization and Regulatory Reform Act of 1976 amendments.
Sec. 331. Northeast Rail Service Act of 1981 amendments.
Sec. 332. Conrail Privatization Act amendment.
Sec. 333. Migrant and Seasonal Agricultural Worker Protection Act amendments.
Sec. 334. Federal Aviation Administration Authorization Act of 1994.
Sec. 335. Termination of certain maritime authority.
Sec. 336. Armored Car Industry Reciprocity Act of 1993 amendments.
Sec. 337. Labor Management Relations Act, 1947 amendment.
Sec. 338. Inlands Waterway Revenue Act of 1978 amendment.
Sec. 339. Noise Control Act of 1972 amendment.
Sec. 340. Fair Labor Standards Act of 1938 amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Certain commercial space launch activities.
Sec. 402. Destruction of motor vehicles or motor vehicle facilities; wrecking trains.
Sec. 403. Violation of grade-crossing laws and regulations.
Sec. 404. Miscellaneous title 23 amendments.
Sec. 405. Technical amendments.
Sec. 406. Fiber drum packaging.
Sec. 407. Noncontiguous domestic trade study.
Sec. 408. Federal Highway Administration rulemaking.

49 USC 701 note.

SEC. 2. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act shall take effect on January 1, 1996.

TITLE I—ABOLITION OF INTERSTATE COMMERCE COMMISSION

49 USC 701 note.

SEC. 101. ABOLITION.

The Interstate Commerce Commission is abolished.

SEC. 102. RAIL PROVISIONS.

(a) AMENDMENT.—Subtitle IV of title 49, United States Code, is amended to read as follows:

"SUBTITLE IV—INTERSTATE TRANSPORTATION

"PART A—RAIL

"CHAPTER Sec.
"101. GENERAL PROVISIONS 10101
"105. JURISDICTION 10501
"107. RATES 10701
"109. LICENSING 10901
"111. OPERATIONS 11101
"113. FINANCE 11301
"115. FEDERAL-STATE RELATIONS 11501
"117. ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES 11701
"119. CIVIL AND CRIMINAL PENALTIES 11901

"PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

"CHAPTER Sec.
"131. GENERAL PROVISIONS 13101

"CHAPTER Sec.
"133. ADMINISTRATIVE PROVISIONS 13301
"135. JURISDICTION 13501
"137. RATES AND THROUGH ROUTES 13701
"139. REGISTRATION 13901
"141. OPERATIONS OF CARRIERS 14101
"143. FINANCE 14301
"145. FEDERAL-STATE RELATIONS 14501
"147. ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES 14701
"149. CIVIL AND CRIMINAL PENALTIES 14901

"PART C—PIPELINE CARRIERS

"CHAPTER Sec.
"151. GENERAL PROVISIONS 15101
"153. JURISDICTION 15301
"155. RATES AND TARIFFS 15501
"157. OPERATIONS OF CARRIERS 15701
"159. ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES 15901
"161. CIVIL AND CRIMINAL PENALTIES 16101

"PART A—RAIL

"CHAPTER 101—GENERAL PROVISIONS

"Sec.
"10101. Rail transportation policy.
"10102. Definitions.

"§ 10101. Rail transportation policy

"In regulating the railroad industry, it is the policy of the United States Government—

"(1) to allow, to the maximum extent possible, competition and the demand for services to establish reasonable rates for transportation by rail;

"(2) to minimize the need for Federal regulatory control over the rail transportation system and to require fair and expeditious regulatory decisions when regulation is required;

"(3) to promote a safe and efficient rail transportation system by allowing rail carriers to earn adequate revenues, as determined by the Board;

"(4) to ensure the development and continuation of a sound rail transportation system with effective competition among rail carriers and with other modes, to meet the needs of the public and the national defense;

"(5) to foster sound economic conditions in transportation and to ensure effective competition and coordination between rail carriers and other modes;

"(6) to maintain reasonable rates where there is an absence of effective competition and where rail rates provide revenues which exceed the amount necessary to maintain the rail system and to attract capital;

"(7) to reduce regulatory barriers to entry into and exit from the industry;

"(8) to operate transportation facilities and equipment without detriment to the public health and safety;

"(9) to encourage honest and efficient management of railroads;

"(10) to require rail carriers, to the maximum extent practicable, to rely on individual rate increases, and to limit the use of increases of general applicability;

"(11) to encourage fair wages and safe and suitable working conditions in the railroad industry;

"(12) to prohibit predatory pricing and practices, to avoid undue concentrations of market power, and to prohibit unlawful discrimination;

"(13) to ensure the availability of accurate cost information in regulatory proceedings, while minimizing the burden on rail carriers of developing and maintaining the capability of providing such information;

"(14) to encourage and promote energy conservation; and

"(15) to provide for the expeditious handling and resolution of all proceedings required or permitted to be brought under this part.

"§ 10102. Definitions

"In this part—

"(1) 'Board' means the Surface Transportation Board;

"(2) 'car service' includes (A) the use, control, supply, movement, distribution, exchange, interchange, and return of locomotives, cars, other vehicles, and special types of equipment used in the transportation of property by a rail carrier, and (B) the supply of trains by a rail carrier;

"(3) 'control', when referring to a relationship between persons, includes actual control, legal control, and the power to exercise control, through or by (A) common directors, officers, stockholders, a voting trust, or a holding or investment company, or (B) any other means;

"(4) 'person', in addition to its meaning under section 1 of title 1, includes a trustee, receiver, assignee, or personal representative of a person;

"(5) 'rail carrier' means a person providing common carrier railroad transportation for compensation, but does not include street, suburban, or interurban electric railways not operated as part of the general system of rail transportation;

"(6) 'railroad' includes—

"(A) a bridge, car float, lighter, ferry, and intermodal equipment used by or in connection with a railroad;

"(B) the road used by a rail carrier and owned by it or operated under an agreement; and

"(C) a switch, spur, track, terminal, terminal facility, and a freight depot, yard, and ground, used or necessary for transportation;

"(7) 'rate' means a rate or charge for transportation;

"(8) 'State' means a State of the United States and the District of Columbia;

"(9) 'transportation' includes—

"(A) a locomotive, car, vehicle, vessel, warehouse, wharf, pier, dock, yard, property, facility, instrumentality, or equipment of any kind related to the movement of passengers or property, or both, by rail, regardless of ownership or an agreement concerning use; and

"(B) services related to that movement, including receipt, delivery, elevation, transfer in transit, refrigeration, icing, ventilation, storage, handling, and interchange of passengers and property; and

"(10) 'United States' means the States of the United States and the District of Columbia.

"CHAPTER 105—JURISDICTION

"Sec.
"10501. General jurisdiction.
"10502. Authority to exempt rail carrier transportation.

"§ 10501. General jurisdiction

"(a)(1) Subject to this chapter, the Board has jurisdiction over transportation by rail carrier that is—

"(A) only by railroad; or

"(B) by railroad and water, when the transportation is under common control, management, or arrangement for a continuous carriage or shipment.

"(2) Jurisdiction under paragraph (1) applies only to transportation in the United States between a place in—

"(A) a State and a place in the same or another State as part of the interstate rail network;

"(B) a State and a place in a territory or possession of the United States;

"(C) a territory or possession of the United States and a place in another such territory or possession;

"(D) a territory or possession of the United States and another place in the same territory or possession;

"(E) the United States and another place in the United States through a foreign country; or

"(F) the United States and a place in a foreign country.

"(b) The jurisdiction of the Board over—

"(1) transportation by rail carriers, and the remedies provided in this part with respect to rates, classifications, rules (including car service, interchange, and other operating rules), practices, routes, services, and facilities of such carriers; and

"(2) the construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks, or facilities, even if the tracks are located, or intended to be located, entirely in one State,

is exclusive. Except as otherwise provided in this part, the remedies provided under this part with respect to regulation of rail transportation are exclusive and preempt the remedies provided under Federal or State law.

"(c)(1) In this subsection—

"(A) the term 'local governmental authority'—

"(i) has the same meaning given that term by section 5302(a) of this title; and

"(ii) includes a person or entity that contracts with the local governmental authority to provide transportation services; and

"(B) the term 'mass transportation' means transportation services described in section 5302(a) of this title that are provided by rail.

"(2) Except as provided in paragraph (3), the Board does not have jurisdiction under this part over mass transportation provided by a local governmental authority.

"(3)(A) Notwithstanding paragraph (2) of this subsection, a local governmental authority, described in paragraph (2), is subject to applicable laws of the United States related to—

"(i) safety;

"(ii) the representation of employees for collective bargaining; and

"(iii) employment, retirement, annuity, and unemployment systems or other provisions related to dealings between employees and employers.

"(B) The Board has jurisdiction under sections 11102 and 11103 of this title over transportation provided by a local governmental authority only if the Board finds that such governmental authority meets all of the standards and requirements for being a rail carrier providing transportation subject to the jurisdiction of the Interstate Commerce Commission that were in effect immediately before the effective date of the ICC Termination Act of 1995. The enactment of the ICC Termination Act of 1995 shall neither expand nor contract coverage of employees and employers by the Railway Labor Act, the Railroad Retirement Act of 1974, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act.

"§ 10502. Authority to exempt rail carrier transportation

"(a) In a matter related to a rail carrier providing transportation subject to the jurisdiction of the Board under this part, the Board, to the maximum extent consistent with this part, shall exempt a person, class of persons, or a transaction or service whenever the Board finds that the application in whole or in part of a provision of this part—

"(1) is not necessary to carry out the transportation policy of section 10101 of this title; and

"(2) either—

"(A) the transaction or service is of limited scope; or

"(B) the application in whole or in part of the provision is not needed to protect shippers from the abuse of market power.

"(b) The Board may, where appropriate, begin a proceeding under this section on its own initiative or on application by the Secretary of Transportation or an interested party. The Board shall, within 90 days after receipt of any such application, determine whether to begin an appropriate proceeding. If the Board decides not to begin a class exemption proceeding, the reasons for the decision shall be published in the Federal Register. Any proceeding begun as a result of an application under this subsection shall be completed within 9 months after it is begun.

Federal Register, publication.

"(c) The Board may specify the period of time during which an exemption granted under this section is effective.

"(d) The Board may revoke an exemption, to the extent it specifies, when it finds that application in whole or in part of a provision of this part to the person, class, or transportation is necessary to carry out the transportation policy of section 10101 of this title. The Board shall, within 90 days after receipt of a request for revocation under this subsection, determine whether to begin an appropriate proceeding. If the Board decides not to begin a proceeding to revoke a class exemption, the reasons for the decision shall be published in the Federal Register. Any proceeding begun as a result of a request under this subsection shall be completed within 9 months after it is begun.

Federal Register, publication.

"(e) No exemption order issued pursuant to this section shall operate to relieve any rail carrier from an obligation to provide contractual terms for liability and claims which are consistent with the provisions of section 11706 of this title. Nothing in this subsection or section 11706 of this title shall prevent rail carriers from offering alternative terms nor give the Board the authority

to require any specific level of rates or services based upon the provisions of section 11706 of this title.

"(f) The Board may exercise its authority under this section to exempt transportation that is provided by a rail carrier as part of a continuous intermodal movement.

"(g) The Board may not exercise its authority under this section to relieve a rail carrier of its obligation to protect the interests of employees as required by this part.

"CHAPTER 107—RATES

"SUBCHAPTER I—GENERAL AUTHORITY

"Sec.

"10701. Standards for rates, classifications, through routes, rules, and practices.
"10702. Authority for rail carriers to establish rates, classifications, rules, and practices.
"10703. Authority for rail carriers to establish through routes.
"10704. Authority and criteria: rates, classifications, rules, and practices prescribed by Board.
"10705. Authority: through routes, joint classifications, rates, and divisions prescribed by Board.
"10706. Rate agreements: exemption from antitrust laws.
"10707. Determination of market dominance in rail rate proceedings.
"10708. Rail cost adjustment factor.
"10709. Contracts.

"SUBCHAPTER II—SPECIAL CIRCUMSTANCES

"10721. Government traffic.
"10722. Car utilization.

"SUBCHAPTER III—LIMITATIONS

"10741. Prohibitions against discrimination by rail carriers.
"10742. Facilities for interchange of traffic.
"10743. Liability for payment of rates.
"10744. Continuous carriage of freight.
"10745. Transportation services or facilities furnished by shipper.
"10746. Demurrage charges.
"10747. Designation of certain routes by shippers.

"SUBCHAPTER I—GENERAL AUTHORITY

"§ 10701. Standards for rates, classifications, through routes, rules, and practices

"(a) A through route established by a rail carrier must be reasonable. Divisions of joint rates by rail carriers must be made without unreasonable discrimination against a participating carrier and must be reasonable.

"(b) A rail carrier providing transportation subject to the jurisdiction of the Board under this part may not discriminate in its rates against a connecting line of another rail carrier providing transportation subject to the jurisdiction of the Board under this part or unreasonably discriminate against that line in the distribution of traffic that is not routed specifically by the shipper.

"(c) Except as provided in subsection (d) of this section and unless a rate is prohibited by a provision of this part, a rail carrier providing transportation subject to the jurisdiction of the Board under this part may establish any rate for transportation or other service provided by the rail carrier.

"(d)(1) If the Board determines, under section 10707 of this title, that a rail carrier has market dominance over the transportation to which a particular rate applies, the rate established by such carrier for such transportation must be reasonable.

"(2) In determining whether a rate established by a rail carrier is reasonable for purposes of this section, the Board shall give due consideration to—

"(A) the amount of traffic which is transported at revenues which do not contribute to going concern value and the efforts made to minimize such traffic;

"(B) the amount of traffic which contributes only marginally to fixed costs and the extent to which, if any, rates on such traffic can be changed to maximize the revenues from such traffic; and

"(C) the carrier's mix of rail traffic to determine whether one commodity is paying an unreasonable share of the carrier's overall revenues,

recognizing the policy of this part that rail carriers shall earn adequate revenues, as established by the Board under section 10704(a)(2) of this title.

"(3) The Board shall, within one year after the effective date of this paragraph, complete the pending Interstate Commerce Commission non-coal rate guidelines proceeding to establish a simplified and expedited method for determining the reasonableness of challenged rail rates in those cases in which a full stand-alone cost presentation is too costly, given the value of the case.

"§ 10702. Authority for rail carriers to establish rates, classifications, rules, and practices

"A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part shall establish reasonable—

"(1) rates, to the extent required by section 10707, divisions of joint rates, and classifications for transportation and service it may provide under this part; and

"(2) rules and practices on matters related to that transportation or service.

"§ 10703. Authority for rail carriers to establish through routes

"Rail carriers providing transportation subject to the jurisdiction of the Board under this part shall establish through routes (including physical connections) with each other and with water carriers providing transportation subject to chapter 137, shall establish rates and classifications applicable to those routes, and shall establish rules for their operation and provide—

"(1) reasonable facilities for operating the through route; and

"(2) reasonable compensation to persons entitled to compensation for services related to the through route.

"§ 10704. Authority and criteria: rates, classifications, rules, and practices prescribed by Board

"(a)(1) When the Board, after a full hearing, decides that a rate charged or collected by a rail carrier for transportation subject to the jurisdiction of the Board under this part, or that a classification, rule, or practice of that carrier, does or will violate this part, the Board may prescribe the maximum rate, classification, rule, or practice to be followed. The Board may order the carrier to stop the violation. When a rate, classification, rule, or practice is prescribed under this subsection, the affected carrier may not

publish, charge, or collect a different rate and shall adopt the classification and observe the rule or practice prescribed by the Board.

"(2) The Board shall maintain and revise as necessary standards and procedures for establishing revenue levels for rail carriers providing transportation subject to its jurisdiction under this part that are adequate, under honest, economical, and efficient management, to cover total operating expenses, including depreciation and obsolescence, plus a reasonable and economic profit or return (or both) on capital employed in the business. The Board shall make an adequate and continuing effort to assist those carriers in attaining revenue levels prescribed under this paragraph. Revenue levels established under this paragraph should—

"(A) provide a flow of net income plus depreciation adequate to support prudent capital outlays, assure the repayment of a reasonable level of debt, permit the raising of needed equity capital, and cover the effects of inflation; and

"(B) attract and retain capital in amounts adequate to provide a sound transportation system in the United States.

"(3) On the basis of the standards and procedures described in paragraph (2), the Board shall annually determine which rail carriers are earning adequate revenues.

"(b) The Board may begin a proceeding under this section only on complaint. A complaint under subsection (a) of this section must be made under section 11701 of this title, but the proceeding may also be in extension of a complaint pending before the Board.

"(c) In a proceeding to challenge the reasonableness of a rate, the Board shall make its determination as to the reasonableness of the challenged rate—

"(1) within 9 months after the close of the administrative record if the determination is based upon a stand-alone cost presentation; or

"(2) within 6 months after the close of the administrative record if the determination is based upon the methodology adopted by the Board pursuant to section 10701(d)(3).

"(d) Within 9 months after the effective date of the ICC Termination Act of 1995, the Board shall establish procedures to ensure expeditious handling of challenges to the reasonableness of railroad rates. The procedures shall include appropriate measures for avoiding delay in the discovery and evidentiary phases of such proceedings and exemption or revocation proceedings, including appropriate sanctions for such delay, and for ensuring prompt disposition of motions and interlocutory administrative appeals.

"§ 10705. Authority: through routes, joint classifications, rates, and divisions prescribed by Board

"(a)(1) The Board may, and shall when it considers it desirable in the public interest, prescribe through routes, joint classifications, joint rates, the division of joint rates, and the conditions under which those routes must be operated, for a rail carrier providing transportation subject to the jurisdiction of the Board under this part.

"(2) The Board may require a rail carrier to include in a through route substantially less than the entire length of its railroad and any intermediate railroad operated with it under common management or control if that intermediate railroad lies between the terminals of the through route only when—

"(A) required under section 10741, 10742, or 11102 of this title;

"(B) inclusion of those lines would make the through route unreasonably long when compared with a practicable alternative through route that could be established; or

"(C) the Board decides that the proposed through route is needed to provide adequate, and more efficient or economic, transportation.

The Board shall give reasonable preference, subject to this subsection, to the rail carrier originating the traffic when prescribing through routes.

"(b) The Board shall prescribe the division of joint rates to be received by a rail carrier providing transportation subject to its jurisdiction under this part when it decides that a division of joint rates established by the participating carriers under section 10703 of this title, or under a decision of the Board under subsection (a) of this section, does or will violate section 10701 of this title.

"(c) If a division of a joint rate prescribed under a decision of the Board is later found to violate section 10701 of this title, the Board may decide what division would have been reasonable and order adjustment to be made retroactive to the date the complaint was filed, the date the order for an investigation was made, or a later date that the Board decides is justified. The Board may make a decision under this subsection effective as part of its original decision.

"§ 10706. Rate agreements: exemption from antitrust laws

"(a)(1) In this subsection—

"(A) the term 'affiliate' means a person controlling, controlled by, or under common control or ownership with another person and 'ownership' refers to equity holdings in a business entity of at least 5 percent;

"(B) the term 'single-line rate' refers to a rate or allowance proposed by a single rail carrier that is applicable only over its line and for which the transportation (exclusive of terminal services by switching, drayage or other terminal carriers or agencies) can be provided by that carrier; and

"(C) the term 'practicably participates in the movement' shall have such meaning as the Board shall by regulation prescribe.

"(2)(A) A rail carrier providing transportation subject to the jurisdiction of the Board under this part that is a party to an agreement of at least 2 rail carriers that relates to rates (including charges between rail carriers and compensation paid or received for the use of facilities and equipment), classifications, divisions, or rules related to them, or procedures for joint consideration, initiation, publication, or establishment of them, shall apply to the Board for approval of that agreement under this subsection. The Board shall approve the agreement only when it finds that the making and carrying out of the agreement will further the transportation policy of section 10101 of this title and may require compliance with conditions necessary to make the agreement further that policy as a condition of its approval. If the Board approves the agreement, it may be made and carried out under its terms and under the conditions required by the Board, and the Sherman Act (15 U.S.C. 1, et seq.), the Clayton Act (15 U.S.C. 12, et seq.), the Federal Trade Commission Act (15 U.S.C. 41, et seq.), sections

73 and 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9), and the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a) do not apply to parties and other persons with respect to making or carrying out the agreement. However, the Board may not approve or continue approval of an agreement when the conditions required by it are not met or if it does not receive a verified statement under subparagraph (B) of this paragraph.

"(B) The Board may approve an agreement under subparagraph (A) of this paragraph only when the rail carriers applying for approval file a verified statement with the Board. Each statement must specify for each rail carrier that is a party to the agreement—

"(i) the name of the carrier;

"(ii) the mailing address and telephone number of its headquarter's office; and .

"(iii) the names of each of its affiliates and the names, addresses, and affiliates of each of its officers and directors and of each person, together with an affiliate, owning or controlling any debt, equity, or security interest in it having a value of at least $1,000,000.

"(3)(A) An organization established or continued under an agreement approved under this subsection shall make a final disposition of a rule or rate docketed with it by the 120th day after the proposal is docketed. Such an organization may not—

"(i) permit a rail carrier to discuss, to participate in agreements related to, or to vote on single-line rates proposed by another rail carrier, except that for purposes of general rate increases and broad changes in rates, classifications, rules, and practices only, if the Board finds at any time that the implementation of this clause is not feasible, it may delay or suspend such implementation in whole or in part;

"(ii) permit a rail carrier to discuss, to participate in agreements related to, or to vote on rates related to a particular interline movement unless that rail carrier practicably participates in the movement; or

"(iii) if there are interline movements over two or more routes between the same end points, permit a carrier to discuss, to participate in agreements related to, or to vote on rates except with a carrier which forms part of a particular single route. If the Board finds at any time that the implementation of this clause is not feasible, it may delay or suspend such implementation in whole or in part.

"(B)(i) In any proceeding in which a party alleges that a rail carrier voted or agreed on a rate or allowance in violation of this subsection, that party has the burden of showing that the vote or agreement occurred. A showing of parallel behavior does not satisfy that burden by itself.

"(ii) In any proceeding in which it is alleged that a carrier was a party to an agreement, conspiracy, or combination in violation of a Federal law cited in subsection (a)(2)(A) of this section or of any similar State law, proof of an agreement, conspiracy, or combination may not be inferred from evidence that two or more rail carriers acted together with respect to an interline rate or related matter and that a party to such action took similar action with respect to a rate or related matter on another route or traffic. In any proceeding in which such a violation is alleged, evidence of a discussion or agreement between or among such rail carrier and one or more other rail carriers, or of any rate or other action

resulting from such discussion or agreement, shall not be admissible if the discussion or agreement—

"(I) was in accordance with an agreement approved under paragraph (2) of this subsection; or

"(II) concerned an interline movement of the rail carrier, and the discussion or agreement would not, considered by itself, violate the laws referred to in the first sentence of this clause. In any proceeding before a jury, the court shall determine whether the requirements of subclause (I) or (II) are satisfied before allowing the introduction of any such evidence.

Records. Confidentiality.

"(C) An organization described in subparagraph (A) of this paragraph shall provide that transcripts or sound recordings be made of all meetings, that records of votes be made, and that such transcripts or recordings and voting records be submitted to the Board and made available to other Federal agencies in connection with their statutory responsibilities over rate bureaus, except that such material shall be kept confidential and shall not be subject to disclosure under section 552 of title 5, United States Code.

"(4) Notwithstanding any other provision of this subsection, one or more rail carriers may enter into an agreement, without obtaining prior Board approval, that provides solely for compilation, publication, and other distribution of rates in effect or to become effective. The Sherman Act (15 U.S.C. 1 et seq.), the Clayton Act (15 U.S.C. 12 et seq.), the Federal Trade Commission Act (15 U.S.C. 41 et seq.), sections 73 and 74 of the Wilson Tariff Act (15 U.S.C. 8 and 9), and the Act of June 19, 1936 (15 U.S.C. 13, 13a, 13b, 21a) shall not apply to parties and other persons with respect to making or carrying out such agreement. However, the Board may, upon application or on its own initiative, investigate whether the parties to such an agreement have exceeded its scope, and upon a finding that they have, the Board may issue such orders as are necessary, including an order dissolving the agreement, to ensure that actions taken pursuant to the agreement are limited as provided in this paragraph.

"(5)(A) Whenever two or more shippers enter into an agreement to discuss among themselves that relates to the amount of compensation such shippers propose to be paid by rail carriers providing transportation subject to the jurisdiction of the Board under this part, for use by such rail carriers of rolling stock owned or leased by such shippers, the shippers shall apply to the Board for approval of that agreement under this paragraph. The Board shall approve the agreement only when it finds that the making and carrying out of the agreement will further the transportation policy set forth in section 10101 of this title and may require compliance with conditions necessary to make the agreement further that policy as a condition of approval. If the Board approves the agreement, it may be made and carried out under its terms and under the terms required by the Board, and the antitrust laws set forth in paragraph (2) of this subsection do not apply to parties and other persons with respect to making or carrying out the agreement. The Board shall approve or disapprove an agreement under this paragraph within one year after the date application for approval of such agreement is made.

"(B) If the Board approves an agreement described in subparagraph (A) of this paragraph and the shippers entering into such agreement and the rail carriers proposing to use rolling stock owned

or leased by such shippers, under payment by such carriers or under a published allowance, are unable to agree upon the amount of compensation to be paid for the use of such rolling stock, any party directly involved in the negotiations may require that the matter be settled by submitting the issues in dispute to the Board. The Board shall render a binding decision, based upon a standard of reasonableness and after taking into consideration any past precedents on the subject matter of the negotiations, no later than 90 days after the date of the submission of the dispute to the Board.

"(C) Nothing in this paragraph shall be construed to change the law in effect prior to the effective date of the Staggers Rail Act of 1980 with respect to the obligation of rail carriers to utilize rolling stock owned or leased by shippers.

"(b) The Board may require an organization established or continued under an agreement approved under this section to maintain records and submit reports. The Board may inspect a record maintained under this section.

"(c) The Board may review an agreement approved under subsection (a) of this section and shall change the conditions of approval or terminate it when necessary to comply with the public interest and subsection (a). The Board shall postpone the effective date of a change of an agreement under this subsection for whatever period it determines to be reasonably necessary to avoid unreasonable hardship.

"(d) The Board may begin a proceeding under this section on its own initiative or on application. Action of the Board under this section—

"(1) approving an agreement;

"(2) denying, ending, or changing approval;

"(3) prescribing the conditions on which approval is granted; or

"(4) changing those conditions,

has effect only as related to application of the antitrust laws referred to in subsection (a) of this section.

"(e)(1) The Federal Trade Commission, in consultation with the Antitrust Division of the Department of Justice, shall prepare periodically an assessment of, and shall report to the Board on— Reports.

"(A) possible anticompetitive features of—

"(i) agreements approved or submitted for approval under subsection (a) of this section; and

"(ii) an organization operating under those agreements; and

"(B) possible ways to alleviate or end an anticompetitive feature, effect, or aspect in a manner that will further the goals of this part and of the transportation policy of section 10101 of this title.

"(2) Reports received by the Board under this subsection shall be published and made available to the public under section 552(a) of title 5.

"§ 10707. Determination of market dominance in rail rate proceedings

"(a) In this section, 'market dominance' means an absence of effective competition from other rail carriers or modes of transportation for the transportation to which a rate applies.

"(b) When a rate for transportation by a rail carrier providing transportation subject to the jurisdiction of the Board under this part is challenged as being unreasonably high, the Board shall determine whether the rail carrier proposing the rate has market dominance over the transportation to which the rate applies. The Board may make that determination on its own initiative or on complaint. A finding by the Board that the rail carrier does not have market dominance is determinative in a proceeding under this part related to that rate or transportation unless changed or set aside by the Board or set aside by a court of competent jurisdiction.

"(c) When the Board finds in any proceeding that a rail carrier proposing or defending a rate for transportation has market dominance over the transportation to which the rate applies, it may then determine that rate to be unreasonable if it exceeds a reasonable maximum for that transportation. However, a finding of market dominance does not establish a presumption that the proposed rate exceeds a reasonable maximum.

"(d)(1)(A) In making a determination under this section, the Board shall find that the rail carrier establishing the challenged rate does not have market dominance over the transportation to which the rate applies if such rail carrier proves that the rate charged results in a revenue-variable cost percentage for such transportation that is less than 180 percent.

"(B) For purposes of this section, variable costs for a rail carrier shall be determined only by using such carrier's unadjusted costs, calculated using the Uniform Rail Costing System cost finding methodology (or an alternative methodology adopted by the Board in lieu thereof) and indexed quarterly to account for current wage and price levels in the region in which the carrier operates, with adjustments specified by the Board. A rail carrier may meet its burden of proof under this subsection by establishing its variable costs in accordance with this paragraph, but a shipper may rebut that showing by evidence of such type, and in accordance with such burden of proof, as the Board shall prescribe.

"(2) A finding by the Board that a rate charged by a rail carrier results in a revenue-variable cost percentage for the transportation to which the rate applies that is equal to or greater than 180 percent does not establish a presumption that—

"(A) such rail carrier has or does not have market dominance over such transportation; or

"(B) the proposed rate exceeds or does not exceed a reasonable maximum.

Publication.

"§ 10708. Rail cost adjustment factor

"(a) The Board shall, as often as practicable, but in no event less often than quarterly, publish a rail cost adjustment factor which shall be a fraction, the numerator of which is the latest published Index of Railroad Costs (which index shall be compiled or verified by the Board, with appropriate adjustments to reflect the change in composition of railroad costs, including the quality and mix of material and labor) and the denominator of which is the same index for the fourth quarter of every fifth year, beginning with the fourth quarter of 1992.

"(b) The rail cost adjustment factor published by the Board under subsection (a) of this section shall take into account changes in railroad productivity. The Board shall also publish a similar

index that does not take into account changes in railroad productivity.

"§ 10709. Contracts

"(a) One or more rail carriers providing transportation subject to the jurisdiction of the Board under this part may enter into a contract with one or more purchasers of rail services to provide specified services under specified rates and conditions.

"(b) A party to a contract entered into under this section shall have no duty in connection with services provided under such contract other than those duties specified by the terms of the contract.

"(c)(1) A contract that is authorized by this section, and transportation under such contract, shall not be subject to this part, and may not be subsequently challenged before the Board or in any court on the grounds that such contract violates a provision of this part.

"(2) The exclusive remedy for any alleged breach of a contract entered into under this section shall be an action in an appropriate State court or United States district court, unless the parties otherwise agree. This section does not confer original jurisdiction on the district courts of the United States based on section 1331 or 1337 of title 28, United States Code.

"(d)(1) A summary of each contract for the transportation of agricultural products (including grain, as defined in section 3 of the United States Grain Standards Act (7 U.S.C. 75) and products thereof) entered into under this section shall be filed with the Board, containing such nonconfidential information as the Board prescribes. The Board shall publish special rules for such contracts in order to ensure that the essential terms of the contract are available to the general public.

Publication. Public information. Rules.

"(2) Documents, papers, and records (and any copies thereof) relating to a contract described in subsection (a) shall not be subject to the mandatory disclosure requirements of section 552 of title 5.

"(e) Any lawful contract between a rail carrier and one or more purchasers of rail service that was in effect on the effective date of the Staggers Rail Act of 1980 shall be considered a contract authorized by this section.

"(f) A rail carrier that enters into a contract as authorized by this section remains subject to the common carrier obligation set forth in section 11101, with respect to rail transportation not provided under such a contract.

"(g)(1) No later than 30 days after the date of filing of a summary of a contract under this section, the Board may, on complaint, begin a proceeding to review such contract on the grounds described in this subsection.

"(2)(A) A complaint may be filed under this subsection—

"(i) by a shipper on the grounds that such shipper individually will be harmed because the proposed contract unduly impairs the ability of the contracting rail carrier or carriers to meet their common carrier obligations to the complainant under section 11101 of this title; or

"(ii) by a port only on the grounds that such port individually will be harmed because the proposed contract will result in unreasonable discrimination against such port.

"(B) In addition to the grounds for a complaint described in subparagraph (A) of this paragraph, a complaint may be filed by a shipper of agricultural commodities on the grounds that such shipper individually will be harmed because—

"(i) the rail carrier has unreasonably discriminated by refusing to enter into a contract with such shipper for rates and services for the transportation of the same type of commodity under similar conditions to the contract at issue, and that shipper was ready, willing, and able to enter into such a contract at a time essentially contemporaneous with the period during which the contract at issue was offered; or

"(ii) the proposed contract constitutes a destructive competitive practice under this part.

In making a determination under clause (ii) of this subparagraph, the Board shall consider the difference between contract rates and published single car rates.

"(C) For purposes of this paragraph, the term 'unreasonable discrimination' has the same meaning as such term has under section 10741 of this title.

"(3)(A) Within 30 days after the date a proceeding is commenced under paragraph (1) of this subsection, or within such shorter time period after such date as the Board may establish, the Board shall determine whether the contract that is the subject of such proceeding is in violation of this section.

"(B) If the Board determines, on the basis of a complaint filed under paragraph (2)(B)(i) of this subsection, that the grounds for a complaint described in such paragraph have been established with respect to a rail carrier, the Board shall, subject to the provisions of this section, order such rail carrier to provide rates and service substantially similar to the contract at issue with such differentials in terms and conditions as are justified by the evidence.

"(h)(1) Any rail carrier may, in accordance with the terms of this section, enter into contracts for the transportation of agricultural commodities (including forest products, but not including wood pulp, wood chips, pulpwood or paper) involving the utilization of carrier owned or leased equipment not in excess of 40 percent of the capacity of such carrier's owned or leased equipment by major car type (plain boxcars, covered hopper cars, gondolas and open top hoppers, coal cars, bulkhead flatcars, pulpwood rackcars, and flatbed equipment, including TOFC/COFC).

"(2) The Board may, on request of a rail carrier or other party or on its own initiative, grant such relief from the limitations of paragraph (1) of this subsection as the Board considers appropriate, if it appears that additional equipment may be made available without impairing the rail carrier's ability to meet its common carrier obligations under section 11101 of this title.

Termination date.

"(3)(A) This subsection shall cease to be effective after September 30, 1998.

"(B) Before October 1, 1997, the National Grain Car Council and the Railroad-Shipper Transportation Advisory Council shall make recommendations to Congress on whether to extend the effectiveness of or otherwise modify this subsection.

"SUBCHAPTER II—SPECIAL CIRCUMSTANCES

"§ 10721. Government traffic

"A rail carrier providing transportation or service for the United States Government may transport property or individuals for the United States Government without charge or at a rate reduced from the applicable commercial rate. Section 3709 of the Revised Statutes (41 U.S.C. 5) does not apply when transportation for the United States Government can be obtained from a rail carrier lawfully operating in the area where the transportation would be provided.

"§ 10722. Car utilization

"In order to encourage more efficient use of freight cars, notwithstanding any other provision of this part, rail carriers shall be permitted to establish premium charges for special services or special levels of services not otherwise applicable to the movement. The Board shall facilitate development of such charges so as to increase the utilization of equipment.

"SUBCHAPTER III—LIMITATIONS

"§ 10741. Prohibitions against discrimination by rail carriers

"(a)(1) A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part may not subject a person, place, port, or type of traffic to unreasonable discrimination.

"(2) For purposes of this section, a rail carrier engages in unreasonable discrimination when it charges or receives from a person a different compensation for a service rendered, or to be rendered, in transportation the rail carrier may perform under this part than it charges or receives from another person for performing a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances.

"(b) This section shall not apply to—

"(1) contracts described in section 10709 of this title;

"(2) rail rates applicable to different routes; or

"(3) discrimination against the traffic of another carrier providing transportation by any mode.

"(c) Differences between rates, classifications, rules, and practices of rail carriers do not constitute a violation of this section if such differences result from different services provided by rail carriers.

"§ 10742. Facilities for interchange of traffic

"A rail carrier providing transportation subject to the jurisdiction of the Board under this part shall provide reasonable, proper, and equal facilities that are within its power to provide for the interchange of traffic between, and for the receiving, forwarding, and delivering of passengers and property to and from, its respective line and a connecting line of another rail carrier or of a water carrier providing transportation subject to chapter 137.

"§ 10743. Liability for payment of rates

"(a)(1) Liability for payment of rates for transportation for a shipment of property by a shipper or consignor to a consignee

other than the shipper or consignor, is determined under this subsection when the transportation is provided by a rail carrier under this part. When the shipper or consignor instructs the rail carrier transporting the property to deliver it to a consignee that is an agent only, not having beneficial title to the property, the consignee is liable for rates billed at the time of delivery for which the consignee is otherwise liable, but not for additional rates that may be found to be due after delivery if the consignee gives written notice to the delivering carrier before delivery of the property—

"(A) of the agency and absence of beneficial title; and

"(B) of the name and address of the beneficial owner of the property if it is reconsigned or diverted to a place other than the place specified in the original bill of lading.

"(2) When the consignee is liable only for rates billed at the time of delivery under paragraph (1) of this subsection, the shipper or consignor, or, if the property is reconsigned or diverted, the beneficial owner, is liable for those additional rates regardless of the bill of lading or contract under which the property was transported. The beneficial owner is liable for all rates when the property is reconsigned or diverted by an agent but is refused or abandoned at its ultimate destination if the agent gave the rail carrier in the reconsignment or diversion order a notice of agency and the name and address of the beneficial owner. A consignee giving the rail carrier, and a reconsignor or diverter giving a rail carrier, erroneous information about the identity of the beneficial owner of the property is liable for the additional rates.

"(b) Liability for payment of rates for transportation for a shipment of property by a shipper or consignor, named in the bill of lading as consignee, is determined under this subsection when the transportation is provided by a rail carrier under this part. When the shipper or consignor gives written notice, before delivery of the property, to the line-haul rail carrier that is to make ultimate delivery—

"(1) to deliver the property to another party identified by the shipper or consignor as the beneficial owner of the property; and

"(2) that delivery is to be made to that party on payment of all applicable transportation rates;

that party is liable for the rates billed at the time of delivery and for additional rates that may be found to be due after delivery if that party does not pay the rates required to be paid under paragraph (2) of this subsection on delivery. However, if the party gives written notice to the delivering rail carrier before delivery that the party is not the beneficial owner of the property and gives the rail carrier the name and address of the beneficial owner, then the party is not liable for those additional rates. A shipper, consignor, or party to whom delivery is made that gives the delivering rail carrier erroneous information about the identity of the beneficial owner, is liable for the additional rates regardless of the bill of lading or contract under which the property was transported. This subsection does not apply to a prepaid shipment of property.

"(c)(1) A rail carrier may bring an action to enforce liability under subsection (a) of this section. That rail carrier must bring the action during the period provided in section 11705(a) of this title or by the end of the 6th month after final judgment against

it in an action against the consignee, or the beneficial owner named by the consignee or agent, under that section.

"(2) A rail carrier may bring an action to enforce liability under subsection (b) of this section. That carrier must bring the action during the period provided in section 11705(a) of this title or by the end of the 6th month after final judgment against it in an action against the shipper, consignor, or other party under that section.

"§ 10744. Continuous carriage of freight

"A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part may not enter a combination or arrangement to prevent the carriage of freight from being continuous from the place of shipment to the place of destination whether by change of time schedule, carriage in different cars, or by other means. The carriage of freight by those rail carriers is considered to be a continuous carriage from the place of shipment to the place of destination when a break of bulk, stoppage, or interruption is not made in good faith for a necessary purpose, and with the intent of avoiding or unnecessarily interrupting the continuous carriage or of evading this part.

"§ 10745. Transportation services or facilities furnished by shipper

"A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part may establish a charge or allowance for transportation or service for property when the owner of the property, directly or indirectly, furnishes a service related to or an instrumentality used in the transportation or service. The Board may prescribe the maximum reasonable charge or allowance a rail carrier subject to its jurisdiction may pay for a service or instrumentality furnished under this section. The Board may begin a proceeding under this section on its own initiative or on application.

"§ 10746. Demurrage charges

"A rail carrier providing transportation subject to the jurisdiction of the Board under this part shall compute demurrage charges, and establish rules related to those charges, in a way that fulfills the national needs related to—

"(1) freight car use and distribution; and

"(2) maintenance of an adequate supply of freight cars to be available for transportation of property.

"§ 10747. Designation of certain routes by shippers

"(a)(1) When a person delivers property to a rail carrier for transportation subject to the jurisdiction of the Board under this part, the person may direct the rail carrier to transport the property over an established through route. When competing rail lines constitute a part of the route, the person shipping the property may designate the lines over which the property will be transported. The designation must be in writing. A rail carrier may be directed to transport property over a particular through route when—

"(A) there are at least 2 through routes over which the property could be transported;

"(B) a through rate has been established for transportation over each of those through routes; and

"(C) the rail carrier is a party to those routes and rates.

"(2) A rail carrier directed to route property transported under paragraph (1) of this subsection must issue a through bill of lading containing the routing instructions and transport the property according to the instructions. When the property is delivered to a connecting rail carrier, that rail carrier must also receive and transport it according to the routing instructions and deliver it to the next succeeding rail carrier or consignee according to the instructions.

"(b) The Board may prescribe exceptions to the authority of a person to direct the movement of traffic under subsection (a) of this section.

"CHAPTER 109—LICENSING

"Sec.
"10901. Authorizing construction and operation of railroad lines.
"10902. Short line purchases by Class II and Class III rail carriers.
"10903. Filing and procedure for application to abandon or discontinue.
"10904. Offers of financial assistance to avoid abandonment and discontinuance.
"10905. Offering abandoned rail properties for sale for public purposes.
"10906. Exception.
"10907. Railroad development.

"§ 10901. Authorizing construction and operation of railroad lines

"(a) A person may—

"(1) construct an extension to any of its railroad lines;

"(2) construct an additional railroad line;

"(3) provide transportation over, or by means of, an extended or additional railroad line; or

"(4) in the case of a person other than a rail carrier, acquire a railroad line or acquire or operate an extended or additional railroad line,

only if the Board issues a certificate authorizing such activity under subsection (c).

Notice.

"(b) A proceeding to grant authority under subsection (a) of this section begins when an application is filed. On receiving the application, the Board shall give reasonable public notice, including notice to the Governor of any affected State, of the beginning of such proceeding.

Certificate.

"(c) The Board shall issue a certificate authorizing activities for which such authority is requested in an application filed under subsection (b) unless the Board finds that such activities are inconsistent with the public convenience and necessity. Such certificate may approve the application as filed, or with modifications, and may require compliance with conditions (other than labor protection conditions) the Board finds necessary in the public interest.

"(d)(1) When a certificate has been issued by the Board under this section authorizing the construction or extension of a railroad line, no other rail carrier may block any construction or extension authorized by such certificate by refusing to permit the carrier to cross its property if—

"(A) the construction does not unreasonably interfere with the operation of the crossed line;

"(B) the operation does not materially interfere with the operation of the crossed line; and

"(C) the owner of the crossing line compensates the owner of the crossed line.

"(2) If the parties are unable to agree on the terms of operation or the amount of payment for purposes of paragraph (1) of this subsection, either party may submit the matters in dispute to the Board for determination. The Board shall make a determination under this paragraph within 120 days after the dispute is submitted for determination.

"§ 10902. Short line purchases by Class II and Class III rail carriers

"(a) A Class II or Class III rail carrier providing transportation subject to the jurisdiction of the Board under this part may acquire or operate an extended or additional rail line under this section only if the Board issues a certificate authorizing such activity under subsection (c).

"(b) A proceeding to grant authority under subsection (a) of this section begins when an application is filed. On receiving the application, the Board shall give reasonable public notice of the beginning of such proceeding. Notice.

"(c) The Board shall issue a certificate authorizing activities for which such authority is requested in an application filed under subsection (b) unless the Board finds that such activities are inconsistent with the public convenience and necessity. Such certificate may approve the application as filed, or with modifications, and may require compliance with conditions (other than labor protection conditions) the Board finds necessary in the public interest. Certificate.

"(d) The Board shall require any Class II rail carrier which receives a certificate under subsection (c) of this section to provide a fair and equitable arrangement for the protection of the interests of employees who may be affected thereby. The arrangement shall consist exclusively of one year of severance pay, which shall not exceed the amount of earnings from railroad employment of the employee during the 12-month period immediately preceding the date on which the application for such certificate is filed with the Board. The amount of such severance pay shall be reduced by the amount of earnings from railroad employment of the employee with the acquiring carrier during the 12-month period immediately following the effective date of the transaction to which the certificate applies. The parties may agree to terms other than as provided in this subsection. The Board shall not require such an arrangement from a Class III rail carrier which receives a certificate under subsection (c) of this section.

"§ 10903. Filing and procedure for application to abandon or discontinue

"(a)(1) A rail carrier providing transportation subject to the jurisdiction of the Board under this part who intends to—

"(A) abandon any part of its railroad lines; or

"(B) discontinue the operation of all rail transportation over any part of its railroad lines,

must file an application relating thereto with the Board. An abandonment or discontinuance may be carried out only as authorized under this chapter.

"(2) When a rail carrier providing transportation subject to the jurisdiction of the Board under this part files an application, the application shall include—

"(A) an accurate and understandable summary of the rail carrier's reasons for the proposed abandonment or discontinuance;

"(B) a statement indicating that each interested person is entitled to make recommendations to the Board on the future of the rail line; and

"(C)(i) a statement that the line is available for subsidy or sale in accordance with section 10904 of this title, (ii) a statement that the rail carrier will promptly provide to each interested party an estimate of the annual subsidy and minimum purchase price, calculated in accordance with section 10904 of this title, and (iii) the name and business address of the person who is authorized to discuss the subsidy or sale terms for the rail carrier.

Notice.

"(3) The rail carrier shall—

"(A) send by certified mail notice of the application to the chief executive officer of each State that would be directly affected by the proposed abandonment or discontinuance;

"(B) post a copy of the notice in each terminal and station on each portion of a railroad line proposed to be abandoned or over which all transportation is to be discontinued;

Publication.
Newspapers.

"(C) publish a copy of the notice for 3 consecutive weeks in a newspaper of general circulation in each county in which each such portion is located;

"(D) mail a copy of the notice, to the extent practicable, to all shippers that have made significant use (as designated by the Board) of the railroad line during the 12 months preceding the filing of the application; and

Certification.

"(E) attach to the application filed with the Board an affidavit certifying the manner in which subparagraphs (A) through (D) of this paragraph have been satisfied, and certifying that subparagraphs (A) through (D) have been satisfied within the most recent 30 days prior to the date the application is filed.

"(b)(1) Except as provided in subsection (d), abandonment and discontinuance may occur as provided in section 10904.

"(2) The Board shall require as a condition of any abandonment or discontinuance under this section provisions to protect the interests of employees. The provisions shall be at least as beneficial to those interests as the provisions established under sections 11326(a) and 24706(c) of this title.

"(c)(1) In this subsection, the term 'potentially subject to abandonment' has the meaning given the term in regulations of the Board. The regulations may include standards that vary by region of the United States and by railroad or group of railroads.

"(2) Each rail carrier shall maintain a complete diagram of the transportation system operated, directly or indirectly, by the rail carrier. The rail carrier shall submit to the Board and publish amendments to its diagram that are necessary to maintain the accuracy of the diagram. The diagram shall—

Publication.

"(A) include a detailed description of each of its railroad lines potentially subject to abandonment; and

"(B) identify each railroad line for which the rail carrier plans to file an application to abandon or discontinue under subsection (a) of this section.

"(d) A rail carrier providing transportation subject to the jurisdiction of the Board under this part may—

"(1) abandon any part of its railroad lines; or

"(2) discontinue the operation of all rail transportation over any part of its railroad lines;

only if the Board finds that the present or future public convenience and necessity require or permit the abandonment or discontinuance. In making the finding, the Board shall consider whether the abandonment or discontinuance will have a serious, adverse impact on rural and community development.

"(e) Subject to this section and sections 10904 and 10905 of this title, if the Board—

"(1) finds public convenience and necessity, it shall—

"(A) approve the application as filed; or

"(B) approve the application with modifications and require compliance with conditions that the Board finds are required by public convenience and necessity; or

"(2) fails to find public convenience and necessity, it shall deny the application.

"§ 10904. Offers of financial assistance to avoid abandonment and discontinuance

"(a) In this section—

"(1) the term 'avoidable cost' means all expenses that would be incurred by a rail carrier in providing transportation that would not be incurred if the railroad line over which the transportation was provided were abandoned or if the transportation were discontinued. Expenses include cash inflows foregone and cash outflows incurred by the rail carrier as a result of not abandoning or discontinuing the transportation. Cash inflows foregone and cash outflows incurred include—

"(A) working capital and required capital expenditure;

"(B) expenditures to eliminate deferred maintenance;

"(C) the current cost of freight cars, locomotives, and other equipment; and

"(D) the foregone tax benefits from not retiring properties from rail service and other effects of applicable Federal and State income taxes; and

"(2) the term 'reasonable return' means—

"(A) if a rail carrier is not in reorganization, the cost of capital to the rail carrier, as determined by the Board; and

"(B) if a rail carrier is in reorganization, the mean cost of capital of rail carriers not in reorganization, as determined by the Board.

"(b) Any rail carrier which has filed an application for abandonment or discontinuance shall provide promptly to a party considering an offer of financial assistance and shall provide concurrently to the Board—

"(1) an estimate of the annual subsidy and minimum purchase price required to keep the line or a portion of the line in operation;

"(2) its most recent reports on the physical condition of that part of the railroad line involved in the proposed abandonment or discontinuance;

"(3) traffic, revenue, and other data necessary to determine the amount of annual financial assistance which would be required to continue rail transportation over that part of the railroad line; and

"(4) any other information that the Board considers necessary to allow a potential offeror to calculate an adequate subsidy or purchase offer.

"(c) Within 4 months after an application is filed under section 10903, any person may offer to subsidize or purchase the railroad line that is the subject of such application. Such offer shall be filed concurrently with the Board. If the offer to subsidize or purchase is less than the carrier's estimate stated pursuant to subsection (b)(1), the offer shall explain the basis of the disparity, and the manner in which the offer is calculated.

"(d)(1) Unless the Board, within 15 days after the expiration of the 4-month period described in subsection (c), finds that one or more financially responsible persons (including a governmental authority) have offered financial assistance regarding that part of the railroad line to be abandoned or over which all rail transportation is to be discontinued, abandonment or discontinuance may be carried out in accordance with section 10903.

"(2) If the Board finds that such an offer or offers of financial assistance has been made within such period, abandonment or discontinuance shall be postponed until—

"(A) the carrier and a financially responsible person have reached agreement on a transaction for subsidy or sale of the line; or

"(B) the conditions and amount of compensation are established under subsection (f).

"(e) Except as provided in subsection (f)(3), if the rail carrier and a financially responsible person (including a governmental authority) fail to agree on the amount or terms of the subsidy or purchase, either party may, within 30 days after the offer is made, request that the Board establish the conditions and amount of compensation.

"(f)(1) Whenever the Board is requested to establish the conditions and amount of compensation under this section—

"(A) the Board shall render its decision within 30 days;

"(B) for proposed sales, the Board shall determine the price and other terms of sale, except that in no case shall the Board set a price which is below the fair market value of the line (including, unless otherwise mutually agreed, all facilities on the line or portion necessary to provide effective transportation services); and

"(C) for proposed subsidies, the Board shall establish the compensation as the difference between the revenues attributable to that part of the railroad line and the avoidable cost of providing rail freight transportation on the line, plus a reasonable return on the value of the line.

"(2) The decision of the Board shall be binding on both parties, except that the person who has offered to subsidize or purchase the line may withdraw his offer within 10 days of the Board's decision. In such a case, the abandonment or discontinuance may

be carried out immediately, unless other offers are being considered pursuant to paragraph (3) of this subsection.

"(3) If a rail carrier receives more than one offer to subsidize or purchase, it shall select the offeror with whom it wishes to transact business, and complete the subsidy or sale agreement, or request that the Board establish the conditions and amount of compensation before the 40th day after the expiration of the 4-month period described in subsection (c). If no agreement on subsidy or sale is reached within such 40-day period and the Board has not been requested to establish the conditions and amount of compensation, any other offeror whose offer was made within the 4-month period described in subsection (c) may request that the Board establish the conditions and amount of compensation. If the Board has established the conditions and amount of compensation, and the original offer has been withdrawn, any other offeror whose offer was made within the 4-month period described in subsection (c) may accept the Board's decision within 20 days after such decision, and the Board shall require the carrier to enter into a subsidy or sale agreement with such offeror, if such subsidy or sale agreement incorporates the Board's decision.

"(4)(A) No purchaser of a line or portion of line sold under this section may transfer or discontinue service on such line prior to the end of the second year after consummation of the sale, nor may such purchaser transfer such line, except to the rail carrier from whom it was purchased, prior to the end of the fifth year after consummation of the sale.

"(B) No subsidy arrangement approved under this section shall remain in effect for more than one year, unless otherwise mutually agreed by the parties.

"(g) Upon abandonment of a railroad line under this chapter, the obligation of the rail carrier abandoning the line to provide transportation on that line, as required by section 11101(a), is extinguished.

"§ 10905. Offering abandoned rail properties for sale for public purposes

"When the Board approves an application to abandon or discontinue under section 10903, the Board shall find whether the rail properties that are involved in the proposed abandonment or discontinuance are appropriate for use for public purposes, including highways, other forms of mass transportation, conservation, energy production or transmission, or recreation. If the Board finds that the rail properties proposed to be abandoned are appropriate for public purposes and not required for continued rail operations, the properties may be sold, leased, exchanged, or otherwise disposed of only under conditions provided in the order of the Board. The conditions may include a prohibition on any such disposal for a period of not more than 180 days after the effective date of the order, unless the properties have first been offered, on reasonable terms, for sale for public purposes.

"§ 10906. Exception

"Notwithstanding section 10901 and subchapter II of chapter 113 of this title, and without the approval of the Board, a rail carrier providing transportation subject to the jurisdiction of the Board under this part may enter into arrangements for the joint ownership or joint use of spur, industrial, team, switching, or side

tracks. The Board does not have authority under this chapter over construction, acquisition, operation, abandonment, or discontinuance of spur, industrial, team, switching, or side tracks.

"§ 10907. Railroad development

"(a) In this section, the term 'financially responsible person' means a person who—

"(1) is capable of paying the constitutional minimum value of the railroad line proposed to be acquired; and

"(2) is able to assure that adequate transportation will be provided over such line for a period of not less than 3 years.

Such term includes a governmental authority but does not include a Class I or Class II rail carrier.

"(b)(1) When the Board finds that—

"(A)(i) the public convenience and necessity require or permit the sale of a particular railroad line under this section; or

"(ii) a railroad line is on a system diagram map as required under section 10903 of this title, but the rail carrier owning such line has not filed an application to abandon such line under section 10903 of this title before an application to purchase such line, or any required preliminary filing with respect to such application, is filed under this section; and

"(B) an application to purchase such line has been filed by a financially responsible person,

the Board shall require the rail carrier owning the railroad line to sell such line to such financially responsible person at a price not less than the constitutional minimum value.

"(2) For purposes of this subsection, the constitutional minimum value of a particular railroad line shall be presumed to be not less than the net liquidation value of such line or the going concern value of such line, whichever is greater.

"(c)(1) For purposes of this section, the Board may determine that the public convenience and necessity require or permit the sale of a railroad line if the Board determines, after a hearing on the record, that—

"(A) the rail carrier operating such line refuses within a reasonable time to make the necessary efforts to provide adequate service to shippers who transport traffic over such line;

"(B) the transportation over such line is inadequate for the majority of shippers who transport traffic over such line;

"(C) the sale of such line will not have a significantly adverse financial effect on the rail carrier operating such line;

"(D) the sale of such line will not have an adverse effect on the overall operational performance of the rail carrier operating such line; and

"(E) the sale of such line will be likely to result in improved railroad transportation for shippers that transport traffic over such line.

"(2) In a proceeding under this subsection, the burden of proving that the public convenience and necessity require or permit the sale of a particular railroad line is on the person filing the application to acquire such line. If the Board finds under this subsection that the public convenience and necessity require or permit the sale of a particular railroad line, the Board shall concurrently

Notification. Federal Register, publication.

notify the parties of such finding and publish such finding in the Federal Register.

"(d) In the case of any railroad line subject to sale under subsection (a) of this section, the Board shall, upon the request of the acquiring carrier, require the selling carrier to provide to the acquiring carrier trackage rights to allow a reasonable interchange with the selling carrier or to move power equipment or empty rolling stock between noncontiguous feeder lines operated by the acquiring carrier. The Board shall require the acquiring carrier to provide the selling carrier reasonable compensation for any such trackage rights.

"(e) The Board shall require, to the maximum extent practicable, the use of the employees who would normally have performed work in connection with a railroad line subject to a sale under this section.

"(f) In the case of a railroad line which carried less than 3,000,000 gross ton miles of traffic per mile in the preceding calendar year, whenever a purchasing carrier under this section petitions the Board for joint rates applicable to traffic moving over through routes in which the purchasing carrier may practicably participate, the Board shall, within 30 days after the date such petition is filed and pursuant to section 10705(a) of this title, require the establishment of reasonable joint rates and divisions over such route.

"(g)(1) Any person operating a railroad line acquired under this section may elect to be exempt from any of the provisions of this part, except that such a person may not be exempt from the provisions of chapter 107 of this title with respect to transportation under a joint rate.

"(2) The provisions of paragraph (1) of this subsection shall apply to any line of railroad which was abandoned during the 18-month period immediately prior to October 1, 1980, and was subsequently purchased by a financially responsible person. Applicability.

"(h) If a purchasing carrier under this section proposes to sell or abandon all or any portion of a purchased railroad line, such purchasing carrier shall offer the right of first refusal with respect to such line or portion thereof to the carrier which sold such line under this section. Such offer shall be made at a price equal to the sum of the price paid by such purchasing carrier to such selling carrier for such line or portion thereof and the fair market value (less deterioration) of any improvements made, as adjusted to reflect inflation.

"(i) Any person operating a railroad line acquired under this section may determine preconditions, such as payment of a subsidy, which must be met by shippers in order to obtain service over such lines, but such operator must notify the shippers on the line of its intention to impose such preconditions.

"CHAPTER 111—OPERATIONS

"SUBCHAPTER I—GENERAL REQUIREMENTS

"Sec.
"11101. Common carrier transportation, service, and rates.
"11102. Use of terminal facilities.
"11103. Switch connections and tracks.

"SUBCHAPTER II—CAR SERVICE

"11121. Criteria.

"11122. Compensation and practice.
"11123. Situations requiring immediate action to serve the public.
"11124. War emergencies; embargoes imposed by carriers.

"SUBCHAPTER III—REPORTS AND RECORDS

"11141. Definitions.
"11142. Uniform accounting system.
"11143. Depreciation charges.
"11144. Records: form; inspection; preservation.
"11145. Reports by rail carriers, lessors, and associations.

"SUBCHAPTER IV—RAILROAD COST ACCOUNTING

"11161. Implementation of cost accounting principles.
"11162. Rail carrier cost accounting system.
"11163. Cost availability.
"11164. Accounting and cost reporting.

"SUBCHAPTER I—GENERAL REQUIREMENTS

"§ 11101. Common carrier transportation, service, and rates

"(a) A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part shall provide the transportation or service on reasonable request. A rail carrier shall not be found to have violated this section because it fulfills its reasonable commitments under contracts authorized under section 10709 of this title before responding to reasonable requests for service. Commitments which deprive a carrier of its ability to respond to reasonable requests for common carrier service are not reasonable.

"(b) A rail carrier shall also provide to any person, on request, the carrier's rates and other service terms. The response by a rail carrier to a request for the carrier's rates and other service terms shall be—

"(1) in writing and forwarded to the requesting person promptly after receipt of the request; or

"(2) promptly made available in electronic form.

"(c) A rail carrier may not increase any common carrier rates or change any common carrier service terms unless 20 days have expired after written or electronic notice is provided to any person who, within the previous 12 months—

"(1) has requested such rates or terms under subsection (b); or

"(2) has made arrangements with the carrier for a shipment that would be subject to such increased rates or changed terms.

Publication. Public information.

"(d) With respect to transportation of agricultural products, in addition to the requirements of subsections (a), (b), and (c), a rail carrier shall publish, make available, and retain for public inspection its common carrier rates, schedules of rates, and other service terms, and any proposed and actual changes to such rates and service terms. For purposes of this subsection, agricultural products shall include grain as defined in section 3 of the United States Grain Standards Act (7 U.S.C. 75) and all products thereof, and fertilizer.

"(e) A rail carrier shall provide transportation or service in accordance with the rates and service terms, and any changes thereto, as published or otherwise made available under subsection (b), (c), or (d).

Regulations.

"(f) The Board shall, by regulation, establish rules to implement this section. The regulations shall provide for immediate disclosure and dissemination of rates and service terms, including classifica-

tions, rules, and practices, and their effective dates. Final regulations shall be adopted by the Board not later than 180 days after the effective date of the ICC Termination Act of 1995.

"§ 11102. Use of terminal facilities

"(a) The Board may require terminal facilities, including main-line tracks for a reasonable distance outside of a terminal, owned by a rail carrier providing transportation subject to the jurisdiction of the Board under this part, to be used by another rail carrier if the Board finds that use to be practicable and in the public interest without substantially impairing the ability of the rail carrier owning the facilities or entitled to use the facilities to handle its own business. The rail carriers are responsible for establishing the conditions and compensation for use of the facilities. However, if the rail carriers cannot agree, the Board may establish conditions and compensation for use of the facilities under the principle controlling compensation in condemnation proceedings. The compensation shall be paid or adequately secured before a rail carrier may begin to use the facilities of another rail carrier under this section.

"(b) A rail carrier whose terminal facilities are required to be used by another rail carrier under this section is entitled to recover damages from the other rail carrier for injuries sustained as the result of compliance with the requirement or for compensation for the use, or both as appropriate, in a civil action, if it is not satisfied with the conditions for use of the facilities or if the amount of the compensation is not paid promptly.

"(c)(1) The Board may require rail carriers to enter into reciprocal switching agreements, where it finds such agreements to be practicable and in the public interest, or where such agreements are necessary to provide competitive rail service. The rail carriers entering into such an agreement shall establish the conditions and compensation applicable to such agreement, but, if the rail carriers cannot agree upon such conditions and compensation within a reasonable period of time, the Board may establish such conditions and compensation.

"(2) The Board may require reciprocal switching agreements entered into by rail carriers pursuant to this subsection to contain provisions for the protection of the interests of employees affected thereby.

"(d) The Board shall complete any proceeding under subsection (a) or (b) within 180 days after the filing of the request for relief.

"§ 11103. Switch connections and tracks

"(a) On application of the owner of a lateral branch line of railroad, or of a shipper tendering interstate traffic for transportation, a rail carrier providing transportation subject to the jurisdiction of the Board under this part shall construct, maintain, and operate, on reasonable conditions, a switch connection to connect that branch line or private side track with its railroad and shall furnish cars to move that traffic to the best of its ability without discrimination in favor of or against the shipper when the connection—

"(1) is reasonably practicable;

"(2) can be made safely; and

"(3) will furnish sufficient business to justify its construction and maintenance.

"(b) If a rail carrier fails to install and operate a switch connection after application is made under subsection (a) of this section, the owner of the lateral branch line of railroad or the shipper may file a complaint with the Board under section 11701 of this title. The Board shall investigate the complaint and decide the safety, practicability, justification, and compensation to be paid for the connection. The Board may direct the rail carrier to comply with subsection (a) of this section only after a full hearing.

"SUBCHAPTER II—CAR SERVICE

"§ 11121. Criteria

Safety.

"(a)(1) A rail carrier providing transportation subject to the jurisdiction of the Board under this part shall furnish safe and adequate car service and establish, observe, and enforce reasonable rules and practices on car service. The Board may require a rail carrier to provide facilities and equipment that are reasonably necessary to furnish safe and adequate car service if the Board decides that the rail carrier has materially failed to furnish that service. The Board may begin a proceeding under this paragraph when an interested person files an application with it. The Board may act only after a hearing on the record and an affirmative finding, based on the evidence presented, that—

"(A) providing the facilities or equipment will not materially and adversely affect the ability of the rail carrier to provide safe and adequate transportation;

"(B) the amount spent for the facilities or equipment, including a return equal to the rail carrier's current cost of capital, will be recovered; and

"(C) providing the facilities or equipment will not impair the ability of the rail carrier to attract adequate capital.

"(2) The Board may require a rail carrier to file its car service rules with the Board.

"(b) The Board may designate and appoint agents and agencies to make and carry out its directions related to car service and matters under sections 11123 and 11124(a)(1) of this title.

"(c) The Board shall consult, as it considers necessary, with the National Grain Car Council on matters within the charter of that body.

"§ 11122. Compensation and practice

"(a) The regulations of the Board on car service shall encourage the purchase, acquisition, and efficient use of freight cars. The regulations may include—

"(1) the compensation to be paid for the use of a locomotive, freight car, or other vehicle;

"(2) the other terms of any arrangement for the use by a rail carrier of a locomotive, freight car, or other vehicle not owned by the rail carrier using the locomotive, freight car, or other vehicle, whether or not owned by another carrier, shipper, or third person; and

"(3) sanctions for nonobservance.

"(b) The rate of compensation to be paid for each type of freight car shall be determined by the expense of owning and maintaining that type of freight car, including a fair return on its cost giving consideration to current costs of capital, repairs, materials, parts, and labor. In determining the rate of compensa-

tion, the Board shall consider the transportation use of each type of freight car, the national level of ownership of each type of freight car, and other factors that affect the adequacy of the national freight car supply.

"§ 11123. Situations requiring immediate action to serve the public

"(a) When the Board determines that shortage of equipment, congestion of traffic, unauthorized cessation of operations, or other failure of traffic movement exists which creates an emergency situation of such magnitude as to have substantial adverse effects on shippers, or on rail service in a region of the United States, or that a rail carrier providing transportation subject to the jurisdiction of the Board under this part cannot transport the traffic offered to it in a manner that properly serves the public, the Board may, to promote commerce and service to the public, for a period not to exceed 30 days—

"(1) direct the handling, routing, and movement of the traffic of a rail carrier and its distribution over its own or other railroad lines;

"(2) require joint or common use of railroad facilities;

"(3) prescribe temporary through routes; or

"(4) give directions for—

"(A) preference or priority in transportation;

"(B) embargoes; or

"(C) movement of traffic under permits.

"(b)(1) Except with respect to proceedings under paragraph (2) of this subsection, the Board may act under this section on its own initiative or on application without regard to subchapter II of chapter 5 of title 5.

"(2) Rail carriers may establish between themselves the terms of compensation for operations, and use of facilities and equipment, required under this section. When rail carriers do not agree on the terms of compensation under this section, the Board may establish the terms for them. The Board may act under subsection (a) before conducting a proceeding under this paragraph.

"(3) When a rail carrier is directed under this section to operate the lines of another rail carrier due to that carrier's cessation of operations, compensation for the directed operations shall derive only from revenues generated by the directed operations.

"(c)(1) The Board may extend any action taken under subsection (a) of this section beyond 30 days if the Board finds that a transportation emergency described in subsection (a) continues to exist. Action by the Board under subsection (a) of this section may not remain in effect for more than 240 days beyond the initial 30-day period.

"(2) The Board may not take action under this section that would—

"(A) cause a rail carrier to operate in violation of this part; or

"(B) impair substantially the ability of a rail carrier to serve its own customers adequately, or to fulfill its common carrier obligations.

"(3) A rail carrier directed by the Board to take action under this section is not responsible, as a result of that action, for debts of any other rail carrier.

"(d) In carrying out this section, the Board shall require, to the maximum extent practicable, the use of employees who would normally have performed work in connection with the traffic subject to the action of the Board.

"§ 11124. War emergencies; embargoes imposed by carriers

"(a)(1) When the President, during time of war or threatened war, notifies the Board that it is essential to the defense and security of the United States to give preference or priority to the movement of certain traffic, the Board shall direct that preference or priority be given to that traffic.

"(2) When the President, during time of war or threatened war, demands that preference and precedence be given to the transportation of troops and material of war over all other traffic, all rail carriers providing transportation subject to the jurisdiction of the Board under this part shall adopt every means within their control to facilitate and expedite the military traffic.

"(b) An embargo imposed by any such rail carrier does not apply to shipments consigned to agents of the United States Government for its use. The rail carrier shall deliver those shipments as promptly as possible.

"SUBCHAPTER III—REPORTS AND RECORDS

"§ 11141. Definitions

"In this subchapter—

"(1) the terms 'rail carrier' and 'lessor' include a receiver or trustee of a rail carrier and lessor, respectively;

"(2) the term 'lessor' means a person owning a railroad that is leased to and operated by a carrier providing transportation subject to the jurisdiction of the Board under this part; and

"(3) the term 'association' means an organization maintained by or in the interest of a group of rail carriers providing transportation or service subject to the jurisdiction of the Board under this part that performs a service, or engages in activities, related to transportation under this part.

"§ 11142. Uniform accounting system

"The Board may prescribe a uniform accounting system for classes of rail carriers providing transportation subject to the jurisdiction of the Board under this part. To the maximum extent practicable, the Board shall conform such system to generally accepted accounting principles, and shall administer this subchapter in accordance with such principles.

"§ 11143. Depreciation charges

"The Board shall, for a class of rail carriers providing transportation subject to its jurisdiction under this part, prescribe, and change when necessary, those classes of property for which depreciation charges may be included under operating expenses and a rate of depreciation that may be charged to a class of property. The Board may classify those rail carriers for purposes of this section. A rail carrier for whom depreciation charges and rates of depreciation are in effect under this section for any class of property may not—

"(1) charge to operating expenses a depreciation charge on a class of property other than that prescribed by the Board;

"(2) charge another rate of depreciation; or

"(3) include other depreciation charges in operating expenses.

"§ 11144. Records: form; inspection; preservation

"(a) The Board may prescribe the form of records required to be prepared or compiled under this subchapter—

"(1) by rail carriers and lessors, including records related to movement of traffic and receipts and expenditures of money; and

"(2) by persons furnishing cars to or for a rail carrier providing transportation subject to the jurisdiction of the Board under this part to the extent related to those cars or that service.

"(b) The Board, or an employee designated by the Board, may on demand and display of proper credentials—

"(1) inspect and examine the lands, buildings, and equipment of a rail carrier or lessor; and

"(2) inspect and copy any record of—

"(A) a rail carrier, lessor, or association;

"(B) a person controlling, controlled by, or under common control with a rail carrier if the Board considers inspection relevant to that person's relation to, or transaction with, that rail carrier; and

"(C) a person furnishing cars to or for a rail carrier if the Board prescribed the form of that record.

"(c) The Board may prescribe the time period during which operating, accounting, and financial records must be preserved by rail carriers, lessors, and persons furnishing cars.

"§ 11145. Reports by rail carriers, lessors, and associations

"(a) The Board may require—

"(1) rail carriers, lessors, and associations, or classes of them as the Board may prescribe, to file annual, periodic, and special reports with the Board containing answers to questions asked by it; and

"(2) a person furnishing cars to a rail carrier to file reports with the Board containing answers to questions about those cars.

"(b)(1) An annual report shall contain an account, in as much detail as the Board may require, of the affairs of the rail carrier, lessor, or association for the 12-month period ending on December 31 of each year.

"(2) An annual report shall be filed with the Board by the end of the third month after the end of the year for which the report is made unless the Board extends the filing date or changes the period covered by the report. The annual report and, if the Board requires, any other report made under this section, shall be made under oath.

"SUBCHAPTER IV—RAILROAD COST ACCOUNTING

"§ 11161. Implementation of cost accounting principles

"The Board shall periodically review its cost accounting rules and shall make such changes in those rules as are required to

achieve the regulatory purposes of this part. The Board shall insure that the rules promulgated under this section are the most efficient and least burdensome means by which the required information may be developed for regulatory purposes. To the maximum extent practicable, the Board shall conform such rules to generally accepted accounting principles.

"§ 11162. Rail carrier cost accounting system

"(a) Each rail carrier shall have and maintain a cost accounting system that is in compliance with the rules promulgated by the Board under section 11161 of this title. A rail carrier may, after notifying the Board, make modifications in such system unless, within 60 days after the date of notification, the Board finds such modifications to be inconsistent with the rules promulgated by the Board under section 11161 of this title.

"(b) For purposes of determining whether the cost accounting system of a rail carrier is in compliance with the rules promulgated by the Board, the Board shall have the right to examine and make copies of any documents, papers, or records of such rail carrier relating to compliance with such rules. Such documents, papers, and records (and any copies thereof) shall not be subject to the mandatory disclosure requirements of section 552 of title 5.

"§ 11163. Cost availability

"As required by the rules of the Board governing discovery in Board proceedings, rail carriers shall make relevant cost data available to shippers, States, ports, communities, and other interested parties that are a party to a Board proceeding in which such data are required.

"§ 11164. Accounting and cost reporting

"To obtain expense and revenue information for regulatory purposes, the Board may promulgate reasonable rules for rail carriers providing transportation subject to the jurisdiction of the Board under this part, prescribing expense and revenue accounting and reporting requirements consistent with generally accepted accounting principles uniformly applied to such carriers. Such requirements shall be cost effective and compatible with and not duplicative of the managerial and responsibility accounting requirements of those carriers.

"CHAPTER 113—FINANCE

"SUBCHAPTER I—EQUIPMENT TRUSTS AND SECURITY INTERESTS

"Sec.
"11301. Equipment trusts: recordation; evidence of indebtedness.

"SUBCHAPTER II—COMBINATIONS

"11321. Scope of authority.
"11322. Limitation on pooling and division of transportation or earnings.
"11323. Consolidation, merger, and acquisition of control.
"11324. Consolidation, merger, and acquisition of control: conditions of approval.
"11325. Consolidation, merger, and acquisition of control: procedure.
"11326. Employee protective arrangements in transactions involving rail carriers.
"11327. Supplemental orders.
"11328. Restrictions on officers and directors.

"SUBCHAPTER I—EQUIPMENT TRUSTS AND SECURITY INTERESTS

"§ 11301. Equipment trusts: recordation; evidence of indebtedness

"(a) A mortgage (other than a mortgage under chapter 313 of title 46), lease, equipment trust agreement, conditional sales agreement, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of or security interest in vessels, railroad cars, locomotives, or other rolling stock, or accessories used on such railroad cars, locomotives, or other rolling stock (including superstructures and racks), intended for a use related to interstate commerce shall be filed with the Board in order to perfect the security interest that is the subject of such instrument. An assignment of a right or interest under one of those instruments and an amendment to that instrument or assignment including a release, discharge, or satisfaction of any part of it shall also be filed with the Board. The instrument, assignment, or amendment must be in writing, executed by the parties to it, and acknowledged or verified under Board regulations. When filed under this section, that document is notice to, and enforceable against, all persons. A document filed under this section does not have to be filed, deposited, registered, or recorded under another law of the United States, a State (or its political subdivisions), or territory or possession of the United States, related to filing, deposit, registration, or recordation of those documents. This section does not change chapter 313 of title 46.

"(b) The Board shall maintain a system for recording each document filed under subsection (a) of this section and mark each of them with a consecutive number and the date and hour of their recordation. The Board shall maintain and keep open for public inspection an index of documents filed under that subsection. That index shall include the name and address of the principal debtors, trustees, guarantors, and other parties to those documents and may include other facts that will assist in determining the rights of the parties to those transactions. Public information.

"(c) The Board may to the greatest extent practicable perform its functions under this section through contracts with private sector entities.

"(d) A mortgage, lease, equipment trust agreement, conditional sales agreement, or other instrument evidencing the mortgage, lease, conditional sale, or bailment of or security interest in vessels, railroad cars, locomotives, or other rolling stock, or accessories used on such railroad cars, locomotives, or other rolling stock (including superstructures and racks), or any assignment thereof, which—

"(1) is duly constituted under the laws of a country other than the United States; and

"(2) relates to property that bears the reporting marks and identification numbers of any person domiciled in or corporation organized under the laws of such country,

shall be recognized with the same effect as having been filed under this section.

"(e) Interests with respect to which documents are filed or recognized under this section are deemed perfected in all jurisdictions, and shall be governed by applicable State or foreign law in all matters not specifically governed by this section.

Public information.

"(f) The Board shall collect, maintain, and keep open for public inspection a railway equipment register consistent with the manner and format maintained by the Interstate Commerce Commission as of the effective date of the ICC Termination Act of 1995.

"SUBCHAPTER II—COMBINATIONS

"§ 11321. Scope of authority

"(a) The authority of the Board under this subchapter is exclusive. A rail carrier or corporation participating in or resulting from a transaction approved by or exempted by the Board under this subchapter may carry out the transaction, own and operate property, and exercise control or franchises acquired through the transaction without the approval of a State authority. A rail carrier, corporation, or person participating in that approved or exempted transaction is exempt from the antitrust laws and from all other law, including State and municipal law, as necessary to let that rail carrier, corporation, or person carry out the transaction, hold, maintain, and operate property, and exercise control or franchises acquired through the transaction. However, if a purchase and sale, a lease, or a corporate consolidation or merger is involved in the transaction, the carrier or corporation may carry out the transaction only with the assent of a majority, or the number required under applicable State law, of the votes of the holders of the capital stock of that corporation entitled to vote. The vote must occur at a regular meeting, or special meeting called for that purpose, of those stockholders and the notice of the meeting must indicate its purpose.

"(b) A power granted under this subchapter to a carrier or corporation is in addition to and changes its powers under its corporate charter and under State law. Action under this subchapter does not establish or provide for establishing a corporation under the laws of the United States.

"§ 11322. Limitation on pooling and division of transportation or earnings

"(a) A rail carrier providing transportation subject to the jurisdiction of the Board under this part may not agree or combine with another of those rail carriers to pool or divide traffic or services or any part of their earnings without the approval of the Board under this section or section 11123 of this title. The Board may approve and authorize the agreement or combination if the rail carriers involved assent to the pooling or division and the Board finds that a pooling or division of traffic, services, or earnings—

"(1) will be in the interest of better service to the public or of economy of operation; and

"(2) will not unreasonably restrain competition.

"(b) The Board may impose conditions governing the pooling or division and may approve and authorize payment of a reasonable consideration between the rail carriers.

"(c) The Board may begin a proceeding under this section on its own initiative or on application.

"§ 11323. Consolidation, merger, and acquisition of control

"(a) The following transactions involving rail carriers providing transportation subject to the jurisdiction of the Board under this

part may be carried out only with the approval and authorization of the Board:

"(1) Consolidation or merger of the properties or franchises of at least 2 rail carriers into one corporation for the ownership, management, and operation of the previously separately owned properties.

"(2) A purchase, lease, or contract to operate property of another rail carrier by any number of rail carriers.

"(3) Acquisition of control of a rail carrier by any number of rail carriers.

"(4) Acquisition of control of at least 2 rail carriers by a person that is not a rail carrier.

"(5) Acquisition of control of a rail carrier by a person that is not a rail carrier but that controls any number of rail carriers.

"(6) Acquisition by a rail carrier of trackage rights over, or joint ownership in or joint use of, a railroad line (and terminals incidental to it) owned or operated by another rail carrier.

"(b) A person may carry out a transaction referred to in subsection (a) of this section or participate in achieving the control or management, including the power to exercise control or management, in a common interest of more than one of those rail carriers, regardless of how that result is reached, only with the approval and authorization of the Board under this subchapter. In addition to other transactions, each of the following transactions are considered achievements of control or management:

"(1) A transaction by a rail carrier that has the effect of putting that rail carrier and person affiliated with it, taken together, in control of another rail carrier.

"(2) A transaction by a person affiliated with a rail carrier that has the effect of putting that rail carrier and persons affiliated with it, taken together, in control of another rail carrier.

"(3) A transaction by at least 2 persons acting together (one of whom is a rail carrier or is affiliated with a rail carrier) that has the effect of putting those persons and rail carriers and persons affiliated with any of them, or with any of those affiliated rail carriers, taken together, in control of another rail carrier.

"(c) A person is affiliated with a rail carrier under this subchapter if, because of the relationship between that person and a rail carrier, it is reasonable to believe that the affairs of another rail carrier, control of which may be acquired by that person, will be managed in the interest of the other rail carrier.

"§ 11324. Consolidation, merger, and acquisition of control: conditions of approval

"(a) The Board may begin a proceeding to approve and authorize a transaction referred to in section 11323 of this title on application of the person seeking that authority. When an application is filed with the Board, the Board shall notify the chief executive officer of each State in which property of the rail carriers involved in the proposed transaction is located and shall notify those rail carriers. The Board shall hold a public hearing unless the Board determines that a public hearing is not necessary in the public interest. Notification.

"(b) In a proceeding under this section which involves the merger or control of at least two Class I railroads, as defined by the Board, the Board shall consider at least—

"(1) the effect of the proposed transaction on the adequacy of transportation to the public;

"(2) the effect on the public interest of including, or failing to include, other rail carriers in the area involved in the proposed transaction;

"(3) the total fixed charges that result from the proposed transaction;

"(4) the interest of rail carrier employees affected by the proposed transaction; and

"(5) whether the proposed transaction would have an adverse effect on competition among rail carriers in the affected region or in the national rail system.

"(c) The Board shall approve and authorize a transaction under this section when it finds the transaction is consistent with the public interest. The Board may impose conditions governing the transaction, including the divestiture of parallel tracks or requiring the granting of trackage rights and access to other facilities. Any trackage rights and related conditions imposed to alleviate anticompetitive effects of the transaction shall provide for operating terms and compensation levels to ensure that such effects are alleviated. When the transaction contemplates a guaranty or assumption of payment of dividends or of fixed charges or will result in an increase of total fixed charges, the Board may approve and authorize the transaction only if it finds that the guaranty, assumption, or increase is consistent with the public interest. The Board may require inclusion of other rail carriers located in the area involved in the transaction if they apply for inclusion and the Board finds their inclusion to be consistent with the public interest.

"(d) In a proceeding under this section which does not involve the merger or control of at least two Class I railroads, as defined by the Board, the Board shall approve such an application unless it finds that—

"(1) as a result of the transaction, there is likely to be substantial lessening of competition, creation of a monopoly, or restraint of trade in freight surface transportation in any region of the United States; and

"(2) the anticompetitive effects of the transaction outweigh the public interest in meeting significant transportation needs.

In making such findings, the Board shall, with respect to any application that is part of a plan or proposal developed under section 333(a)–(d) of this title, accord substantial weight to any recommendations of the Attorney General.

"(e) No transaction described in section 11326(b) may have the effect of avoiding a collective bargaining agreement or shifting work from a rail carrier with a collective bargaining agreement to a rail carrier without a collective bargaining agreement.

"(f)(1) To the extent provided in this subsection, a proceeding under this subchapter relating to a transaction involving at least one Class I rail carrier shall not be considered an adjudication required by statute to be determined on the record after opportunity for an agency hearing, for the purposes of subchapter II of chapter 5 of title 5, United States Code.

"(2) Ex parte communications, as defined in section 551(14) of title 5, United States Code, shall be permitted in proceedings described in paragraph (1) of this subsection, subject to the requirements of paragraph (3) of this subsection.

"(3)(A) Any member or employee of the Board who makes or receives a written ex parte communication concerning the merits of a proceeding described in paragraph (1) shall promptly place the communication in the public docket of the proceeding.

"(B) Any member or employee of the Board who makes or receives an oral ex parte communication concerning the merits of a proceeding described in paragraph (1) shall promptly place a written summary of the oral communication in the public docket of the proceeding.

"(4) Nothing in this subsection shall be construed to require the Board or any of its members or employees to engage in any ex parte communication with any person. Nothing in this subsection or any other law shall be construed to limit the authority of the members or employees of the Board, in their discretion, to note in the docket or otherwise publicly the occurrence and substance of an ex parte communication.

"§ 11325. Consolidation, merger, and acquisition of control: procedure

"(a) The Board shall publish notice of the application under section 11324 in the Federal Register by the end of the 30th day after the application is filed with the Board. However, if the application is incomplete, the Board shall reject it by the end of that period. The order of rejection is a final action of the Board. The published notice shall indicate whether the application involves— Federal Register, publication.

"(1) the merger or control of at least two Class I railroads, as defined by the Board, to be decided within the time limits specified in subsection (b) of this section;

"(2) transactions of regional or national transportation significance, to be decided within the time limits specified in subsection (c) of this section; or

"(3) any other transaction covered by this section, to be decided within the time limits specified in subsection (d) of this section.

"(b) If the application involves the merger or control of two or more Class I railroads, as defined by the Board, the following conditions apply:

"(1) Written comments about an application may be filed with the Board within 45 days after notice of the application is published under subsection (a) of this section. Copies of such comments shall be served on the Attorney General and the Secretary of Transportation, who may decide to intervene as a party to the proceeding. That decision must be made by the 15th day after the date of receipt of the written comments, and if the decision is to intervene, preliminary comments about the application must be sent to the Board by the end of the 15th day after the date of receipt of the written comments.

"(2) The Board shall require that applications inconsistent with an application, notice of which was published under subsection (a) of this section, and applications for inclusion in

the transaction, be filed with it by the 90th day after publication of notice under that subsection.

"(3) The Board must conclude evidentiary proceedings by the end of 1 year after the date of publication of notice under subsection (a) of this section. The Board must issue a final decision by the 90th day after the date on which it concludes the evidentiary proceedings.

"(c) If the application involves a transaction other than the merger or control of at least two Class I railroads, as defined by the Board, which the Board has determined to be of regional or national transportation significance, the following conditions apply:

"(1) Written comments about an application, including comments of the Attorney General and the Secretary of Transportation, may be filed with the Board within 30 days after notice of the application is published under subsection (a) of this section.

"(2) The Board shall require that applications inconsistent with an application, notice of which was published under subsection (a) of this section, and applications for inclusion in the transaction, be filed with it by the 60th day after publication of notice under that subsection.

"(3) The Board must conclude any evidentiary proceedings by the 180th day after the date of publication of notice under subsection (a) of this section. The Board must issue a final decision by the 90th day after the date on which it concludes the evidentiary proceedings.

"(d) For all applications under this section other than those specified in subsections (b) and (c) of this section, the following conditions apply:

"(1) Written comments about an application, including comments of the Attorney General and the Secretary of Transportation, may be filed with the Board within 30 days after notice of the application is published under subsection (a) of this section.

"(2) The Board must conclude any evidentiary proceedings by the 105th day after the date of publication of notice under subsection (a) of this section. The Board must issue a final decision by the 45th day after the date on which it concludes the evidentiary proceedings.

"§ 11326. Employee protective arrangements in transactions involving rail carriers

"(a) Except as otherwise provided in this section, when approval is sought for a transaction under sections 11324 and 11325 of this title, the Board shall require the rail carrier to provide a fair arrangement at least as protective of the interests of employees who are affected by the transaction as the terms imposed under section 5(2)(f) of the Interstate Commerce Act before February 5, 1976, and the terms established under section 24706(c) of this title. Notwithstanding this part, the arrangement may be made by the rail carrier and the authorized representative of its employees. The arrangement and the order approving the transaction must require that the employees of the affected rail carrier will not be in a worse position related to their employment as a result of the transaction during the 4 years following the effective date of the final action of the Board (or if an employee was employed

for a lesser period of time by the rail carrier before the action became effective, for that lesser period).

"(b) When approval is sought under sections 11324 and 11325 for a transaction involving one Class II and one or more Class III rail carriers, there shall be an arrangement as required under subsection (a) of this section, except that such arrangement shall be limited to one year of severance pay, which shall not exceed the amount of earnings from the railroad employment of that employee during the 12-month period immediately preceding the date on which the application for approval of such transaction is filed with the Board. The amount of such severance pay shall be reduced by the amount of earnings from railroad employment of that employee with the acquiring carrier during the 12-month period immediately following the effective date of the transaction. The parties may agree to terms other than as provided in this subsection. Severance pay.

"(c) When approval is sought under sections 11324 and 11325 for a transaction involving only Class III rail carriers, this section shall not apply.

"§ 11327. Supplemental orders

"When cause exists, the Board may make appropriate orders supplemental to an order made in a proceeding under sections 11322 through 11326 of this title.

"§ 11328. Restrictions on officers and directors

"(a) A person may hold the position of officer or director of more than one rail carrier only when authorized by the Board. The Board may authorize a person to hold the position of officer or director of more than one of those carriers when public or private interests will not be adversely affected.

"(b) This section shall not apply to an individual holding the position of officer or director only of Class III rail carriers.

"CHAPTER 115—FEDERAL-STATE RELATIONS

"Sec.
"11501. Tax discrimination against rail transportation property.
"11502. Withholding State and local income tax by rail carriers.

"§ 11501. Tax discrimination against rail transportation property

"(a) In this section—

"(1) the term 'assessment' means valuation for a property tax levied by a taxing district;

"(2) the term 'assessment jurisdiction' means a geographical area in a State used in determining the assessed value of property for ad valorem taxation;

"(3) the term 'rail transportation property' means property, as defined by the Board, owned or used by a rail carrier providing transportation subject to the jurisdiction of the Board under this part; and

"(4) the term 'commercial and industrial property' means property, other than transportation property and land used primarily for agricultural purposes or timber growing, devoted to a commercial or industrial use and subject to a property tax levy.

"(b) The following acts unreasonably burden and discriminate against interstate commerce, and a State, subdivision of a State, or authority acting for a State or subdivision of a State may not do any of them:

"(1) Assess rail transportation property at a value that has a higher ratio to the true market value of the rail transportation property than the ratio that the assessed value of other commercial and industrial property in the same assessment jurisdiction has to the true market value of the other commercial and industrial property.

"(2) Levy or collect a tax on an assessment that may not be made under paragraph (1) of this subsection.

"(3) Levy or collect an ad valorem property tax on rail transportation property at a tax rate that exceeds the tax rate applicable to commercial and industrial property in the same assessment jurisdiction.

"(4) Impose another tax that discriminates against a rail carrier providing transportation subject to the jurisdiction of the Board under this part.

"(c) Notwithstanding section 1341 of title 28 and without regard to the amount in controversy or citizenship of the parties, a district court of the United States has jurisdiction, concurrent with other jurisdiction of courts of the United States and the States, to prevent a violation of subsection (b) of this section. Relief may be granted under this subsection only if the ratio of assessed value to true market value of rail transportation property exceeds by at least 5 percent the ratio of assessed value to true market value of other commercial and industrial property in the same assessment jurisdiction. The burden of proof in determining assessed value and true market value is governed by State law. If the ratio of the assessed value of other commercial and industrial property in the assessment jurisdiction to the true market value of all other commercial and industrial property cannot be determined to the satisfaction of the district court through the random-sampling method known as a sales assessment ratio study (to be carried out under statistical principles applicable to such a study), the court shall find, as a violation of this section—

"(1) an assessment of the rail transportation property at a value that has a higher ratio to the true market value of the rail transportation property than the assessed value of all other property subject to a property tax levy in the assessment jurisdiction has to the true market value of all other commercial and industrial property; and

"(2) the collection of an ad valorem property tax on the rail transportation property at a tax rate that exceeds the tax ratio rate applicable to taxable property in the taxing district.

"§ 11502. Withholding State and local income tax by rail carriers

"(a) No part of the compensation paid by a rail carrier providing transportation subject to the jurisdiction of the Board under this part to an employee who performs regularly assigned duties as such an employee on a railroad in more than one State shall be subject to the income tax laws of any State or subdivision of that State, other than the State or subdivision thereof of the employee's residence.

"(b) A rail carrier withholding pay from an employee under subsection (a) of this section shall file income tax information returns and other reports only with the State and subdivision of residence of the employee. Reports.

"CHAPTER 117—ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES

"Sec.
"11701. General authority.
"11702. Enforcement by the Board.
"11703. Enforcement by the Attorney General.
"11704. Rights and remedies of persons injured by rail carriers.
"11705. Limitation on actions by and against rail carriers.
"11706. Liability of rail carriers under receipts and bills of lading.
"11707. Liability when property is delivered in violation of routing instructions.

"§ 11701. General authority

"(a) Except as otherwise provided in this part, the Board may begin an investigation under this part only on complaint. If the Board finds that a rail carrier is violating this part, the Board shall take appropriate action to compel compliance with this part.

"(b) A person, including a governmental authority, may file with the Board a complaint about a violation of this part by a rail carrier providing transportation or service subject to the jurisdiction of the Board under this part. The complaint must state the facts that are the subject of the violation. The Board may dismiss a complaint it determines does not state reasonable grounds for investigation and action. However, the Board may not dismiss a complaint made against a rail carrier providing transportation subject to the jurisdiction of the Board under this part because of the absence of direct damage to the complainant.

"(c) A formal investigative proceeding begun by the Board under subsection (a) of this section is dismissed automatically unless it is concluded by the Board with administrative finality by the end of the third year after the date on which it was begun.

"§ 11702. Enforcement by the Board

"The Board may bring a civil action—

"(1) to enjoin a rail carrier from violating sections 10901 through 10906 of this title, or a regulation prescribed or order or certificate issued under any of those sections;

"(2) to enforce subchapter II of chapter 113 of this title and to compel compliance with an order of the Board under that subchapter; and

"(3) to enforce an order of the Board, except a civil action to enforce an order for the payment of money, when it is violated by a rail carrier providing transportation subject to the jurisdiction of the Board under this part.

"§ 11703. Enforcement by the Attorney General

"(a) The Attorney General may, and on request of the Board shall, bring court proceedings to enforce this part, or a regulation or order of the Board or certificate issued under this part, and to prosecute a person violating this part or a regulation or order of the Board or certificate issued under this part.

"(b) The United States Government may bring a civil action on behalf of a person to compel a rail carrier providing transportation subject to the jurisdiction of the Board under this part

to provide that transportation to that person in compliance with this part at the same rate charged, or on conditions as favorable as those given by the rail carrier, for like traffic under similar conditions to another person.

"§ 11704. Rights and remedies of persons injured by rail carriers

"(a) A person injured because a rail carrier providing transportation or service subject to the jurisdiction of the Board under this part does not obey an order of the Board, except an order for the payment of money, may bring a civil action in a United States District Court to enforce that order under this subsection.

"(b) A rail carrier providing transportation subject to the jurisdiction of the Board under this part is liable for damages sustained by a person as a result of an act or omission of that carrier in violation of this part. A rail carrier providing transportation subject to the jurisdiction of the Board under this part is liable to a person for amounts charged that exceed the applicable rate for the transportation.

"(c)(1) A person may file a complaint with the Board under section 11701(b) of this title or bring a civil action under subsection (b) of this section to enforce liability against a rail carrier providing transportation subject to the jurisdiction of the Board under this part.

"(2) When the Board makes an award under subsection (b) of this section, the Board shall order the rail carrier to pay the amount awarded by a specific date. The Board may order a rail carrier providing transportation subject to the jurisdiction of the Board under this part to pay damages only when the proceeding is on complaint. The person for whose benefit an order of the Board requiring the payment of money is made may bring a civil action to enforce that order under this paragraph if the rail carrier does not pay the amount awarded by the date payment was ordered to be made.

"(d)(1) When a person begins a civil action under subsection (b) of this section to enforce an order of the Board requiring the payment of damages by a rail carrier providing transportation subject to the jurisdiction of the Board under this part, the text of the order of the Board must be included in the complaint. In addition to the district courts of the United States, a State court of general jurisdiction having jurisdiction of the parties has jurisdiction to enforce an order under this paragraph. The findings and order of the Board are competent evidence of the facts stated in them. Trial in a civil action brought in a district court of the United States under this paragraph is in the judicial district—

"(A) in which the plaintiff resides;

"(B) in which the principal operating office of the rail carrier is located; or

"(C) through which the railroad line of that carrier runs.

In a civil action under this paragraph, the plaintiff is liable for only those costs that accrue on an appeal taken by the plaintiff.

"(2) All parties in whose favor the award was made may be joined as plaintiffs in a civil action brought in a district court of the United States under this subsection and all the rail carriers that are parties to the order awarding damages may be joined as defendants. Trial in the action is in the judicial district in which any one of the plaintiffs could bring the action against

any one of the defendants. Process may be served on a defendant at its principal operating office when that defendant is not in the district in which the action is brought. A judgment ordering recovery may be made in favor of any of those plaintiffs against the defendant found to be liable to that plaintiff.

"(3) The district court shall award a reasonable attorney's fee as a part of the damages for which a rail carrier is found liable under this subsection. The district court shall tax and collect that fee as a part of the costs of the action. Courts.

"§ 11705. Limitation on actions by and against rail carriers

"(a) A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part must begin a civil action to recover charges for transportation or service provided by the carrier within 3 years after the claim accrues.

"(b) A person must begin a civil action to recover overcharges under section 11704(b) of this title within 3 years after the claim accrues, whether or not a complaint is filed under section 11704(c)(1).

"(c) A person must file a complaint with the Board to recover damages under section 11704(b) of this title within 2 years after the claim accrues.

"(d) The limitation period under subsection (b) of this section is extended for 6 months from the time written notice is given to the claimant by the rail carrier of disallowance of any part of the claim specified in the notice if a written claim is given to the rail carrier within that limitation period. The limitation periods under subsections (b) and (c) of this section are extended for 90 days from the time the rail carrier begins a civil action under subsection (a) of this section to recover charges related to the same transportation or service, or collects (without beginning a civil action under that subsection) the charge for that transportation or service if that action is begun or collection is made within the appropriate period.

"(e) A person must begin a civil action to enforce an order of the Board against a rail carrier for the payment of money within one year after the date the order required the money to be paid.

"(f) This section applies to transportation for the United States Government. The time limitations under this section are extended, as related to transportation for or on behalf of the United States Government, for 3 years from the date of—

"(1) payment of the rate for the transportation or service involved;

"(2) subsequent refund for overpayment of that rate; or

"(3) deduction made under section 3726 of title 31, whichever is later.

"(g) A claim related to a shipment of property accrues under this section on delivery or tender of delivery by the rail carrier.

"§ 11706. Liability of rail carriers under receipts and bills of lading

"(a) A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part shall issue a receipt or bill of lading for property it receives for transportation under this part. That rail carrier and any other carrier that delivers the property and is providing transportation or service subject

to the jurisdiction of the Board under this part are liable to the person entitled to recover under the receipt or bill of lading. The liability imposed under this subsection is for the actual loss or injury to the property caused by—

"(1) the receiving rail carrier;

"(2) the delivering rail carrier; or

"(3) another rail carrier over whose line or route the property is transported in the United States or from a place in the United States to a place in an adjacent foreign country when transported under a through bill of lading.

Failure to issue a receipt or bill of lading does not affect the liability of a rail carrier. A delivering rail carrier is deemed to be the rail carrier performing the line-haul transportation nearest the destination but does not include a rail carrier providing only a switching service at the destination.

"(b) The rail carrier issuing the receipt or bill of lading under subsection (a) of this section or delivering the property for which the receipt or bill of lading was issued is entitled to recover from the rail carrier over whose line or route the loss or injury occurred the amount required to be paid to the owners of the property, as evidenced by a receipt, judgment, or transcript, and the amount of its expenses reasonably incurred in defending a civil action brought by that person.

"(c)(1) A rail carrier may not limit or be exempt from liability imposed under subsection (a) of this section except as provided in this subsection. A limitation of liability or of the amount of recovery or representation or agreement in a receipt, bill of lading, contract, or rule in violation of this section is void.

"(2) A rail carrier of passengers may limit its liability under its passenger rate for loss or injury of baggage carried on trains carrying passengers.

"(3) A rail carrier providing transportation or service subject to the jurisdiction of the Board under this part may establish rates for transportation of property under which—

"(A) the liability of the rail carrier for such property is limited to a value established by written declaration of the shipper or by a written agreement between the shipper and the carrier; or

"(B) specified amounts are deducted, pursuant to a written agreement between the shipper and the carrier, from any claim against the carrier with respect to the transportation of such property.

"(d)(1) A civil action under this section may be brought in a district court of the United States or in a State court.

"(2)(A) A civil action under this section may only be brought—

"(i) against the originating rail carrier, in the judicial district in which the point of origin is located;

"(ii) against the delivering rail carrier, in the judicial district in which the principal place of business of the person bringing the action is located if the delivering carrier operates a railroad or a route through such judicial district, or in the judicial district in which the point of destination is located; and

"(iii) against the carrier alleged to have caused the loss or damage, in the judicial district in which such loss or damage is alleged to have occurred.

"(B) In this section, 'judicial district' means (i) in the case of a United States district court, a judicial district of the United States, and (ii) in the case of a State court, the applicable geographic area over which such court exercises jurisdiction.

"(e) A rail carrier may not provide by rule, contract, or otherwise, a period of less than 9 months for filing a claim against it under this section and a period of less than 2 years for bringing a civil action against it under this section. The period for bringing a civil action is computed from the date the carrier gives a person written notice that the carrier has disallowed any part of the claim specified in the notice. For the purposes of this subsection—

"(1) an offer of compromise shall not constitute a disallowance of any part of the claim unless the carrier, in writing, informs the claimant that such part of the claim is disallowed and provides reasons for such disallowance; and

"(2) communications received from a carrier's insurer shall not constitute a disallowance of any part of the claim unless the insurer, in writing, informs the claimant that such part of the claim is disallowed, provides reasons for such disallowance, and informs the claimant that the insurer is acting on behalf of the carrier.

§"11707. Liability when property is delivered in violation of routing instructions

"(a)(1) When a rail carrier providing transportation subject to the jurisdiction of the Board under this part diverts or delivers property to another rail carrier in violation of routing instructions in the bill of lading, both of those rail carriers are jointly and severally liable to the rail carrier that was deprived of its right to participate in hauling that property for the total amount of the rate it would have received if it participated in hauling the property.

"(2) A rail carrier is not liable under paragraph (1) of this subsection when it diverts or delivers property in compliance with an order or regulation of the Board.

"(3) A rail carrier to whom property is transported is not liable under this subsection if it shows that it had no notice of the routing instructions before transporting the property. The burden of proving lack of notice is on that rail carrier.

"(b) The court shall award a reasonable attorney's fee to the plaintiff in a judgment against the defendant rail carrier under subsection (a) of this section. The court shall tax and collect that fee as a part of the costs of the action. Courts.

"CHAPTER 119—CIVIL AND CRIMINAL PENALTIES

"Sec.
"11901. General civil penalties.
"11902. Interference with railroad car supply.
"11903. Record keeping and reporting violations.
"11904. Unlawful disclosure of information.
"11905. Disobedience to subpoenas.
"11906. General criminal penalty when specific penalty not provided.
"11907. Punishment of corporation for violations committed by certain individuals.
"11908. Relation to other Federal criminal penalties.

"§ 11901. General civil penalties

"(a) Except as otherwise provided in this section, a rail carrier providing transportation subject to the jurisdiction of the Board

under this part, an officer or agent of that rail carrier, or a receiver, trustee, lessee, or agent of one of them, knowingly violating this part or an order of the Board under this part is liable to the United States Government for a civil penalty of not more than $5,000 for each violation. Liability under this subsection is incurred for each distinct violation. A separate violation occurs for each day the violation continues.

"(b) A rail carrier providing transportation subject to the jurisdiction of the Board under this part, or a receiver or trustee of that rail carrier, violating a regulation or order of the Board under section 11124(a)(2) or (b) of this title is liable to the United States Government for a civil penalty of $500 for each violation and for $25 for each day the violation continues.

"(c) A person knowingly authorizing, consenting to, or permitting a violation of sections 10901 through 10906 of this title or of a requirement or a regulation under any of those sections, is liable to the United States Government for a civil penalty of not more than $5,000.

"(d) A rail carrier, receiver, or operating trustee violating an order or direction of the Board under section 11123 or 11124(a)(1) of this title is liable to the United States Government for a civil penalty of at least $100 but not more than $500 for each violation and for $50 for each day the violation continues.

Records.

"(e)(1) A person required under subchapter III of chapter 111 of this title to make, prepare, preserve, or submit to the Board a record concerning transportation subject to the jurisdiction of the Board under this part that does not make, prepare, preserve, or submit that record as required under that subchapter, is liable to the United States Government for a civil penalty of $500 for each violation.

"(2) A rail carrier providing transportation subject to the jurisdiction of the Board under this part, and a lessor, receiver, or trustee of that rail carrier, violating section 11144(b)(1) of this title, is liable to the United States Government for a civil penalty of $100 for each violation.

"(3) A rail carrier providing transportation subject to the jurisdiction of the Board under this part, a lessor, receiver, or trustee of that rail carrier, a person furnishing cars, and an officer, agent, or employee of one of them, required to make a report to the Board or answer a question that does not make the report or does not specifically, completely, and truthfully answer the question, is liable to the United States Government for a civil penalty of $100 for each violation.

"(4) A separate violation occurs for each day a violation under this subsection continues.

"(f) Trial in a civil action under subsections (a) through (e) of this section is in the judicial district in which the rail carrier has its principal operating office or in a district through which the railroad of the rail carrier runs.

"§ 11902. Interference with railroad car supply

"(a) A person that offers or gives anything of value to another person acting for or employed by a rail carrier providing transportation subject to the jurisdiction of the Board under this part intending to influence an action of that other person related to supply, distribution, or movement of cars, vehicles, or vessels used in the transportation of property, or because of the action of that

other person, shall be fined not more than $1,000, imprisoned for not more than 2 years, or both.

"(b) A person acting for or employed by a rail carrier providing transportation subject to the jurisdiction of the Board under this part that solicits, accepts, or receives anything of value—

"(1) intending to be influenced by it in an action of that person related to supply, distribution, or movement of cars, vehicles, or vessels used in the transportation of property; or

"(2) because of the action of that person,

shall be fined not more than $1,000, imprisoned for not more than 2 years, or both.

"§ 11903. Record keeping and reporting violations

"A person required to make a report to the Board, or make, prepare, or preserve a record, under subchapter III of chapter 111 of this title about transportation subject to the jurisdiction of the Board under this part that knowingly and willfully—

"(1) makes a false entry in the report or record;

"(2) destroys, mutilates, changes, or by another means falsifies the record;

"(3) does not enter business related facts and transactions in the record;

"(4) makes, prepares, or preserves the record in violation of a regulation or order of the Board; or

"(5) files a false report or record with the Board,

shall be fined not more than $5,000, imprisoned for not more than 2 years, or both.

"§ 11904. Unlawful disclosure of information

"(a) A—

"(1) rail carrier providing transportation subject to the jurisdiction of the Board under this part, or an officer, agent, or employee of that rail carrier, or another person authorized to receive information from that rail carrier, that knowingly discloses to another person, except the shipper or consignee; or

"(2) a person who solicits or knowingly receives,

information described in subsection (b) without the consent of the shipper or consignee shall be fined not more than $1,000.

"(b) The information referred to in subsection (a) is information about the nature, kind, quantity, destination, consignee, or routing of property tendered or delivered to that rail carrier for transportation provided under this part, or information about the contents of a contract authorized under section 10709 of this title, that may be used to the detriment of the shipper or consignee or may disclose improperly, to a competitor, the business transactions of the shipper or consignee.

"(c) This part does not prevent a rail carrier providing transportation subject to the jurisdiction of the Board under this part from giving information—

"(1) in response to legal process issued under authority of a court of the United States or a State;

"(2) to an officer, employee, or agent of the United States Government, a State, or a territory or possession of the United States; or

"(3) to another rail carrier or its agent to adjust mutual traffic accounts in the ordinary course of business.

"(d) An employee of the Board delegated to make an inspection or examination under section 11144 of this title who knowingly discloses information acquired during that inspection or examination, except as directed by the Board, a court, or a judge of that court, shall be fined not more than $500, imprisoned for not more than 6 months, or both.

"(e) A person that knowingly discloses confidential data made available to such person under section 11163 of this title by a rail carrier providing transportation subject to the jurisdiction of the Board under this part shall be fined not more than $50,000.

"§ 11905. Disobedience to subpoenas

"A person not obeying a subpoena or requirement of the Board to appear and testify or produce records shall be fined at least $100 but not more than $5,000, imprisoned for not more than one year, or both.

"§ 11906. General criminal penalty when specific penalty not provided

"When another criminal penalty is not provided under this chapter, a rail carrier providing transportation subject to the jurisdiction of the Board under this part, and when that rail carrier is a corporation, a director or officer of the corporation, or a receiver, trustee, lessee, or person acting for or employed by the corporation that, alone or with another person, willfully violates this part or an order prescribed under this part, shall be fined not more than $5,000. The person may be imprisoned for not more than 2 years in addition to being fined under this section. A separate violation occurs each day a violation of this title continues.

"§ 11907. Punishment of corporation for violations committed by certain individuals

"An act or omission that would be a violation of this part if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a rail carrier providing transportation or service subject to the jurisdiction of the Board under this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that rail carrier are considered to be the actions and omissions of that rail carrier as well as that individual.

"§ 11908. Relation to other Federal criminal penalties

"Notwithstanding section 3571 of title 18, United States Code, the criminal penalties provided for in this chapter are the exclusive criminal penalties for violations of this part.".

(b) CONFORMING AMENDMENT.—The item relating to subtitle IV in the table of subtitles of title 49, United States Code, is amended by striking "**Commerce**" and inserting in lieu thereof "**Transportation**".

SEC. 103. MOTOR CARRIER, WATER CARRIER, AND FREIGHT FORWARDER PROVISIONS.

Subtitle IV of title 49, United States Code, is further amended by adding at the end the following:

"PART B—MOTOR CARRIERS, WATER CARRIERS, BROKERS, AND FREIGHT FORWARDERS

"CHAPTER 131—GENERAL PROVISIONS

"Sec.
"13101. Transportation policy.
"13102. Definitions.
"13103. Remedies as cumulative.

"§ 13101. Transportation policy

"(a) IN GENERAL.—To ensure the development, coordination, and preservation of a transportation system that meets the transportation needs of the United States, including the United States Postal Service and national defense, it is the policy of the United States Government to oversee the modes of transportation and—

"(1) in overseeing those modes—

"(A) to recognize and preserve the inherent advantage of each mode of transportation;

"(B) to promote safe, adequate, economical, and efficient transportation;

"(C) to encourage sound economic conditions in transportation, including sound economic conditions among carriers;

"(D) to encourage the establishment and maintenance of reasonable rates for transportation, without unreasonable discrimination or unfair or destructive competitive practices;

"(E) to cooperate with each State and the officials of each State on transportation matters; and

"(F) to encourage fair wages and working conditions in the transportation industry;

"(2) in overseeing transportation by motor carrier, to promote competitive and efficient transportation services in order to—

"(A) encourage fair competition, and reasonable rates for transportation by motor carriers of property;

"(B) promote efficiency in the motor carrier transportation system and to require fair and expeditious decisions when required;

"(C) meet the needs of shippers, receivers, passengers, and consumers;

"(D) allow a variety of quality and price options to meet changing market demands and the diverse requirements of the shipping and traveling public;

"(E) allow the most productive use of equipment and energy resources;

"(F) enable efficient and well-managed carriers to earn adequate profits, attract capital, and maintain fair wages and working conditions;

"(G) provide and maintain service to small communities and small shippers and intrastate bus services;

"(H) provide and maintain commuter bus operations;

"(I) improve and maintain a sound, safe, and competitive privately owned motor carrier system;

"(J) promote greater participation by minorities in the motor carrier system;

"(K) promote intermodal transportation;

"(3) in overseeing transportation by motor carrier of passengers—

"(A) to cooperate with the States on transportation matters for the purpose of encouraging the States to exercise intrastate regulatory jurisdiction in accordance with the objectives of this part;

"(B) to provide Federal procedures which ensure that intrastate regulation is exercised in accordance with this part; and

"(C) to ensure that Federal reform initiatives enacted by section 31138 and the Bus Regulatory Reform Act of 1982 are not nullified by State regulatory actions; and

"(4) in overseeing transportation by water carrier, to encourage and promote service and price competition in the noncontiguous domestic trade.

"(b) ADMINISTRATION TO CARRY OUT POLICY.—This part shall be administered and enforced to carry out the policy of this section and to promote the public interest.

"§ 13102. Definitions

"In this part, the following definitions shall apply:

"(1) BOARD.—The term 'Board' means the Surface Transportation Board.

"(2) BROKER.—The term 'broker' means a person, other than a motor carrier or an employee or agent of a motor carrier, that as a principal or agent sells, offers for sale, negotiates for, or holds itself out by solicitation, advertisement, or otherwise as selling, providing, or arranging for, transportation by motor carrier for compensation.

"(3) CARRIER.—The term 'carrier' means a motor carrier, a water carrier, and a freight forwarder.

"(4) CONTRACT CARRIAGE.—The term 'contract carriage' means—

"(A) for transportation provided before the effective date of this section, service provided pursuant to a permit issued under section 10923, as in effect on the day before the effective date of this section; and

"(B) for transportation provided on or after such date, service provided under an agreement entered into under section 14101(b).

"(5) CONTROL.—The term 'control', when referring to a relationship between persons, includes actual control, legal control, and the power to exercise control, through or by—

"(A) common directors, officers, stockholders, a voting trust, or a holding or investment company, or

"(B) any other means.

"(6) FOREIGN MOTOR CARRIER.—The term 'foreign motor carrier' means a person (including a motor carrier of property but excluding a motor private carrier)—

"(A)(i) that is domiciled in a contiguous foreign country; or

"(ii) that is owned or controlled by persons of a contiguous foreign country; and

"(B) in the case of a person that is not a motor carrier of property, that provides interstate transportation of property by motor vehicle under an agreement or contract

entered into with a motor carrier of property (other than a motor private carrier or a motor carrier of property described in subparagraph (A)).

"(7) FOREIGN MOTOR PRIVATE CARRIER.—The term 'foreign motor private carrier' means a person (including a motor private carrier but excluding a motor carrier of property)—

"(A)(i) that is domiciled in a contiguous foreign country; or

"(ii) that is owned or controlled by persons of a contiguous foreign country; and

"(B) in the case of a person that is not a motor private carrier, that provides interstate transportation of property by motor vehicle under an agreement or contract entered into with a person (other than a motor carrier of property or a motor private carrier described in subparagraph (A)).

"(8) FREIGHT FORWARDER.—The term 'freight forwarder' means a person holding itself out to the general public (other than as a pipeline, rail, motor, or water carrier) to provide transportation of property for compensation and in the ordinary course of its business—

"(A) assembles and consolidates, or provides for assembling and consolidating, shipments and performs or provides for break-bulk and distribution operations of the shipments;

"(B) assumes responsibility for the transportation from the place of receipt to the place of destination; and

"(C) uses for any part of the transportation a carrier subject to jurisdiction under this subtitle.

The term does not include a person using transportation of an air carrier subject to part A of subtitle VII.

"(9) HIGHWAY.—The term 'highway' means a road, highway, street, and way in a State.

"(10) HOUSEHOLD GOODS.—The term 'household goods', as used in connection with transportation, means personal effects and property used or to be used in a dwelling, when a part of the equipment or supply of such dwelling, and similar property if the transportation of such effects or property is—

"(A) arranged and paid for by the householder, including transportation of property from a factory or store when the property is purchased by the householder with intent to use in his or her dwelling, or

"(B) arranged and paid for by another party.

"(11) HOUSEHOLD GOODS FREIGHT FORWARDER.—The term 'household goods freight forwarder' means a freight forwarder of one or more of the following items: household goods, unaccompanied baggage, or used automobiles.

"(12) MOTOR CARRIER.—The term 'motor carrier' means a person providing motor vehicle transportation for compensation.

"(13) MOTOR PRIVATE CARRIER.—The term 'motor private carrier' means a person, other than a motor carrier, transporting property by motor vehicle when—

"(A) the transportation is as provided in section 13501 of this title;

"(B) the person is the owner, lessee, or bailee of the property being transported; and

"(C) the property is being transported for sale, lease, rent, or bailment or to further a commercial enterprise.

"(14) MOTOR VEHICLE.—The term 'motor vehicle' means a vehicle, machine, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway in transportation, or a combination determined by the Secretary, but does not include a vehicle, locomotive, or car operated only on a rail, or a trolley bus operated by electric power from a fixed overhead wire, and providing local passenger transportation similar to street-railway service.

"(15) NONCONTIGUOUS DOMESTIC TRADE.—The term 'noncontiguous domestic trade' means transportation subject to jurisdiction under chapter 135 involving traffic originating in or destined to Alaska, Hawaii, or a territory or possession of the United States.

"(16) PERSON.—The term 'person', in addition to its meaning under section 1 of title 1, includes a trustee, receiver, assignee, or personal representative of a person.

"(17) SECRETARY.—The term 'Secretary' means the Secretary of Transportation.

"(18) STATE.—The term 'State' means the 50 States of the United States and the District of Columbia.

"(19) TRANSPORTATION.—The term 'transportation' includes—

"(A) a motor vehicle, vessel, warehouse, wharf, pier, dock, yard, property, facility, instrumentality, or equipment of any kind related to the movement of passengers or property, or both, regardless of ownership or an agreement concerning use; and

"(B) services related to that movement, including arranging for, receipt, delivery, elevation, transfer in transit, refrigeration, icing, ventilation, storage, handling, packing, unpacking, and interchange of passengers and property.

"(20) UNITED STATES.—The term 'United States' means the States of the United States and the District of Columbia.

"(21) VESSEL.—The term 'vessel' means a watercraft or other artificial contrivance that is used, is capable of being used, or is intended to be used, as a means of transportation by water.

"(22) WATER CARRIER.—The term 'water carrier' means a person providing water transportation for compensation.

"§ 13103. Remedies as cumulative

"Except as otherwise provided in this part, the remedies provided under this part are in addition to remedies existing under another law or common law.

"CHAPTER 133—ADMINISTRATIVE PROVISIONS

"Sec.
"13301. Powers.
"13302. Intervention.
"13303. Service of notice in proceedings.
"13304. Service of process in court proceedings.

"§ 13301. Powers

"(a) GENERAL POWERS OF SECRETARY.—Except as otherwise specified, the Secretary shall carry out this part. Enumeration

of a power of the Secretary in this part does not exclude another power the Secretary may have in carrying out this part. The Secretary may prescribe regulations in carrying out this part.

"(b) OBTAINING INFORMATION.—The Secretary may obtain from carriers providing, and brokers for, transportation and service subject to this part, and from persons controlling, controlled by, or under common control with those carriers or brokers to the extent that the business of that person is related to the management of the business of that carrier or broker, information the Secretary decides is necessary to carry out this part.

"(c) SUBPOENA POWER.—

"(1) BY SECRETARY.—The Secretary may subpoena witnesses and records related to a proceeding under this part from any place in the United States, to the designated place of the proceeding. If a witness disobeys a subpoena, the Secretary, or a party to a proceeding under this part, may petition a court of the United States to enforce that subpoena.

"(2) ENFORCEMENT.—The district courts of the United States have jurisdiction to enforce a subpoena issued under this section. Trial is in the district in which the proceeding is conducted. The court may punish a refusal to obey a subpoena as a contempt of court.

"(d) TESTIMONY OF WITNESSES.—

"(1) PROCEDURE FOR TAKING TESTIMONY.—In a proceeding under this part, the Secretary may take the testimony of a witness by deposition and may order the witness to produce records. A party to a proceeding pending under this part may take the testimony of a witness by deposition and may require the witness to produce records at any time after a proceeding is at issue on petition and answer.

"(2) SUBPOENA.—If a witness fails to be deposed or to produce records under paragraph (1) of this subsection, the Secretary may subpoena the witness to take a deposition, produce the records, or both.

"(3) DEPOSITIONS.—A deposition may be taken before a judge of a court of the United States, a United States magistrate judge, a clerk of a district court, or a chancellor, justice, or judge of a supreme or superior court, mayor or chief magistrate of a city, judge of a county court, or court of common pleas of any State, or a notary public who is not counsel or attorney of a party or interested in the proceeding.

"(4) NOTICE OF DEPOSITION.—Before taking a deposition, reasonable notice must be given in writing by the party or the attorney of that party proposing to take a deposition to the opposing party or the attorney of record of that party, whoever is nearest. The notice shall state the name of the witness and the time and place of taking the deposition.

"(5) TRANSCRIPT.—The testimony of a person deposed under this subsection shall be taken under oath. The person taking the deposition shall prepare, or cause to be prepared, a transcript of the testimony taken. The transcript shall be subscribed by the deponent.

"(6) FOREIGN COUNTRY.—The testimony of a witness who is in a foreign country may be taken by deposition before an officer or person designated by the Secretary or agreed on by the parties by written stipulation filed with the Secretary. A deposition shall be filed with the Secretary promptly.

"(e) WITNESS FEES.—Each witness summoned before the Secretary or whose deposition is taken under this section and the individual taking the deposition are entitled to the same fees and mileage paid for those services in the courts of the United States.

"(f) POWERS OF BOARD.—For those provisions of this part that are specified to be carried out by the Board, the Board shall have the same powers as the Secretary has under this section.

"§ 13302. Intervention

"Under regulations of the Secretary, reasonable notice of, and an opportunity to intervene and participate in, a proceeding under this part related to transportation subject to jurisdiction under subchapter I of chapter 135 shall be given to interested persons.

"§ 13303. Service of notice in proceedings

"(a) AGENTS FOR SERVICE OF PROCESS.—A carrier, a broker, or a freight forwarder providing transportation or service subject to jurisdiction under chapter 135 shall designate, in writing, an agent by name and post office address on whom service of notices in a proceeding before, and of actions of, the Secretary may be made.

"(b) FILING WITH STATE.—A motor carrier providing transportation under this part shall also file the designation with the appropriate authority of each State in which it operates. The designation may be changed at any time in the same manner as originally made.

"(c) NOTICE.—A notice to a motor carrier, freight forwarder, or broker shall be served personally or by mail on the motor carrier, freight forwarder, or broker or on its designated agent. Service by mail on the designated agent shall be made at the address filed for the agent. When notice is given by mail, the date of mailing is considered to be the time when the notice is served. If a motor carrier, freight forwarder, or broker does not have a designated agent, service may be made by posting a copy of the notice at the headquarters of the Department of Transportation.

"§ 13304. Service of process in court proceedings

"(a) DESIGNATION OF AGENT.—A motor carrier or broker providing transportation subject to jurisdiction under chapter 135, including a motor carrier or broker operating within the United States while providing transportation between places in a foreign country or between a place in one foreign country and a place in another foreign country, shall designate an agent in each State in which it operates by name and post office address on whom process issued by a court with subject matter jurisdiction may be served in an action brought against that carrier or broker. The designation shall be in writing and filed with the Department of Transportation and each State in which the carrier operates may require that an additional designation be filed with it. If a designation under this subsection is not made, service may be made on any agent of the carrier or broker within that State.

"(b) CHANGE.—A designation under this section may be changed at any time in the same manner as originally made.

"CHAPTER 135—JURISDICTION

"SUBCHAPTER I—MOTOR CARRIER TRANSPORTATION

"Sec.
"13501. General jurisdiction.
"13502. Exempt transportation between Alaska and other States.
"13503. Exempt motor vehicle transportation in terminal areas.
"13504. Exempt motor carrier transportation entirely in one State.
"13505. Transportation furthering a primary business.
"13506. Miscellaneous motor carrier transportation exemptions.
"13507. Mixed loads of regulated and unregulated property.
"13508. Limited authority over cooperative associations.

"SUBCHAPTER II—WATER CARRIER TRANSPORTATION

"13521. General jurisdiction.

"SUBCHAPTER III—FREIGHT FORWARDER SERVICE

"13531. General jurisdiction.

"SUBCHAPTER IV—AUTHORITY TO EXEMPT

"13541. Authority to exempt transportation or services.

"SUBCHAPTER I—MOTOR CARRIER TRANSPORTATION

"§ 13501. General jurisdiction

"The Secretary and the Board have jurisdiction, as specified in this part, over transportation by motor carrier and the procurement of that transportation, to the extent that passengers, property, or both, are transported by motor carrier—

"(1) between a place in—

"(A) a State and a place in another State;

"(B) a State and another place in the same State through another State;

"(C) the United States and a place in a territory or possession of the United States to the extent the transportation is in the United States;

"(D) the United States and another place in the United States through a foreign country to the extent the transportation is in the United States; or

"(E) the United States and a place in a foreign country to the extent the transportation is in the United States; and

"(2) in a reservation under the exclusive jurisdiction of the United States or on a public highway.

"§ 13502. Exempt transportation between Alaska and other States

"To the extent that transportation by a motor carrier between a place in Alaska and a place in another State under section 13501 is provided in a foreign country—

"(1) neither the Secretary nor the Board has jurisdiction to impose a requirement over conduct of the motor carrier in the foreign country conflicting with a requirement of that country; but

"(2) the motor carrier, as a condition of providing transportation in the United States, shall comply, with respect to all transportation provided between Alaska and the other State, with the requirements of this part related to rates and practices applicable to the transportation.

"§ 13503. Exempt motor vehicle transportation in terminal areas

"(a) TRANSPORTATION BY CARRIERS.—

"(1) IN GENERAL.—Neither the Secretary nor the Board has jurisdiction under this subchapter over transportation by motor vehicle provided in a terminal area when the transportation—

"(A) is a transfer, collection, or delivery;

"(B) is provided by—

"(i) a rail carrier subject to jurisdiction under chapter 105;

"(ii) a water carrier subject to jurisdiction under subchapter II of this chapter; or

"(iii) a freight forwarder subject to jurisdiction under subchapter III of this chapter; and

"(C) is incidental to transportation or service provided by the carrier or freight forwarder that is subject to jurisdiction under chapter 105 of this title or under subchapter II or III of this chapter.

"(2) APPLICABILITY OF OTHER PROVISIONS.—Transportation exempt from jurisdiction under paragraph (1) of this subsection is subject to jurisdiction under chapter 105 when provided by such a rail carrier, under subchapter II of this chapter when provided by such a water carrier, and under subchapter III of this chapter when provided by such a freight forwarder.

"(b) TRANSPORTATION BY AGENT.—

"(1) IN GENERAL.—Except to the extent provided by paragraph (2) of this subsection, neither the Secretary nor the Board has jurisdiction under this subchapter over transportation by motor vehicle provided in a terminal area when the transportation—

"(A) is a transfer, collection, or delivery; and

"(B) is provided by a person as an agent or under other arrangement for—

"(i) a rail carrier subject to jurisdiction under chapter 105 of this title;

"(ii) a motor carrier subject to jurisdiction under this subchapter;

"(iii) a water carrier subject to jurisdiction under subchapter II of this chapter; or

"(iv) a freight forwarder subject to jurisdiction under subchapter III of this chapter.

"(2) TREATMENT OF TRANSPORTATION BY PRINCIPAL.—Transportation exempt from jurisdiction under paragraph (1) of this subsection is considered transportation provided by the carrier or service provided by the freight forwarder for whom the transportation was provided and is subject to jurisdiction under chapter 105 of this title when provided for such a rail carrier, under this subchapter when provided for such a motor carrier, under subchapter II of this chapter when provided for such a water carrier, and under subchapter III of this chapter when provided for such a freight forwarder.

"§ 13504. Exempt motor carrier transportation entirely in one State

"Neither the Secretary nor the Board has jurisdiction under this subchapter over transportation, except transportation of house-

hold goods, by a motor carrier operating solely within the State of Hawaii. The State of Hawaii may regulate transportation exempt from jurisdiction under this section and, to the extent provided by a motor carrier operating solely within the State of Hawaii, transportation exempt under section 13503 of this title.

"§ 13505. Transportation furthering a primary business

"(a) IN GENERAL.—Neither the Secretary nor the Board has jurisdiction under this part over the transportation of property by motor vehicle when—

"(1) the property is transported by a person engaged in a business other than transportation; and

"(2) the transportation is within the scope of, and furthers a primary business (other than transportation) of the person.

"(b) CORPORATE FAMILIES.—

"(1) IN GENERAL.—Neither the Secretary nor the Board has jurisdiction under this part over transportation of property by motor vehicle for compensation provided by a person who is a member of a corporate family for other members of such corporate family.

"(2) DEFINITION.—In this section, 'corporate family' means a group of corporations consisting of a parent corporation and all subsidiaries in which the parent corporation owns directly or indirectly a 100 percent interest.

"§ 13506. Miscellaneous motor carrier transportation exemptions

"(a) IN GENERAL.—Neither the Secretary nor the Board has jurisdiction under this part over—

"(1) a motor vehicle transporting only school children and teachers to or from school;

"(2) a motor vehicle providing taxicab service and having a capacity of not more than 6 passengers and not operated on a regular route or between specified places;

"(3) a motor vehicle owned or operated by or for a hotel and only transporting hotel patrons between the hotel and the local station of a carrier;

"(4) a motor vehicle controlled and operated by a farmer and transporting—

"(A) the farmer's agricultural or horticultural commodities and products; or

"(B) supplies to the farm of the farmer;

"(5) a motor vehicle controlled and operated by a cooperative association (as defined by section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a)) or by a federation of cooperative associations if the federation has no greater power or purposes than a cooperative association, except that if the cooperative association or federation provides transportation for compensation between a place in a State and a place in another State, or between a place in a State and another place in the same State through another State—

"(A) for a nonmember that is not a farmer, cooperative association, federation, or the United States Government, the transportation (except for transportation otherwise exempt under this subchapter)—

"(i) shall be limited to transportation incidental to the primary transportation operation of the coopera-

tive association or federation and necessary for its effective performance; and

"(ii) may not exceed in each fiscal year 25 percent of the total transportation of the cooperative association or federation between those places, measured by tonnage; and

"(B) the transportation for all nonmembers may not exceed in each fiscal year, measured by tonnage, the total transportation between those places for the cooperative association or federation and its members during that fiscal year;

"(6) transportation by motor vehicle of—

"(A) ordinary livestock;

"(B) agricultural or horticultural commodities (other than manufactured products thereof);

"(C) commodities listed as exempt in the Commodity List incorporated in ruling numbered 107, March 19, 1958, Bureau of Motor Carriers, Interstate Commerce Commission, other than frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, or hemp, or wool imported from a foreign country, wool tops and noils, or wool waste (carded, spun, woven, or knitted);

"(D) cooked or uncooked fish, whether breaded or not, or frozen or fresh shellfish, or byproducts thereof not intended for human consumption, other than fish or shellfish that have been treated for preserving, such as canned, smoked, pickled, spiced, corned, or kippered products; and

"(E) livestock and poultry feed and agricultural seeds and plants, if such products (excluding products otherwise exempt under this paragraph) are transported to a site of agricultural production or to a business enterprise engaged in the sale to agricultural producers of goods used in agricultural production;

"(7) a motor vehicle used only to distribute newspapers;

"(8)(A) transportation of passengers by motor vehicle incidental to transportation by aircraft;

"(B) transportation of property (including baggage) by motor vehicle as part of a continuous movement which, prior or subsequent to such part of the continuous movement, has been or will be transported by an air carrier or (to the extent so agreed by the United States and approved by the Secretary) by a foreign air carrier; or

"(C) transportation of property by motor vehicle in lieu of transportation by aircraft because of adverse weather conditions or mechanical failure of the aircraft or other causes due to circumstances beyond the control of the carrier or shipper;

"(9) the operation of a motor vehicle in a national park or national monument;

"(10) a motor vehicle carrying not more than 15 individuals in a single, daily roundtrip to commute to and from work;

"(11) transportation of used pallets and used empty shipping containers (including intermodal cargo containers), and other used shipping devices (other than containers or devices used in the transportation of motor vehicles or parts of motor vehicles);

"(12) transportation of natural, crushed, vesicular rock to be used for decorative purposes;

"(13) transportation of wood chips;

"(14) brokers for motor carriers of passengers, except as provided in section 13904(d); or

"(15) transportation of broken, crushed, or powdered glass.

"(b) EXEMPT UNLESS OTHERWISE NECESSARY.—Except to the extent the Secretary or Board, as applicable, finds it necessary to exercise jurisdiction to carry out the transportation policy of section 13101, neither the Secretary nor the Board has jurisdiction under this part over—

"(1) transportation provided entirely in a municipality, in contiguous municipalities, or in a zone that is adjacent to, and commercially a part of, the municipality or municipalities, except—

"(A) when the transportation is under common control, management, or arrangement for a continuous carriage or shipment to or from a place outside the municipality, municipalities, or zone; or

"(B) that in transporting passengers over a route between a place in a State and a place in another State, or between a place in a State and another place in the same State through another State, the transportation is exempt from jurisdiction under this part only if the motor carrier operating the motor vehicle also is lawfully providing intrastate transportation of passengers over the entire route under the laws of each State through which the route runs;

"(2) transportation by motor vehicle provided casually, occasionally, or reciprocally but not as a regular occupation or business, except when a broker or other person sells or offers for sale passenger transportation provided by a person authorized to transport passengers by motor vehicle under an application pending, or registration issued, under this part; or

"(3) the emergency towing of an accidentally wrecked or disabled motor vehicle.

"§ 13507. Mixed loads of regulated and unregulated property

"A motor carrier of property providing transportation exempt from jurisdiction under paragraph (6), (8), (11), (12), or (13) of section 13506(a) may transport property under such paragraph in the same vehicle and at the same time as property which the carrier is authorized to transport under a registration issued under section 13902(a). Such transportation shall not affect the unregulated status of such exempt property or the regulated status of the property which the carrier is authorized to transport under such registration.

"§ 13508. Limited authority over cooperative associations

"(a) IN GENERAL.—Notwithstanding section 13506(a)(5), any cooperative association (as defined by section 15(a) of the Agricultural Marketing Act (12 U.S.C. 1141j(a))) or a federation of cooperative associations shall prepare and maintain such records relating to transportation provided by such association or federation, in such form as the Secretary or the Board may require by regulation to carry out the provisions of such section 13506(a)(5). The Secretary or the Board, or an employee designated by the Secretary or the Board, may on demand and display of proper credentials— Records.

"(1) inspect and examine the lands, buildings, and equipment of such association or federation; and

"(2) inspect and copy any record of such association or federation.

"(b) REPORTS.—Notwithstanding section 13506(a)(5), the Secretary or the Board may require a cooperative association or federation of cooperative associations described in subsection (a) of this section to file reports with the Secretary or the Board containing answers to questions about transportation provided by such association or federation.

"(c) ENFORCEMENT.—The Secretary or the Board may bring a civil action to enforce subsections (a) and (b) of this section or a regulation or order of the Secretary or the Board issued under this section, when violated by a cooperative association or federation of cooperative associations described in subsection (a).

"(d) REPORTING PENALTIES.—

"(1) IN GENERAL.—A person required to make a report to the Secretary or the Board, answer a question, or maintain a record under this section, or an officer, agent, or employee of that person, that—

"(A) does not make the report;

"(B) does not specifically, completely, and truthfully answer the question; or

"(C) does not maintain the record in the form and manner prescribed under this section;

is liable to the United States for a civil penalty of not more than $500 for each violation and for not more than $250 for each additional day the violation continues.

"(2) VENUE.—Trial in a civil action under paragraph (1) shall be in the judicial district in which—

"(A) the cooperative association or federation of cooperative associations has its principal office;

"(B) the violation occurred; or

"(C) the offender is found.

Process in the action may be served in the judicial district of which the offender is an inhabitant or in which the offender may be found.

"(e) EVASION PENALTIES.—A person, or an officer, employee, or agent of that person, that by any means knowingly and willfully tries to evade compliance with the provisions of this section shall be fined at least $200 but not more than $500 for the first violation and at least $250 but not more than $2,000 for a subsequent violation.

"(f) RECORDKEEPING PENALTIES.—A person required to make a report, answer a question, or maintain a record under this section, or an officer, agent, or employee of that person, that—

"(1) willfully does not make that report;

"(2) willfully does not specifically, completely, and truthfully answer that question in 30 days from the date that the question is required to be answered;

"(3) willfully does not maintain that record in the form and manner prescribed;

"(4) knowingly and willfully falsifies, destroys, mutilates, or changes that report or record;

"(5) knowingly and willfully files a false report or record under this section;

"(6) knowingly and willfully makes a false or incomplete entry in that record about a business-related fact or transaction; or

"(7) knowingly and willfully maintains a record in violation of a regulation or order issued under this section;

shall be fined not more than $5,000.

"SUBCHAPTER II—WATER CARRIER TRANSPORTATION

"§ 13521. General jurisdiction

"(a) GENERAL RULES.—The Secretary and the Board have jurisdiction over transportation insofar as water carriers are concerned—

"(1) by water carrier between a place in a State and a place in another State, even if part of the transportation is outside the United States;

"(2) by water carrier and motor carrier from a place in a State to a place in another State; except that if part of the transportation is outside the United States, the Secretary only has jurisdiction over that part of the transportation provided—

"(A) by motor carrier that is in the United States; and

"(B) by water carrier that is from a place in the United States to another place in the United States; and

"(3) by water carrier or by water carrier and motor carrier between a place in the United States and a place outside the United States, to the extent that—

"(A) when the transportation is by motor carrier, the transportation is provided in the United States;

"(B) when the transportation is by water carrier to a place outside the United States, the transportation is provided by water carrier from a place in the United States to another place in the United States before transshipment from a place in the United States to a place outside the United States; and

"(C) when the transportation is by water carrier from a place outside the United States, the transportation is provided by water carrier from a place in the United States to another place in the United States after transshipment to a place in the United States from a place outside the United States.

"(b) DEFINITIONS.—In this section, the terms 'State' and 'United States' include the territories and possessions of the United States.

"SUBCHAPTER III—FREIGHT FORWARDER SERVICE

"§ 13531. General jurisdiction

"(a) IN GENERAL.—The Secretary and the Board have jurisdiction, as specified in this part, over service that a freight forwarder undertakes to provide, or is authorized or required under this part to provide, to the extent transportation is provided in the United States and is between—

"(1) a place in a State and a place in another State, even if part of the transportation is outside the United States;

"(2) a place in a State and another place in the same State through a place outside the State; or

"(3) a place in the United States and a place outside the United States.

"(b) EXEMPTION OF CERTAIN AIR CARRIER SERVICE.—Neither the Secretary nor the Board has jurisdiction under subsection (a) of this section over service undertaken by a freight forwarder using transportation of an air carrier subject to part A of subtitle VII of this title.

"SUBCHAPTER IV—AUTHORITY TO EXEMPT

"§ 13541. Authority to exempt transportation or services

"(a) IN GENERAL.—In any matter subject to jurisdiction under this part, the Secretary or the Board, as applicable, shall exempt a person, class of persons, or a transaction or service from the application, in whole or in part, of a provision of this part, or use this exemption authority to modify the application of a provision of this part as it applies to such person, class, transaction, or service, when the Secretary or Board finds that the application of that provision—

"(1) is not necessary to carry out the transportation policy of section 13101;

"(2) is not needed to protect shippers from the abuse of market power or that the transaction or service is of limited scope; and

"(3) is in the public interest.

"(b) INITIATION OF PROCEEDING.—The Secretary or Board, as applicable, may, where appropriate, begin a proceeding under this section on the Secretary's or Board's own initiative or on application by an interested party.

"(c) PERIOD OF EXEMPTION.—The Secretary or Board, as applicable, may specify the period of time during which an exemption granted under this section is effective.

"(d) REVOCATION.—The Secretary or Board, as applicable, may revoke an exemption, to the extent specified, on finding that application of a provision of this part to the person, class, or transportation is necessary to carry out the transportation policy of section 13101.

"(e) LIMITATIONS.—

"(1) IN GENERAL.—The exemption authority under this section may not be used to relieve a person from the application of, and compliance with, any law, rule, regulation, standard, or order pertaining to cargo loss and damage, insurance, safety fitness, or activities approved under section 13703 or 14302 or not terminated under section 13907(d)(2).

"(2) WATER CARRIERS.—The Secretary or Board, as applicable, may not exempt a water carrier from the application of, or compliance with, section 13701 or 13702 for transportation in the non-contiguous domestic trade.

"(f) CONTINUATION OF CERTAIN EXISTING EXEMPTIONS FOR WATER CARRIERS.—The Secretary or Board, as applicable, shall not regulate or exercise jurisdiction under this part over the transportation by water carrier in the non-contiguous domestic trade of any cargo or type of cargo or service which was not subject to regulation by, or under the jurisdiction of, either the Federal Maritime Commission or Interstate Commerce Commission under Federal law in effect on November 1, 1995.

"CHAPTER 137—RATES AND THROUGH ROUTES

"Sec.
"13701. Requirements for reasonable rates, classifications, through routes, rules, and practices for certain transportation.
"13702. Tariff requirement for certain transportation.
"13703. Certain collective activities; exemption from antitrust laws.
"13704. Household goods rates—estimates; guarantees of service.
"13705. Requirements for through routes among motor carriers of passengers.
"13706. Liability for payment of rates.
"13707. Payment of rates.
"13708. Billing and collecting practices.
"13709. Procedures for resolving claims involving unfiled, negotiated transportation rates.
"13710. Additional billing and collecting practices.
"13711. Alternative procedure for resolving undercharge disputes.
"13712. Government traffic.
"13713. Food and grocery transportation.

"§ 13701. Requirements for reasonable rates, classifications, through routes, rules, and practices for certain transportation

"(a) REASONABLENESS.—

"(1) CERTAIN HOUSEHOLD GOODS TRANSPORTATION; JOINT RATES INVOLVING WATER TRANSPORTATION.—A rate, classification, rule, or practice related to transportation or service provided by a carrier subject to jurisdiction under chapter 135 for transportation or service involving—

"(A) a movement of household goods,

"(B) a rate for a movement by or with a water carrier in noncontiguous domestic trade, or

"(C) rates, rules, and classifications made collectively by motor carriers under agreements approved pursuant to section 13703,

must be reasonable.

"(2) THROUGH ROUTES AND DIVISIONS OF JOINT RATES.—Through routes and divisions of joint rates for such transportation or service must be reasonable.

"(b) PRESCRIPTION BY BOARD FOR VIOLATIONS.—When the Board finds it necessary to stop or prevent a violation of subsection (a), the Board shall prescribe the rate, classification, rule, practice, through route, or division of joint rates to be applied for such transportation or service.

"(c) FILING OF COMPLAINT.—A complaint that a rate, classification, rule, or practice in noncontiguous domestic trade violates subsection (a) may be filed with the Board.

"(d) ZONE OF REASONABLENESS.—

"(1) IN GENERAL.—For purposes of this section, a rate or division of a motor carrier for service in noncontiguous domestic trade or water carrier for port-to-port service in that trade is reasonable if the aggregate of increases and decreases in any such rate or division is not more than 7.5 percent above, or more than 10 percent below, the rate or division in effect 1 year before the effective date of the proposed rate or division.

"(2) ADJUSTMENTS TO THE ZONE.—The percentage specified in paragraph (1) shall be increased or decreased, as the case may be, by the percentage change in the Producers Price Index, as published by the Department of Labor, that has occurred during the most recent 1-year period before the date the rate or division in question first took effect.

"(3) DETERMINATIONS AFTER COMPLAINT.—The Board shall determine whether any rate or division of a carrier or service in noncontiguous domestic trade which is not within the range described in paragraph (1) is reasonable if a complaint is filed under subsection (c) or section 13702(b)(6).

"(4) REPARATIONS.—Upon a finding of violation of subsection (a), the Board shall award reparations to the complaining shipper or shippers in an amount equal to all sums assessed and collected that exceed the determined reasonable rate, division, rate structure, or tariff. Upon complaint from any governmental agency or authority and upon a finding or violation of subsection (a), the Board shall make such orders as are just and shall require the carrier to return, to the extent practicable, to shippers all amounts plus interest, which the Board finds to have been assessed and collected in violation of subsection (a).

"§ 13702. Tariff requirement for certain transportation

"(a) IN GENERAL.—Except when providing transportation for charitable purposes without charge, a carrier subject to jurisdiction under chapter 135 may provide transportation or service that is—

"(1) in noncontiguous domestic trade, except with regard to bulk cargo, forest products, recycled metal scrap, waste paper, and paper waste; or

"(2) for movement of household goods;

only if the rate for such transportation or service is contained in a tariff that is in effect under this section. The carrier may not charge or receive a different compensation for the transportation or service than the rate specified in the tariff, whether by returning a part of that rate to a person, giving a person a privilege, allowing the use of a facility that affects the value of that transportation or service, or another device. A rate contained in a tariff shall be stated in money of the United States.

"(b) TARIFF REQUIREMENTS FOR NONCONTIGUOUS DOMESTIC TRADE.—

Publication.

"(1) FILING.—A carrier providing transportation or service described in subsection (a)(1) shall publish and file with the Board tariffs containing the rates established for such transportation or service. The carriers shall keep such tariffs available

Regulations.

for public inspection. The Board shall prescribe the form and manner of publishing, filing, and keeping tariffs available for public inspection under this subsection.

"(2) CONTENTS.—The Board may prescribe any specific information and charges to be identified in a tariff, but at a minimum tariffs must identify plainly—

"(A) the carriers that are parties to it;

"(B) the places between which property will be transported;

"(C) terminal charges if a carrier provides transportation or service subject to jurisdiction under subchapter III of chapter 135;

"(D) privileges given and facilities allowed; and

"(E) any rules that change, affect, or determine any part of the published rate.

"(3) INLAND DIVISIONS.—A carrier providing transportation or service described in subsection (a)(1) under a joint rate for a through movement shall not be required to state sepa-

rately or otherwise reveal in tariff filings the inland divisions of that through rate.

"(4) TIME-VOLUME RATES.—Rates in tariffs filed under this subsection may vary with the volume of cargo offered over a specified period of time.

"(5) CHANGES.—The Board may permit carriers to change rates, classifications, rules, and practices without filing complete tariffs under this subsection that cover matter that is not being changed when the Board finds that action to be consistent with the public interest. Those carriers may either—

"(A) publish new tariffs that incorporate changes, or

"(B) plainly indicate the proposed changes in the tariffs then in effect and make the tariffs as changed available for public inspection.

"(6) COMPLAINTS.—A complaint that a rate or related rule or practice maintained in a tariff under this subsection violates section 13701(a) may be submitted to the Board for resolution.

"(c) TARIFF REQUIREMENTS FOR HOUSEHOLD GOODS CARRIERS.—

"(1) IN GENERAL.—A carrier providing transportation described in subsection (a)(2) shall maintain rates and related rules and practices in a published tariff. The tariff must be available for inspection by the Board and be made available for inspection by shippers upon reasonable request.

"(2) NOTICE OF AVAILABILITY.—A carrier that maintains a tariff under this subsection may not enforce the provisions of the tariff unless the carrier has given notice that the tariff is available for inspection in its bill of lading or by other actual notice to individuals whose shipments are subject to the tariff.

"(3) REQUIREMENTS.—A carrier that maintains a tariff under this subsection is bound by the tariff except as otherwise provided in this part. A tariff that does not comply with this subsection may not be enforced against any individual shipper.

"(4) INCORPORATION BY REFERENCE.—A carrier may incorporate by reference the rates, terms, and other conditions of a tariff in agreements covering the transportation of household goods.

"(5) COMPLAINTS.—A complaint that a rate or related rule or practice maintained in a tariff under this subsection violates section 13701(a) may be submitted to the Board for resolution.

"(d) INVALIDATION.—The Board may invalidate a tariff prepared by a carrier or carriers under this section if that tariff violates this section or a regulation of the Board carrying out this section.

"§ 13703. Certain collective activities; exemption from antitrust laws

"(a) AGREEMENTS.—

"(1) AUTHORITY TO ENTER.—A motor carrier providing transportation or service subject to jurisdiction under chapter 135 may enter into an agreement with one or more such carriers to establish—

"(A) through routes and joint rates;

"(B) rates for the transportation of household goods;

"(C) classifications;

"(D) mileage guides;

"(E) rules;

"(F) divisions;

"(G) rate adjustments of general application based on industry average carrier costs (so long as there is no discussion of individual markets or particular single-line rates); or

"(H) procedures for joint consideration, initiation, or establishment of matters described in subparagraphs (A) through (G).

"(2) SUBMISSION OF AGREEMENT TO BOARD; APPROVAL.—An agreement entered into under subsection (a) may be submitted by any carrier or carriers that are parties to such agreement to the Board for approval and may be approved by the Board only if it finds that such agreement is in the public interest.

"(3) CONDITIONS.—The Board may require compliance with reasonable conditions consistent with this part to assure that the agreement furthers the transportation policy set forth in section 13101.

"(4) INDEPENDENTLY ESTABLISHED RATES.—Any carrier which is a party to an agreement under paragraph (1) is not, and may not be, precluded from independently establishing its own rates, classification, and mileages or from adopting and using a noncollectively made classification or mileage guide.

"(5) INVESTIGATIONS.—

"(A) REASONABLENESS.—The Board may suspend and investigate the reasonableness of any rate, rule, classification, or rate adjustment of general application made pursuant to an agreement under this section.

"(B) ACTIONS NOT IN THE PUBLIC INTEREST.—The Board may investigate any action taken pursuant to an agreement approved under this section. If the Board finds that the action is not in the public interest, the Board may take such measures as may be necessary to protect the public interest with regard to the action, including issuing an order directing the parties to cease and desist or modify the action.

"(6) EFFECT OF APPROVAL.—If the Board approves the agreement or renews approval of the agreement, it may be made and carried out under its terms and under the conditions required by the Board, and the antitrust laws, as defined in the first section of the Clayton Act (15 U.S.C. 12), do not apply to parties and other persons with respect to making or carrying out the agreement.

"(b) RECORDS.—The Board may require an organization established or continued under an agreement approved under this section to maintain records and submit reports. The Board, or its delegate, may inspect a record maintained under this section, or monitor any organization's compliance with this section.

"(c) REVIEW.—The Board may review an agreement approved under this section, on its own initiative or on request, and shall change the conditions of approval or terminate it when necessary to protect the public interest. Action of the Board under this section—

"(1) approving an agreement,

"(2) denying, ending, or changing approval,

"(3) prescribing the conditions on which approval is granted, or

"(4) changing those conditions,

has effect only as related to application of the antitrust laws referred to in subsection (a).

"(d) EXPIRATION OF APPROVALS; RENEWALS.—Subject to subsection (c), approval of an agreement under subsection (a) shall expire 3 years after the date of approval unless renewed under this subsection. The approval may be renewed upon request of the parties to the agreement if such parties resubmit the agreement to the Board, the agreement is unchanged, and the Board approves such renewal. The Board shall approve the renewal unless it finds that the renewal is not in the public interest. Parties to the agreement may continue to undertake activities pursuant to the previously approved agreement while the renewal request is pending.

"(e) EXISTING AGREEMENTS.—Agreements approved under former section 10706(b) and in effect on the day before the effective date of this section shall be treated for purposes of this section as approved by the Board under this section beginning on such effective date.

"(f) LIMITATIONS ON STATUTORY CONSTRUCTION.—

"(1) UNDERCHARGE CLAIMS.—Nothing in this section shall serve as a basis for any undercharge claim.

"(2) OBLIGATION OF SHIPPER.—Nothing in this title, the ICC Termination Act of 1995, or any amendments or repeals made by such Act shall be construed as creating any obligation for a shipper based solely on a classification that was on file with the Interstate Commerce Commission or elsewhere on the day before the effective date of this section.

"(g) INDUSTRY STANDARD GUIDES.—

"(1) IN GENERAL.—

"(A) PUBLIC AVAILABILITY.—Routes, rates, classifications, mileage guides, and rules established under agreements approved under this section shall be published and made available for public inspection upon request. Publication.

"(B) PARTICIPATION OF CARRIERS.—

"(i) IN GENERAL.—A motor carrier of property whose routes, rates, classifications, mileage guides, rules, or packaging are determined or governed by publications established under agreements approved under this section must participate in the determining or governing publication for such provisions to apply.

"(ii) POWER OF ATTORNEY.—The motor carrier of property shall issue a power of attorney to the publishing agent and, upon its acceptance, the agent shall issue a written certification to the motor carrier affirming its participation in the governing publication, and the certification shall be made available for public inspection.

"(2) MILEAGE LIMITATION.—No carrier subject to jurisdiction under subchapter I or III of chapter 135 may enforce collection of its mileage rates unless such carrier—

"(A) is a participant in a publication of mileages formulated under an agreement approved under this section; or

"(B) uses a publication of mileage (other than a publication described in subparagraph (A)) that can be examined by any interested person upon reasonable request.

"(h) SINGLE LINE RATE DEFINED.—In this section, the term 'single line rate' means a rate, charge, or allowance proposed by

a single motor carrier that is applicable only over its line and for which the transportation can be provided by that carrier.

"§ 13704. Household goods rates—estimates; guarantees of service

"(a) IN GENERAL.—

"(1) AUTHORITY.—Subject to the provisions of paragraph (2) of this subsection, a motor carrier providing transportation of household goods subject to jurisdiction under subchapter I of chapter 135 may establish a rate for the transportation of household goods which is based on the carrier's written, binding estimate of charges for providing such transportation.

"(2) NONPREFERENTIAL; NONPREDATORY.—Any rate established under this subsection must be available on a nonpreferential basis to shippers and must not result in charges to shippers which are predatory.

"(b) RATES FOR GUARANTEED SERVICE.—

"(1) AUTHORITY.—Subject to the provisions of paragraph (2) of this subsection, a motor carrier providing transportation of household goods subject to jurisdiction under subchapter I of chapter 135 may establish rates for the transportation of household goods which guarantee that the carrier will pick up and deliver such household goods at the times specified in the contract for such services and provide a penalty or per diem payment in the event the carrier fails to pick up or deliver such household goods at the specified time. The charges, if any, for such guarantee and penalty provision may vary to reflect one or more options available to meet a particular shipper's needs.

"(2) AUTHORITY OF SECRETARY TO REQUIRE NONGUARANTEED SERVICE RATES.—Before a carrier may establish a rate for any service under paragraph (1) of this subsection, the Secretary may require such carrier to have in effect and keep in effect, during any period such rate is in effect under paragraph (1), a rate for such service which does not guarantee the pick up and delivery of household goods at the times specified in the contract for such services and which does not provide a penalty or per diem payment in the event the carrier fails to pick up or deliver household goods at the specified time.

"§ 13705. Requirements for through routes among motor carriers of passengers

"(a) ESTABLISHMENT; REASONABLENESS.—A motor carrier providing transportation of passengers subject to jurisdiction under subchapter I of chapter 135 shall establish through routes with other carriers of the same type and shall establish individual and joint rates applicable to them. Such through route must be reasonable.

"(b) PRESCRIBED BY BOARD.—When the Board finds it necessary to enforce the requirements of this section, the Board may prescribe through routes and the conditions under which those routes must be operated for motor carriers providing transportation of passengers subject to jurisdiction under subchapter I of chapter 135.

"§ 13706. Liability for payment of rates

"(a) LIABILITY OF CONSIGNEE.—Liability for payment of rates for transportation for a shipment of property by a shipper or con-

signor to a consignee other than the shipper or consignor, is determined under this section when the transportation is provided by motor carrier under this part. When the shipper or consignor instructs the carrier transporting the property to deliver it to a consignee that is an agent only, not having beneficial title to the property, the consignee is liable for rates billed at the time of delivery for which the consignee is otherwise liable, but not for additional rates that may be found to be due after delivery if the consignee gives written notice to the delivering carrier before delivery of the property—

"(1) of the agency and absence of beneficial title; and

"(2) of the name and address of the beneficial owner of the property if it is reconsigned or diverted to a place other than the place specified in the original bill of lading.

"(b) LIABILITY OF BENEFICIAL OWNER.—When the consignee is liable only for rates billed at the time of delivery under subsection (a), the shipper or consignor, or, if the property is reconsigned or diverted, the beneficial owner is liable for those additional rates regardless of the bill of the lading or contract under which the property was transported. The beneficial owner is liable for all rates when the property is reconsigned or diverted by an agent but is refused or abandoned at its ultimate destination if the agent gave the carrier in the reconsignment or diversion order a notice of agency and the name and address of the beneficial owner. A consignee giving the carrier erroneous information about the identity of the beneficial owner of the property is liable for the additional rates.

"§ 13707. Payment of rates

"(a) TRANSFER OF POSSESSION UPON PAYMENT.—Except as provided in subsection (b), a carrier providing transportation or service subject to jurisdiction under this part shall give up possession at the destination of the property transported by it only when payment for the transportation or service is made.

"(b) EXCEPTIONS.—

"(1) REGULATIONS.—Under regulations of the Secretary governing the payment for transportation and service and preventing discrimination, those carriers may give up possession at destination of property transported by them before payment for the transportation or service. The regulations of the Secretary may provide for weekly or monthly payment for transportation provided by motor carriers and for periodic payment for transportation provided by water carriers.

"(2) EXTENSIONS OF CREDIT TO GOVERNMENTAL ENTITIES.—Such a carrier (including a motor carrier being used by a household goods freight forwarder) may extend credit for transporting property for the United States Government, a State, a territory or possession of the United States, or a political subdivision of any of them.

"§ 13708. Billing and collecting practices

"(a) DISCLOSURE.—A motor carrier subject to jurisdiction under subchapter I of chapter 135 shall disclose, when a document is presented or electronically transmitted for payment to the person responsible directly to the motor carrier for payment or agent of such responsible person, the actual rates, charges, or allowances for any transportation service and shall also disclose, at such time,

whether and to whom any allowance or reduction in charges is made.

"(b) FALSE OR MISLEADING INFORMATION.—No person may cause a motor carrier to present false or misleading information on a document about the actual rate, charge, or allowance to any party to the transaction.

"(c) ALLOWANCES FOR SERVICES.—When the actual rate, charge, or allowance is dependent upon the performance of a service by a party to the transportation arrangement, such as tendering a volume of freight over a stated period of time, the motor carrier shall indicate in any document presented for payment to the person responsible directly to the motor carrier that a reduction, allowance, or other adjustment may apply.

"§ 13709. Procedures for resolving claims involving unfiled, negotiated transportation rates

"(a) TRANSPORTATION PROVIDED AT RATES OTHER THAN LEGAL TARIFF RATES.—

"(1) IN GENERAL.—When a claim is made by a motor carrier of property (other than a household goods carrier) providing transportation subject to jurisdiction under subchapter II of chapter 105 (as in effect on the day before the effective date of this section) or subchapter I of chapter 135, by a freight forwarder (other than a household goods freight forwarder), or by a party representing such a carrier or freight forwarder regarding the collection of rates or charges for such transportation in addition to those originally billed and collected by the carrier or freight forwarder for such transportation, the person against whom the claim is made may elect to satisfy the claim under the provisions of subsection (b), (c), or (d), upon showing that—

"(A) the carrier or freight forwarder is no longer transporting property or is transporting property for the purpose of avoiding the application of this section; and

"(B) with respect to the claim—

"(i) the person was offered a transportation rate by the carrier or freight forwarder other than that legally on file at the time with the Board or with the Interstate Commerce Commission, as required, for the transportation service;

"(ii) the person tendered freight to the carrier or freight forwarder in reasonable reliance upon the offered transportation rate;

"(iii) the carrier or freight forwarder did not properly or timely file with the Board or with the Interstate Commerce Commission, as required, a tariff providing for such transportation rate or failed to enter into an agreement for contract carriage;

"(iv) such transportation rate was billed and collected by the carrier or freight forwarder; and

"(v) the carrier or freight forwarder demands additional payment of a higher rate filed in a tariff.

Courts.

"(2) FORUM.—If there is a dispute as to the showing under paragraph (1)(A), such dispute shall be resolved by the court in which the claim is brought. If there is a dispute as to the showing under paragraph (1)(B), such dispute shall be resolved by the Board. Pending the resolution of any such

dispute, the person shall not have to pay any additional compensation to the carrier or freight forwarder.

"(3) EFFECT OF SATISFACTION OF CLAIMS.—Satisfaction of the claim under subsection (b), (c), or (d) shall be binding on the parties, and the parties shall not be subject to chapter 119 of this title, as such chapter was in effect on the day before the effective date of this section, or chapter 149.

"(b) CLAIMS INVOLVING SHIPMENTS WEIGHING 10,000 POUNDS OR LESS.—A person from whom the additional legally applicable and effective tariff rate or charges are sought may elect to satisfy the claim if the shipments each weighed 10,000 pounds or less, by payment of 20 percent of the difference between the carrier's applicable and effective tariff rate and the rate originally billed and paid. In the event that a dispute arises as to the rate that was legally applicable to the shipment, such dispute shall be resolved by the Board.

"(c) CLAIMS INVOLVING SHIPMENTS WEIGHING MORE THAN 10,000 POUNDS.—A person from whom the additional legally applicable and effective tariff rate or charges are sought may elect to satisfy the claim if the shipments each weighed more than 10,000 pounds, by payment of 15 percent of the difference between the carrier's applicable and effective tariff rate and the rate originally billed and paid. In the event that a dispute arises as to the rate that was legally applicable to the shipment, such dispute shall be resolved by the Board.

"(d) CLAIMS INVOLVING PUBLIC WAREHOUSEMEN.—Notwithstanding subsections (b) and (c), a person from whom the additional legally applicable and effective tariff rate or charges are sought may elect to satisfy the claim by payment of 5 percent of the difference between the carrier's applicable and effective tariff rate and the rate originally billed and paid if such person is a public warehouseman. In the event that a dispute arises as to the rate that was legally applicable to the shipment, such dispute shall be resolved by the Board.

"(e) EFFECTS OF ELECTION.—When a person from whom additional legally applicable freight rates or charges are sought does not elect to use the provisions of subsection (b), (c) or (d), the person may pursue all rights and remedies existing under this part or, for transportation provided before the effective date of this section, all rights and remedies that existed under this title on the day before such effective date.

"(f) STAY OF ADDITIONAL COMPENSATION.—When a person proceeds under this section to challenge the reasonableness of the legally applicable freight rate or charges being claimed by a carrier or freight forwarder in addition to those already billed and collected, the person shall not have to pay any additional compensation to the carrier or freight forwarder until the Board has made a determination as to the reasonableness of the challenged rate as applied to the freight of the person against whom the claim is made.

"(g) NOTIFICATION OF ELECTION.—

"(1) GENERAL RULE.—A person must notify the carrier or freight forwarder as to its election to proceed under subsection (b), (c), or (d). Except as provided in paragraphs (2), (3), and (4), such election may be made at any time.

"(2) DEMANDS FOR PAYMENT INITIALLY MADE AFTER DECEMBER 3, 1993.—If the carrier or freight forwarder or party rep-

resenting such carrier or freight forwarder initially demands the payment of additional freight charges after December 3, 1993, and notifies the person from whom additional freight charges are sought of the provisions of subsections (a) through (f) at the time of the making of such initial demand, the election must be made not later than the later of—

"(A) the 60th day following the filing of an answer to a suit for the collection of such additional legally applicable freight rate or charges, or

"(B) March 5, 1994.

"(3) PENDING SUITS FOR COLLECTION MADE BEFORE DECEMBER 4, 1993.—If the carrier or freight forwarder or party representing such carrier or freight forwarder has filed, before December 4, 1993, a suit for the collection of additional freight charges and notifies the person from whom additional freight charges are sought of the provisions of subsections (a) through (f), the election must be made not later than the 90th day following the date on which such notification is received.

"(4) DEMANDS FOR PAYMENT MADE BEFORE DECEMBER 4, 1993.—If the carrier or freight forwarder or party representing such carrier or freight forwarder has demanded the payment of additional freight charges, and has not filed a suit for the collection of such additional freight charges, before December 4, 1993, and notifies the person from whom additional freight charges are sought of the provisions of subsections (a) through (f), the election must be made not later than the later of—

"(A) the 60th day following the filing of an answer to a suit for the collection of such additional legally applicable freight rate or charges, or

"(B) March 5, 1994.

"(h) CLAIMS INVOLVING SMALL-BUSINESS CONCERNS, CHARITABLE ORGANIZATIONS, AND RECYCLABLE MATERIALS.—

"(1) IN GENERAL.—Notwithstanding subsections (b), (c), and (d), a person from whom the additional legally applicable and effective tariff rate or charges are sought shall not be liable for the difference between the carrier's applicable and effective tariff rate and the rate originally billed and paid—

"(A) if such person qualifies as a small-business concern under the Small Business Act (15 U.S.C. 631 et seq.),

"(B) if such person is an organization which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code, or

"(C) if the cargo involved in the claim is recyclable materials.

"(2) RECYCLABLE MATERIALS DEFINED.—In this subsection, the term 'recyclable materials' means waste products for recycling or reuse in the furtherance of recognized pollution control programs.

"§ 13710. Additional billing and collecting practices

"(a) MISCELLANEOUS PROVISIONS.—

"(1) INFORMATION RELATING TO BASIS OF RATE.—A motor carrier of property (other than a motor carrier providing transportation in noncontiguous domestic trade) shall provide to the shipper, on request of the shipper, a written or electronic copy of the rate, classification, rules, and practices, upon which

any rate applicable to its shipment or agreed to between the shipper and carrier is based.

"(2) REASONABLENESS OF RATES; COLLECTING ADDITIONAL CHARGES.—When the applicability or reasonableness of the rates and related provisions billed by a motor carrier is challenged by the person paying the freight charges, the Board shall determine whether such rates and provisions are reasonable under section 13701 or applicable based on the record before it.

"(3) BILLING DISPUTES.—

"(A) INITIATED BY MOTOR CARRIERS.—In those cases where a motor carrier (other than a motor carrier providing transportation of household goods or in noncontiguous domestic trade) seeks to collect charges in addition to those billed and collected which are contested by the payor, the carrier may request that the Board determine whether any additional charges over those billed and collected must be paid. A carrier must issue any bill for charges in addition to those originally billed within 180 days of the receipt of the original bill in order to have the right to collect such charges.

"(B) INITIATED BY SHIPPERS.—If a shipper seeks to contest the charges originally billed or additional charges subsequently billed, the shipper may request that the Board determine whether the charges billed must be paid. A shipper must contest the original bill or subsequent bill within 180 days of receipt of the bill in order to have the right to contest such charges.

"(4) VOIDING OF CERTAIN TARIFFS.—Any tariff on file with the Interstate Commerce Commission on August 26, 1994, and not required to be filed after that date is null and void beginning on that date. Any tariff on file with the Interstate Commerce Commission on the effective date of this section and not required to be filed after that date is null and void beginning on that date.

"(b) RESOLUTION OF DISPUTES OVER STATUS OF COMMON CARRIER OR CONTRACT CARRIER.—If a motor carrier (other than a motor carrier providing transportation of household goods) that was subject to jurisdiction under subchapter II of chapter 105, as in effect on the day before the effective date of this section, and that had authority to provide transportation as both a motor common carrier and a motor contract carrier and a dispute arises as to whether certain transportation that was provided prior to the effective date of this section was provided in its common carrier or contract carrier capacity and the parties are not able to resolve the dispute consensually, the Board shall resolve the dispute.

"§ 13711. Alternative procedure for resolving undercharge disputes

"(a) GENERAL RULE.—It shall be an unreasonable practice for a motor carrier of property (other than a household goods carrier) providing transportation subject to jurisdiction under subchapter I of chapter 135 or, before the effective date of this section, to have provided transportation that was subject to jurisdiction under subchapter II of chapter 105, as in effect on the day before the effective date of this section, a freight forwarder (other than a household goods freight forwarder), or a party representing such

a carrier or freight forwarder to attempt to charge or to charge for a transportation service the difference between (1) the applicable rate that was lawfully in effect pursuant to a tariff that was filed in accordance with this chapter or, with respect to transportation provided before the effective date of this section, in accordance with chapter 107, as in effect on the date the transportation was provided, by the carrier or freight forwarder applicable to such transportation service, and (2) the negotiated rate for such transportation service if the carrier or freight forwarder is no longer transporting property between places described in section 13501(1) or is transporting property between places described in section 13501(1) for the purpose of avoiding application of this section.

"(b) JURISDICTION OF BOARD.—

"(1) DETERMINATION.—The Board shall have jurisdiction to make a determination of whether or not attempting to charge or the charging of a rate by a motor carrier or freight forwarder or party representing a motor carrier or freight forwarder is an unreasonable practice under subsection (a). If the Board determines that attempting to charge or the charging of the rate is an unreasonable practice under subsection (a), the carrier, freight forwarder, or party may not collect the difference described in subsection (a) between the applicable rate and the negotiated rate for the transportation service.

"(2) FACTORS TO CONSIDER.—In making a determination under paragraph (1), the Board shall consider—

"(A) whether the person was offered a transportation rate by the carrier or freight forwarder or party other than that legally on file with the Interstate Commerce Commission or the Board, as required, at the time of the movement for the transportation service;

"(B) whether the person tendered freight to the carrier or freight forwarder in reasonable reliance upon the offered transportation rate;

"(C) whether the carrier or freight forwarder did not properly or timely file with the Interstate Commerce Commission or the Board, as required, a tariff providing for such transportation rate or failed to enter into an agreement for contract carriage;

"(D) whether the transportation rate was billed and collected by the carrier or freight forwarder; and

"(E) whether the carrier or freight forwarder or party demands additional payment of a higher rate filed in a tariff.

"(c) STAY OF ADDITIONAL COMPENSATION.—When a person proceeds under this section to challenge the reasonableness of the practice of a motor carrier, freight forwarder, or party described in subsection (a) to attempt to charge or to charge the difference described in subsection (a) between the applicable rate and the negotiated rate for the transportation service in addition to those charges already billed and collected for the transportation service, the person shall not have to pay any additional compensation to the carrier, freight forwarder, or party until the Board has made a determination as to the reasonableness of the practice as applied to the freight of the person against whom the claim is made.

"(d) TREATMENT.—Subsection (a) is an exception to the requirements of section 13702 and, for transportation provided before

the effective date of this section, to the requirements of sections 10761(a) and 10762, as in effect on the day before such effective date, as such sections relate to a filed tariff rate and other general tariff requirements.

"(e) NONAPPLICABILITY OF NEGOTIATED RATE DISPUTE RESOLUTION PROCEDURE.—If a person elects to seek enforcement of subsection (a) with respect to a rate for a transportation or service, section 13709 shall not apply to such rate.

"(f) DEFINITIONS.—In this section, the term "negotiated rate" means a rate, charge, classification, or rule agreed upon by a motor carrier or freight forwarder and a shipper through negotiations pursuant to which no tariff was lawfully and timely filed and for which there is written evidence of such agreement.

"(g) APPLICABILITY TO PENDING CASES.—This section shall apply to all cases and proceedings pending on the effective date of this section.

"§ 13712. Government traffic

"A carrier providing transportation or service for the United States Government may transport property or individuals for the United States Government without charge or at a rate reduced from the applicable commercial rate. Section 3709 of the Revised Statutes (41 U.S.C. 5) does not apply when transportation for the United States Government can be obtained from a carrier lawfully operating in the area where the transportation would be provided.

"§ 13713. Food and grocery transportation

"(a) CERTAIN COMPENSATION PROHIBITED.—Notwithstanding any other provision of law, it shall not be unlawful for a seller of food and grocery products using a uniform zone delivered pricing system to compensate a customer who picks up purchased food and grocery products at the shipping point of the seller if such compensation is available to all customers of the seller on a nondiscriminatory basis and does not exceed the actual cost to the seller of delivery to such customer.

"(b) SENSE OF CONGRESS.—It is the sense of the Congress that any savings accruing to a customer by reason of compensation permitted by subsection (a) of this section should be passed on to the ultimate consumer.

"CHAPTER 139—REGISTRATION

"Sec.
"13901. Requirement for registration.
"13902. Registration of motor carriers.
"13903. Registration of freight forwarders.
"13904. Registration of brokers.
"13905. Effective periods of registration.
"13906. Security of motor carriers, brokers, and freight forwarders.
"13907. Household goods agents.
"13908. Registration and other reforms.

"§ 13901. Requirement for registration

"A person may provide transportation or service subject to jurisdiction under subchapter I or III of chapter 135 or be a broker for transportation subject to jurisdiction under subchapter I of that chapter, only if the person is registered under this chapter to provide the transportation or service.

"§ 13902. Registration of motor carriers

"(a) MOTOR CARRIER GENERALLY.—

"(1) IN GENERAL.—Except as provided in this section, the Secretary shall register a person to provide transportation subject to jurisdiction under subchapter I of chapter 135 of this title as a motor carrier if the Secretary finds that the person is willing and able to comply with—

"(A) this part and the applicable regulations of the Secretary and the Board;

"(B) any safety regulations imposed by the Secretary and the safety fitness requirements established by the Secretary under section 31144; and

"(C) the minimum financial responsibility requirements established by the Secretary pursuant to sections 13906 and 31138.

"(2) CONSIDERATION OF EVIDENCE; FINDINGS.—The Secretary shall consider and, to the extent applicable, make findings on, any evidence demonstrating that the registrant is unable to comply with the requirements of subparagraph (A), (B), or (C) of paragraph (1).

"(3) WITHHOLDING.—If the Secretary determines that any registrant under this section does not meet the requirements of paragraph (1), the Secretary shall withhold registration.

"(4) LIMITATION ON COMPLAINTS.—The Secretary may hear a complaint from any person concerning a registration under this subsection only on the ground that the registrant fails or will fail to comply with this part, the applicable regulations of the Secretary and the Board, the safety regulations of the Secretary, or the safety fitness or minimum financial responsibility requirements of paragraph (1) of this subsection.

"(b) MOTOR CARRIERS OF PASSENGERS.—

"(1) REGISTRATION OF PRIVATE RECIPIENTS OF GOVERNMENTAL ASSISTANCE.—The Secretary shall register under subsection (a)(1) a private recipient of governmental assistance to provide special or charter transportation subject to jurisdiction under subchapter I of chapter 135 as a motor carrier of passengers if the Secretary finds that the recipient meets the requirements of subsection (a)(1), unless the Secretary finds, on the basis of evidence presented by any person objecting to the registration, that the transportation to be provided pursuant to the registration is not in the public interest.

"(2) REGISTRATION OF PUBLIC RECIPIENTS OF GOVERNMENTAL ASSISTANCE.—

"(A) CHARTER TRANSPORTATION.—The Secretary shall register under subsection (a)(1) a public recipient of governmental assistance to provide special or charter transportation subject to jurisdiction under subchapter I of chapter 135 as a motor carrier of passengers if the Secretary finds that—

"(i) the recipient meets the requirements of subsection (a)(1); and

"(ii)(I) no motor carrier of passengers (other than a motor carrier of passengers which is a public recipient of governmental assistance) is providing, or is willing to provide, the transportation; or

"(II) the transportation is to be provided entirely in the area in which the public recipient provides regularly scheduled mass transportation services.

"(B) REGULAR-ROUTE TRANSPORTATION.—The Secretary shall register under subsection (a)(1) a public recipient of governmental assistance to provide regular-route transportation subject to jurisdiction under subchapter I of chapter 135 as a motor carrier of passengers if the Secretary finds that the recipient meets the requirements of subsection (a)(1), unless the Secretary finds, on the basis of evidence presented by any person objecting to the registration, that the transportation to be provided pursuant to the registration is not in the public interest.

"(C) TREATMENT OF CERTAIN PUBLIC RECIPIENTS.—Any public recipient of governmental assistance which is providing or seeking to provide transportation of passengers subject to jurisdiction under subchapter I of chapter 135 shall, for purposes of this part, be treated as a person which is providing or seeking to provide transportation of passengers subject to such jurisdiction.

"(3) INTRASTATE TRANSPORTATION BY INTERSTATE CARRIERS.—A motor carrier of passengers that is registered by the Secretary under subsection (a) is authorized to provide regular-route transportation entirely in one State as a motor carrier of passengers if such intrastate transportation is to be provided on a route over which the carrier provides interstate transportation of passengers.

"(4) PREEMPTION OF STATE REGULATION REGARDING CERTAIN SERVICE.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard or other provision having the force and effect of law relating to the provision of pickup and delivery of express packages, newspapers, or mail in a commercial zone if the shipment has had or will have a prior or subsequent movement by bus in intrastate commerce and, if a city within the commercial zone, is served by a motor carrier of passengers providing regular-route transportation of passengers subject to jurisdiction under subchapter I of chapter 135.

"(5) JURISDICTION OVER CERTAIN INTRASTATE TRANSPORTATION.—Subject to section 14501(a), any intrastate transportation authorized by this subsection shall be treated as transportation subject to jurisdiction under subchapter I of chapter 135 until such time as the carrier takes such action as is necessary to establish under the laws of such State rates, rules, and practices applicable to such transportation, but in no case later than the 30th day following the date on which the motor carrier of passengers first begins providing transportation entirely in one State under this paragraph.

"(6) SPECIAL OPERATIONS.—This subsection shall not apply to any regular-route transportation of passengers provided entirely in one State which is in the nature of a special operation.

"(7) SUSPENSION OR REVOCATION.—Intrastate transportation authorized under this subsection may be suspended or revoked by the Secretary under section 13905 of this title at any time.

"(8) DEFINITIONS.—In this subsection, the following definitions apply:

"(A) PUBLIC RECIPIENT OF GOVERNMENTAL ASSISTANCE.—The term 'public recipient of governmental assistance' means—

"(i) any State,

"(ii) any municipality or other political subdivision of a State,

"(iii) any public agency or instrumentality of one or more States and municipalities and political subdivisions of a State,

"(iv) any Indian tribe,

"(v) any corporation, board, or other person owned or controlled by any entity described in clause (i), (ii), (iii), or (iv), and

which before, on, or after the effective date of this subsection received governmental assistance for the purchase or operation of any bus.

"(B) PRIVATE RECIPIENT OF GOVERNMENT ASSISTANCE.—The term 'private recipient of government assistance' means any person (other than a person described in subparagraph (A)) who before, on, or after the effective date of this paragraph received governmental financial assistance in the form of a subsidy for the purchase, lease, or operation of any bus.

"(c) RESTRICTIONS ON MOTOR CARRIERS DOMICILED IN OR OWNED OR CONTROLLED BY NATIONALS OF A CONTIGUOUS FOREIGN COUNTRY.—

"(1) PREVENTION OF DISCRIMINATORY PRACTICES.—If the President, or the delegate thereof, determines that an act, policy, or practice of a foreign country contiguous to the United States, or any political subdivision or any instrumentality of any such country is unreasonable or discriminatory and burdens or restricts United States transportation companies providing, or seeking to provide, motor carrier transportation to, from, or within such foreign country, the President or such delegate may—

"(A) seek elimination of such practices through consultations; or

"(B) notwithstanding any other provision of law, suspend, modify, amend, condition, or restrict operations, including geographical restriction of operations, in the United States by motor carriers of property or passengers domiciled in such foreign country or owned or controlled by persons of such foreign country.

"(2) EQUALIZATION OF TREATMENT.—Any action taken under paragraph (1)(A) to eliminate an act, policy, or practice shall be so devised so as to equal to the extent possible the burdens or restrictions imposed by such foreign country on United States transportation companies.

"(3) REMOVAL OR MODIFICATION.—The President, or the delegate thereof, may remove or modify in whole or in part any action taken under paragraph (1)(A) if the President or such delegate determines that such removal or modification is consistent with the obligations of the United States under a trade agreement or with United States transportation policy.

"(4) PROTECTION OF EXISTING OPERATIONS.—Unless and until the President, or the delegate thereof, makes a determination under paragraph (1) or (3), nothing in this subsection shall affect—

"(A) operations of motor carriers of property or passengers domiciled in any contiguous foreign country or owned or controlled by persons of any contiguous foreign country permitted in the commercial zones along the United States-Mexico border as such zones were defined on the day before the effective date of this section; or

"(B) any existing restrictions on operations of motor carriers of property or passengers domiciled in any contiguous foreign country or owned or controlled by persons of any contiguous foreign country or any modifications thereof pursuant to section 6 of the Bus Regulatory Reform Act of 1982.

"(5) PUBLICATION; COMMENT.—Unless the President, or the delegate thereof, determines that expeditious action is required, the President shall publish in the Federal Register any determination under paragraph (1) or (3), together with a description of the facts on which such a determination is based and any proposed action to be taken pursuant to paragraph (1)(B) or (3), and provide an opportunity for public comment. Federal Register, publication.

"(6) DELEGATION TO SECRETARY.—The President may delegate any or all authority under this subsection to the Secretary, who shall consult with other agencies as appropriate. In accordance with the directions of the President, the Secretary may issue regulations to enforce this subsection.

"(7) CIVIL ACTIONS.—Either the Secretary or the Attorney General may bring a civil action in an appropriate district court of the United States to enforce this subsection or a regulation prescribed or order issued under this subsection. The court may award appropriate relief, including injunctive relief.

"(8) LIMITATION ON STATUTORY CONSTRUCTION.—This subsection shall not be construed as affecting the requirement for all foreign motor carriers and foreign motor private carriers operating in the United States to comply with all applicable laws and regulations pertaining to fitness, safety of operations, financial responsibility, and taxes imposed by section 4481 of the Internal Revenue Code of 1986.

"(d) TRANSITION RULE.—

"(1) IN GENERAL.—Pending the implementation of the rulemaking required by section 13908, the Secretary may register a person under this section—

"(A) as a motor common carrier if such person would have been issued a certificate to provide transportation as a motor common carrier under this subtitle on the day before the effective date of this section; and

"(B) as a motor contract carrier if such person would have been issued a permit to provide transportation as a motor contract carrier under this subtitle on such day.

"(2) DEFINITIONS.—In this subsection, the terms 'motor common carrier' and 'motor contract carrier' have the meaning such terms had under section 10102 as such section was in effect on the day before the effective date of this section.

"(e) MOTOR CARRIER DEFINED.—In this section and sections 13905 and 13906, the term 'motor carrier' includes foreign motor private carriers.

"§ 13903. Registration of freight forwarders

"(a) IN GENERAL.—The Secretary shall register a person to provide service subject to jurisdiction under subchapter III of chapter 135 as a freight forwarder if the Secretary finds that the person is fit, willing, and able to provide the service and to comply with this part and applicable regulations of the Secretary and the Board.

"(b) REGISTRATION AS CARRIER REQUIRED.—The freight forwarder may provide transportation as the carrier itself only if the freight forwarder also has registered to provide transportation as a carrier under this chapter.

"§ 13904. Registration of brokers

"(a) IN GENERAL.—The Secretary shall register, subject to section 13906(b), a person to be a broker for transportation of property subject to jurisdiction under subchapter I of chapter 135, if the Secretary finds that the person is fit, willing, and able to be a broker for transportation and to comply with this part and applicable regulations of the Secretary.

"(b) REGISTRATION AS CARRIER REQUIRED.—

"(1) IN GENERAL.—The broker may provide the transportation itself only if the broker also has been registered to provide the transportation as a motor carrier under this chapter.

"(2) LIMITATION.—This subsection does not apply to a motor carrier registered under this chapter or to an employee or agent of the motor carrier to the extent the transportation is to be provided entirely by the motor carrier, with other registered motor carriers, or with rail or water carriers.

"(c) REGULATIONS TO PROTECT SHIPPERS.—Regulations of the Secretary applicable to brokers registered under this section shall provide for the protection of shippers by motor vehicle.

"(d) BOND AND INSURANCE.—The Secretary may impose on brokers for motor carriers of passengers such requirements for bonds or insurance or both as the Secretary determines are needed to protect passengers and carriers dealing with such brokers.

"§ 13905. Effective periods of registration

"(a) PERSON HOLDING ICC AUTHORITY.—Any person having authority to provide transportation or service as a motor carrier, freight forwarder, or broker under this title, as in effect on the day before the effective date of this section, shall be deemed, for purposes of this part, to be registered to provide such transportation or service under this part.

"(b) IN GENERAL.—Except as otherwise provided in this part, each registration issued under section 13902, 13903, or 13904 shall be effective from the date specified by the Secretary and shall remain in effect for such period as the Secretary determines appropriate by regulation.

"(c) SUSPENSION, AMENDMENTS, AND REVOCATIONS.—On application of the registrant, the Secretary may amend or revoke a registration. On complaint or on the Secretary's own initiative and after notice and an opportunity for a proceeding, the Secretary

may suspend, amend, or revoke any part of the registration of a motor carrier, broker, or freight forwarder for willful failure to comply with this part, an applicable regulation or order of the Secretary or of the Board, or a condition of its registration.

"(d) PROCEDURE.—Except on application of the registrant, the Secretary may revoke a registration of a motor carrier, freight forwarder, or broker, only after—

"(1) the Secretary has issued an order to the registrant under section 14701 requiring compliance with this part, a regulation of the Secretary, or a condition of the registration; and

"(2) the registrant willfully does not comply with the order for a period of 30 days.

"(e) EXPEDITED PROCEDURE.—

"(1) PROTECTION OF SAFETY.—Without regard to subchapter II of chapter 5 of title 5, the Secretary may suspend the registration of a motor carrier, a freight forwarder, or a broker for failure to comply with safety requirements of the Secretary or the safety fitness requirements pursuant to section 13904(c), 13906, or 31144, of this title, or an order or regulation of the Secretary prescribed under those sections.

"(2) IMMINENT HAZARD TO PUBLIC HEALTH.—Without regard to subchapter II of chapter 5 of title 5, the Secretary may suspend a registration of a motor carrier of passengers if the Secretary finds that such carrier has been conducting unsafe operations which are an imminent hazard to public health or property.

"(3) NOTICE; PERIOD OF SUSPENSION.—The Secretary may suspend under this subsection the registration only after giving notice of the suspension to the registrant. The suspension remains in effect until the registrant complies with those applicable sections or, in the case of a suspension under paragraph (2), until the Secretary revokes such suspension.

"§ 13906. Security of motor carriers, brokers, and freight forwarders

"(a) MOTOR CARRIER REQUIREMENTS.—

"(1) LIABILITY INSURANCE REQUIREMENT.—The Secretary may register a motor carrier under section 13902 only if the registrant files with the Secretary a bond, insurance policy, or other type of security approved by the Secretary, in an amount not less than such amount as the Secretary prescribes pursuant to, or as is required by, sections 31138 and 31139, and the laws of the State or States in which the registrant is operating, to the extent applicable. The security must be sufficient to pay, not more than the amount of the security, for each final judgment against the registrant for bodily injury to, or death of, an individual resulting from the negligent operation, maintenance, or use of motor vehicles, or for loss or damage to property (except property referred to in paragraph (3) of this subsection), or both. A registration remains in effect only as long as the registrant continues to satisfy the security requirements of this paragraph.

"(2) AGENCY REQUIREMENT.—A motor carrier shall comply with the requirements of sections 13303 and 13304. To protect the public, the Secretary may require any such motor carrier to file the type of security that a motor carrier is required

to file under paragraph (1) of this subsection. This paragraph only applies to a foreign motor private carrier and foreign motor carrier operating in the United States to the extent that such carrier is providing transportation between places in a foreign country or between a place in one foreign country and a place in another foreign country.

"(3) TRANSPORTATION INSURANCE.—The Secretary may require a registered motor carrier to file with the Secretary a type of security sufficient to pay a shipper or consignee for damage to property of the shipper or consignee placed in the possession of the motor carrier as the result of transportation provided under this part. A carrier required by law to pay a shipper or consignee for loss, damage, or default for which a connecting motor carrier is responsible is subrogated, to the extent of the amount paid, to the rights of the shipper or consignee under any such security.

"(b) BROKER REQUIREMENTS.—The Secretary may register a person as a broker under section 13904 only if the person files with the Secretary a bond, insurance policy, or other type of security approved by the Secretary to ensure that the transportation for which a broker arranges is provided. The registration remains in effect only as long as the broker continues to satisfy the security requirements of this subsection.

"(c) FREIGHT FORWARDER REQUIREMENTS.—

"(1) LIABILITY INSURANCE.—The Secretary may register a person as a freight forwarder under section 13903 of this title only if the person files with the Secretary a bond, insurance policy, or other type of security approved by the Secretary. The security must be sufficient to pay, not more than the amount of the security, for each final judgment against the freight forwarder for bodily injury to, or death of, an individual, or loss of, or damage to, property (other than property referred to in paragraph (2) of this subsection), resulting from the negligent operation, maintenance, or use of motor vehicles by or under the direction and control of the freight forwarder when providing transfer, collection, or delivery service under this part.

"(2) FREIGHT FORWARDER INSURANCE.—The Secretary may require a registered freight forwarder to file with the Secretary a bond, insurance policy, or other type of security approved by the Secretary sufficient to pay, not more than the amount of the security, for loss of, or damage to, property for which the freight forwarder provides service.

"(3) EFFECTIVE PERIOD.—The freight forwarder's registration remains in effect only as long as the freight forwarder continues to satisfy the security requirements of this subsection.

"(d) TYPE OF INSURANCE.—The Secretary may determine the type and amount of security filed under this section. A motor carrier may submit proof of qualifications as a self-insurer to satisfy the security requirements of this section. The Secretary shall adopt regulations governing the standards for approval as a self-insurer. Motor carriers which have been granted authority to self-insure as of the effective date of this section shall retain that authority unless, for good cause shown and after notice and an opportunity for a hearing, the Secretary finds that the authority must be revoked.

"(e) NOTICE OF CANCELLATION OF INSURANCE.—The Secretary shall issue regulations requiring the submission to the Secretary of notices of insurance cancellation sufficiently in advance of actual cancellation so as to enable the Secretary to promptly revoke the registration of any carrier or broker after the effective date of the cancellation. Regulations.

"(f) FORM OF ENDORSEMENT.—The Secretary shall also prescribe the appropriate form of endorsement to be appended to policies of insurance and surety bonds which will subject the insurance policy or surety bond to the full security limits of the coverage required under this section.

"§ 13907. Household goods agents

"(a) CARRIERS RESPONSIBLE FOR AGENTS.—Each motor carrier providing transportation of household goods shall be responsible for all acts or omissions of any of its agents which relate to the performance of household goods transportation services (including accessorial or terminal services) and which are within the actual or apparent authority of the agent from the carrier or which are ratified by the carrier.

"(b) STANDARD FOR SELECTING AGENTS.—Each motor carrier providing transportation of household goods shall use due diligence and reasonable care in selecting and maintaining agents who are sufficiently knowledgeable, fit, willing, and able to provide adequate household goods transportation services (including accessorial and terminal services) and to fulfill the obligations imposed upon them by this part and by such carrier.

"(c) ENFORCEMENT.—

"(1) COMPLAINT.—Whenever the Secretary has reason to believe from a complaint or investigation that an agent providing household goods transportation services (including accessorial and terminal services) under the authority of a motor carrier providing transportation of household goods has violated section 14901(e) or 14912 or is consistently not fit, willing, and able to provide adequate household goods transportation services (including accessorial and terminal services), the Secretary may issue to such agent a complaint stating the charges and containing notice of the time and place of a hearing which shall be held no later than 60 days after service of the complaint to such agent.

"(2) RIGHT TO DEFEND.—The agent shall have the right to appear at such hearing and rebut the charges contained in the complaint.

"(3) ORDER.—If the agent does not appear at the hearing or if the Secretary finds that the agent has violated section 14901(e) or 14912 or is consistently not fit, willing, and able to provide adequate household goods transportation services (including accessorial and terminal services), the Secretary may issue an order to compel compliance with the requirement that the agent be fit, willing, and able. Thereafter, the Secretary may issue an order to limit, condition, or prohibit such agent from any involvement in the transportation or provision of services incidental to the transportation of household goods if, after notice and an opportunity for a hearing, the Secretary finds that such agent, within a reasonable time after the date of issuance of a compliance order under this section, but in

no event less than 30 days after such date of issuance, has willfully failed to comply with such order.

"(4) HEARING.—Upon filing of a petition with the Secretary by an agent who is the subject of an order issued pursuant to the second sentence of paragraph (3) of this subsection and after notice, a hearing shall be held with an opportunity to be heard. At such hearing, a determination shall be made whether the order issued pursuant to paragraph (3) of this subsection should be rescinded.

"(5) COURT REVIEW.—Any agent adversely affected or aggrieved by an order of the Secretary issued under this subsection may seek relief in the appropriate United States court of appeals as provided by and in the manner prescribed in chapter 158 of title 28, United States Code.

"(d) LIMITATION ON APPLICABILITY OF ANTITRUST LAWS.—

"(1) IN GENERAL.—The antitrust laws, as defined in the first section of the Clayton Act (15 U.S.C. 12), do not apply to discussions or agreements between a motor carrier providing transportation of household goods and its agents (whether or not an agent is also a carrier) related solely to—

"(A) rates for the transportation of household goods under the authority of the principal carrier;

"(B) accessorial, terminal, storage, or other charges for services incidental to the transportation of household goods transported under the authority of the principal carrier;

"(C) allowances relating to transportation of household goods under the authority of the principal carrier; and

"(D) ownership of a motor carrier providing transportation of household goods by an agent or membership on the board of directors of any such motor carrier by an agent.

"(2) BOARD REVIEW.—The Board, upon its own initiative or request, shall review any activities undertaken under paragraph (1) and shall modify or terminate the activity if necessary to protect the public interest.

"(e) DEFINITIONS.—In this section, the following definitions apply:

"(1) HOUSEHOLD GOODS.—The term 'household goods' has the meaning such term had under section 10102(11) of this title, as in effect on the day before the effective date of this section.

"(2) TRANSPORTATION.—The term 'transportation' means transportation that would be subject to the jurisdiction of the Interstate Commerce Commission under subchapter II of chapter 105 of this title, as in effect on the day before such effective date, if such subchapter were still in effect.

"§ 13908. Registration and other reforms

"(a) REGULATIONS REPLACING CERTAIN PROGRAMS.—The Secretary, in cooperation with the States, and after notice and opportunity for public comment, shall issue regulations to replace the current Department of Transportation identification number system, the single State registration system under section 14504, the registration system contained in this chapter, and the financial responsibility information system under section 13906 with a single, on-line, Federal system. The new system shall serve as a clearing-

house and depository of information on and identification of all foreign and domestic motor carriers, brokers, and freight forwarders, and others required to register with the Department as well as information on safety fitness and compliance with required levels of financial responsibility. In issuing the regulations, the Secretary shall consider whether or not to integrate the requirements of section 13304 into the new system and may integrate such requirements into the new system.

"(b) FACTORS TO BE CONSIDERED.—In conducting the rulemaking under subsection (a), the Secretary shall, at a minimum, consider the following factors:

"(1) Funding for State enforcement of motor carrier safety regulations.

"(2) Whether the existing single State registration system is duplicative and burdensome.

"(3) The justification and need for collecting the statutory fee for such system under section 14504(c)(2)(B)(iv).

"(4) The public safety.

"(5) The efficient delivery of transportation services.

"(6) How, and under what conditions, to extend the registration system to motor private carriers and to carriers exempt under sections 13502, 13503, and 13506.

"(c) FEE SYSTEM.—The Secretary may establish, under section 9701 of title 31, a fee system for registration and filing evidence of financial responsibility under the new system under subsection (a). Fees collected under the fee system shall cover the costs of operating and upgrading the registration system, including all personnel costs associated with the system. Fees collected under this subsection may be credited to the Department of Transportation appropriations account for purposes for which such fees are collected, and shall be available for expenditure until expended.

"(d) STATE REGISTRATION PROGRAMS.—If the Secretary determines that no State should require insurance filings or collect fees for such filings (including filings and fees authorized under section 14504), the Secretary may prevent any State or political subdivision thereof, or any political authority of 2 or more States, from imposing any insurance filing requirements or fees that are for the same purposes as filings or fees the Secretary requires under the new system under subsection (a). The Secretary may not take any action pursuant to this subsection unless—

"(1) fees that will be collected by the Secretary under subsection (c) and distributed in each fiscal year to the States will provide each State with at least as much revenue as that State received in fiscal year 1995 under section 11506, as in effect on the day before the effective date of this section; and

"(2) all States will receive from the distribution of such fees a minimum apportionment.

"(e) DEADLINE FOR CONCLUSION; MODIFICATIONS.—Not later than 24 months after the effective date of this section, the Secretary—

"(1) shall conclude the rulemaking under this section;

"(2) may implement such changes under this section as the Secretary considers appropriate and in the public interest; and

"(3) shall transmit to Congress a report on any findings of the rulemaking and the changes being implemented under Reports.

this section, together with such recommendations for legislative language necessary to conform this part to such changes.

"CHAPTER 141—OPERATIONS OF CARRIERS

"SUBCHAPTER I—GENERAL REQUIREMENTS

"Sec.
"14101. Providing transportation and service.
"14102. Leased motor vehicles.
"14103. Loading and unloading motor vehicles.
"14104. Household goods carrier operations.

"SUBCHAPTER II—REPORTS AND RECORDS

"14121. Definitions.
"14122. Records: form; inspection; preservation.
"14123. Financial reporting.

"SUBCHAPTER I—GENERAL REQUIREMENTS

"§ 14101. Providing transportation and service

"(a) ON REASONABLE REQUEST.—A carrier providing transportation or service subject to jurisdiction under chapter 135 shall provide the transportation or service on reasonable request. In addition, a motor carrier shall provide safe and adequate service, equipment, and facilities.

"(b) CONTRACTS WITH SHIPPERS.—

"(1) IN GENERAL.—A carrier providing transportation or service subject to jurisdiction under chapter 135 may enter into a contract with a shipper, other than for the movement of household goods described in section 13102(10)(A), to provide specified services under specified rates and conditions. If the shipper and carrier, in writing, expressly waive any or all rights and remedies under this part for the transportation covered by the contract, the transportation provided under the contract shall not be subject to the waived rights and remedies and may not be subsequently challenged on the ground that it violates the waived rights and remedies. The parties may not waive the provisions governing registration, insurance, or safety fitness.

"(2) REMEDY FOR BREACH OF CONTRACT.—The exclusive remedy for any alleged breach of a contract entered into under this subsection shall be an action in an appropriate State court or United States district court, unless the parties otherwise agree.

"§ 14102. Leased motor vehicles

"(a) GENERAL AUTHORITY OF SECRETARY.—The Secretary may require a motor carrier providing transportation subject to jurisdiction under subchapter I of chapter 135 that uses motor vehicles not owned by it to transport property under an arrangement with another party to—

"(1) make the arrangement in writing signed by the parties specifying its duration and the compensation to be paid by the motor carrier;

"(2) carry a copy of the arrangement in each motor vehicle to which it applies during the period the arrangement is in effect;

"(3) inspect the motor vehicles and obtain liability and cargo insurance on them; and

"(4) have control of and be responsible for operating those motor vehicles in compliance with requirements prescribed by the Secretary on safety of operations and equipment, and with other applicable law as if the motor vehicles were owned by the motor carrier.

"(b) RESPONSIBLE PARTY FOR LOADING AND UNLOADING.—The Secretary shall require, by regulation, that any arrangement, between a motor carrier of property providing transportation subject to jurisdiction under subchapter I of chapter 135 and any other person, under which such other person is to provide any portion of such transportation by a motor vehicle not owned by the carrier shall specify, in writing, who is responsible for loading and unloading the property onto and from the motor vehicle. Regulations.

"§ 14103. Loading and unloading motor vehicles

"(a) SHIPPER RESPONSIBLE FOR ASSISTING.—Whenever a shipper or receiver of property requires that any person who owns or operates a motor vehicle transporting property in interstate commerce (whether or not such transportation is subject to jurisdiction under subchapter I of chapter 135) be assisted in the loading or unloading of such vehicle, the shipper or receiver shall be responsible for providing such assistance or shall compensate the owner or operator for all costs associated with securing and compensating the person or persons providing such assistance.

"(b) COERCION PROHIBITED.—It shall be unlawful to coerce or attempt to coerce any person providing transportation of property by motor vehicle for compensation in interstate commerce (whether or not such transportation is subject to jurisdiction under subchapter I of chapter 135) to load or unload any part of such property onto or from such vehicle or to employ or pay one or more persons to load or unload any part of such property onto or from such vehicle; except that this subsection shall not be construed as making unlawful any activity which is not unlawful under the National Labor Relations Act or the Act of March 23, 1932 (47 Stat. 70; 29 U.S.C. 101 et seq.), commonly known as the Norris-LaGuardia Act.

"§ 14104. Household goods carrier operations

"(a) GENERAL REGULATORY AUTHORITY.—

"(1) PAPERWORK MINIMIZATION.—The Secretary may issue regulations, including regulations protecting individual shippers, in order to carry out this part with respect to the transportation of household goods by motor carriers subject to jurisdiction under subchapter I of chapter 135. The regulations and paperwork required of motor carriers providing transportation of household goods shall be minimized to the maximum extent feasible consistent with the protection of individual shippers.

"(2) PERFORMANCE STANDARDS.—

"(A) IN GENERAL.—Regulations of the Secretary protecting individual shippers shall include, where appropriate, reasonable performance standards for the transportation of household goods subject to jurisdiction under subchapter I of chapter 135.

"(B) FACTORS TO CONSIDER.—In establishing performance standards under this paragraph, the Secretary shall take into account at least the following—

"(i) the level of performance that can be achieved by a well-managed motor carrier transporting household goods;

"(ii) the degree of harm to individual shippers which could result from a violation of the regulation;

"(iii) the need to set the level of performance at a level sufficient to deter abuses which result in harm to consumers and violations of regulations;

"(iv) service requirements of the carriers;

"(v) the cost of compliance in relation to the consumer benefits to be achieved from such compliance; and

"(vi) the need to set the level of performance at a level designed to encourage carriers to offer service responsive to shipper needs.

"(3) LIMITATIONS ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the Secretary's authority to require reports from motor carriers providing transportation of household goods or to require such carriers to provide specified information to consumers concerning their past performance.

"(b) ESTIMATES.—

"(1) AUTHORITY TO PROVIDE WITHOUT COMPENSATION.—Every motor carrier providing transportation of household goods subject to jurisdiction under subchapter I of chapter 135, upon request of a prospective shipper, may provide the shipper with an estimate of charges for transportation of household goods and for the proposed services. The Secretary shall not prohibit any such carrier from charging a prospective shipper for providing a written, binding estimate for the transportation and proposed services.

"(2) APPLICABILITY OF ANTITRUST LAWS.—Any charge for an estimate of charges provided by a motor carrier to a shipper for transportation of household goods subject to jurisdiction under subchapter I of chapter 135 shall be subject to the antitrust laws, as defined in the first section of the Clayton Act (15 U.S.C. 12).

Regulations.

"(c) FLEXIBILITY IN WEIGHING SHIPMENTS.—The Secretary shall issue regulations that provide motor carriers providing transportation of household goods subject to jurisdiction under subchapter I of chapter 135 with the maximum possible flexibility in weighing shipments, consistent with assurance to the shipper of accurate weighing practices. The Secretary shall not prohibit such carriers from backweighing shipments or from basing their charges on the reweigh weights if the shipper observes both the tare and gross weighings (or, prior to such weighings, waives in writing the opportunity to observe such weighings) and such weighings are performed on the same scale.

"SUBCHAPTER II—REPORTS AND RECORDS

"§ 14121. Definitions

"In this subchapter, the following definitions apply:

"(1) CARRIER AND BROKER.—The terms 'carrier' and 'broker' include a receiver or trustee of a carrier and broker, respectively.

"(2) ASSOCIATION.—The term 'association' means an organization maintained by or in the interest of a group of carriers or brokers providing transportation or service subject to jurisdiction under chapter 135 that performs a service, or engages in activities, related to transportation under this part.

"§ 14122. Records: form; inspection; preservation

"(a) FORM OF RECORDS.—The Secretary or the Board, as applicable, may prescribe the form of records required to be prepared or compiled under this subchapter by carriers and brokers, including records related to movement of traffic and receipts and expenditures of money.

"(b) RIGHT OF INSPECTION.—The Secretary or Board, or an employee designated by the Secretary or Board, may on demand and display of proper credentials—

"(1) inspect and examine the lands, buildings, and equipment of a carrier or broker; and

"(2) inspect and copy any record of—

"(A) a carrier, broker, or association; and

"(B) a person controlling, controlled by, or under common control with a carrier if the Secretary or Board, as applicable, considers inspection relevant to that person's relation to, or transaction with, that carrier.

"(c) PERIOD FOR PRESERVATION OF RECORDS.—The Secretary or Board, as applicable, may prescribe the time period during which operating, accounting, and financial records must be preserved by carriers and brokers.

"§ 14123. Financial reporting

"(a) REPORTS.—

"(1) ANNUAL REPORTS.—The Secretary shall require Class I and Class II motor carriers to file with the Secretary annual financial and safety reports, the form and substance of which shall be prescribed by the Secretary; except that, at a minimum, such reports shall include balance sheets and income statements.

"(2) OTHER REPORTS.—The Secretary may require motor carriers, freight forwarders, brokers, lessors, and associations, or classes of them as the Secretary may prescribe, to file quarterly, periodic, or special reports with the Secretary and to respond to surveys concerning their operations.

"(b) MATTERS TO BE COVERED.—In determining the matters to be covered by any reports to be filed under subsection (a), the Secretary shall consider—

"(1) safety needs;

"(2) the need to preserve confidential business information and trade secrets and prevent competitive harm;

"(3) private sector, academic, and public use of information in the reports; and

"(4) the public interest.

"(c) EXEMPTIONS.—

"(1) FROM FILING.—The Secretary may exempt upon good cause shown any party from the financial reporting requirements of subsection (a). Any request for such exemption must demonstrate, at a minimum, that an exemption is required to avoid competitive harm and preserve confidential business information that is not otherwise publicly available.

"(2) FROM PUBLIC RELEASE.—

"(A) IN GENERAL.—The Secretary shall allow, upon request, a filer of a report under subsection (a) that is not a publicly held corporation or that is not subject to financial reporting requirements of the Securities and Exchange Commission, an exemption from the public release of such report.

"(B) PROCEDURE.—After a request under subparagraph (A) and notice and opportunity for comment but no event later than 90 days after the date of such request, the Secretary shall approve such request if the Secretary finds that the exemption requested is necessary to avoid competitive harm and to avoid the disclosure of information that qualifies as a trade secret or privileged or confidential information under section 552(b)(4) of title 5.

"(C) USE OF DATA FOR INTERNAL DOT PURPOSES.—If an exemption is granted under this paragraph, nothing shall prevent the Secretary from using data from reports filed under this subsection for internal purposes of the Department of Transportation or including such data in aggregate industry statistics released for publication if such inclusion would not render the filer's data readily identifiable.

"(D) PENDING REQUESTS.—The Secretary shall not release publicly the report of a carrier making a request under subparagraph (A) while such request is pending.

"(3) PERIOD OF EXEMPTIONS.—Exemptions granted under this subsection shall be for 3-year periods.

"(d) STREAMLINING AND SIMPLIFICATION.—The Secretary shall streamline and simplify, to the maximum extent practicable, any reporting requirements the Secretary imposes under this section.

"CHAPTER 143—FINANCE

"Sec.
"14301. Security interests in certain motor vehicles.
"14302. Pooling and division of transportation or earnings.
"14303. Consolidation, merger, and acquisition of control of motor carriers of passengers.

"§ 14301. Security interests in certain motor vehicles

"(a) DEFINITIONS.—In this section, the following definitions apply:

"(1) MOTOR VEHICLE.—The term 'motor vehicle' means a truck of rated capacity (gross vehicle weight) of at least 10,000 pounds, a highway tractor of rated capacity (gross combination weight) of at least 10,000 pounds, a property-carrying trailer or semitrailer with at least one load-carrying axle of at least 10,000 pounds, or a motor bus with a seating capacity of at least 10 individuals.

"(2) LIEN CREDITOR.—The term 'lien creditor' means a creditor having a lien on a motor vehicle and includes an assignee for benefit of creditors from the date of assignment, a trustee in a case under title 11 from the date of filing of the petition in that case, and a receiver in equity from the date of appointment of the receiver.

"(3) SECURITY INTEREST.—The term 'security interest' means an interest (including an interest established by a condi-

tional sales contract, mortgage, equipment trust, or other lien or title retention contract, or lease) in a motor vehicle when the interest secures payment or performance of an obligation.

"(4) PERFECTION.—The term 'perfection', as related to a security interest, means taking action (including public filing, recording, notation on a certificate of title, and possession of collateral by the secured party), or the existence of facts, required under law to make a security interest enforceable against general creditors and subsequent lien creditors of a debtor, but does not include compliance with requirements related only to the establishment of a valid security interest between the debtor and the secured party.

"(b) REQUIREMENTS FOR PERFECTION OF SECURITY INTEREST.—A security interest in a motor vehicle owned by, or in the possession and use of, a carrier registered under section 13902 of this title and owing payment or performance of an obligation secured by that security interest is perfected in all jurisdictions against all general, and subsequent lien, creditors of, and all persons taking a motor vehicle by sale (or taking or retaining a security interest in a motor vehicle) from, that carrier when—

"(1) a certificate of title is issued for a motor vehicle under a law of a jurisdiction that requires or permits indication, on a certificate or title, of a security interest in the motor vehicle if the security interest is indicated on the certificate;

"(2) a certificate of title has not been issued and the law of the State where the principal place of business of that carrier is located requires or permits public filing or recording of, or in relation to, that security interest if there has been such a public filing or recording; and

"(3) a certificate of title has not been issued and the security interest cannot be perfected under paragraph (2) of this subsection, if the security interest has been perfected under the law (including the conflict of laws rules) of the State where the principal place of business of that carrier is located.

"§ 14302. Pooling and division of transportation or earnings

"(a) APPROVAL REQUIRED.—A carrier providing transportation subject to jurisdiction under subchapter I of chapter 135 may not agree or combine with another such carrier to pool or divide traffic or services or any part of their earnings without the approval of the Board under this section.

"(b) STANDARDS FOR APPROVAL.—The Board may approve and authorize an agreement or combination between or among motor carriers of passengers, or between a motor carrier of passengers and a rail carrier of passengers if the carriers involved assent to the pooling or division and the Board finds that a pooling or division of traffic, services, or earnings—

"(1) will be in the interest of better service to the public or of economy of operation; and

"(2) will not unreasonably restrain competition.

"(c) PROCEDURE.—

"(1) APPLICATION.—Any motor carrier of property may apply to the Board for approval of an agreement or combination with another such carrier to pool or divide traffic or any services or any part of their earnings by filing such agreement or combination with the Board not less than 50 days before its effective date.

"(2) DETERMINATION OF IMPORTANCE AND RESTRAINT ON COMPETITION.—Prior to the effective date of the agreement or combination, the Board shall determine whether the agreement or combination is of major transportation importance and whether there is substantial likelihood that the agreement or combination will unduly restrain competition. If the Board determines that neither of these 2 factors exists, it shall, prior to such effective date and without a hearing, approve and authorize the agreement or combination, under such rules and regulations as the Board may issue, and for such consideration between such carriers and upon such terms and conditions as shall be found by the Board to be just and reasonable.

"(3) HEARING.—If the Board determines either that the agreement or combination is of major transportation importance or that there is substantial likelihood that the agreement or combination will unduly restrain competition, the Board shall hold a hearing concerning whether the agreement or combination will be in the interest of better service to the public or of economy in operation and whether it will unduly restrain competition and shall suspend operation of such agreement or combination pending such hearing and final decision thereon. After such hearing, the Board shall indicate to what extent it finds that the agreement or combination will be in the interest of better service to the public or of economy in operation and will not unduly restrain competition and if assented to by all the carriers involved, shall to that extent, approve and authorize the agreement or combination, under such rules and regulations as the Board may issue, and for such consideration between such carriers and upon such terms and conditions as shall be found by the Board to be just and reasonable.

"(4) SPECIAL RULES FOR HOUSEHOLD GOODS CARRIERS.—In the case of an application for Board approval of an agreement or combination between a motor carrier providing transportation of household goods and its agents to pool or divide traffic or services or any part of their earnings, such agreement or combination shall be presumed to be in the interest of better service to the public and of economy in operation and not to restrain competition unduly if the practices proposed to be carried out under such agreement or combination are the same as or similar to practices carried out under agreements and combinations between motor carriers providing transportation of household goods to pool or divide traffic or service of any part of their earnings approved by the Interstate Commerce Commission before the effective date of this section.

"(5) STREAMLINING AND SIMPLIFYING.—The Board shall streamline, simplify, and expedite, to the maximum extent practicable, the process (including any paperwork) for submission and approval of applications under this section for agreements and combinations between motor carriers providing transportation of household goods and their agents.

"(d) CONDITIONS.—The Board may impose conditions governing the pooling or division and may approve and authorize payment of a reasonable consideration between the carriers.

"(e) INITIATION OF PROCEEDING.—The Board may begin a proceeding under this section on its own initiative or on application.

"(f) EFFECT OF APPROVAL.—A carrier may participate in an arrangement approved by or exempted by the Board under this

section without the approval of any other Federal, State, or municipal body. A carrier participating in an approved or exempted arrangement is exempt from the antitrust laws and from all other law, including State and municipal law, as necessary to let that person carry out the arrangement.

"(g) CONTINUATION OF EXISTING AGREEMENTS.—Any agreements in operation under the provisions of this title on the effective date of this section that are succeeded by this section shall remain in effect until further order of the Board.

"(h) DEFINITIONS.—In this section, the following definitions apply:

"(1) HOUSEHOLD GOODS.—The term 'household goods' has the meaning such term had under section 10102(11) of this title, as in effect on the day before the effective date of this section.

"(2) TRANSPORTATION.—The term 'transportation' means transportation that would be subject to the jurisdiction of the Interstate Commerce Commission under subchapter II of chapter 105 of this title, as in effect on the day before such effective date, if such subchapter were still in effect.

"§ 14303. Consolidation, merger, and acquisition of control of motor carriers of passengers

"(a) APPROVAL REQUIRED.—The following transactions involving motor carriers of passengers subject to jurisdiction under subchapter I of chapter 135 may be carried out only with the approval of the Board:

"(1) Consolidation or merger of the properties or franchises of at least 2 carriers into one operation for the ownership, management, and operation of the previously separately owned properties.

"(2) A purchase, lease, or contract to operate property of another carrier by any number of carriers.

"(3) Acquisition of control of a carrier by any number of carriers.

"(4) Acquisition of control of at least 2 carriers by a person that is not a carrier.

"(5) Acquisition of control of a carrier by a person that is not a carrier but that controls any number of carriers.

"(b) STANDARD FOR APPROVAL.—The Board shall approve and authorize a transaction under this section when it finds the transaction is consistent with the public interest. The Board shall consider at least the following:

"(1) The effect of the proposed transaction on the adequacy of transportation to the public.

"(2) The total fixed charges that result from the proposed transaction.

"(3) The interest of carrier employees affected by the proposed transaction.

The Board may impose conditions governing the transaction.

"(c) DETERMINATION OF COMPLETENESS OF APPLICATION.—Within 30 days after the date on which an application is filed under this section, the Board shall either publish a notice of the application in the Federal Register or reject the application if it is incomplete.

Federal Register, publication.

"(d) COMMENTS.—Written comments about an application may be filed with the Board within 45 days after the date on which notice of the application is published under subsection (c).

"(e) DEADLINES.—The Board shall conclude evidentiary proceedings by the 240th day after the date on which notice of the application is published under subsection (c). The Board shall issue a final decision by the 180th day after the conclusion of the evidentiary proceedings. The Board may extend a time period under this subsection; except that the total of all such extensions with respect to any application shall not exceed 90 days.

"(f) EFFECT OF APPROVAL.—A carrier or corporation participating in or resulting from a transaction approved by the Board under this section, or exempted by the Board from the application of this section pursuant to section 13541, may carry out the transaction, own and operate property, and exercise control or franchises acquired through the transaction without the approval of a State authority. A carrier, corporation, or person participating in the approved or exempted transaction is exempt from the antitrust laws and from all other law, including State and municipal law, as necessary to let that person carry out the transaction, hold, maintain, and operate property, and exercise control or franchises acquired through the transaction.

"(g) LIMITATION ON APPLICABILITY.—This section shall not apply to transactions involving carriers whose aggregate gross operating revenues were not more than $2,000,000 during a period of 12 consecutive months ending not more than 6 months before the date of the agreement of the parties.

"(h) APPLICABILITY OF CERTAIN PROVISIONS.—When the Board approves and authorizes a transaction under this section in which a person not a carrier providing transportation subject to jurisdiction under subchapter I of chapter 135 acquires control of at least 1 carrier subject to such jurisdiction, the person is subject, as a carrier, to the following provisions of this title that apply to the carrier being acquired by that person, to the extent specified by the Board: sections 504(f), 14121–14123, 14901(a), and 14907.

"(i) INTERIM APPROVAL.—Pending determination of an application filed under this section, the Board may approve, for a period of not more than 180 days, the operation of the properties sought to be acquired by the person proposing in the application to acquire those properties, when it appears that failure to do so may result in destruction of or injury to those properties or substantially interfere with their future usefulness in providing adequate and continuous service to the public. Transportation provided by a motor carrier under a grant of approval under this subsection is subject to this part.

"(j) SUPPLEMENTAL ORDERS.—When cause exists, the Board may issue appropriate orders supplemental to an order made in a proceeding under this section.

"CHAPTER 145—FEDERAL-STATE RELATIONS

"Sec.

"14501. Federal authority over intrastate transportation.
"14502. Tax discrimination against motor carrier transportation property.
"14503. Withholding State and local income tax by certain carriers.
"14504. Registration of motor carriers by a State.
"14505. State tax.

"§ 14501. Federal authority over intrastate transportation

"(a) MOTOR CARRIERS OF PASSENGERS.—No State or political subdivision thereof and no interstate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to scheduling of interstate or intrastate transportation (including discontinuance or reduction in the level of service) provided by motor carrier of passengers subject to jurisdiction under subchapter I of chapter 135 of this title on an interstate route or relating to the implementation of any change in the rates for such transportation or for any charter transportation except to the extent that notice, not in excess of 30 days, of changes in schedules may be required. This subsection shall not apply to intrastate commuter bus operations.

"(b) FREIGHT FORWARDERS AND BROKERS.—

"(1) GENERAL RULE.—Subject to paragraph (2) of this subsection, no State or political subdivision thereof and no intrastate agency or other political agency of 2 or more States shall enact or enforce any law, rule, regulation, standard, or other provision having the force and effect of law relating to intrastate rates, intrastate routes, or intrastate services of any freight forwarder or broker.

"(2) CONTINUATION OF HAWAII'S AUTHORITY.—Nothing in this subsection and the amendments made by the Surface Freight Forwarder Deregulation Act of 1986 shall be construed to affect the authority of the State of Hawaii to continue to regulate a motor carrier operating within the State of Hawaii.

"(c) MOTOR CARRIERS OF PROPERTY.—

"(1) GENERAL RULE.—Except as provided in paragraphs (2) and (3), a State, political subdivision of a State, or political authority of 2 or more States may not enact or enforce a law, regulation, or other provision having the force and effect of law related to a price, route, or service of any motor carrier (other than a carrier affiliated with a direct air carrier covered by section 41713(b)(4)) or any motor private carrier, broker, or freight forwarder with respect to the transportation of property.

"(2) MATTERS NOT COVERED.—Paragraph (1)—

"(A) shall not restrict the safety regulatory authority of a State with respect to motor vehicles, the authority of a State to impose highway route controls or limitations based on the size or weight of the motor vehicle or the hazardous nature of the cargo, or the authority of a State to regulate motor carriers with regard to minimum amounts of financial responsibility relating to insurance requirements and self-insurance authorization;

"(B) does not apply to the transportation of household goods; and

"(C) does not apply to the authority of a State or a political subdivision of a State to enact or enforce a law, regulation, or other provision relating to the price of for-hire motor vehicle transportation by a tow truck, if such transportation is performed without the prior consent or authorization of the owner or operator of the motor vehicle.

"(3) STATE STANDARD TRANSPORTATION PRACTICES.—

"(A) CONTINUATION.—Paragraph (1) shall not affect any authority of a State, political subdivision of a State, or political authority of 2 or more States to enact or enforce a law, regulation, or other provision, with respect to the intrastate transportation of property by motor carriers, related to—

"(i) uniform cargo liability rules,

"(ii) uniform bills of lading or receipts for property being transported,

"(iii) uniform cargo credit rules,

"(iv) antitrust immunity for joint line rates or routes, classifications, mileage guides, and pooling, or

"(v) antitrust immunity for agent-van line operations (as set forth in section 13907),

if such law, regulation, or provision meets the requirements of subparagraph (B).

"(B) REQUIREMENTS.—A law, regulation, or provision of a State, political subdivision, or political authority meets the requirements of this subparagraph if—

"(i) the law, regulation, or provision covers the same subject matter as, and compliance with such law, regulation, or provision is no more burdensome than compliance with, a provision of this part or a regulation issued by the Secretary or the Board under this part; and

"(ii) the law, regulation, or provision only applies to a carrier upon request of such carrier.

"(C) ELECTION.—Notwithstanding any other provision of law, a carrier affiliated with a direct air carrier through common controlling ownership may elect to be subject to a law, regulation, or provision of a State, political subdivision, or political authority under this paragraph.

"(4) NONAPPLICABILITY TO HAWAII.—This subsection shall not apply with respect to the State of Hawaii.

"§ 14502. Tax discrimination against motor carrier transportation property

"(a) DEFINITIONS.—In this section, the following definitions apply:

"(1) ASSESSMENT.—The term 'assessment' means valuation for a property tax levied by a taxing district.

"(2) ASSESSMENT JURISDICTION.—The term 'assessment jurisdiction' means a geographical area in a State used in determining the assessed value of property for ad valorem taxation.

"(3) MOTOR CARRIER TRANSPORTATION PROPERTY.—The term 'motor carrier transportation property' means property, as defined by the Secretary, owned or used by a motor carrier providing transportation in interstate commerce whether or not such transportation is subject to jurisdiction under subchapter I of chapter 135.

"(4) COMMERCIAL AND INDUSTRIAL PROPERTY.—The term 'commercial and industrial property' means property, other than transportation property and land used primarily for agricultural purposes or timber growing, devoted to a commercial or industrial use, and subject to a property tax levy.

"(b) ACTS BURDENING INTERSTATE COMMERCE.—The following acts unreasonably burden and discriminate against interstate commerce and a State, subdivision of a State, or authority acting for a State or subdivision of a State may not do any of them:

"(1) EXCESSIVE VALUATION OF PROPERTY.—Assess motor carrier transportation property at a value that has a higher ratio to the true market value of the motor carrier transportation property than the ratio that the assessed value of other commercial and industrial property in the same assessment jurisdiction has to the true market value of the other commercial and industrial property.

"(2) TAX ON ASSESSMENT.—Levy or collect a tax on an assessment that may not be made under paragraph (1).

"(3) AD VALOREM TAX.—Levy or collect an ad valorem property tax on motor carrier transportation property at a tax rate that exceeds the tax rate applicable to commercial and industrial property in the same assessment jurisdiction.

"(c) JURISDICTION.—

"(1) IN GENERAL.—Notwithstanding section 1341 of title 28 and without regard to the amount in controversy or citizenship of the parties, a district court of the United States has jurisdiction, concurrent with other jurisdiction of courts of the United States and the States, to prevent a violation of subsection (b) of this section.

"(2) LIMITATION IN RELIEF.—Relief may be granted under this subsection only if the ratio of assessed value to true market value of motor carrier transportation property exceeds, by at least 5 percent, the ratio of assessed value to true market value of other commercial and industrial property in the same assessment jurisdiction.

"(3) BURDEN OF PROOF.—The burden of proof in determining assessed value and true market value is governed by State law.

"(4) VIOLATION.—If the ratio of the assessed value of other commercial and industrial property in the assessment jurisdiction to the true market value of all other commercial and industrial property cannot be determined to the satisfaction of the district court through the random-sampling method known as a sales assessment ratio study (to be carried out under statistical principles applicable to such a study), the court shall find, as a violation of this section—

"(A) an assessment of the motor carrier transportation property at a value that has a higher ratio to the true market value of the motor carrier transportation property than the assessment value of all other property subject to a property tax levy in the assessment jurisdiction has to the true market value of all such other property; and

"(B) the collection of ad valorem property tax on the motor carrier transportation property at a tax rate that exceeds the tax ratio rate applicable to taxable property in the taxing district.

"§ 14503. Withholding State and local income tax by certain carriers

"(a) SINGLE STATE TAX WITHHOLDING.—

"(1) IN GENERAL.—No part of the compensation paid by a motor carrier providing transportation subject to jurisdiction

under subchapter I of chapter 135 or by a motor private carrier to an employee who performs regularly assigned duties in 2 or more States as such an employee with respect to a motor vehicle shall be subject to the income tax laws of any State or subdivision of that State, other than the State or subdivision thereof of the employee's residence.

"(2) EMPLOYEE DEFINED.—In this subsection, the term 'employee' has the meaning given such term in section 31132.

"(b) SPECIAL RULES.—

"(1) CALCULATION OF EARNINGS.—In this subsection, an employee is deemed to have earned more than 50 percent of pay in a State or subdivision of that State in which the time worked by the employee in the State or subdivision is more than 50 percent of the total time worked by the employee while employed during the calendar year.

"(2) WATER CARRIERS.—A water carrier providing transportation subject to jurisdiction under subchapter II of chapter 135 shall file income tax information returns and other reports only with—

"(A) the State and subdivision of residence of the employee (as shown on the employment records of the carrier); and

"(B) the State and subdivision in which the employee earned more than 50 percent of the pay received by the employee from the carrier during the preceding calendar year.

"(3) APPLICABILITY TO SAILORS.—This subsection applies to pay of a master, officer, or sailor who is a member of the crew on a vessel engaged in foreign, coastwise, intercoastal, or noncontiguous trade or in the fisheries of the United States.

Reports.

"(c) FILING OF INFORMATION.—A motor and motor private carrier withholding pay from an employee under subsection (a) of this section shall file income tax information returns and other reports only with the State and subdivision of residence of the employee.

"§ 14504. Registration of motor carriers by a State

"(a) DEFINITIONS.—In this section, the terms 'standards' and 'amendments to standards' mean the specification of forms and procedures required by regulations of the Secretary to prove the lawfulness of transportation by motor carrier referred to in section 13501.

"(b) GENERAL RULE.—The requirement of a State that a motor carrier, providing transportation subject to jurisdiction under subchapter I of chapter 135 and providing transportation in that State, must register with the State is not an unreasonable burden on transportation referred to in section 13501 when the State registration is completed under standards of the Secretary under subsection (c). When a State registration requirement imposes obligations in excess of the standards of the Secretary, the part in excess is an unreasonable burden.

"(c) SINGLE STATE REGISTRATION SYSTEM.—

"(1) IN GENERAL.—The Secretary shall maintain standards for implementing a system under which—

"(A) a motor carrier is required to register annually with only one State by providing evidence of its Federal registration under chapter 139;

"(B) the State of registration shall fully comply with standards prescribed under this section; and

"(C) such single State registration shall be deemed to satisfy the registration requirements of all other States.

"(2) SPECIFIC REQUIREMENTS.—

"(A) EVIDENCE OF FEDERAL REGISTRATION; PROOF OF INSURANCE; PAYMENT OF FEES.—Under the standards of the Secretary implementing the single State registration system described in paragraph (1) of this subsection, only a State acting in its capacity as registration State under such single State system may require a motor carrier registered by the Secretary under this part—

"(i) to file and maintain evidence of such Federal registration;

"(ii) to file satisfactory proof of required insurance or qualification as a self-insurer;

"(iii) to pay directly to such State fee amounts in accordance with the fee system established under subparagraph (B)(iv) of this paragraph, subject to allocation of fee revenues among all States in which the carrier operates and which participate in the single State registration system; and

"(iv) to file the name of a local agent for service of process.

"(B) RECEIPTS; FEE SYSTEM.—The standards of the Secretary—

"(i) shall require that the registration State issue a receipt, in a form prescribed under the standards, reflecting that the carrier has filed proof of insurance as provided under subparagraph (A)(ii) of this paragraph and has paid fee amounts in accordance with the fee system established under clause (iv) of this subparagraph;

"(ii) shall require that copies of the receipt issued under clause (i) of this subparagraph be kept in each of the carrier's commercial motor vehicles;

"(iii) shall not require decals, stamps, cab cards, or any other means of registering or identifying specific vehicles operated by the carrier;

"(iv) shall establish a fee system for the filing of proof of insurance as provided under subparagraph (A)(ii) of this paragraph that—

"(I) is based on the number of commercial motor vehicles the carrier operates in a State and on the number of States in which the carrier operates;

"(II) minimizes the costs of complying with the registration system; and

"(III) results in a fee for each participating State that is equal to the fee, not to exceed $10 per vehicle, that such State collected or charged as of November 15, 1991; and

"(v) shall not authorize the charging or collection of any fee for filing and maintaining evidence of Federal registration under subparagraph (A)(i) of this paragraph.

"(C) PROHIBITED FEES.—The charging or collection of any fee under this section that is not in accordance with the fee system established under subparagraph (B)(iv) of this paragraph shall be deemed to be a burden on interstate commerce.

"(D) LIMITATION ON PARTICIPATION BY STATES.—Only a State which, as of January 1, 1991, charged or collected a fee for a vehicle identification stamp or number under part 1023 of title 49, Code of Federal Regulations, shall be eligible to participate as a registration State under this subsection or to receive any fee revenue under this subsection.

"§ 14505. State tax

"A State or political subdivision thereof may not collect or levy a tax, fee, head charge, or other charge on—

"(1) a passenger traveling in interstate commerce by motor carrier;

"(2) the transportation of a passenger traveling in interstate commerce by motor carrier;

"(3) the sale of passenger transportation in interstate commerce by motor carrier; or

"(4) the gross receipts derived from such transportation.

"CHAPTER 147—ENFORCEMENT; INVESTIGATIONS; RIGHTS; REMEDIES

"Sec.
"14701. General authority.
"14702. Enforcement by the regulatory authority.
"14703. Enforcement by the Attorney General.
"14704. Rights and remedies of persons injured by carriers or brokers.
"14705. Limitation on actions by and against carriers.
"14706. Liability of carriers under receipts and bills of lading.
"14707. Private enforcement of registration requirement.
"14708. Dispute settlement program for household goods carriers.
"14709. Tariff reconciliation rules for motor carriers of property.

"§ 14701. General authority

"(a) INVESTIGATIONS.—The Secretary or the Board, as applicable, may begin an investigation under this part on the Secretary's or the Board's own initiative or on complaint. If the Secretary or Board, as applicable, finds that a carrier or broker is violating this part, the Secretary or Board, as applicable, shall take appropriate action to compel compliance with this part. If the Secretary finds that a foreign motor carrier or foreign motor private carrier is violating chapter 139, the Secretary shall take appropriate action to compel compliance with that chapter. The Secretary or Board, as applicable, may take action under this subsection only after giving the carrier or broker notice of the investigation and an opportunity for a proceeding.

"(b) COMPLAINTS.—A person, including a governmental authority, may file with the Secretary or Board, as applicable, a complaint about a violation of this part by a carrier providing, or broker for, transportation or service subject to jurisdiction under this part or a foreign motor carrier or foreign motor private carrier providing transportation registered under section 13902 of this title. The complaint must state the facts that are the subject of the violation. The Secretary or Board, as applicable, may dismiss a complaint

that it determines does not state reasonable grounds for investigation and action.

"(c) DEADLINE.—A formal investigative proceeding begun by the Secretary or Board under subsection (a) of this section is dismissed automatically unless it is concluded with administrative finality by the end of the 3d year after the date on which it was begun.

"§ 14702. Enforcement by the regulatory authority

"(a) IN GENERAL.—The Secretary or the Board, as applicable, may bring a civil action—

"(1) to enforce section 14103 of this title; or

"(2) to enforce this part, or a regulation or order of the Secretary or Board, as applicable, when violated by a carrier or broker providing transportation or service subject to jurisdiction under subchapter I or III of chapter 135 of this title or by a foreign motor carrier or foreign motor private carrier providing transportation registered under section 13902 of this title.

"(b) VENUE.—In a civil action under subsection (a)(2) of this section—

"(1) trial is in the judicial district in which the carrier, foreign motor carrier, foreign motor private carrier, or broker operates;

"(2) process may be served without regard to the territorial limits of the district or of the State in which the action is instituted; and

"(3) a person participating with a carrier or broker in a violation may be joined in the civil action without regard to the residence of the person.

"(c) STANDING.—The Board, through its own attorneys, may bring or participate in any civil action involving motor carrier undercharges.

"§ 14703. Enforcement by the Attorney General

"The Attorney General may, and on request of either the Secretary or the Board shall, bring court proceedings—

"(1) to enforce this part or a regulation or order of the Secretary or Board or terms of registration under this part; and

"(2) to prosecute a person violating this part or a regulation or order of the Secretary or Board or term of registration under this part.

"§ 14704. Rights and remedies of persons injured by carriers or brokers

"(a) IN GENERAL.—

"(1) ENFORCEMENT OF ORDER.—A person injured because a carrier or broker providing transportation or service subject to jurisdiction under chapter 135 does not obey an order of the Secretary or the Board, as applicable, under this part, except an order for the payment of money, may bring a civil action to enforce that order under this subsection. A person may bring a civil action for injunctive relief for violations of sections 14102 and 14103.

"(2) DAMAGES FOR VIOLATIONS.—A carrier or broker providing transportation or service subject to jurisdiction under chap-

ter 135 is liable for damages sustained by a person as a result of an act or omission of that carrier or broker in violation of this part.

"(b) LIABILITY AND DAMAGES FOR EXCEEDING TARIFF RATE.—A carrier providing transportation or service subject to jurisdiction under chapter 135 is liable to a person for amounts charged that exceed the applicable rate for transportation or service contained in a tariff in effect under section 13702.

"(c) ELECTION.—

"(1) COMPLAINT TO DOT OR BOARD; CIVIL ACTION.—A person may file a complaint with the Board or the Secretary, as applicable, under section 14701(b) or bring a civil action under subsection (b) to enforce liability against a carrier or broker providing transportation or service subject to jurisdiction under chapter 135.

"(2) ORDER OF DOT OR BOARD.—

"(A) IN GENERAL.—When the Board or Secretary, as applicable, makes an award under subsection (b) of this section, the Board or Secretary, as applicable, shall order the carrier to pay the amount awarded by a specific date. The Board or Secretary, as applicable, may order a carrier or broker providing transportation or service subject to jurisdiction under chapter 135 to pay damages only when the proceeding is on complaint.

"(B) ENFORCEMENT BY CIVIL ACTION.—The person for whose benefit an order of the Board or Secretary requiring the payment of money is made may bring a civil action to enforce that order under this paragraph if the carrier or broker does not pay the amount awarded by the date payment was ordered to be made.

"(d) PROCEDURE.—

"(1) IN GENERAL.—When a person begins a civil action under subsection (b) of this section to enforce an order of the Board or Secretary requiring the payment of damages by a carrier or broker providing transportation or service subject to jurisdiction under chapter 135 of this title, the text of the order of the Board or Secretary must be included in the complaint. In addition to the district courts of the United States, a State court of general jurisdiction having jurisdiction of the parties has jurisdiction to enforce an order under this paragraph. The findings and order of the Board or Secretary are competent evidence of the facts stated in them. Trial in a civil action brought in a district court of the United States under this paragraph is in the judicial district in which the plaintiff resides or in which the principal operating office of the carrier or broker is located. In a civil action under this paragraph, the plaintiff is liable for only those costs that accrue on an appeal taken by the plaintiff.

"(2) PARTIES.—All parties in whose favor the award was made may be joined as plaintiffs in a civil action brought in a district court of the United States under this subsection and all the carriers that are parties to the order awarding damages may be joined as defendants. Trial in the action is in the judicial district in which any one of the plaintiffs could bring the action against any one of the defendants. Process may be served on a defendant at its principal operating office when that defendant is not in the district in which the action

is brought. A judgment ordering recovery may be made in favor of any of those plaintiffs against the defendant found to be liable to that plaintiff.

"(e) ATTORNEY'S FEES.—The district court shall award a reasonable attorney's fee under this section. The district court shall tax and collect that fee as part of the costs of the action. Courts.

"§ 14705. Limitation on actions by and against carriers Claims.

"(a) IN GENERAL.—A carrier providing transportation or service subject to jurisdiction under chapter 135 must begin a civil action to recover charges for transportation or service provided by the carrier within 18 months after the claim accrues.

"(b) OVERCHARGES.—A person must begin a civil action to recover overcharges within 18 months after the claim accrues. If the claim is against a carrier providing transportation subject to jurisdiction under chapter 135 and an election to file a complaint with the Board or Secretary, as applicable, is made under section 14704(c)(1), the complaint must be filed within 3 years after the claim accrues.

"(c) DAMAGES.—A person must file a complaint with the Board or Secretary, as applicable, to recover damages under section 14704(b) within 2 years after the claim accrues.

"(d) EXTENSIONS.—The limitation periods under subsection (b) of this section are extended for 6 months from the time written notice is given to the claimant by the carrier of disallowance of any part of the claim specified in the notice if a written claim is given to the carrier within those limitation periods. The limitation periods under subsections (b) and (c) of this section are extended for 90 days from the time the carrier begins a civil action under subsection (a) to recover charges related to the same transportation or service, or collects (without beginning a civil action under that subsection) the charge for that transportation or service if that action is begun or collection is made within the appropriate period.

"(e) PAYMENT.—A person must begin a civil action to enforce an order of the Board or Secretary against a carrier within 1 year after the date of the order.

"(f) GOVERNMENT TRANSPORTATION.—This section applies to transportation for the United States Government. The time limitations under this section are extended, as related to transportation for or on behalf of the United States Government, for 3 years from the later of the date of—

"(1) payment of the rate for the transportation or service involved;

"(2) subsequent refund for overpayment of that rate; or

"(3) deduction made under section 3726 of title 31.

"(g) ACCRUAL DATE.—A claim related to a shipment of property accrues under this section on delivery or tender of delivery by the carrier.

"§ 14706. Liability of carriers under receipts and bills of lading

"(a) GENERAL LIABILITY.—

"(1) MOTOR CARRIERS AND FREIGHT FORWARDERS.—A carrier providing transportation or service subject to jurisdiction under subchapter I or III of chapter 135 shall issue a receipt or bill of lading for property it receives for transportation under this part. That carrier and any other carrier that delivers

the property and is providing transportation or service subject to jurisdiction under subchapter I or III of chapter 135 or chapter 105 are liable to the person entitled to recover under the receipt or bill of lading. The liability imposed under this paragraph is for the actual loss or injury to the property caused by (A) the receiving carrier, (B) the delivering carrier, or (C) another carrier over whose line or route the property is transported in the United States or from a place in the United States to a place in an adjacent foreign country when transported under a through bill of lading and, except in the case of a freight forwarder, applies to property reconsigned or diverted under a tariff under section 13702. Failure to issue a receipt or bill of lading does not affect the liability of a carrier. A delivering carrier is deemed to be the carrier performing the line-haul transportation nearest the destination but does not include a carrier providing only a switching service at the destination.

"(2) FREIGHT FORWARDER.—A freight forwarder is both the receiving and delivering carrier. When a freight forwarder provides service and uses a motor carrier providing transportation subject to jurisdiction under subchapter I of chapter 135 to receive property from a consignor, the motor carrier may execute the bill of lading or shipping receipt for the freight forwarder with its consent. With the consent of the freight forwarder, a motor carrier may deliver property for a freight forwarder on the freight forwarder's bill of lading, freight bill, or shipping receipt to the consignee named in it, and receipt for the property may be made on the freight forwarder's delivery receipt.

"(b) APPORTIONMENT.—The carrier issuing the receipt or bill of lading under subsection (a) of this section or delivering the property for which the receipt or bill of lading was issued is entitled to recover from the carrier over whose line or route the loss or injury occurred the amount required to be paid to the owners of the property, as evidenced by a receipt, judgment, or transcript, and the amount of its expenses reasonably incurred in defending a civil action brought by that person.

"(c) SPECIAL RULES.—

"(1) MOTOR CARRIERS.—

"(A) SHIPPER WAIVER.—Subject to the provisions of subparagraph (B), a carrier providing transportation or service subject to jurisdiction under subchapter I or III of chapter 135 may, subject to the provisions of this chapter (including with respect to a motor carrier, the requirements of section 13710(a)), establish rates for the transportation of property (other than household goods described in section 13102(10)(A)) under which the liability of the carrier for such property is limited to a value established by written or electronic declaration of the shipper or by written agreement between the carrier and shipper if that value would be reasonable under the circumstances surrounding the transportation.

"(B) CARRIER NOTIFICATION.—If the motor carrier is not required to file its tariff with the Board, it shall provide under section 13710(a)(1) to the shipper, on request of the shipper, a written or electronic copy of the rate, classification, rules, and practices upon which any rate applicable

to a shipment, or agreed to between the shipper and the carrier, is based. The copy provided by the carrier shall clearly state the dates of applicability of the rate, classification, rules, or practices.

"(C) PROHIBITION AGAINST COLLECTIVE ESTABLISHMENT.—No discussion, consideration, or approval as to rules to limit liability under this subsection may be undertaken by carriers acting under an agreement approved pursuant to section 13703.

"(2) WATER CARRIERS.—If loss or injury to property occurs while it is in the custody of a water carrier, the liability of that carrier is determined by its bill of lading and the law applicable to water transportation. The liability of the initial or delivering carrier is the same as the liability of the water carrier.

"(d) CIVIL ACTIONS.—

"(1) AGAINST DELIVERING CARRIER.—A civil action under this section may be brought against a delivering carrier in a district court of the United States or in a State court. Trial, if the action is brought in a district court of the United States is in a judicial district, and if in a State court, is in a State through which the defendant carrier operates.

"(2) AGAINST CARRIER RESPONSIBLE FOR LOSS.—A civil action under this section may be brought against the carrier alleged to have caused the loss or damage, in the judicial district in which such loss or damage is alleged to have occurred.

"(3) JURISDICTION OF COURTS.—A civil action under this section may be brought in a United States district court or in a State court.

"(4) JUDICIAL DISTRICT DEFINED.—In this section, 'judicial district' means—

"(A) in the case of a United States district court, a judicial district of the United States; and

"(B) in the case of a State court, the applicable geographic area over which such court exercises jurisdiction.

"(e) MINIMUM PERIOD FOR FILING CLAIMS.—

"(1) IN GENERAL.—A carrier may not provide by rule, contract, or otherwise, a period of less than 9 months for filing a claim against it under this section and a period of less than 2 years for bringing a civil action against it under this section. The period for bringing a civil action is computed from the date the carrier gives a person written notice that the carrier has disallowed any part of the claim specified in the notice.

"(2) SPECIAL RULES.—For the purposes of this subsection—

"(A) an offer of compromise shall not constitute a disallowance of any part of the claim unless the carrier, in writing, informs the claimant that such part of the claim is disallowed and provides reasons for such disallowance; and

"(B) communications received from a carrier's insurer shall not constitute a disallowance of any part of the claim unless the insurer, in writing, informs the claimant that such part of the claim is disallowed, provides reason for

such disallowance, and informs the claimant that the insurer is acting on behalf of the carrier.

"(f) LIMITING LIABILITY OF HOUSEHOLD GOODS CARRIERS TO DECLARED VALUE.—A carrier or group of carriers subject to jurisdiction under subchapter I or III of chapter 135 may petition the Board to modify, eliminate, or establish rates for the transportation of household goods under which the liability of the carrier for that property is limited to a value established by written declaration of the shipper or by a written agreement.

"(g) MODIFICATIONS AND REFORMS.—

"(1) STUDY.—The Secretary shall conduct a study to determine whether any modifications or reforms should be made to the loss and damage provisions of this section, including those related to limitation of liability by carriers.

"(2) FACTORS TO CONSIDER.—In conducting the study, the Secretary, at a minimum, shall consider—

"(A) the efficient delivery of transportation services;

"(B) international and intermodal harmony;

"(C) the public interest; and

"(D) the interest of carriers and shippers.

"(3) REPORT.—Not later than 12 months after the effective date of this section, the Secretary shall submit to Congress a report on the results of the study, together with any recommendations of the Secretary (including legislative recommendations) for implementing modifications or reforms identified by the Secretary as being appropriate.

"§ 14707. Private enforcement of registration requirement

"(a) IN GENERAL.—If a person provides transportation by motor vehicle or service in clear violation of section 13901–13904 or 13906, a person injured by the transportation or service may bring a civil action to enforce any such section. In a civil action under this subsection, trial is in the judicial district in which the person who violated that section operates.

"(b) PROCEDURE.—A copy of the complaint in a civil action under subsection (a) shall be served on the Secretary and a certificate of service must appear in the complaint filed with the court. The Secretary may intervene in a civil action under subsection (a). The Secretary may notify the district court in which the action is pending that the Secretary intends to consider the matter that is the subject of the complaint in a proceeding before the Secretary. When that notice is filed, the court shall stay further action pending disposition of the proceeding before the Secretary.

"(c) ATTORNEY'S FEES.—In a civil action under subsection (a), the court may determine the amount of and award a reasonable attorney's fee to the prevailing party. That fee is in addition to costs allowable under the Federal Rules of Civil Procedure.

"§ 14708. Dispute settlement program for household goods carriers

"(a) OFFERING SHIPPERS ARBITRATION.—As a condition of registration under section 13902 or 13903, a carrier providing transportation of household goods subject to jurisdiction under subchapter I or III of chapter 135 must agree to offer in accordance with this section to shippers of household goods arbitration as a means of settling disputes between such carriers and shippers of household goods concerning damage or loss to the household goods transported.

"(b) ARBITRATION REQUIREMENTS.—

"(1) PREVENTION OF SPECIAL ADVANTAGE.—The arbitration that is offered must be designed to prevent a carrier from having any special advantage in any case in which the claimant resides or does business at a place distant from the carrier's principal or other place of business.

"(2) NOTICE OF ARBITRATION PROCEDURE.—The carrier must provide the shipper an adequate notice of the availability of neutral arbitration, including a concise easy-to-read, accurate summary of the arbitration procedure, any applicable costs, and disclosure of the legal effects of election to utilize arbitration. Such notice must be given to persons for whom household goods are to be transported by the carrier before such goods are tendered to the carrier for transportation.

"(3) PROVISION OF FORMS.—Upon request of a shipper, the carrier must promptly provide such forms and other information as are necessary for initiating an action to resolve a dispute under arbitration.

"(4) INDEPENDENCE OF ARBITRATOR.—Each person authorized to arbitrate or otherwise settle disputes must be independent of the parties to the dispute and must be capable, as determined under such regulations as the Secretary may issue, to resolve such disputes fairly and expeditiously. The carrier must ensure that each person chosen to settle the disputes is authorized and able to obtain from the shipper or carrier any material and relevant information to the extent necessary to carry out a fair and expeditious decisionmaking process.

"(5) APPORTIONMENT OF COSTS.—No shipper may be charged more than half of the cost for instituting an arbitration proceeding that is brought under this section. In the decision, the arbitrator may determine which party shall pay the cost or a portion of the cost of the arbitration proceeding, including the cost of instituting the proceeding.

"(6) REQUESTS.—The carrier must not require the shipper to agree to utilize arbitration prior to the time that a dispute arises. If the dispute involves a claim for $1,000 or less and the shipper requests arbitration, such arbitration shall be binding on the parties. If the dispute involves a claim for more than $1,000 and the shipper requests arbitration, such arbitration shall be binding on the parties only if the carrier agrees to arbitration.

"(7) ORAL PRESENTATION OF EVIDENCE.—The arbitrator may provide for an oral presentation of a dispute concerning transportation of household goods by a party to the dispute (or a party's representative), but such oral presentation may be made only if all parties to the dispute expressly agree to such presentation and the date, time, and location of such presentation.

"(8) DEADLINE FOR DECISION.—The arbitrator must, as expeditiously as possible but at least within 60 days of receipt of written notification of the dispute, render a decision based on the information gathered; except that, in any case in which a party to the dispute fails to provide in a timely manner any information concerning such dispute which the person settling the dispute may reasonably require to resolve the dispute, the arbitrator may extend such 60-day period for a reasonable period of time. A decision resolving a dispute may include

any remedies appropriate under the circumstances, including repair, replacement, refund, reimbursement for expenses, and compensation for damages.

"(c) LIMITATION ON USE OF MATERIALS.—Materials and information obtained in the course of a decision making process to settle a dispute by arbitration under this section may not be used to bring an action under section 14905.

"(d) ATTORNEY'S FEES TO SHIPPERS.—In any court action to resolve a dispute between a shipper of household goods and a carrier providing transportation or service subject to jurisdiction under subchapter I or III of chapter 135 concerning the transportation of household goods by such carrier, the shipper shall be awarded reasonable attorney's fees if—

"(1) the shipper submits a claim to the carrier within 120 days after the date the shipment is delivered or the date the delivery is scheduled, whichever is later;

"(2) the shipper prevails in such court action; and

"(3)(A) a decision resolving the dispute was not rendered through arbitration under this section within the period provided under subsection (b)(8) of this section or an extension of such period under such subsection; or

"(B) the court proceeding is to enforce a decision rendered through arbitration under this section and is instituted after the period for performance under such decision has elapsed.

"(e) ATTORNEY'S FEES TO CARRIERS.—In any court action to resolve a dispute between a shipper of household goods and a carrier providing transportation, or service subject to jurisdiction under subchapter I or III of chapter 135 concerning the transportation of household goods by such carrier, such carrier may be awarded reasonable attorney's fees by the court only if the shipper brought such action in bad faith—

"(1) after resolution of such dispute through arbitration under this section; or

"(2) after institution of an arbitration proceeding by the shipper to resolve such dispute under this section but before—

"(A) the period provided under subsection (b)(8) for resolution of such dispute (including, if applicable, an extension of such period under such subsection) ends; and

"(B) a decision resolving such dispute is rendered.

"(f) LIMITATION OF APPLICABILITY TO COLLECT-ON-DELIVERY TRANSPORTATION.—The provisions of this section shall apply only in the case of collect-on-delivery transportation of household goods.

"(g) REVIEW BY SECRETARY.—Not later than 18 months after the effective date of this section, the Secretary shall complete a review of the dispute settlement program established under this section. If, after notice and opportunity for comment, the Secretary determines that changes are necessary to such program to ensure the fair and equitable resolution of disputes under this section, the Secretary shall implement such changes and transmit a report to Congress on such changes.

Reports.

"§ 14709. Tariff reconciliation rules for motor carriers of property

"Subject to review and approval by the Board, motor carriers subject to jurisdiction under subchapter I of chapter 135 (other than motor carriers providing transportation of household goods) and shippers may resolve, by mutual consent, overcharge and

under-charge claims resulting from incorrect tariff provisions or billing errors arising from the inadvertent failure to properly and timely file and maintain agreed upon rates, rules, or classifications in compliance with section 13702 or, with respect to transportation provided before the effective date of this section, sections 10761 and 10762, as in effect on the day before the effective date of this section. Resolution of such claims among the parties shall not subject any party to the penalties for departing from a tariff.

"CHAPTER 149—CIVIL AND CRIMINAL PENALTIES

Sec.
"14901. General civil penalties.
"14902. Civil penalty for accepting rebates from carrier.
"14903. Tariff violations.
"14904. Additional rate violations.
"14905. Penalties for violations of rules relating to loading and unloading motor vehicles.
"14906. Evasion of regulation of carriers and brokers.
"14907. Recordkeeping and reporting violations.
"14908. Unlawful disclosure of information.
"14909. Disobedience to subpoenas.
"14910. General civil penalty when specific penalty not provided.
"14911. Punishment of corporation for violations committed by certain individuals.
"14912. Weight-bumping in household goods transportation.
"14913. Conclusiveness of rates in certain prosecutions.
"14914. Civil penalty procedures.

"§ 14901. General civil penalties

"(a) REPORTING AND RECORDKEEPING.—A person required to make a report to the Secretary or the Board, answer a question, or make, prepare, or preserve a record under this part concerning transportation subject to jurisdiction under subchapter I or III of chapter 135 or transportation by a foreign carrier registered under section 13902, or an officer, agent, or employee of that person that—

"(1) does not make the report;

"(2) does not specifically, completely, and truthfully answer the question;

"(3) does not make, prepare, or preserve the record in the form and manner prescribed;

"(4) does not comply with section 13901; or

"(5) does not comply with section 13902(c);

is liable to the United States for a civil penalty of not less than $500 for each violation and for each additional day the violation continues; except that, in the case of a person who is not registered under this part to provide transportation of passengers, or an officer, agent, or employee of such person, that does not comply with section 13901 with respect to providing transportation of passengers, the amount of the civil penalty shall not be less than $2,000 for each violation and for each additional day the violation continues.

"(b) TRANSPORTATION OF HAZARDOUS WASTES.—A person subject to jurisdiction under subchapter I of chapter 135, or an officer, agent, or employee of that person, and who is required to comply with section 13901 of this title but does not so comply with respect to the transportation of hazardous wastes as defined by the Environmental Protection Agency pursuant to section 3001 of the Solid Waste Disposal Act (but not including any waste the regulation

of which under the Solid Waste Disposal Act has been suspended by Congress) shall be liable to the United States for a civil penalty not to exceed $20,000 for each violation.

"(c) FACTORS TO CONSIDER IN DETERMINING AMOUNT.—In determining and negotiating the amount of a civil penalty under subsection (a) or (d) concerning transportation of household goods, the degree of culpability, any history of prior such conduct, the degree of harm to shipper or shippers, ability to pay, the effect on ability to do business, whether the shipper has been adequately compensated before institution of the proceeding, and such other matters as fairness may require shall be taken into account.

"(d) PROTECTION OF HOUSEHOLD GOODS SHIPPERS.—If a carrier providing transportation of household goods subject to jurisdiction under subchapter I or III of chapter 135 or a receiver or trustee of such carrier fails or refuses to comply with any regulation issued by the Secretary or the Board relating to protection of individual shippers, such carrier, receiver, or trustee is liable to the United States for a civil penalty of not less than $1,000 for each violation and for each additional day during which the violation continues.

"(e) VIOLATION RELATING TO TRANSPORTATION OF HOUSEHOLD GOODS.—Any person that knowingly engages in or knowingly authorizes an agent or other person—

"(1) to falsify documents used in the transportation of household goods subject to jurisdiction under subchapter I or III of chapter 135 which evidence the weight of a shipment; or

"(2) to charge for accessorial services which are not performed or for which the carrier is not entitled to be compensated in any case in which such services are not reasonably necessary in the safe and adequate movement of the shipment;

is liable to the United States for a civil penalty of not less than $2,000 for each violation and of not less than $5,000 for each subsequent violation. Any State may bring a civil action in the United States district courts to compel a person to pay a civil penalty assessed under this subsection.

"(f) VENUE.—Trial in a civil action under subsections (a) through (e) of this section is in the judicial district in which—

"(1) the carrier or broker has its principal office;

"(2) the carrier or broker was authorized to provide transportation or service under this part when the violation occurred;

"(3) the violation occurred; or

"(4) the offender is found.

Process in the action may be served in the judicial district of which the offender is an inhabitant or in which the offender may be found.

"(g) BUSINESS ENTERTAINMENT EXPENSES.—

"(1) IN GENERAL.—Any business entertainment expense incurred by a water carrier providing transportation subject to this part shall not constitute a violation of this part if that expense would not be unlawful if incurred by a person not subject to this part.

"(2) COST OF SERVICE.—Any business entertainment expense subject to paragraph (1) that is paid or incurred by a water carrier providing transportation subject to this part shall not be taken into account in determining the cost of service or the rate base for purposes of section 13702.

"§ 14902. Civil penalty for accepting rebates from carrier

"A person—

"(1) delivering property to a carrier providing transportation or service subject to jurisdiction under chapter 135 for transportation under this part or for whom that carrier will transport the property as consignor or consignee for that person from a State or territory or possession of the United States to another State or possession, territory, or to a foreign country; and

"(2) knowingly accepting or receiving by any means a rebate or offset against the rate for transportation for, or service of, that property contained in a tariff required under section 13702;

is liable to the United States for a civil penalty in an amount equal to 3 times the amount of money that person accepted or received as a rebate or offset and 3 times the value of other consideration accepted or received as a rebate or offset. In a civil action under this section, all money or other consideration received by the person during a period of 6 years before an action is brought under this section may be included in determining the amount of the penalty, and if that total amount is included, the penalty shall be 3 times that total amount.

"§ 14903. Tariff violations

"(a) CIVIL PENALTY FOR UNDERCHARGING AND OVERCHARGING.—A person that offers, grants, gives, solicits, accepts, or receives by any means transportation or service provided for property by a carrier subject to jurisdiction under chapter 135 at a rate different than the rate in effect under section 13702 is liable to the United States for civil penalty of not more than $100,000 for each violation.

"(b) GENERAL CRIMINAL PENALTY.—A carrier providing transportation or service subject to jurisdiction under chapter 135 or an officer, director, receiver, trustee, lessee, agent, or employee of a corporation that is subject to jurisdiction under that chapter, that willfully does not observe its tariffs as required under section 13702, shall be fined under title 18 or imprisoned not more than 2 years, or both.

"(c) ACTIONS OF AGENTS AND EMPLOYEES.—When acting in the scope of their employment, the actions and omissions of persons acting for or employed by a carrier or shipper that is subject to this section are considered to be the actions and omissions of that carrier or shipper as well as that person.

"(d) VENUE.—Trial in a criminal action under this section is in the judicial district in which any part of the violation is committed or through which the transportation is conducted.

"§ 14904. Additional rate violations

"(a) REBATES BY AGENTS.—A person, or an officer, employee, or agent of that person, that—

"(1) offers, grants, gives, solicits, accepts, or receives a rebate for concession, in violation of a provision of this part related to motor carrier transportation subject to jurisdiction under subchapter I of chapter 135; or

"(2) by any means assists or permits another person to get transportation that is subject to jurisdiction under that subchapter at less than the rate in effect for that transportation under section 13702,

is liable to the United States for a civil penalty of $200 for the first violation and $250 for a subsequent violation.

"(b) UNDERCHARGING.—

"(1) FREIGHT FORWARDER.—A freight forwarder providing service subject to jurisdiction under subchapter III of chapter 135, or an officer, agent, or employee of that freight forwarder, that assists a person in getting, or willingly permits a person to get, service provided under that subchapter at less than the rate in effect for that service under section 13702, is liable to the United States for a civil penalty of not more than $500 for the first violation and not more than $2,000 for a subsequent violation.

"(2) OTHERS.—A person that by any means gets, or attempts to get, service provided under subchapter III of chapter 135 at less than the rate in effect for that service under section 13702, is liable to the United States for a civil penalty of not more than $500 for the first violation and not more than $2,000 for a subsequent violation.

"§ 14905. Penalties for violations of rules relating to loading and unloading motor vehicles

"(a) CIVIL PENALTIES.—Whoever knowingly authorizes, consents to, or permits a violation of subsection (a) or (b) of section 14103 or who knowingly violates subsection (a) of such section is liable to the United States for a civil penalty of not more than $10,000 for each violation.

"(b) CRIMINAL PENALTIES.—Whoever knowingly violates section 14103(b) of this title shall be fined under title 18 or imprisoned not more than 2 years, or both.

"§ 14906. Evasion of regulation of carriers and brokers

"A person, or an officer, employee, or agent of that person, that by any means tries to evade regulation provided under this part for carriers or brokers is liable to the United States for a civil penalty of $200 for the first violation and at least $250 for a subsequent violation.

"§ 14907. Recordkeeping and reporting violations

"A person required to make a report to the Secretary or the Board, as applicable, answer a question, or make, prepare, or preserve a record under this part about transportation subject to jurisdiction under subchapter I or III of chapter 135, or an officer, agent, or employee of that person, that—

"(1) does not make that report;

"(2) does not specifically, completely, and truthfully answer that question in 30 days from the date the Secretary or Board, as applicable, requires the question to be answered;

"(3) does not make, prepare, or preserve that record in the form and manner prescribed;

"(4) falsifies, destroys, mutilates, or changes that report or record;

"(5) files a false report or record;

"(6) makes a false or incomplete entry in that record about a business related fact or transaction; or

"(7) makes, prepares, or preserves a record in violation of an applicable regulation or order of the Secretary or Board;

is liable to the United States for a civil penalty of not more than $5,000.

"§ 14908. Unlawful disclosure of information

"(a) DISCLOSURE OF SHIPMENT AND ROUTING INFORMATION.—

"(1) VIOLATIONS.—A carrier or broker providing transportation subject to jurisdiction under subchapter I, II, or III of chapter 135 or an officer, receiver, trustee, lessee, or employee of that carrier or broker, or another person authorized by that carrier or broker to receive information from that carrier or broker may not disclose to another person, except the shipper or consignee, and a person may not solicit, or receive, information about the nature, kind, quantity, destination, consignee, or routing of property tendered or delivered to that carrier or broker for transportation provided under this part without the consent of the shipper or consignee if that information may be used to the detriment of the shipper or consignee or may disclose improperly to a competitor the business transactions of the shipper or consignee.

"(2) PENALTY.—A person violating paragraph (1) of this subsection is liable to the United States for a civil penalty of not more than $2,000.

"(b) LIMITATION ON STATUTORY CONSTRUCTION.—This part does not prevent a carrier or broker providing transportation subject to jurisdiction under chapter 135 from giving information—

"(1) in response to legal process issued under authority of a court of the United States or a State;

"(2) to an officer, employee, or agent of the United States Government, a State, or a territory or possession of the United States; or

"(3) to another carrier or its agent to adjust mutual traffic accounts in the ordinary course of business.

"§ 14909. Disobedience to subpoenas

"Whoever does not obey a subpoena or requirement of the Secretary or the Board to appear and testify or produce records shall be fined under title 18 or imprisoned not more than 1 year, or both.

"§ 14910. General civil penalty when specific penalty not provided

"When another civil penalty is not provided under this chapter, a person that violates a provision of this part or a regulation or order prescribed under this part, or a condition of a registration under this part related to transportation that is subject to jurisdiction under subchapter I or III of chapter 135 or a condition of a registration of a foreign motor carrier or foreign motor private carrier under section 13902, is liable to the United States for a civil penalty of $500 for each violation. A separate violation occurs each day the violation continues.

"§ 14911. Punishment of corporation for violations committed by certain individuals

"An act or omission that would be a violation of this part if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a carrier providing transportation or service subject to jurisdiction under chapter 135 that is a corporation is also

a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed by that carrier are considered to be the actions and omissions of that carrier as well as that individual.

"§ 14912. Weight-bumping in household goods transportation

"(a) WEIGHT-BUMPING DEFINED.—For the purposes of this section, 'weight-bumping' means the knowing and willful making or securing of a fraudulent weight on a shipment of household goods which is subject to jurisdiction under subchapter I or III of chapter 135.

"(b) PENALTY.—Whoever has been found to have committed weight-bumping shall be fined under title 18 or imprisoned not more than 2 years, or both.

"§ 14913. Conclusiveness of rates in certain prosecutions

"When a carrier publishes or files a particular rate under section 13702 or participates in such a rate, the published or filed rate is conclusive proof against that carrier, its officers, and agents that it is the legal rate for that transportation or service in a proceeding begun under section 14902 or 14903. A departure, or offer to depart, from that published or filed rate is a violation of those sections.

"§ 14914. Civil penalty procedures

"(a) IN GENERAL.—After notice and an opportunity for a hearing, a person found by the Surface Transportation Board to have violated a provision of law that the Board carries out or a regulation prescribed under that law by the Board that is related to transportation which occurs under subchapter II of chapter 135 for which a civil penalty is provided, is liable to the United States for the civil penalty provided. The amount of the civil penalty shall be assessed by the Board by written notice. In determining the amount of the penalty, the Board shall consider the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and other matters that justice requires.

"(b) COMPROMISE.—The Board may compromise, modify, or remit, with or without consideration, a civil penalty until the assessment is referred to the Attorney General.

"(c) COLLECTION.—If a person fails to pay an assessment of a civil penalty after it has become final, the Board may refer the matter to the Attorney General for collection in an appropriate district court of the United States.

"(d) REFUNDS.—The Board may refund or remit a civil penalty collected under this section if—

"(1) application has been made for refund or remission of the penalty within 1 year from the date of payment; and

"(2) the Board finds that the penalty was unlawfully, improperly, or excessively imposed.".

SEC. 104. MISCELLANEOUS MOTOR CARRIER PROVISIONS.

(a) GRANTS TO STATES.—Section 31102(b)(1) of title 49, United States Code, is amended—

(1) by striking "and" at the end of subparagraph (O);

(2) by striking the period at the end of subparagraph (P) and inserting in lieu thereof "; and"; and

(3) by adding at the end the following:

"(Q) ensures that the State will cooperate in the enforcement of registration and financial responsibility requirements under sections 31140 and 31146, or regulations issued thereunder."

(b) TRANSPORT VEHICLES FOR OFF-ROAD, COMPETITION VEHICLES.—Section 31111(b)(1) of such title is amended—

(1) by striking "or" at the end of subparagraph (C);

(2) by striking the period at the end of subparagraph (D) and inserting in lieu thereof a semicolon and "or"; and

(3) by adding at the end thereof the following:

"(E) imposes a limitation of less than 46 feet on the distance from the kingpin to the center of the rear axle on trailers used exclusively or primarily in connection with motorsports competition events.".

(c) MULTIPLE INSURERS.—Section 31138(c) of such title is amended by adding at the end the following new paragraph:

"(3) A motor carrier may obtain the required amount of financial responsibility from more than one source provided the cumulative amount is equal to the minimum requirements of this section.".

(d) MINIMUM FINANCIAL RESPONSIBILITY REQUIREMENTS WITH RESPECT TO CERTAIN TRANSPORTATION SERVICE.—Section 31138(e) is amended—

(1) by striking "or" at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting in lieu thereof "; or"; and

(3) by adding at the end the following:

"(4) providing transportation service within a transit service area under an agreement with a Federal, State, or local government funded, in whole or in part, with a grant under section 5307, 5310, or 5311, including transportation designed and carried out to meet the special needs of elderly individuals and individuals with disabilities; except that, in any case in which the transit service area is located in more than 1 State, the minimum level of financial responsibility for such motor vehicle will be at least the highest level required for any of such States.".

(e) TRANSPORTERS OF PROPERTY.—Section 31139(e) of such title is amended by adding at the end the following:

"(3) A motor carrier may obtain the required amount of financial responsibility from more than one source provided the cumulative amount is equal to the minimum requirements of this section.".

(f) COMMERCIAL MOTOR VEHICLE DEFINED.—Section 31132(1) of such title is amended—

(1) by redesignating subparagraph (C) as subparagraph (D); and

(2) by striking subparagraph (B) and inserting in lieu thereof the following:

"(B) is designed or used to transport passengers for compensation, but excluding vehicles providing taxicab service and having a capacity of not more than 6 passengers and not operated on a regular route or between specified places;

"(C) is designed or used to transport more than 15 passengers, including the driver, and is not used to transport passengers for compensation; or".

(g) SAFETY FITNESS OF OWNERS AND OPERATORS.—Section 31144 of such title is amended—

(1) in the first sentence of subsection (a) by striking "In cooperation with the Interstate Commerce Commission, the" and inserting in lieu thereof "The";

(2) in such sentence by striking "sections 10922 and 10923" and inserting in lieu thereof "section 13902";

(3) in subsection (a)(1)(C) by striking "and the Commission"; and

(4) by striking subsection (b) and inserting in lieu thereof the following:

"(b) FINDINGS AND ACTION ON REGISTRATIONS.—The Secretary shall find that a person seeking to register as a motor carrier is unfit if such person does not meet the safety fitness requirements established under subsection (a) and shall not register such person.".

49 USC 13906 note.

(h) SELF-INSURANCE RULES.—The Secretary of Transportation shall continue to enforce the rules and regulations of the Interstate Commerce Commission, as in effect on July 1, 1995, governing the qualifications for approval of a motor carrier as a self-insurer, until such time as the Secretary finds it in the public interest to revise such rules. The revised rules must provide for—

(1) continued ability of motor carriers to qualify as self-insurers; and

(2) the continued qualification of all carriers then so qualified under the terms and conditions set by the Interstate Commerce Commission or Secretary at the time of qualification.

5 USC 8332 note.

SEC. 105. CREDITABILITY OF ANNUAL LEAVE FOR PURPOSES OF MEETING MINIMUM ELIGIBILITY REQUIREMENTS FOR AN IMMEDIATE ANNUITY.

(a) IN GENERAL.—An employee of the Interstate Commerce Commission who is separated from Government service pursuant to the abolition of that agency under section 101 shall, upon appropriate written application, be given credit, for purposes of determining eligibility for and computing the amount of any annuity under subchapter III of chapter 83 or chapter 84 of title 5, United States Code, for accrued annual leave standing to such employee's credit at the time of separation.

Regulations.

(b) LIMITATION AND OTHER CONDITIONS.—Any regulations necessary to carry out this section shall be prescribed by the Office of Personnel Management. Such regulations shall include provisions—

(1) defining the types of leave for which credit may be given under this section (such definition to be similar to the corresponding provisions of the regulations under section 351.608(c)(2) of title 5 of the Code of Federal Regulations, as in effect on the date of the enactment of this Act);

(2) limiting the amount of accrued annual leave which may be used for the purposes specified in subsection (a) to the minimum period of time necessary in order to permit such employee to attain first eligibility for an immediate annuity under section 8336, 8412, or 8414 of title 5, United States Code (in a manner similar to the corresponding provisions of the regulations referred to in paragraph (1));

(3) under which contributions (or arrangements for the making of contributions) shall be made so that—

(A) employee contributions for any period of leave for which retirement credit may be obtained under this section shall be made by the employee; and

(B) Government contributions with respect to such period shall similarly be made by the Interstate Commerce Commission or other appropriate officer or entity (out of appropriations otherwise available for such contributions); and

(4) under which subsection (a) shall not apply with respect to an employee who declines a reasonable offer of employment in another position in the Department of Transportation made under this Act or any amendment made by this Act.

(c) EXTINGUISHMENT OF ELIGIBILITY FOR LUMP-SUM PAYMENT.—A lump-sum payment under section 5551 of title 5, United States Code, shall not be payable with respect to any leave for which retirement credit is obtained under this section.

SEC. 106. PIPELINE CARRIER PROVISIONS.

(a) AMENDMENT TO TITLE 49.—Subtitle IV of title 49, United States Code, is further amended by adding at the end the following:

"PART C—PIPELINE CARRIERS

"CHAPTER 151—GENERAL PROVISIONS

"CHAPTER 151—GENERAL PROVISIONS

"Sec.
"15101. Transportation policy.
"15102. Definitions.
"15103. Remedies as cumulative.

"§ 15101. Transportation policy

"(a) IN GENERAL.—To ensure the development, coordination, and preservation of a transportation system that meets the transportation needs of the United States, including the national defense, it is the policy of the United States Government to oversee of the modes of transportation and in overseeing those modes—

"(1) to recognize and preserve the inherent advantage of each mode of transportation;

"(2) to promote safe, adequate, economical, and efficient transportation;

"(3) to encourage sound economic conditions in transportation, including sound economic conditions among carriers;

"(4) to encourage the establishment and maintenance of reasonable rates for transportation without unreasonable discrimination or unfair or destructive competitive practices;

"(5) to cooperate with each State and the officials of each State on transportation matters; and

"(6) to encourage fair wages and working conditions in the transportation industry.

"(b) ADMINISTRATION TO CARRY OUT POLICY.—This part shall be administered and enforced to carry out the policy of this section.

"§ 15102. Definitions

"In this part—

"(1) BOARD.—The term 'Board' means the Surface Transportation Board.

"(2) PIPELINE CARRIER.—The term 'pipeline carrier' means a person providing pipeline transportation for compensation.

"(3) RATE.—The term 'rate' means a rate or charge for transportation.

"(4) STATE.—The term 'State' means a State of the United States and the District of Columbia.

"(5) TRANSPORTATION.—The term 'transportation' includes—

"(A) property, facilities, instrumentalities, or equipment of any kind related to the movement of property, regardless of ownership or an agreement concerning use; and

"(B) services related to that movement, including receipt, delivery, transfer in transit, storage, handling, and interchange of property.

"(6) UNITED STATES.—The term 'United States' means the States of the United States and the District of Columbia.

"§ 15103. Remedies as cumulative

"Except as otherwise provided in this part, the remedies provided under this part are in addition to remedies existing under another law or common law.

"CHAPTER 153—JURISDICTION

"CHAPTER 153—JURISDICTION

"Sec.
"15301. General pipeline jurisdiction.
"15302. Authority to exempt pipeline carrier transportation.

"§ 15301. General pipeline jurisdiction

"(a) IN GENERAL.—The Board has jurisdiction over transportation by pipeline, or by pipeline and railroad or water, when transporting a commodity other than water, gas, or oil. Jurisdiction under this subsection applies only to transportation in the United States between a place in—

"(1) a State and a place in another State;

"(2) the District of Columbia and another place in the District of Columbia;

"(3) a State and a place in a territory or possession of the United States;

"(4) a territory or possession of the United States and a place in another such territory or possession;

"(5) a territory or possession of the United States and another place in the same territory or possession;

"(6) the United States and another place in the United States through a foreign country; or

"(7) the United States and a place in a foreign country.

"(b) NO JURISDICTION OVER INTRASTATE TRANSPORTATION.—The Board does not have jurisdiction under subsection (a) over the transportation of property, or the receipt, delivery, storage, or handling of property, entirely in a State (other than the District of Columbia) and not transported between a place in the United States and a place in a foreign country except as otherwise provided in this part.

"(c) PROTECTION OF STATES POWERS.—This part does not affect the power of a State, in exercising its police power, to require reasonable intrastate transportation by carriers providing transportation subject to the jurisdiction of the Board under this chapter

unless the State requirement is inconsistent with an order of the Board issued under this part or is prohibited under this part.

"§ 15302. Authority to exempt pipeline carrier transportation

"(a) IN GENERAL—In a matter related to a pipeline carrier providing transportation subject to jurisdiction under this chapter, the Board shall exempt a person, class of persons, or a transaction or service when the Board finds that the application, in whole or in part, of a provision of this part—

"(1) is not necessary to carry out the transportation policy of section 15101; and

"(2) either (A) the transaction or service is of limited scope, or (B) the application, in whole or in part, of the provision is not needed to protect shippers from the abuse of market power.

"(b) INITIATION OF PROCEEDING.—The Board may, where appropriate, begin a proceeding under this section on its own initiative or an interested party.

"(c) PERIOD OF EXEMPTION.—The Board may specify the period of time during which an exemption granted under this section is effective.

"(d) REVOCATION.—The Board may revoke an exemption, to the extent it specifies, when it finds that application, in whole or in part, of a provision of this part to the person, class, or transportation is necessary to carry out the transportation policy of section 15101.

"CHAPTER 155—RATES

"Sec.
"15501. Standards for pipeline rates, classifications, through routes, rules, and practices.
"15502. Authority for pipeline carriers to establish rates, classifications, rules, and practices.
"15503. Authority and criteria: rates, classifications, rules, and practices prescribed by Board.
"15504. Government traffic.
"15505. Prohibition against discrimination by pipeline carriers.
"15506. Facilities for interchange of traffic.

"§ 15501. Standards for pipeline rates, classifications, through routes, rules, and practices

"(a) REASONABLENESS.—A rate, classification, rule, or practice related to transportation or service provided by a pipeline carrier subject to this part must be reasonable. A through route established by such a carrier must be reasonable.

"(b) NONDISCRIMINATION.—A pipeline carrier providing transportation subject to this part may not discriminate in its rates against a connecting line of any other pipeline, rail, or water carrier providing transportation subject to this subtitle or unreasonably discriminate against that line in the distribution of traffic that is not routed specifically by the shipper.

"§ 15502. Authority for pipeline carriers to establish rates, classifications, rules, and practices

"A pipeline carrier providing transportation or service subject to this part shall establish—

"(1) rates and classifications for transportation and service it may provide under this part; and

"(2) rules and practices on matters related to that transportation or service.

"§ 15503. Authority and criteria: rates, classifications, rules, and practices prescribed by Board

"(a) IN GENERAL.—When the Board, after a full hearing, decides that a rate charged or collected by a pipeline carrier for transportation subject to this part, or that a classification, rule, or practice of that carrier, does or will violate this part, the Board may prescribe the rate, classification, rule, or practice to be followed. In prescribing the rate, classification, rule, or practice, the Board may utilize rate reasonableness procedures that provide an effective simulation of a market-based price for a stand alone pipeline. The Board may order the carrier to stop the violation. When a rate, classification, rule, or practice is prescribed under this subsection, the affected carrier may not publish, charge, or collect a different rate and shall adopt the classification and observe the rule or practice prescribed by the Board.

"(b) FACTORS TO CONSIDER.—When prescribing a rate, classification, rule, or practice for transportation or service by a pipeline carrier, the Board shall consider, among other factors—

"(1) the effect of the prescribed rate, classification, rule, or practice on the movement of traffic by that carrier;

"(2) the need for revenues that are sufficient, under honest, economical, and efficient management, to let the carrier provide that transportation or service; and

"(3) the availability of other economic transportation alternatives.

"(c) PROCEEDING.—The Board may begin a proceeding under this section on complaint. A complaint under this section must contain a full statement of the facts and the reasons for the complaint and must be made under oath.

"§ 15504. Government traffic

"A pipeline carrier providing transportation or service for the United States Government may transport property for the United States Government without charge or at a rate reduced from the applicable commercial rate. Section 3709 of the Revised Statutes (41 U.S.C. 5) does not apply when transportation for the United States Government can be obtained from a carrier lawfully operating in the area where the transportation would be provided.

"§ 15505. Prohibition against discrimination by pipeline carriers

A pipeline carrier providing transportation or service subject to this part may not subject a person, place, port, or type of traffic to unreasonable discrimination.

"§ 15506. Facilities for interchange of traffic

"A pipeline carrier providing transportation subject to this part shall provide reasonable, proper, and equal facilities that are within its power to provide for the interchange of traffic between, and for the receiving, forwarding, and delivering of property to and from, its respective line and a connecting line of a pipeline, rail, or water carrier under this subtitle.

"CHAPTER 157—OPERATIONS OF CARRIERS

"CHAPTER 157—OPERATIONS OF CARRIERS

"SUBCHAPTER A—GENERAL REQUIREMENTS

"Sec.
"15701. Providing transportation and service.

"SUBCHAPTER B—OPERATIONS OF CARRIERS

"15721. Definitions.
"15722. Records: form; inspection; preservation.
"15723. Reports by carriers, lessors, and associations.

"SUBCHAPTER A—GENERAL REQUIREMENTS

"§ 15701. Providing transportation and service

"(a) SERVICE ON REASONABLE REQUEST.—A pipeline carrier providing transportation or service under this part shall provide the transportation or service on reasonable request.

"(b) RATES AND OTHER TERMS.—A pipeline carrier shall also provide to any person, on request, the carrier's rates and other service terms. The response by a pipeline carrier to a request for the carrier's rates and other service terms shall be—

"(1) in writing and forwarded to the requesting person promptly after receipt of the request; or

"(2) promptly made available in electronic form.

"(c) LIMITATION ON RATE INCREASES AND CHANGES TO SERVICE TERMS.—A pipeline carrier may not increase any common carrier rates or change any common carrier service terms unless 20 days have expired after written or electronic notice is provided to any person who, within the previous 12 months—

"(1) has requested such rates or terms under subsection (b); or

"(2) has made arrangements with the carrier for a shipment that would be subject to such increased rates or changed terms.

"(d) PROVISION OF SERVICE.—A pipeline carrier shall provide transportation or service in accordance with the rates and service terms, and any changes thereto, as published or otherwise made available under subsection (b) or (c).

"(e) REGULATIONS.—The Board shall, by regulation, establish rules to implement this section. The regulations shall provide for immediate disclosure and dissemination of rates and service terms, including classifications, rules, and practices, and their effective dates. The regulations may modify the 20-day period specified in subsection (c). Final regulations shall be adopted by the Board not later than 180 days after the effective date of this section.

"SUBCHAPTER B—OPERATIONS OF CARRIERS

"§ 15721. Definitions

"In this subchapter, the following definitions apply:

"(1) CARRIER, LESSOR.—The terms 'carrier' and 'lessor' include a receiver or trustee of a pipeline carrier and lessor, respectively.

"(2) LESSOR.—The term 'lessor' means a person owning a pipeline that is leased to and operated by a carrier providing transportation under this part.

"(3) ASSOCIATION.—The term 'association' means an organization maintained by or in the interest of a group of

pipeline carriers that performs a service, or engages in activities, related to transportation under this part.

"§ 15722. Records: form; inspection; preservation

"(a) FORM OF RECORDS.—The Board may prescribe the form of records required to be prepared or compiled under this subchapter by pipeline carriers and lessors, including records related to movement of traffic and receipts and expenditures of money.

"(b) INSPECTION.—The Board, or an employee designated by the Board, may on demand and display of proper credentials—

"(1) inspect and examine the lands, buildings, and equipment of a pipeline carrier or lessor; and

"(2) inspect and copy any record of—

"(A) a pipeline carrier, lessor, or association; and

"(B) a person controlling, controlled by, or under common control with a pipeline carrier if the Board considers inspection relevant to that person's relation to, or transaction with, that carrier.

"(c) PRESERVATION PERIOD.—The Board may prescribe the time period during which operating, accounting, and financial records must be preserved by pipeline carriers and lessors.

"§ 15723. Reports by carriers, lessors, and associations

"(a) FILING OF REPORTS.—The Board may require pipeline carriers, lessors, and associations, or classes of them as the Board may prescribe, to file annual, periodic, and special reports with the Board containing answers to questions asked by it.

"(b) UNDER OATH.—Any report under this section shall be made under oath.

"CHAPTER 159—ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES

"CHAPTER 159—ENFORCEMENT: INVESTIGATIONS, RIGHTS, AND REMEDIES

"Sec.
"15901. General authority.
"15902. Enforcement by the Board.
"15903. Enforcement by the Attorney General.
"15904. Rights and remedies of persons injured by certain carriers.
"15905. Limitation on actions by and against pipeline carriers.
"15906. Liability of pipeline carriers under receipts and bills of lading.
"15907. Liability when property is delivered in violation of routing instructions.

"§ 15901. General authority

"(a) INVESTIGATION; COMPLIANCE ORDER.—Except as otherwise provided in this part, the Board may begin an investigation under this part only on complaint. If the Board finds that a pipeline carrier is violating this part, the Board shall take appropriate action to compel compliance with this part. The Board shall provide the carrier notice of the investigation and an opportunity for a proceeding.

"(b) COMPLAINT.—A person, including a governmental authority, may file with the Board a complaint about a violation of this part by a pipeline carrier providing transportation or service subject to this part. The complaint must state the facts that are the subject of the violation. The Board may dismiss a complaint it determines does not state reasonable grounds for investigation and action. However, the Board may not dismiss a complaint made

against a pipeline carrier providing transportation subject to this part because of the absence of direct damage to the complainant.

"(c) AUTOMATIC DISMISSAL.—A formal investigative proceeding begun by the Board under subsection (a) is dismissed automatically unless it is concluded by the Board with administrative finality by the end of the 3d year after the date on which it was begun.

"§ 15902. Enforcement by the Board

"The Board may bring a civil action to enforce an order of the Board, except a civil action to enforce an order for the payment of money, when it is violated by a pipeline carrier providing transportation subject to this part.

"§ 15903. Enforcement by the Attorney General

"(a) ON BEHALF OF BOARD.—The Attorney General may, and on request of the Board shall, bring court proceedings to enforce this part or a regulation or order of the Board and to prosecute a person violating this part or a regulation or order of the Board issued under this part.

"(b) ON BEHALF OF OTHERS.—The United States Government may bring a civil action on behalf of a person to compel a pipeline carrier providing transportation or service subject to this part to provide that transportation or service to that person in compliance with this part at the same rate charged, or on conditions as favorable as those given by the carrier, for like traffic under similar conditions to another person.

"§ 15904. Rights and remedies of persons injured by pipeline carriers

"(a) ENFORCEMENT OF ORDERS.—A person injured because a pipeline carrier providing transportation or service subject to this part does not obey an order of the Board, except an order for the payment of money, may bring a civil action to enforce that order under this subsection.

"(b) LIABILITY OF CARRIER.—

"(1) EXCESSIVE CHARGES.—A pipeline carrier providing transportation subject to this part is liable to a person for amounts charged that exceed the applicable rate for the transportation.

"(2) DAMAGES.—A pipeline carrier providing transportation subject to this part is liable for damages sustained by a person as a result of an act or omission of that carrier in violation of this part.

"(c) COMPLAINTS.—

"(1) FILING.—A person may file a complaint with the Board under section 11501(b) or bring a civil action under subsection (b) to enforce liability against a pipeline carrier providing transportation subject to this part.

"(2) PAYMENT DEADLINE.—When the Board makes an award under subsection (b), the Board shall order the carrier to pay the amount awarded by a specific date. The Board may order a carrier providing transportation subject to this part to pay damages only when the proceeding is on complaint. The person for whose benefit an order of the Board requiring the payment of money is made may bring a civil action to enforce that order under this paragraph if the carrier does not pay the amount awarded by the date payment was ordered to be made.

"(d) CIVIL ACTIONS.—

"(1) COMPLAINT.—When a person begins a civil action under subsection (b) to enforce an order of the Board requiring the payment of damages by a pipeline carrier providing transportation subject to this part, the text of the order of the Board must be included in the complaint. In addition to the district courts of the United States, a State court of general jurisdiction having jurisdiction of the parties has jurisdiction to enforce an order under this paragraph. The findings and order of the Board are competent evidence of the facts stated in them. Trial in a civil action brought in a district court of the United States under this paragraph is in the judicial district in which the plaintiff resides or in which the principal operating office of the carrier is located. In a civil action under this paragraph, the plaintiff is liable for only those costs that accrue on an appeal taken by the plaintiff.

Courts.

"(2) ATTORNEY'S FEES.—The district court shall award a reasonable attorney's fee as a part of the damages for which a carrier is found liable under this subsection. The district court shall tax and collect that fee as a part of the costs of the action.

Claims.

"§ 15905. Limitation on actions by and against pipeline carriers

"(a) IN GENERAL.—A pipeline carrier providing transportation or service subject to this part must begin a civil action to recover charges for transportation or service provided by the carrier within 3 years after the claim accrues.

"(b) OVERCHARGES.—A person must begin a civil action to recover overcharges under section 15904(b)(1) within 3 years after the claim accrues. If an election to file a complaint with the Board is made under section 15904(c)(1), the complaint must be filed within 3 years after the claim accrues.

"(c) DAMAGES.—A person must file a complaint with the Board to recover damages under section 15904(b)(2) within 2 years after the claim accrues.

"(d) EXTENSIONS.—The limitation periods under subsection (b) are extended for 6 months from the time written notice is given to the claimant by the carrier of disallowance of any part of the claim specified in the notice if a written claim is given to the carrier within those limitation periods. The limitation periods under subsection (b) and the 2-year period under subsection (c) are extended for 90 days from the time the carrier begins a civil action under subsection (a) to recover charges related to the same transportation or service, or collects (without beginning a civil action under that subsection) the charge for that transportation or service if that action is begun or collection is made within the appropriate period.

"(e) PAYMENT.—A person must begin a civil action to enforce an order of the Board against a carrier for the payment of money within one year after the date the order required the money to be paid.

"(f) GOVERNMENT TRANSPORTATION.—This section applies to transportation for the United States Government. The time limitations under this section are extended, as related to transportation for or on behalf of the United States Government, for 3 years from the date of—

"(1) payment of the rate for the transportation or service involved,

"(2) subsequent refund for overpayment of that rate, or

"(3) deduction made under section 3726 of title 31,

whichever is later.

"(g) ACCRUAL DATE.—A claim related to a shipment of property accrues under this section on delivery or tender of delivery by the carrier.

"§ 15906. Liability of pipeline carriers under receipts and bills of lading

"(a) GENERAL LIABILITY.—A pipeline carrier providing transportation or service subject to this part shall issue a receipt or bill of lading for property it receives for transportation under this part. That carrier and any other carrier that delivers the property and is providing transportation or service subject to jurisdiction under this part are liable to the person entitled to recover under the receipt or bill of lading. The liability imposed under this subsection is for the actual loss or injury to the property caused by the carrier over whose line or route the property is transported in the United States or from a place in the United States to a place in an adjacent foreign country when transported under a through bill of lading. Failure to issue a receipt or bill of lading does not affect the liability of a carrier.

"(b) APPORTIONMENT.—The carrier issuing the receipt or bill of lading under subsection (a) or delivering the property for which the receipt or bill of lading was issued is entitled to recover from the carrier over whose line or route the loss or injury occurred the amount required to be paid to the owners of the property, as evidenced by a receipt, judgment, or transcript, and the amount of its expenses reasonably incurred in defending a civil action brought by that person.

"(c) CIVIL ACTIONS.—A civil action under this section may be brought against a delivering carrier in a district court of the United States or in a State court. Trial, if the action is brought in a district court of the United States is in a judicial district, and if in a State court, is in a State, through which the defendant carrier operates a line or route.

"(d) MINIMUM PERIOD FOR FILING CLAIMS.—A pipeline carrier may not provide by rule, contract, or otherwise, a period of less than 9 months for filing a claim against it under this section and a period of less than 2 years for bringing a civil action against it under this section. The period for bringing a civil action is computed from the date the carrier gives a person written notice that the carrier has disallowed any part of the claim specified in the notice. For the purposes of this subsection—

"(1) an offer of compromise shall not constitute a disallowance of any part of the claim unless the carrier, in writing, informs the claimant that such part of the claim is disallowed and provides reasons for such disallowance; and

"(2) communications received from a carrier's insurer shall not constitute a disallowance of any part of the claim unless the insurer, in writing, informs the claimant that such part of the claim is disallowed, provides reasons for such disallowance, and informs the claimant that the insurer is acting on behalf of the carrier.

"CHAPTER 161—CIVIL AND CRIMINAL PENALTIES

"CHAPTER 161—CIVIL AND CRIMINAL PENALTIES

"Sec.
"16101. General civil penalties.
"16102. Recordkeeping and reporting violations.
"16103. Unlawful disclosure of information.
"16104. Disobedience to subpenas.
"16105. General criminal penalty when specific penalty not provided.
"16106. Punishment of corporation for violations committed by certain individuals.

"§ 16101. General civil penalties

"(a) GENERAL.—Except as otherwise provided in this section, a pipeline carrier providing transportation subject to this part, an officer or agent of that carrier, or a receiver, trustee, lessee, or agent of one of them, knowingly violating this part or an order of the Board under this part is liable to the United States for a civil penalty of not more than $5,000 for each violation. Liability under this subsection is incurred for each distinct violation. A separate violation occurs for each day the violation continues.

"(b) RECORDKEEPING AND REPORTING.—

"(1) RECORDS.—A person required under chapter 157 to make, prepare, preserve, or submit to the Board a record concerning transportation subject to this part that does not make, prepare, preserve, or submit that record as required under that chapter, is liable to the United States for a civil penalty of $500 for each violation.

"(2) INSPECTION.—A carrier providing transportation subject to this part, and a lessor, receiver, or trustee of that carrier, violating section 15722, is liable to the United States for a civil penalty of $100 for each violation.

"(3) REPORTS.—A carrier providing transportation subject to the jurisdiction of the Board under this part, a lessor, receiver, or trustee of that carrier, and an officer, agent, or employee of one of them, required to make a report to the Board or answer a question that does not make the report or does not specifically, completely, and truthfully answer the question, is liable to the United States for a civil penalty of $100 for each violation.

"(4) CONTINUED VIOLATION.—A separate violation occurs for each day violation under this subsection continues.

"(d) VENUE.—Trial in a civil action under this section is in the judicial district in which the carrier has its principal operating office.

"§ 16102. Recordkeeping and reporting violations

"A person required to make a report to the Board, or make, prepare, or preserve a record, under chapter 157 about transportation subject to this part that knowingly and willfully—

"(1) makes a false entry in the report or record,

"(2) destroys, mutilates, changes, or by another means falsifies the record,

"(3) does not enter business related facts and transactions in the record,

"(4) makes, prepares, or preserves the record in violation of a regulation or order of the Board, or

"(5) files a false report or record with the Board,

shall be fined under title 18 or imprisoned not more than 2 years, or both.

"§ 16103. Unlawful disclosure of information

"(a) GENERAL PROHIBITION.—A pipeline carrier providing transportation subject to this part, or an officer, agent, or employee of that carrier, or another person authorized to receive information from that carrier, that knowingly discloses to another person, except the shipper or consignee, or a person who solicits or knowingly receives information about the nature, kind, quantity, destination, consignee, or routing of property tendered or delivered to that carrier for transportation provided under this part without the consent of the shipper or consignee, if that information may be used to the detriment of the shipper or consignee or may disclose improperly, to a competitor the business transactions of the shipper or consignee, is liable to the United States for a civil penalty of not more than $1,000.

"(b) LIMITATION ON STATUTORY CONSTRUCTION.—This part does not prevent a pipeline carrier providing transportation under this part from giving information—

"(1) in response to legal process issued under authority of a court of the United States or a State;

"(2) to an officer, employee, or agent of the United States Government, a State, or a territory or possession of the United States; or

"(3) to another carrier or its agent to adjust mutual traffic accounts in the ordinary course of business.

"(c) BOARD EMPLOYEE.—An employee of the Board delegated to make an inspection or examination under section 15722 who knowingly discloses information acquired during that inspection or examination, except as directed by the Board, a court, or a judge of that court, shall be fined under title 18 or imprisoned for not more than 6 months, or both.

"§ 16104. Disobedience to subpenas

"Whoever does not obey a subpena or requirement of the Board to appear and testify or produce records shall be fined under title 18 or imprisoned not more than 1 year, or both.

"§ 16105. General criminal penalty when specific penalty not provided

"When another criminal penalty is not provided under this chapter, a pipeline carrier providing transportation subject to this part, and when that carrier is a corporation, a director or officer of the corporation, or a receiver, trustee, lessee, or person acting for or employed by the corporation that, alone or with another person, willfully violates this part or an order prescribed under this part, shall be fined under title 18 or imprisoned not more than 2 years, or both. A separate violation occurs each day a violation of this part continues.

"§ 16106. Punishment of corporation for violations committed by certain individuals

"An act or omission that would be a violation of this subtitle if committed by a director, officer, receiver, trustee, lessee, agent, or employee of a pipeline carrier providing transportation or service subject to this part that is a corporation is also a violation of this part by that corporation. The penalties of this chapter apply to that violation. When acting in the scope of their employment, the actions and omissions of individuals acting for or employed

by that carrier are considered to be the actions and omissions of that carrier as well as that individual.".

49 USC 15101 note.

(b) GAO REPORT.—Within 3 years after the effective date of this Act, the Comptroller General shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the impact of regulations under part C of title 49, United States Code, on the competitiveness of pipelines and recommend whether to continue, revise, or sunset such regulations. Congress shall take into account the findings of this report when considering the Board's reauthorization.

TITLE II—SURFACE TRANSPORTATION BOARD

SEC. 201. TITLE 49 AMENDMENT.

(a) AMENDMENT.—Subtitle I of title 49, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 7—SURFACE TRANSPORTATION BOARD

"SUBCHAPTER I—ESTABLISHMENT

"Sec.
"701. Establishment of Board.
"702. Functions.
"703. Administrative provisions.
"704. Annual report.
"705. Authorization of appropriations.
"706. Reporting official action.

"SUBCHAPTER II—ADMINISTRATIVE

"721. Powers.
"722. Board action.
"723. Service of notice in Board proceedings.
"724. Service of process in court proceedings.
"725. Administrative support.
"726. Railroad-Shipper Transportation Advisory Council.
"727. Definitions.

"SUBCHAPTER I—ESTABLISHMENT

"§ 701. Establishment of Board

"(a) ESTABLISHMENT.—There is hereby established within the Department of Transportation the Surface Transportation Board.

President.

"(b) MEMBERSHIP.—(1) The Board shall consist of 3 members, to be appointed by the President, by and with the advice and consent of the Senate. Not more than 2 members may be appointed from the same political party.

"(2) At any given time, at least 2 members of the Board shall be individuals with professional standing and demonstrated knowledge in the fields of transportation or transportation regulation, and at least one member shall be an individual with professional or business experience (including agriculture) in the private sector.

"(3) The term of each member of the Board shall be 5 years and shall begin when the term of the predecessor of that member ends. An individual appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of that individual was appointed, shall be appointed for the remainder of that

term. When the term of office of a member ends, the member may continue to serve until a successor is appointed and qualified, but for a period not to exceed one year. The President may remove a member for inefficiency, neglect of duty, or malfeasance in office.

"(4) On the effective date of this section, the members of the Interstate Commerce Commission serving unexpired terms on the date of the enactment of the ICC Termination Act of 1995 shall become members of the Board, to serve for a period of time equal to the remainder of the term for which they were originally appointed to the Interstate Commerce Commission. Any member of the Interstate Commerce Commission whose term expires on December 31, 1995, shall become a member of the Board, subject to paragraph (3).

"(5) No individual may serve as a member of the Board for more than 2 terms. In the case of an individual who becomes a member of the Board pursuant to paragraph (4), or an individual appointed to fill a vacancy occurring before the expiration of the term for which the predecessor of that individual was appointed, such individual may not be appointed for more than one additional term.

"(6) A member of the Board may not have a pecuniary interest in, hold an official relation to, or own stock in or bonds of, a carrier providing transportation by any mode and may not engage in another business, vocation, or employment.

"(7) A vacancy in the membership of the Board does not impair the right of the remaining members to exercise all of the powers of the Board. The Board may designate a member to act as Chairman during any period in which there is no Chairman designated by the President.

"(c) CHAIRMAN.—(1) There shall be at the head of the Board a Chairman, who shall be designated by the President from among the members of the Board. The Chairman shall receive compensation at the rate prescribed for level III of the Executive Schedule under section 5314 of title 5. President.

"(2) Subject to the general policies, decisions, findings, and determinations of the Board, the Chairman shall be responsible for administering the Board. The Chairman may delegate the powers granted under this paragraph to an officer, employee, or office of the Board. The Chairman shall—

"(A) appoint and supervise, other than regular and full-time employees in the immediate offices of another member, the officers and employees of the Board, including attorneys to provide legal aid and service to the Board and its members, and to represent the Board in any case in court;

"(B) appoint the heads of offices with the approval of the Board;

"(C) distribute Board business among officers and employees and offices of the Board;

"(D) prepare requests for appropriations for the Board and submit those requests to the President and Congress with the prior approval of the Board; and

"(E) supervise the expenditure of funds allocated by the Board for major programs and purposes.

"§ 702. Functions

"Except as otherwise provided in the ICC Termination Act of 1995, or the amendments made thereby, the Board shall perform

all functions that, immediately before the effective date of such Act, were functions of the Interstate Commerce Commission or were performed by any officer or employee of the Interstate Commerce Commission in the capacity as such officer or employee.

"§ 703. Administrative provisions

"(a) EXECUTIVE REORGANIZATION.—Chapter 9 of title 5, United States Code, shall apply to the Board in the same manner as it does to an independent regulatory agency, and the Board shall be an establishment of the United States Government.

"(b) OPEN MEETINGS.—For purposes of section 552b of title 5, United States Code, the Board shall be deemed to be an agency.

"(c) INDEPENDENCE.—In the performance of their functions, the members, employees, and other personnel of the Board shall not be responsible to or subject to the supervision or direction of any officer, employee, or agent of any other part of the Department of Transportation.

"(d) REPRESENTATION BY ATTORNEYS.—Attorneys designated by the Chairman of the Board may appear for, and represent the Board in, any civil action brought in connection with any function carried out by the Board pursuant to this chapter or subtitle IV or as otherwise authorized by law.

"(e) ADMISSION TO PRACTICE.—Subject to section 500 of title 5, the Board may regulate the admission of individuals to practice before it and may impose a reasonable admission fee.

"(f) BUDGET REQUESTS.—In each annual request for appropriations by the President, the Secretary of Transportation shall identify the portion thereof intended for the support of the Board and include a statement by the Board—

"(1) showing the amount requested by the Board in its budgetary presentation to the Secretary and the Office of Management and Budget; and

"(2) an assessment of the budgetary needs of the Board.

"(g) DIRECT TRANSMITTAL TO CONGRESS.—The Board shall transmit to Congress copies of budget estimates, requests, and information (including personnel needs), legislative recommendations, prepared testimony for congressional hearings, and comments on legislation at the same time they are sent to the Secretary of Transportation. An officer of an agency may not impose conditions on or impair communications by the Board with Congress, or a committee or Member of Congress, about the information.

"§ 704. Annual report

"The Board shall annually transmit to the Congress a report on its activities.

"§ 705. Authorization of appropriations

"There are authorized to be appropriated for the activities of the Board—

"(1) $8,421,000 for fiscal year 1996;

"(2) $12,000,000 for fiscal year 1997; and

"(3) $12,000,000 for fiscal year 1998.

"§ 706. Reporting official action

"(a) REPORTS ON PROCEEDINGS.—The Board shall make a written report of each proceeding conducted on complaint or on its own initiative and furnish a copy to each party to that proceeding.

The report shall include the findings, conclusions, and the order of the Board and, if damages are awarded, the findings of fact supporting the award. The Board may have its reports published for public use. A published report of the Board is competent evidence of its contents.

"(b) SPECIAL RULES FOR MATTERS RELATED TO RAIL CARRIERS.—(1) When action of the Board in a matter related to a rail carrier is taken by the Board, an individual member of the Board, or another individual or group of individuals designated to take official action for the Board, the written statement of that action (including a report, order, decision and order, vote, notice, letter, policy statement, or regulation) shall indicate—

"(A) the official designation of the individual or group taking the action;

"(B) the name of each individual taking, or participating in taking, the action; and

"(C) the vote or position of each participating individual.

"(2) If an individual member of a group taking an official action referred to in paragraph (1) does not participate in it, the written statement of the action shall indicate that the member did not participate. An individual participating in taking an official action is entitled to express the views of that individual as part of the written statement of the action. In addition to any publication of the written statement, it shall be made available to the public under section 552(a) of title 5.

"SUBCHAPTER II—ADMINISTRATIVE

"§ 721. Powers

"(a) IN GENERAL.—The Board shall carry out this chapter and subtitle IV. Enumeration of a power of the Board in this chapter or subtitle IV does not exclude another power the Board may have in carrying out this chapter or subtitle IV. The Board may prescribe regulations in carrying out this chapter and subtitle IV.

"(b) INQUIRIES, REPORTS, AND ORDERS.—The Board may—

"(1) inquire into and report on the management of the business of carriers providing transportation and services subject to subtitle IV;

"(2) inquire into and report on the management of the business of a person controlling, controlled by, or under common control with those carriers to the extent that the business of that person is related to the management of the business of that carrier;

"(3) obtain from those carriers and persons information the Board decides is necessary to carry out subtitle IV; and

"(4) when necessary to prevent irreparable harm, issue an appropriate order without regard to subchapter II of chapter 5 of title 5.

"(c) SUBPOENA WITNESSES.—(1) The Board may subpoena witnesses and records related to a proceeding of the Board from any place in the United States, to the designated place of the proceeding. If a witness disobeys a subpoena, the Board, or a party to a proceeding before the Board, may petition a court of the United States to enforce that subpoena.

"(2) The district courts of the United States have jurisdiction to enforce a subpoena issued under this section. Trial is in the Courts.

district in which the proceeding is conducted. The court may punish a refusal to obey a subpoena as a contempt of court.

"(d) DEPOSITIONS.—(1) In a proceeding, the Board may take the testimony of a witness by deposition and may order the witness to produce records. A party to a proceeding pending before the Board may take the testimony of a witness by deposition and may require the witness to produce records at any time after a proceeding is at issue on petition and answer.

"(2) If a witness fails to be deposed or to produce records under paragraph (1), the Board may subpoena the witness to take a deposition, produce the records, or both.

"(3) A deposition may be taken before a judge of a court of the United States, a United States magistrate judge, a clerk of a district court, or a chancellor, justice, or judge of a supreme or superior court, mayor or chief magistrate of a city, judge of a county court, or court of common pleas of any State, or a notary public who is not counsel or attorney of a party or interested in the proceeding.

"(4) Before taking a deposition, reasonable notice must be given in writing by the party or the attorney of that party proposing to take a deposition to the opposing party or the attorney of record of that party, whoever is nearest. The notice shall state the name of the witness and the time and place of taking the deposition.

"(5) The testimony of a person deposed under this subsection shall be taken under oath. The person taking the deposition shall prepare, or cause to be prepared, a transcript of the testimony taken. The transcript shall be subscribed by the deponent.

"(6) The testimony of a witness who is in a foreign country may be taken by deposition before an officer or person designated by the Board or agreed on by the parties by written stipulation filed with the Board. A deposition shall be filed with the Board promptly.

"(e) WITNESS FEES.—Each witness summoned before the Board or whose deposition is taken under this section and the individual taking the deposition are entitled to the same fees and mileage paid for those services in the courts of the United States.

"§ 722. Board action

"(a) EFFECTIVE DATE OF ACTIONS.—Unless otherwise provided in subtitle IV, the Board may determine, within a reasonable time, when its actions, other than an action ordering the payment of money, take effect.

"(b) TERMINATING AND CHANGING ACTIONS.—An action of the Board remains in effect under its own terms or until superseded. The Board may change, suspend, or set aside any such action on notice. Notice may be given in a manner determined by the Board. A court of competent jurisdiction may suspend or set aside any such action.

"(c) RECONSIDERING ACTIONS.—The Board may, at any time on its own initiative because of material error, new evidence, or substantially changed circumstances—

"(1) reopen a proceeding;

"(2) grant rehearing, reargument, or reconsideration of an action of the Board; or

"(3) change an action of the Board.

An interested party may petition to reopen and reconsider an action of the Board under this subsection under regulations of the Board.

"(d) FINALITY OF ACTIONS.—Notwithstanding subtitle IV, an action of the Board under this section is final on the date on which it is served, and a civil action to enforce, enjoin, suspend, or set aside the action may be filed after that date.

"§ 723. Service of notice in Board proceedings

"(a) DESIGNATION OF AGENT.—A carrier providing transportation subject to the jurisdiction of the Board under subtitle IV shall designate an agent in the District of Columbia, on whom service of notices in a proceeding before, and of actions of, the Board may be made.

"(b) FILING AND CHANGING DESIGNATIONS.—A designation under subsection (a) shall be in writing and filed with the Board. The designation may be changed at any time in the same manner as originally made.

"(c) SERVICE OF NOTICE.—Except as otherwise provided, notices of the Board shall be served on its designated agent at the office or usual place of residence in the District of Columbia of that agent. A notice of action of the Board shall be served immediately on the agent or in another manner provided by law. If that carrier does not have a designated agent, service may be made by posting the notice in the office of the Board.

"(d) SPECIAL RULE FOR RAIL CARRIERS.—In a proceeding involving the lawfulness of classifications, rates, or practices of a rail carrier that has not designated an agent under this section, service of notice of the Board on an attorney in fact for the carrier constitutes service of notice on the carrier.

"§ 724. Service of process in court proceedings

"(a) DESIGNATION OF AGENT.—A carrier providing transportation subject to the jurisdiction of the Board under subtitle IV shall designate an agent in the District of Columbia on whom service of process in an action before a district court may be made. Except as otherwise provided, process in an action before a district court shall be served on the designated agent of that carrier at the office or usual place of residence in the District of Columbia of that agent. If the carrier does not have a designated agent, service may be made by posting the notice in the office of the Board.

"(b) CHANGING DESIGNATION.—A designation under this section may be changed at any time in the same manner as originally made.

"§ 725. Administrative support

"The Secretary of Transportation shall provide administrative support for the Board.

"§ 726. Railroad-Shipper Transportation Advisory Council

"(a) ESTABLISHMENT; MEMBERSHIP.—There is established the Railroad-Shipper Transportation Advisory Council (in this section referred to as the 'Council') to be composed of 19 members, of which 15 members shall be appointed by the Chairman of the Board, after recommendation from rail carriers and shippers, within 60 days after the date of enactment of the ICC Termination Act of 1995. The members of the Council shall be appointed as follows:

"(1) The members of the Council shall be appointed from among citizens of the United States who are not regular full-

time employees of the United States and shall be selected for appointment so as to provide as nearly as practicable a broad representation of the various segments of the railroad and rail shipper industries.

"(2) Nine of the members shall be appointed from senior executive officers of organizations engaged in the railroad and rail shipping industries, which 9 members shall be the voting members of the Council. Council action and Council positions shall be determined by a majority vote of the members present. A majority of such voting members shall constitute a quorum. Of such 9 voting members—

"(A) at least 4 shall be representative of small shippers (as determined by the Chairman); and

"(B) at least 4 shall be representative of Class II or III railroads.

"(3) The remaining 6 members of the Council shall serve in a nonvoting advisory capacity only, but shall be entitled to participate in Council deliberations. Of the remaining members—

"(A) 3 shall be representative of Class I railroads; and

"(B) 3 shall be representative of large shipper organizations (as determined by the Chairman).

"(4) The Secretary of Transportation and the members of the Board shall serve as ex officio, nonvoting members of the Council. The Council shall not be subject to the Federal Advisory Committee Act. A list of the members appointed to the Council shall be forwarded to the Chairmen and ranking members of the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

"(5) Each ex officio member of the Council may designate an alternate, who shall serve as a member of the Council whenever the ex officio member is unable to attend a meeting of the Council. Any such designated alternate shall be selected from individuals who exercise significant decision-making authority in the Federal agency involved.

"(b) TERM OF OFFICE.—The members of the Council shall be appointed for a term of office of 3 years, except that of the members first appointed—

"(1) 5 members shall be appointed for terms of 1 year; and

"(2) 5 members shall be appointed for terms of 2 years, as designated by the Chairman at the time of appointment. Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of such term. A member may serve after the expiration of his term until his successor has taken office. Vacancies on the Council shall be filled in the same manner in which the original appointments were made. No member of the Council shall be eligible to serve in excess of two consecutive terms.

"(c) ELECTION AND DUTIES OF OFFICERS.—The Council Chairman and Vice Chairman and other appropriate officers of the Council shall be elected by and from the voting members of the Council. The Council Chairman shall serve as the Council's executive officer and shall direct the administration of the Council, assign officer

and committee duties, and shall be responsible for issuing and communicating the reports, policy positions and statements of the Council. In the event that the Council Chairman is unable to serve, the Vice Chairman shall act as Council Chairman.

"(d) EXPENSES.—(1) The members of the Council shall receive no compensation for their services as such, but upon request by the Council Chairman, based on a showing of significant economic burden, the Secretary of Transportation or the Chairman of the Board, to the extent provided in advance in appropriation Acts, may provide reasonable and necessary travel expenses for such individual Council members from Department or Board funding sources in order to foster balanced representation on the Council.

"(2) Upon request by the Council Chairman, the Secretary or Chairman of the Board, to the extent provided in advance in appropriations Acts, may pay the reasonable and necessary expenses incurred by the Council in connection with the coordination of Council activities, announcement and reporting of meetings, and preparation of such Council documents as are required or permitted by this section.

"(3) The Council may solicit and use private funding for its activities, subject to this subsection.

"(4) Prior to making any Federal funding requests, the Council Chairman shall undertake best efforts to fund such activities privately unless the Council Chairman determines that such private funding would create a conflict of interest, or the appearance thereof, or is otherwise impractical. The Council Chairman shall not request funding from any Federal agency without providing written justification as to why private funding would create any such conflict or appearance, or is otherwise impractical.

"(5) To enable the Council to carry out its functions—

"(A) the Council Chairman may request directly from any Federal agency such personnel, information, services, or facilities, on a compensated or uncompensated basis, as the Council Chairman determines necessary to carry out the functions of the Council;

"(B) each Federal agency may, in its discretion, furnish the Council with such information, services, and facilities as the Council Chairman may request to the extent permitted by law and within the limits of available funds; and

"(C) each Federal agency may, in its discretion, detail to temporary duty with the Council, such personnel as the Council Chairman may request for carrying out the functions of the Council, each such detail to be without loss of seniority, pay, or other employee status.

"(e) MEETINGS.—The Council shall meet at least semi-annually and shall hold other meetings at the call of the Council Chairman. Appropriate Federal facilities, where available, may be used for such meetings. Whenever the Council, or a committee of the Council, considers matters that affect the jurisdictional interests of Federal agencies that are not represented on the Council, the Council Chairman may invite the heads of such agencies, or their designees, to participate in the deliberations of the Council.

"(f) FUNCTIONS AND DUTIES; ANNUAL REPORT.—(1) The Council shall advise the Secretary, the Chairman, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives with respect to rail transportation policy issues

it considers significant, with particular attention to issues of importance to small shippers and small railroads, including car supply, rates, competition, and effective procedures for addressing legitimate shipper and other claims.

"(2) To the extent the Council addresses specific grain car issues, it shall coordinate such activities with the National Grain Car Council. The Secretary and Chairman shall cooperate with the Council to provide research, technical and other reasonable support in developing any reports and policy statements required or authorized by this subsection.

"(3) The Council shall endeavor to develop within the private sector mechanisms to prevent, or identify and effectively address, obstacles to the most effective and efficient transportation system practicable.

"(4) The Council shall prepare an annual report concerning its activities and the results of Council efforts to resolve industry issues, and propose whatever regulatory or legislative relief it considers appropriate. The Council shall include in the annual report such recommendations as it considers appropriate with respect to the performance of the Secretary and Chairman under this chapter, and with respect to the operation and effectiveness of meetings and industry developments relating to the Council's efforts, and such other information as it considers appropriate. Such annual reports shall be reviewed by the Secretary and Chairman, and shall include the Secretary's and Chairman's views or comments relating to—

"(A) the accuracy of information therein;

"(B) Council efforts and reasonableness of Council positions and actions; and

"(C) any other aspects of the Council's work as they may consider appropriate.

The Council may prepare other reports or develop policy statements as the Council considers appropriate. An annual report shall be submitted for each fiscal year and shall be submitted to the Secretary and Chairman within 90 days after the end of the fiscal year. Other such reports and statements may be submitted as the Council considers appropriate.

"§ 727. Definitions

"All terms used in this chapter that are defined in subtitle IV shall have the meaning given those terms in that subtitle.".

(b) TABLE OF CHAPTERS AMENDMENT.—The table of chapters of subtitle I of title 49, United States Code, is amended by adding at the end the following new item:

"7. SURFACE TRANSPORTATION BOARD ..... 701".

49 USC 701 note.

SEC. 202. REORGANIZATION.

The Chairman of the Surface Transportation Board (in this Act referred to as the "Board") may allocate or reallocate any function of the Board, consistent with this title and subchapter I of chapter 7, as amended by section 201 of this title, among the members or employees of the Board, and may establish, consolidate, alter, or discontinue in the Board any organizational entities that were entities of the Interstate Commerce Commission, as the Chairman considers necessary or appropriate.

SEC. 203. TRANSFER OF ASSETS AND PERSONNEL. 49 USC 701 note.

(a) TO BOARD.—Except as otherwise provided in this Act and the amendments made by this Act, those personnel, property, and records employed, used, held, available, or to be made available in connection with a function transferred to the Board by this Act shall be transferred to the Board for use in connection with the functions transferred, and unexpended balances of appropriations, allocations, and other funds of the Interstate Commerce Commission shall also be transferred to the Board. Such unexpended balances, allocations, and other funds, together with any unobligated balances from user fees collected by the Commission during fiscal year 1996, may be used to pay for the closedown of the Commission and severance costs for Commission personnel, regardless of whether those costs are incurred at the Commission or at the Board.

(b) TO SECRETARY.—Except as otherwise provided in this Act and the amendments made by this Act, those personnel, property, and records employed, used, held, available, or to be made available in connection with a function transferred to the Secretary by this Act shall be transferred to the Secretary for use in connection with the functions transferred.

(c) SEPARATED EMPLOYEES.—Notwithstanding all other laws and regulations, the Department of Transportation shall place all Interstate Commerce Commission employees separated from the Commission as a result of this Act on the DOT reemployment priority list (competitive service) or the priority employment list (excepted service).

SEC. 204. SAVING PROVISIONS. 49 USC 701 note.

(a) LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, grants, loans, contracts, agreements, certificates, licenses, and privileges—

(1) that have been issued, made, granted, or allowed to become effective by the Interstate Commerce Commission, any officer or employee of the Interstate Commerce Commission, or any other Government official, or by a court of competent jurisdiction, in the performance of any function that is transferred by this Act or the amendments made by this Act; and

(2) that are in effect on the effective date of such transfer (or become effective after such date pursuant to their terms as in effect on such effective date),

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Board, any other authorized official, a court of competent jurisdiction, or operation of law. The Board shall promptly rescind all regulations established by the Interstate Commerce Commission that are based on provisions of law repealed and not substantively reenacted by this Act.

(b) PROCEEDINGS.—(1) The provisions of this Act shall not affect any proceedings or any application for any license pending before the Interstate Commerce Commission at the time this Act takes effect, insofar as those functions are retained and transferred by this Act; but such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such

proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(2) The Board and the Secretary are authorized to provide for the orderly transfer of pending proceedings from the Interstate Commerce Commission.

(3)(A) Except as provided in subparagraphs (B) and (C), in the case of a proceeding under a provision of law repeal, and not reenacted, by this Act such proceeding shall be terminated.

(B) Any proceeding involving a pipeline carrier under subtitle IV of title 49, United States Code, shall be continued to be heard by the Board under such subtitle, as in effect on the day before the effective date of this section, until completion of such proceeding.

(C) Any proceeding involving the merger of a motor carrier property under subtitle IV of title 49, United States Code, shall continue to be heard by the Board under such subtitle, as in effect on the day before the effective date of this section, until completion of such proceeding.

(4) Any proceeding with respect to any tariff, rate charge, classification, rule, regulation, or service that was pending under the Intercoastal Shipping Act, 1933 or the Shipping Act, 1916 before the Federal Maritime Commission on November 1, 1995, shall continue to be heard until completion or issuance of a final order thereon under all applicable laws in effect as of November 1, 1995.

(c) SUITS.—(1) This Act shall not affect suits commenced before the date of the enactment of this Act, except as provided in paragraphs (2) and (3). In all such suits, proceeding shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this Act had not been enacted.

(2) Any suit by or against the Interstate Commerce Commission begun before the effective date of this Act shall be continued, insofar as it involves a function retained and transferred under this Act, with the Board (to the extent the suit involves functions transferred to the Board under this Act) or the Secretary (to the extent the suit involves functions transferred to the Secretary under this Act) substituted for the Commission.

(3) If the court in a suit described in paragraph (1) remands a case to the Board or the Secretary, subsequent proceedings related to such case shall proceed in accordance with applicable law and regulations as in effect at the time of such subsequent proceedings.

(d) CONTINUANCE OF ACTIONS AGAINST OFFICERS.—No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of the Interstate Commerce Commission shall abate by reason of the enactment of this Act. No cause of action by or against the Interstate Commerce Commission, or by or against any officer thereof in his official capacity, shall abate by reason of enactment of this Act.

(e) EXERCISE OF AUTHORITIES.—Except as otherwise provided by law, an officer or employee of the Board may, for purposes of performing a function transferred by this Act or the amendments made by this Act, exercise all authorities under any other provision of law that were available with respect to the performance of

that function to the official responsible for the performance of the function immediately before the effective date of the transfer of the function under this Act or the amendments made by this Act.

SEC. 205. REFERENCES. 49 USC 701 note.

Any reference to the Interstate Commerce Commission in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to the Interstate Commerce Commission or an officer or employee of the Interstate Commerce Commission, is deemed to refer to the Board, a member or employee of the Board, or the Secretary, as appropriate.

TITLE III—CONFORMING AMENDMENTS

Subtitle A—Amendments to United States Code

SEC. 301. TITLE 5 AMENDMENTS.

(a) COMPENSATION FOR POSITIONS AT LEVEL III.—Section 5314 of title 5, United States Code, is amended by striking "Chairman, Interstate Commerce Commission." and inserting in lieu thereof "Chairman, Surface Transportation Board.".

(b) COMPENSATION FOR POSITIONS AT LEVEL IV.—Section 5315 of title 5, United States Code, is amended by striking "Members, Interstate Commerce Commission." and inserting in lieu thereof "Members, Surface Transportation Board.".

SEC. 302. TITLE 11 AMENDMENTS.

Subchapter IV of chapter 11 of title 11, United States Code, is amended—

(1) by striking section 1162 and inserting in lieu thereof the following:

"§ 1162. Definition

"In this subchapter, 'Board' means the 'Surface Transportation Board'."; and

(2) by striking "Commission" each place it appears and inserting in lieu thereof "Board". 11 USC 1164, 1170, 1172.

SEC. 303. TITLE 18 AMENDMENTS.

Title 18, United States Code, is amended—

(1) in section 921(a)(27) by striking "10102" and inserting in lieu thereof "13102"; and

(2) in section 6001(1) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board".

SEC. 304. INTERNAL REVENUE CODE OF 1986 AMENDMENTS.

(a) SECTION 168.—Section 168(g)(4)(B)(i) of the Internal Revenue Code of 1986 is amended by striking "domestic railroad corporation providing transportation subject to subchapter I of chapter 105" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV". 26 USC 168.

(b) SECTION 281.—Subparagraphs (A) and (B) of section 281(d)(1) of such Code are each amended by striking "domestic 26 USC 281.

railroad corporations providing transportation subject to subchapter I of chapter 105" and inserting in lieu thereof "rail carriers subject to part A of subtitle IV".

26 USC 354. (c) SECTION 354.—Section 354(c) of such Code is amended by striking "or approved by the Interstate Commerce Commission under subchapter IV of chapter 113 of title 49,".

26 USC 3231. (d) SECTION 3231.—Section 3231 of such Code is amended—

(1) in subsection (a) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board"; and

(2) in subsection (g) by striking "an express carrier, sleeping car carrier, or rail carrier providing transportation subject to subchapter I of chapter 105" and inserting in lieu thereof "a rail carrier subject to part A of subtitle IV".

26 USC 7701. (e) SECTION 7701.—Section 7701(a) of such Code is amended—

(1) in paragraph (33)(B) by striking "Federal Power Commission" and inserting in lieu thereof "Federal Energy Regulatory Commission";

(2) in paragraph (33)(C)(i) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board";

(3) in paragraph (33)(C)(ii) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Federal Energy Regulatory Commission";

(4) in paragraph (33)(F) by striking "common carrier" and all that follows through "1933" and inserting in lieu thereof "a water carrier subject to jurisdiction under subchapter II of chapter 135 of title 49";

(5) in paragraph (33)(G) by striking "railroad corporation subject to subchapter I of chapter 105" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV"; and

(6) in paragraph (33)(H) by striking "subchapter I of chapter 105" and inserting in lieu thereof "part A of subtitle IV".

SEC. 305. TITLE 28 AMENDMENTS.

(a) CHAPTER 85.—Chapter 85 of title 28, United States Code, is amended—

(1) in the section heading to section 1336 by striking "**Interstate Commerce Commission's**" and inserting in lieu thereof "**Surface Transportation Board's**";

(2) in section 1336 by striking "Interstate Commerce Commission" each place it appears and inserting in lieu thereof "Surface Transportation Board";

(3) in section 1337 by striking "11707" each place it appears and inserting in lieu thereof "11706 or 14706"; and

(4) in the item relating to section 1336 of the table of sections by striking "Interstate Commerce Commission's" and inserting in lieu thereof "Surface Transportation Board's".

(b) SECTION 1445.—Section 1445(b) of such title is amended—

(1) by striking "common"; and

(2) by striking "11707" and inserting in lieu thereof "11706 or 14706".

(c) CHAPTER 157 AMENDMENTS.—

(1) IN GENERAL.—Chapter 157 of such title is amended—

(A) by striking "**INTERSTATE COMMERCE COMMISSION**" in the chapter heading and inserting in lieu thereof "**SURFACE TRANSPORTATION BOARD**";

(B) by striking "**Commission's**" in the section heading to section 2321 and inserting in lieu thereof "**Board's**";

(C) by striking "Interstate Commerce Commission" each place it appears and inserting in lieu thereof "Surface Transportation Board"; 28 USC 2321, 2323.

(D) in section 2323 by striking "Commission" the second and third places it appears and inserting in lieu thereof "Board"; and

(E) in the item relating to section 2321 of the table of sections by striking "Commission's" and inserting in lieu thereof "Board's".

(2) TABLE OF CHAPTERS.—The item relating to chapter 157 in the table of chapters of such title is amended by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board".

(d) CHAPTER 158 AMENDMENTS.—Chapter 158 of such title is amended—

(1) in section 2341(3)(A) by striking "the Interstate Commerce Commission,";

(2) by striking "and" at the end of section 2341(3)(C);

(3) by striking the period at the end of section 2341(3)(D) and inserting in lieu thereof "; and";

(4) by inserting at the end of section 2341(3) the following new subparagraph:

"(E) the Board, when the order was entered by the Surface Transportation Board.";

(5) in section 2342(3)(A) by striking "41, or 43" and inserting in lieu thereof "or 41";

(6) by inserting "or pursuant to part B or (C) of subtitle IV of title 49" before the semicolon at the end of section 2342(3)(A);

(7) in section 2342(3)(B)—

(A) by striking clauses (i) and (iii); and

(B) by redesignating clauses (ii), (iv), and (v) as clauses (i), (ii), and (iii), respectively; and

(8) by striking paragraph (5) of section 2342 and inserting in lieu thereof the following:

"(5) all rules, regulations, or final orders of the Surface Transportation Board made reviewable by section 2321 of this title;".

SEC. 306. TITLE 31 AMENDMENTS.

Section 3726(b) of title 31, United States Code, is amended—

(1) in paragraph (1) by striking "on file with the Interstate Commerce Commission," and inserting in lieu thereof "under title 49 or on file with";

(2) in paragraph (1) by striking "or" at the end;

(3) by redesignating paragraph (2) as paragraph (3);

(4) by inserting after paragraph (1) the following new paragraph:

"(2) a lawfully quoted rate subject to the jurisdiction of the Surface Transportation Board; or"; and

(5) in paragraph (3), as redesignated by paragraph (4) of this section, by striking "sections 10721–10724" and inserting in lieu thereof "sections 10721, 13712, and 15504".

SEC. 307. TITLE 39 AMENDMENTS.

Title 39, United States Code, is amended—

(1) in section 5005(a)(4) by striking "5201(7)" and inserting in lieu thereof "5201(6)";

(2) in section 5005(b)(3) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board"; and

(3) by striking paragraph (1) of section 5201 and inserting in lieu thereof the following:

"(1) 'Board' means the Surface Transportation Board;";

(4) in section 5201(2) by striking "a motor common carrier, or express carrier" and inserting in lieu thereof "or a motor carrier";

(5) in section 5201(4)—

(A) by striking "common"; and

(B) by striking "permit" and inserting in lieu thereof "registration";

(6) in section 5201(5)—

(A) by striking "common" each place it appears;

(B) by striking "10102(14)" and inserting in lieu thereof "13102(12)"; and

(C) by striking "certificate of public convenience and necessity" and inserting in lieu thereof "registration";

(7) by striking paragraph (6) of section 5201;

(8) in section 5201 by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively;

(9) in section 5201(6), as so redesignated, by striking "certificate of public convenience and necessity" and inserting in lieu thereof "certificate or registration";

(10) in section 5203(f) by striking "motor common carrier" each place it appears and inserting in lieu thereof "motor carrier";

(11) in the section heading to section 5207 by striking "**Interstate Commerce Commission**" and inserting in lieu thereof "**Surface Transportation Board**";

(12) in sections 5208(a) and 5215(a) by striking "Commission's" and inserting in lieu thereof "Board's";

(13) in section 5215(a) by striking "motor common carrier" and inserting in lieu thereof "motor carrier";

39 USC 5201, 5203, 5207–5209, 5212, 5215.

(14) in chapter 52 by striking "Commission" each place it appears and inserting in lieu thereof "Board"; and

(15) in the item relating to section 5207 of the table of sections of chapter 52, by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board".

SEC. 308. TITLE 49 AMENDMENTS.

(a) SECTION 302.—Section 302(a) of title 49, United States Code, is amended by striking "10101a" and inserting in lieu thereof "13101".

(b) SECTION 333.—Section 333 of such title is amended—

(1) in subsection (c)(2) by striking "11910(a)(1)" and inserting in lieu thereof "11904"; and

(2) in subsection (e)—

(A) by striking "11343(a)" and inserting in lieu thereof "11323(a)"; and

(B) by striking "11344(b)" and inserting in lieu thereof "11324(b)".

(c) CHAPTER 5.—Subchapter I of chapter 5 of such title is amended—

(1) by striking "DUTIES" the first place it appears in the subchapter heading; and

(2) in section 501(a)(1) by striking "section 10102" and inserting in lieu thereof "sections 10102 and 13102".

(d) SECTION 5102.—Section 5102(7) of such title is amended—

(1) by striking "common";

(2) by striking "motor contract carrier,"; and

(3) by striking "10102" and inserting in lieu thereof "13102".

(e) SECTION 5333.—Section 5333(b)(3) of such title is amended by striking "11347" and inserting in lieu thereof "11326".

(f) CHAPTER 221.—Chapter 221 of such title is amended—

(1) in section 22101(a) by striking "subchapter I of chapter 105" and inserting in lieu thereof "part A of subtitle IV";

(2) in section 22101(a)(1) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board";

(3) in section 22103(b)(1) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board";

(4) in section 22107(c)—

(A) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board"; and

(B) by striking "Commission" the second place it appears and inserting in lieu thereof "Board"; and

(5) in section 22107(d) by striking "subchapter I of chapter 105" and inserting in lieu thereof "part A of subtitle IV".

(g) SECTION 24301.—Section 24301 of such title is amended—

(1) in subsection (c)—

(A) by striking "Subtitle IV" in paragraph (1) and inserting in lieu thereof "Part A of subtitle IV";

(B) by striking "sections 10721–10724 of this title apply" in paragraph (2)(A) and inserting in lieu thereof "section 10721 of this title applies"; and

(C) by striking "Interstate Commerce Commission under any provision of subtitle IV of this title applicable to a carrier subject to subchapter I of chapter 105" in paragraph (2)(B) and inserting in lieu thereof "Surface Transportation Board under part A of subtitle IV"; and

(2) in subsection (d) by striking "common carrier subject to subchapter I of chapter 105" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV".

(h) SECTION 24501.—Section 24501(b) of such title is amended by striking "subchapter I of chapter 105" and inserting in lieu thereof "part A of subtitle IV".

(i) SECTION 24705.—Section 24705 of such title is amended by striking subsection (d).

(j) SECTIONS 30103 AND 30166.—Sections 30103(a) and 30106(d) of such title are each amended by striking "subchapter II of chapter 105" each place it appears and inserting in lieu thereof "subchapter I of chapter 135". 49 USC 30166.

(k) CHAPTER 315.—Chapter 315 of such title is amended—

(1) in section 31501(2) by striking "10102" and inserting in lieu thereof "13102";

(2) in section 31501(3)(A) by striking "10521(a)" and inserting in lieu thereof "13501";

(3) in section 31502(a)(1) by striking "10521 and 10522" by inserting in lieu thereof "13501 and 13502"; and

(4) in section 31503(a) by striking "subchapter II of chapter 105" and inserting in lieu thereof "subchapter I of chapter 135".

(l) SECTIONS 41309 AND 41502.—Sections 41309(b)(2)(A) and 41502 of such title are each amended by striking "common" each place it appears.

(m) SECTION 60115.—Section 60115(b)(4)(A) of such title is amended by striking "(referred to in section 10344(f) of this title)".

Subtitle B—Other Amendments

SEC. 311. AGRICULTURAL ADJUSTMENT ACT OF 1938 AMENDMENTS.

Section 201 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1291) is amended—

(1) by striking "Interstate Commerce Commission" each place it appears and inserting in lieu thereof "Surface Transportation Board";

(2) by striking "Commission" each place it appears (other than a place to which paragraph (1) applies) and inserting in lieu thereof "Board"; and

(3) by striking "Commission's" in subsection (b) and inserting in lieu thereof "Board's".

SEC. 312. ANIMAL WELFARE ACT AMENDMENT.

Section 15(a) of the Animal Welfare Act (7 U.S.C. 2145(a)) is amended by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board".

SEC. 313. FEDERAL ELECTION CAMPAIGN ACT OF 1971 AMENDMENTS.

2 USC 451.

Section 401 of the Federal Election Campaign Act of 1971 is amended—

(1) by striking "Interstate Commerce Commission shall each promulgate, within ninety days after the date of enactment of this Act" and inserting in lieu thereof "Surface Transportation Board shall each maintain"; and

(2) by inserting "or Board" after "or such Commission".

SEC. 314. FAIR CREDIT REPORTING ACT AMENDMENT.

Section 621(b)(4) of the Fair Credit Reporting Act (15 U.S.C. 1681s(b)(4)) is amended by striking "Interstate Commerce Commission with respect to any common carrier subject to those Acts" and inserting in lieu thereof "Secretary of Transportation, with respect to all carriers subject to the jurisdiction of the Surface Transportation Board".

SEC. 315. EQUAL CREDIT OPPORTUNITY ACT AMENDMENT.

Section 704(a)(4) of the Equal Credit Opportunity Act (15 U.S.C. 1691c(a)(4)) is amended by striking "Interstate Commerce Commission with respect to any common carrier subject to those Acts" and inserting in lieu thereof "Secretary of Transportation, with respect to all carriers subject to the jurisdiction of the Surface Transportation Board".

SEC. 316. FAIR DEBT COLLECTION PRACTICES ACT AMENDMENT.

Section 814(b)(4) of the Fair Debt Collection Practices Act (15 U.S.C. 1692l(b)(4)) is amended by striking "Interstate Commerce Commission with respect to any common carrier subject to those Acts" and inserting in lieu thereof "Secretary of Transportation, with respect to all carriers subject to the jurisdiction of the Surface Transportation Board".

SEC. 317. NATIONAL TRAILS SYSTEM ACT AMENDMENTS.

The National Trails System Act is amended—

(1) in section 8(d)— 16 USC 1247.

(A) by striking "Chairman of the Interstate Commerce Commission" and inserting in lieu thereof "Chairman of the Surface Transportation Board"; and

(B) by striking "Commission" the second place it appears and inserting in lieu thereof "Board"; and

(2) in section 9(b) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board". 16 USC 1248.

SEC. 318. CLAYTON ACT AMENDMENTS.

The Clayton Act is amended—

(1) in section 7 (15 U.S.C. 18)—

(A) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board"; and

(B) by inserting ", Board," after "vesting such power in such Commission";

(2) in section 11(a) (15 U.S.C. 21(a)) by striking "Interstate Commerce Commission where applicable to common carriers subject to the Interstate Commerce Act, as amended" and inserting in lieu thereof "Surface Transportation Board where applicable to common carriers subject to jurisdiction under subtitle IV of title 49, United States Code"; and

(3) in section 16 (15 U.S.C. 22) by striking "in equity for injunctive relief" and all that follows through "Interstate Commerce Commission" and inserting in lieu thereof "for injunctive relief against any common carrier subject to the jurisdiction of the Surface Transportation Board under subtitle IV of title 49, United States Code". 15 USC 26.

SEC. 319. INSPECTOR GENERAL ACT OF 1978 AMENDMENT.

Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking "the Interstate Commerce Commission,".

SEC. 320. ENERGY POLICY ACT OF 1992 AMENDMENTS.

Subsections (a) and (d) of section 1340 of the Energy Policy Act of 1992 (42 U.S.C. 13369 (a) and (d)) are each amended by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board".

SEC. 321. MERCHANT MARINE ACT, 1920, AMENDMENTS.

The Merchant Marine Act, 1920, is amended—

(1) in section 8 (46 U.S.C. App. 867)—

(A) by striking "Interstate Commerce Commission" both places it appears and inserting in lieu thereof "Surface Transportation Board"; and

(B) by striking "commission" and inserting in lieu thereof "Board";

(2) in section 27A (46 U.S.C. App. 883–1) by striking "common or contract" and all that follows through ", which otherwise" and inserting in lieu thereof "carrier subject to jurisdiction under subchapter II of chapter 135 of title 49, United States Code, which otherwise"; and

(3) in section 28 (46 U.S.C. App. 884)—

(A) by striking "common";

(B) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Surface Transportation Board"; and

(C) by striking "commission" each place it appears and inserting in lieu thereof "Board".

SEC. 322. RAILWAY LABOR ACT AMENDMENTS.

Section 1 of the Railway Labor Act (45 U.S.C. 151) is amended—

(1) in the first paragraph by striking "express company, sleeping-car company, carrier by railroad, subject to the Interstate Commerce Act" and inserting in lieu thereof "railroad subject to the jurisdiction of the Surface Transportation Board";

(2) in the first and fifth paragraphs by striking "Interstate Commerce Commission" each place it appears and inserting in lieu thereof "Surface Transportation Board"; and

(3) in the fifth paragraph by striking "Commission" the second and fourth places it appears and inserting in lieu thereof "Board".

SEC. 323. RAILROAD RETIREMENT ACT OF 1974 AMENDMENTS.

Section 1 of the Railroad Retirement Act of 1974 (45 U.S.C. 231) is amended—

(1) by striking subsection (a)(1)(i) and inserting in lieu thereof the following:

"(i) any carrier by railroad subject to the jurisdiction of the Surface Transportation Board under part A of subtitle IV of title 49, United States Code;";

(2) in subsection (a)(2)(ii) by striking "Interstate Commerce Commission is hereby authorized and directed upon request of the Board" and inserting in lieu thereof "Surface Transportation Board is hereby authorized and directed upon request of the Railroad Retirement Board"; and

(3) in subsection (o) by inserting "the Surface Transportation Board," after "the Interstate Commerce Commission,".

SEC. 324. RAILROAD UNEMPLOYMENT INSURANCE ACT AMENDMENTS.

The Railroad Unemployment Insurance Act is amended—

(1) in section 1(a) (45 U.S.C. 351(a)) by striking "Interstate Commerce Commission is hereby authorized and directed upon request of the Board" and inserting in lieu thereof "Surface Transportation Board is hereby authorized and directed upon request of the Railroad Retirement Board";

(2) by striking paragraph (b) of such section 1 and inserting in lieu thereof the following:

"(b) The term 'carrier' means a railroad subject to the jurisdiction of the Surface Transportation Board under part A of subtitle IV of title 49, United States Code."; and

(3) by striking "Interstate Commerce Commission, adjusted, as determined by the Board" in section 2(h)(3) (45 U.S.C.

352(h)(3)) and inserting in lieu thereof "Surface Transportation Board, adjusted, as determined by the Railroad Retirement Board".

SEC. 325. EMERGENCY RAIL SERVICES ACT OF 1970 AMENDMENTS.

The Emergency Rail Services Act of 1970 is amended—

(1) in section 2 (45 U.S.C. 661)—

(A) by striking paragraph (2) and inserting in lieu thereof the following:

"(2) 'Board' means the Surface Transportation Board."; and

(B) in paragraph (3) by striking "common carrier by railroad subject to part I of the Interstate Commerce Act (49 U.S.C. 1–27)" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV of title 49, United States Code";

(2) in section 3—

(A) by striking "the provisions of section 5 of the Interstate Commerce Act" in subsection (b)(4) and inserting in lieu thereof "subchapter II of chapter 113 of title 49, United States Code"; and

(B) by striking "Commission" each place it appears and inserting in lieu thereof "Board"; and

(3) in section 6(a) (45 U.S.C. 665(a)) by striking "Interstate Commerce Commission" and inserting in lieu thereof "Board".

SEC. 326. ALASKA RAILROAD TRANSFER ACT OF 1982 AMENDMENTS.

Section 608 of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1207) is amended—

(1) by striking "the jurisdiction of the Interstate Commerce Commission under chapter 105" in subsection (a)(1) and inserting in lieu thereof "part A"; and

(2) by striking "the jurisdiction of the Interstate Commerce Commission under chapter 105" in subsection (c) and inserting in lieu thereof "part A".

SEC. 327. REGIONAL RAIL REORGANIZATION ACT OF 1973 AMENDMENTS.

The Regional Rail Reorganization Act of 1973 is amended—

(1) in section 102(15) (45 U.S.C. 702(15)) by striking "common carrier by railroad as defined in section 1(3) of part I of the Interstate Commerce Act (49 U.S.C. 1(3))" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV of title 49, United States Code";

(2) in section 301(b) (45 U.S.C. 741(b)) by striking "common carrier by railroad under section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3))" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV of title 49, United States Code";

(3) in section 304 (45 U.S.C. 744)—

(A) by striking "205(d)(6) of this Act" in subsection (a)(2)(B) and inserting in lieu thereof "10362(b)(6) of title 49, United States Code";

(B) by striking "Interstate Commerce Act" and inserting in lieu thereof "part A of subtitle IV of title 49, United States Code";

(C) in subsection (d)(3)—

(i) by striking "this title," and all that follows through "(A) shall take" and inserting in lieu thereof "this title, the Commission shall take"; and

(ii) by striking "this subsection; and" and all that follows through "205(d)(6) of this Act" and inserting in lieu thereof "this subsection";

(D) in subsection (e)(4)—

(i) by striking "and under regulations issued by the Office pursuant to section 205(d)(5) of this Act" in subparagraph (A); and

(ii) by striking "and regulations issued by the Office pursuant to section 205(d)(5) of this Act" in subparagraph (C);

(E) in subsection (e)(5)—

(i) by striking "and under regulations issued by the Office pursuant to section 205(d)(5) of this Act" in subparagraph (A); and

(ii) by striking "and under regulations issued by the Office pursuant to section 205(d)(5) of this Act" in subparagraph (B);

(F) in subsection (e)(7)(A) by striking "and under regulations issued by the Office pursuant to section 205(d)(5) of this Act"; and

(G) in subsection (g) by striking "the Interstate Commerce Act" and inserting in lieu thereof "part A of subtitle IV of title 49, United States Code";

(4) in section 308 (45 U.S.C. 748)—

(A) by striking "10905(d)–(f)" in subsection (d)(1) and inserting in lieu thereof "10904"; and

(B) by striking "10903(b)(2)" in subsection (f) and inserting in lieu thereof "10903(b)(3)"; and

(5) by inserting after section 712 the following new section:

"CLASS II RAILROADS RECEIVING FEDERAL ASSISTANCE

49 USC 797*l*.

"SEC. 713. The Surface Transportation Board shall impose no labor protection conditions in approving an application under section 10902 of title 49, United States Code, when the application involves a Class II rail carrier which—

"(1) is headquartered in a State, and operates in at least one State, with a population of less than 1,000,000 persons, as determined by the 1990 census; and

"(2) has, as of January 1, 1996, been a recipient of repayable Federal Railroad Administration assistance in excess of $5,000,000.".

SEC. 328. MILWAUKEE RAILROAD RESTRUCTURING ACT AMENDMENT.

Section 18 of the Milwaukee Railroad Restructuring Act (45 U.S.C. 916) is repealed.

SEC. 329. ROCK ISLAND RAILROAD TRANSITION AND EMPLOYEE ASSISTANCE ACT AMENDMENTS.

The Rock Island Railroad Transition and Employee Assistance Act is amended—

(1) in section 104(a) (45 U.S.C. 1003(a)) by striking "section 11125 of title 49, United States Code, or"; and

(2) by striking section 120 (45 U.S.C. 1015).

SEC. 330. RAILROAD REVITALIZATION AND REGULATORY REFORM ACT OF 1976 AMENDMENTS.

The Railroad Revitalization and Regulatory Reform Act of 1976 is amended—

(1) in section 102(7) (45 U.S.C. 802(7)) by striking "common carrier by railroad or express, as defined in section 1(3) of the Interstate Commerce Act (49 U.S.C. 1(3))" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV of title 49, United States Code";

(2) in section 505(a)(3) (45 U.S.C. 825(a)(3))—

(A) by striking "A financially responsible person (as defined in section 10910(a)(1) of title 49, United States Code)" and inserting in lieu thereof "(A) A financially responsible person"; and

(B) by inserting at the end the following new subparagraph:

"(B) For purposes of this paragraph, the term 'financially responsible person' means a person who (i) is capable of paying the constitutional minimum value of the railroad line proposed to be acquired, and (ii) is able to assure that adequate transportation will be provided over such line for a period of not less than 3 years. Such term includes a governmental authority but does not include a class I or class II rail carrier.";

(3) in section 509(b) (45 U.S.C. 829(b)) by striking paragraph (2); and

(4) in section 510 (45 U.S.C. 830) by striking "the provisions of section 20a of the Interstate Commerce Act (49 U.S.C. 20a), nor".

SEC. 331. NORTHEAST RAIL SERVICE ACT OF 1981 AMENDMENTS.

The Northeast Rail Service Act of 1981 is amended in section 1164 (45 U.S.C. 1112) by striking "11344 or 11345" each place it appears and inserting in lieu thereof "11324 or 11325".

SEC. 332. CONRAIL PRIVATIZATION ACT AMENDMENT.

Section 4036 of the Conrail Privatization Act (45 U.S.C. 1344) is amended by striking "(19)".

SEC. 333. MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION ACT AMENDMENTS.

Section 401(b)(2)(C) of the Migrant and Seasonal Agricultural Worker Protection Act (29 U.S.C. 1841(b)(2)(C)) is amended by striking "part II of the Interstate Commerce Act (49 U.S.C. 301 et seq.), or any successor provision of" and inserting in lieu thereof "part B of".

SEC. 334. FEDERAL AVIATION ADMINISTRATION AUTHORIZATION ACT OF 1994.

Section 601(d) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305) is repealed. 49 USC 10521 note.

SEC. 335. TERMINATION OF CERTAIN MARITIME AUTHORITY.

(a) REPEAL OF INTERCOASTAL SHIPPING ACT, 1933.—The Intercoastal Shipping Act, 1933 (46 U.S.C. App. 843 et seq.) is repealed effective September 30, 1996. Effective date.

(b) REPEAL OF PROVISIONS OF SHIPPING ACT, 1916.—The following provisions of the Shipping Act, 1916 are repealed effective September 30, 1996: Effective date.

(1) Section 3 (46 U.S.C. App. 804).
(2) Section 14 (46 U.S.C. App. 812).
(3) Section 15 (46 U.S.C. App. 814).
(4) Section 16 (46 U.S.C. App. 815).
(5) Section 17 (46 U.S.C. App. 816).
(6) Section 18 (46 U.S.C. App. 817).
(7) Section 19 (46 U.S.C. App. 818).
(8) Section 20 (46 U.S.C. App. 819).
(9) Section 21 (46 U.S.C. App. 820).
(10) Section 22 (46 U.S.C. App. 821).
(11) Section 23 (46 U.S.C. App. 822).
(12) Section 24 (46 U.S.C. App. 823).
(13) Section 25 (46 U.S.C. App. 824).
(14) Section 27 (46 U.S.C. App. 826).
(15) Section 29 (46 U.S.C. App. 828).
(16) Section 30 (46 U.S.C. App. 829).
(17) Section 31 (46 U.S.C. App. 830).
(18) Section 32 (46 U.S.C. App. 831).
(19) Section 33 (46 U.S.C. App. 832).
(20) Section 35 (46 U.S.C. App. 833a).
(21) Section 43 (46 U.S.C. App. 841a).
(22) Section 45 (46 U.S.C. App. 841c).

(c) CONFORMING AMENDMENTS.—

(1) MERCHANT MARINE ACT, 1936.—Section 204(a) of the Merchant Marine Act, 1936 (46 U.S.C. App. 1114(a)) is amended by striking "the Intercoastal Shipping Act, 1933,".

(2) SHIPPING ACT OF 1984.—Section 5(e) of the Shipping Act of 1984 (46 U.S.C. App. 1704(e)) is amended—

(A) by striking "This Act, the Shipping Act, 1916, and the Intercoastal Shipping Act, 1933," and inserting "This Act and the Shipping Act, 1916"; and

(B) by striking "this Act, the Shipping Act, 1916, or the Intercoastal Shipping Act, 1933," and inserting "this Act or the Shipping Act, 1916".

SEC. 336. ARMORED CAR INDUSTRY RECIPROCITY ACT OF 1993 AMENDMENTS.

Section 5(2) of the Armored Car Industry Reciprocity Act of 1993 (15 U.S.C. 5904) is amended—

(1) by striking "subchapter II of chapter 105" and inserting in lieu thereof "subchapter I of chapter 135"; and

(2) by striking "holding the appropriate certificate, permit, or license issued under subchapter II of chapter 109" and inserting in lieu thereof "is registered under chapter 139".

SEC. 337. LABOR MANAGEMENT RELATIONS ACT, 1947 AMENDMENT.

Section 302(b)(2) of the Labor Management Relations Act, 1947 (29 U.S.C. 186(b)(2)) is amended by striking the parenthetical phrase and inserting in lieu thereof "(as defined in section 13102 of title 49, United States Code)".

SEC. 338. INLANDS WATERWAY REVENUE ACT OF 1978 AMENDMENT.

Section 205(f)(1) of the Inlands Waterway Revenue Act of 1978 (33 U.S.C. 1803(f)(1)) is amended by striking "as set forth" and all that follows through the period at the end and inserting in lieu thereof "as set forth in sections 10101 and 13101 of title 49, United States Code.".

SEC. 339. NOISE CONTROL ACT OF 1972 AMENDMENT.

Section 18(d) of the Noise Control Act of 1972 (42 U.S.C. 4917(d)) is amended to read as follows:

"(d) For purposes of this section, the term 'motor carrier' includes a motor carrier and motor private carrier as those terms are defined in section 13102 of title 49, United States Code.".

SEC. 340. FAIR LABOR STANDARDS ACT OF 1938 AMENDMENT.

Section 13(b)(2) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(b)(2)) is amended by striking "common carrier by rail and subject to the provisions of part I of the Interstate Commerce Act" and inserting in lieu thereof "rail carrier subject to part A of subtitle IV of title 49, United States Code".

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. CERTAIN COMMERCIAL SPACE LAUNCH ACTIVITIES.

42 USC 4332 note.

The licensing of a launch vehicle or launch site operator (including any amendment, extension, or renewal of the license) under chapter 701 of title 49, United States Code, shall not be considered a major Federal action for purposes of section 102(C) of the National Environmental Policy Act of 1969 (42 U.S.C. 4332(C)) if—

(1) the Department of the Army has issued a permit for the activity; and

(2) the Army Corps of Engineers has found that the activity has no significant impact.

SEC. 402. DESTRUCTION OF MOTOR VEHICLES OR MOTOR VEHICLE FACILITIES; WRECKING TRAINS.

(a) DESTRUCTION OF MOTOR VEHICLES OR MOTOR VEHICLE FACILITIES.—Section 33 of title 18, United States Code, is amended—

(1) by inserting "(a)" before "Whoever" the first place it appears; and

(2) by adding at the end the following:

"(b) Whoever is convicted of a violation of subsection (a) involving a motor vehicle that, at the time the violation occurred, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12))) or spent nuclear fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23))), shall be fined under this title and imprisoned for any term of years not less than 30, or for life.".

(b) WRECKING TRAINS.—Section 1992 of such title is amended—

(1) by inserting "(a)" before "Whoever" the first place it appears;

(2) by inserting "(b)" before "Whoever is convicted";

(3) striking "any such crime, which" and inserting "a violation of subsection (a) that";

(4) by inserting after the paragraph beginning "Whoever is convicted" the following:

"Whoever is convicted of any such violation involving a train that, at the time the violation occurred, carried high-level radioactive waste (as that term is defined in section 2(12) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(12))) or spent nuclear

fuel (as that term is defined in section 2(23) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101(23))), shall be fined under this title and imprisoned for any term or years not less than 30, or for life."; and

(5) by inserting "(c)" before "A judgment".

SEC. 403. VIOLATION OF GRADE-CROSSING LAWS AND REGULATIONS.

(a) FEDERAL REGULATIONS.—Section 31310 of title 49, United States Code, is amended by adding at the end thereof the following:

"(h) GRADE-CROSSING VIOLATIONS.—

"(1) SANCTIONS.—The Secretary shall issue regulations establishing sanctions and penalties relating to violations, by persons operating commercial motor vehicles, of laws and regulations pertaining to railroad-highway grade crossings.

"(2) MINIMUM REQUIREMENTS.—The regulations issued under paragraph (1) shall, at a minimum, require that—

"(A) the penalty for a single violation is not less than a 60-day disqualification of the driver's commercial driver's license; and

"(B) any employer that knowingly allows, permits, authorizes, or requires an employee to operate a commercial motor vehicle in violation of such a law or regulation shall be subject to a civil penalty of not more than $10,000.".

49 USC 31310 note.

(b) DEADLINE.—The initial regulations required under section 31310(h) of title 49, United States Code, shall be issued not later than 1 year after the date of the enactment of this Act.

(c) STATE REGULATIONS.—Section 31311(a) of title 49, United States Code, is amended by adding at the end thereof the following:

"(18) The State shall adopt and enforce regulations prescribed by the Secretary under section 31310(h) of this title.".

SEC. 404. MISCELLANEOUS TITLE 23 AMENDMENTS.

Section 127 of title 23, United States Code, is amended by adding at the end the following:

"(g) OPERATION OF CERTAIN SPECIALIZED HAULING VEHICLES ON CERTAIN PENNSYLVANIA HIGHWAYS.—If the segment of United States Route 220 between Bedford and Bald Eagle, Pennsylvania, is designated as part of the Interstate System, the single axle weight, tandem axle weight, gross vehicle weight, and bridge formula limits set forth in subsection (a) shall not apply to that segment with respect to the operation of any vehicle which could have legally operated on that segment before the date of the enactment of this subsection.".

SEC. 405. TECHNICAL AMENDMENTS.

Effective date.

(a) NHS DESIGNATION ACT.—Effective November 28, 1995, the National Highway System Designation Act of 1995 (Public Law 104–59) is amended—

23 USC 127.

(1) in section 312(b) (109 Stat. 584) by striking "of such title" and inserting in lieu thereof "of title 23, United States Code";

23 USC 149.

(2) in section 319(b)(3) (109 Stat. 589) by striking "at the end" and inserting in lieu thereof "after paragraph (3)";

(3) in section 332(a)(1)(C)(iii) (109 Stat. 596) by inserting closing quotation marks after "Mexico";

(4) in section 336(1) (109 Stat. 602)—

(A) by striking "for" each place it appears; and

(B) by inserting "for" after "million" each place it appears; and

(5) by inserting closing quotation marks and a period after the period at the end of section 337(c)(1)(B) (109 Stat. 603). 16 USC 1261.

(b) TITLE 23.—Section 149(b) of title 23, United States Code, is amended—

(1) by inserting "or" after the semicolon at the end of paragraph (3); and

(2) by striking "; or" at the end of paragraph (4) and inserting a period.

(c) ISTEA.—Section 1069(v) of the International Surface Transportation Efficiency Act of 1991 (105 Stat. 2010) is amended by striking the period at the end of the first sentence.

SEC. 406. FIBER DRUM PACKAGING.

49 USC 5103 note. Rules.

(a) IN GENERAL.—In the administration of chapter 51 of title 49, United States Code, the Secretary of Transportation shall issue a final rule within 60 days after the date of the enactment of this Act authorizing the continued use of fiber drum packaging with a removable head for the transportation of liquid hazardous materials with respect to those liquid hazardous materials transported by such drums pursuant to regulations in effect on September 30, 1991, if—

(1) the packaging is in compliance with regulations of the Secretary under the Hazardous Materials Transportation Act as in effect on September 30, 1991; and

(2) the packaging will not be used for the transportation of hazardous materials that include materials which are poisonous by inhalation or materials in Packing Groups I and II.

(b) EXPIRATION.—The regulation referred to in subsection (a) shall expire on the later of September 30, 1997, or the date on which funds are authorized to be appropriated to carry out chapter 51 of title 49, United States Code (relating to transportation of hazardous materials), for fiscal years beginning after September 30, 1997.

(c) STUDY.—

(1) IN GENERAL.—Within 90 days after the date of the enactment of this Act, the Secretary shall contract with the National Academy of Sciences to conduct a study— Contracts.

(A) to determine whether the requirements of section 5103(b) of title 49, United States Code (relating to regulations for safe transportation), as they pertain to fiber drum packaging with a removable head can be met for the transportation of liquid hazardous materials (with respect to those liquid hazardous materials transported by such drums pursuant to regulations in effect on September 30, 1991) with standards (including fiber drum industry standards set forth in a June 8, 1992, exemption application submitted to the Department of Transportation), other than the performance-oriented packaging standards adopted under docket number HM–181 contained in part 178 of title 49, Code of Federal Regulations; and

(B) to determine whether a packaging standard (including such fiber drum industry standards), other than such performance-oriented packaging standards, will provide an equal or greater level of safety for the transportation of

liquid hazardous materials than would be provided if such performance-oriented packaging standards were in effect.

(2) COMPLETION.—The study shall be completed before March 1, 1997 and shall be transmitted to the Committee on Commerce, Science, and Transportation of the Senate and the Transportation and Infrastructure Committee of the House of Representatives.

Regulations.

(d) SECRETARIAL ACTION.—By September 30, 1997, the Secretary shall issue final regulations to determine what standards should apply to fiber drum packaging with a removable head for transportation of liquid hazardous materials (with respect to those liquid hazardous materials transported by such drums pursuant to regulations in effect on September 30, 1991) after September 30, 1997. In issuing such regulations, the Secretary shall give full and substantial consideration to the results of the study conducted in subsection (c).

SEC. 407. NONCONTIGUOUS DOMESTIC TRADE STUDY.

Within 6 months after the effective date of this Act, the Secretary of Transportation shall transmit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a study that analyzes each of the noncontiguous domestic trades, including analyzing—

(1) carrier competition in both regulated and unregulated portions of those trades;

(2) rate structures in those trades;

(3) the impact of tariff filing on carrier pricing;

(4) the problems of parallel pricing and its impact on competition in the domestic trades;

(5) the impact on domestic cargo pricing of foreign cargo services;

(6) whether additional protections are needed to protect shippers from the abuse of market power; and

(7) the extent to which statutory or regulatory changes should be made to further the transportation policy of section 13101 of title 49, United States Code.

49 USC 31136 note.

SEC. 408. FEDERAL HIGHWAY ADMINISTRATION RULEMAKING.

(a) ADVANCE NOTICE.—The Federal Highway Administration shall issue an advance notice of proposed rulemaking dealing with a variety of fatigue-related issues pertaining to commercial motor vehicle motor vehicle safety (including 8 hours of continuous sleep after 10 hours of driving, loading and unloading operations, automated and tamper-proof recording devices, rest and recovery cycles, fatigue and stress in longer combination vehicles, fitness for duty, and other appropriate regulatory and enforcement countermeasures for reducing fatigue-related incidents and increasing driver alertness) not later than March 1, 1996.

(b) RULEMAKING.—The Federal Highway Administration shall issue a notice of proposed rulemaking dealing with such issues within 1 year after issuance of the advance notice under subsection (a) is published and shall issue a final rule dealing with those issues within 2 years after the last day of such 1-year period.

Approved December 29, 1995.

LEGISLATIVE HISTORY—H.R. 2539 (S. 1396):

HOUSE REPORTS: Nos. 104–311 (Comm. on Transportation and Infrastructure) and 104–422 (Comm. of Conference).

SENATE REPORTS: No. 104–176 accompanying S. 1396 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Nov. 14, considered and passed House.

Nov. 28, considered and passed Senate, amended, in lieu of S. 1396.

Dec. 21, Senate agreed to conference report.

Dec. 22, House agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 31 (1995):

Dec. 29, Presidential statement.

Public Law 104–89
104th Congress

An Act

Jan. 4, 1996
[H.R. 2808]

To extend authorities under the Middle East Peace Facilitation Act of 1994 until March 31, 1996, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF AUTHORITIES.

(a) IN GENERAL.—Section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236), as amended by Public Law 104–47, is amended by striking "December 31, 1995" and inserting "March 31, 1996".

Ante, p. 423.

(b) CONSULTATION.—For purposes of any exercise of the authority provided in section 583(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) prior to January 10, 1996, the written policy justification dated December 1, 1995, and submitted to the Congress in accordance with section 583(b)(1) of such Act, shall be deemed to satisfy the requirements of section 583(b)(1) of such Act.

Approved January 4, 1996.

LEGISLATIVE HISTORY—H.R. 2808:

CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 19, considered and passed House.
Dec. 31, considered and passed Senate.

Public Law 104–93
104th Congress

An Act

To authorize appropriations for fiscal year 1996 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Jan. 6, 1996
[H.R. 1655]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Intelligence Authorization Act for Fiscal Year 1996.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 1996".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INTELLIGENCE ACTIVITIES

Sec. 101. Authorization of appropriations.
Sec. 102. Classified schedule of authorizations.
Sec. 103. Personnel ceiling adjustments.
Sec. 104. Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL PROVISIONS

Sec. 301. Increase in employee compensation and benefits authorized by law.
Sec. 302. Restriction on conduct of intelligence activities.
Sec. 303. Application of sanctions laws to intelligence activities.
Sec. 304. Thrift savings plan forfeiture.
Sec. 305. Authority to restore spousal pension benefits to spouses who cooperate in criminal investigations and prosecutions for national security offenses.
Sec. 306. Secrecy agreements used in intelligence activities.
Sec. 307. Limitation on availability of funds for automatic declassification of records over 25 years old.
Sec. 308. Amendment to the Hatch Act Reform Amendments of 1993.
Sec. 309. Report on personnel policies.
Sec. 310. Assistance to foreign countries.
Sec. 311. Financial management of the National Reconnaissance Office.

TITLE IV—CENTRAL INTELLIGENCE AGENCY

Sec. 401. Extension of the CIA Voluntary Separation Pay Act.
Sec. 402. Volunteer service program.
Sec. 403. Authorities of the Inspector General of the Central Intelligence Agency.

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

Sec. 501. Defense intelligence senior level positions.
Sec. 502. Comparable benefits and allowances for civilian and military personnel assigned to defense intelligence functions overseas.
Sec. 503. Extension of authority to conduct intelligence commercial activities.
Sec. 504. Availability of funds for Tier II UAV.

Sec. 505. Military Department Civilian Intelligence Personnel Management System.
Sec. 506. Enhancement of capabilities of certain Army facilities.

TITLE VI—FEDERAL BUREAU OF INVESTIGATION

Sec. 601. Disclosure of information and consumer reports to FBI for counterintelligence purposes.

TITLE VII—TECHNICAL AMENDMENTS

Sec. 701. Clarification with respect to pay for Director or Deputy Director of Central Intelligence appointed from commissioned officers of the Armed Forces.
Sec. 702. Change of designation of CIA Office of Security.

TITLE I—INTELLIGENCE ACTIVITIES

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 1996 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Central Intelligence Agency.
(2) The Department of Defense.
(3) The Defense Intelligence Agency.
(4) The National Security Agency.
(5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
(6) The Department of State.
(7) The Department of Treasury.
(8) The Department of Energy.
(9) The Federal Bureau of Investigation.
(10) The Drug Enforcement Administration.
(11) The National Reconnaissance Office.
(12) The Central Imagery Office.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) SPECIFICATIONS OF AMOUNTS AND PERSONNEL CEILINGS.—The amounts authorized to be appropriated under section 101, and the authorized personnel ceilings as of September 30, 1996, for the conduct of the intelligence and intelligence-related activities of the elements listed in such section, are those specified in the classified Schedule of Authorizations prepared to accompany the conference report on the bill H.R. 1655 of the One Hundred Fourth Congress.

(b) AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.—The Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

President.

SEC. 103. PERSONNEL CEILING ADJUSTMENTS.

(a) AUTHORITY FOR ADJUSTMENTS.—With the approval of the Director of the Office of Management and Budget, the Director of Central Intelligence may authorize employment of civilian personnel in excess of the number authorized for fiscal year 1996 under section 102 when the Director of Central Intelligence determines that such action is necessary to the performance of important intelligence functions, except that the number of personnel

employed in excess of the number authorized under such section may not, for any element of the intelligence community, exceed two percent of the number of civilian personnel authorized under such section for such element.

(b) NOTICE TO INTELLIGENCE COMMITTEES.—The Director of Central Intelligence shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever he exercises the authority granted by this section.

SEC. 104. COMMUNITY MANAGEMENT ACCOUNT.

(a) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for the Community Management Account of the Director of Central Intelligence for fiscal year 1996 the sum of $90,713,000. Within such amounts authorized, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for the Advanced Research and Development Committee and the Environmental Task Force shall remain available until September 30, 1997.

(b) AUTHORIZED PERSONNEL LEVELS.—The Community Management Staff of the Director of Central Intelligence is authorized 247 full-time personnel as of September 30, 1996. Such personnel of the Community Management Staff may be permanent employees of the Community Management Staff or personnel detailed from other elements of the United States Government.

(c) REIMBURSEMENT.—During fiscal year 1996, any officer or employee of the United States or a member of the Armed Forces who is detailed to the Community Management Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1996 the sum of $213,900,000.

TITLE III—GENERAL PROVISIONS

SEC. 301. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 302. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence

activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 303. APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES.

(a) GENERAL PROVISIONS.—The National Security Act of 1947 (50 U.S.C. 401 et seq.), is amended by adding at the end thereof the following new title:

Reports.

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"STAY OF SANCTIONS

50 USC 441.

"SEC. 901. Notwithstanding any provision of law identified in section 904, the President may stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government concerning a foreign country, organization, or person when the President determines and reports to Congress in accordance with section 903 that to proceed without delay would seriously risk the compromise of an ongoing criminal investigation directly related to the activities giving rise to the sanction or an intelligence source or method directly related to the activities giving rise to the sanction. Any such stay shall be effective for a period of time specified by the President, which period may not exceed 120 days, unless such period is extended in accordance with section 902.

"EXTENSION OF STAY

50 USC 441a.

"SEC. 902. Whenever the President determines and reports to Congress in accordance with section 903 that a stay of sanctions or related actions pursuant to section 901 has not afforded sufficient time to obviate the risk to an ongoing criminal investigation or to an intelligence source or method that gave rise to the stay, he may extend such stay for a period of time specified by the President, which period may not exceed 120 days. The authority of this section may be used to extend the period of a stay pursuant to section 901 for successive periods of not more than 120 days each.

"REPORTS

50 USC 441b.

"SEC. 903. Reports to Congress pursuant to sections 901 and 902 shall be submitted promptly upon determinations under this title. Such reports shall be submitted to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate. With respect to determinations relating to intelligence sources and methods, reports shall also be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate. With respect to determinations relating to ongoing criminal investigations, reports shall also be submitted to the Committees on the Judiciary of the House of Representatives and the Senate.

"LAWS SUBJECT TO STAY

"SEC. 904. The President may use the authority of sections 901 and 902 to stay the imposition of an economic, cultural, diplomatic, or other sanction or related action by the United States Government related to the proliferation of weapons of mass destruction, their delivery systems, or advanced conventional weapons otherwise required to be imposed by the Chemical and Biological Weapons Control and Warfare Elimination Act of 1991 (title III of Public Law 102–182); the Nuclear Proliferation Prevention Act of 1994 (title VIII of Public Law 103–236); title XVII of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510) (relating to the nonproliferation of missile technology); the Iran-Iraq Arms Nonproliferation Act of 1992 (title XVI of Public Law 102–484); section 573 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1994 (Public Law 103–87); section 563 of the Foreign Operations, Export Financing Related Programs Appropriations Act, 1995 (Public Law 103–306); and comparable provisions. 50 USC 441c.

"APPLICATION

"SEC. 905. This title shall cease to be effective on the date which is one year after the date of the enactment of this title.". Termination date. 50 USC 441d.

(b) CLERICAL AMENDMENT.—The table of contents in the first section of such Act is amended by adding at the end thereof the following:

"TITLE IX—APPLICATION OF SANCTIONS LAWS TO INTELLIGENCE ACTIVITIES

"Sec. 901. Stay of sanctions.
"Sec. 902. Extension of stay.
"Sec. 903. Reports.
"Sec. 904. Laws subject to stay.
"Sec. 905. Application.".

SEC. 304. THRIFT SAVINGS PLAN FORFEITURE.

(a) IN GENERAL.—Section 8432(g) of title 5, United States Code, is amended by adding at the end the following new paragraph:

"(5) Notwithstanding any other provision of law, contributions made by the Government for the benefit of an employee or Member under subsection (c), and all earnings attributable to such contributions, shall be forfeited if the annuity of the employee or Member, or that of a survivor or beneficiary, is forfeited under subchapter II of chapter 83.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to offenses upon which the requisite annuity forfeitures are based occurring on or after the date of the enactment of this Act. 5 USC 8432 note.

SEC. 305. AUTHORITY TO RESTORE SPOUSAL PENSION BENEFITS TO SPOUSES WHO COOPERATE IN CRIMINAL INVESTIGATIONS AND PROSECUTIONS FOR NATIONAL SECURITY OFFENSES.

Section 8318 of title 5, United States Code, is amended by adding at the end the following:

"(e) The spouse of an individual whose annuity or retired pay is forfeited under section 8312 or 8313 after the date of enactment of this subsection shall be eligible for spousal pension benefits if the Attorney General of the United States determines that the spouse fully cooperated with Federal authorities in the conduct

of a criminal investigation and subsequent prosecution of the individual which resulted in such forfeiture.".

Classified information.
50 USC 435 note.

SEC. 306. SECRECY AGREEMENTS USED IN INTELLIGENCE ACTIVITIES.

Notwithstanding any other provision of law not specifically referencing this section, a nondisclosure policy form or agreement that is to be executed by a person connected with the conduct of an intelligence or intelligence-related activity, other than an employee or officer of the United States Government, may contain provisions appropriate to the particular activity for which such document is to be used. Such form or agreement shall, at a minimum—

(1) require that the person will not disclose any classified information received in the course of such activity unless specifically authorized to do so by the United States Government; and

(2) provide that the form or agreement does not bar—

(A) disclosures to Congress; or

(B) disclosures to an authorized official of an executive agency that are deemed essential to reporting a violation of United States law.

SEC. 307. LIMITATION ON AVAILABILITY OF FUNDS FOR AUTOMATIC DECLASSIFICATION OF RECORDS OVER 25 YEARS OLD.

(a) IN GENERAL.—The Director of Central Intelligence shall use no more than $25,000,000 of the amounts authorized to be appropriated for fiscal year 1996 by this Act for the National Foreign Intelligence Program to carry out the provisions of section 3.4 of Executive Order 12958. The Director may, in the Director's discretion, draw on this amount for allocation to the agencies within the National Foreign Intelligence Program for the purpose of automatic declassification of records over 25 years old.

President.

(b) REQUIRED BUDGET SUBMISSION.—The President shall submit for fiscal year 1997 and each of the following fiscal years through fiscal year 2000 a budget request which specifically sets forth the funds requested for implementation of section 3.4 of Executive Order 12958.

SEC. 308. AMENDMENT TO THE HATCH ACT REFORM AMENDMENTS OF 1993.

Section 7325 of title 5, United States Code, is amended by adding after "section 7323(a)" the following: "and paragraph (2) of section 7323(b)".

SEC. 309. REPORT ON PERSONNEL POLICIES.

(a) REPORT REQUIRED.—Not later than three months after the date of enactment of this Act, the Director of Central Intelligence shall submit to the intelligence committees of Congress a report describing personnel procedures, and recommending necessary legislation, to provide for mandatory retirement for expiration of time in class, comparable to the applicable provisions of section 607 of the Foreign Service Act of 1980 (22 U.S.C. 4007), and termination based on relative performance, comparable to section 608 of the Foreign Service Act of 1980 (22 U.S.C. 4008), and to provide for other personnel review systems for all civilian employees of the Central Intelligence Agency, the National Security Agency, the Defense Intelligence Agency, and the intelligence elements of the Army, Navy, Air Force, and Marine Corps. Such report shall contain

a description and analysis of voluntary separation incentive options, including a waiver of the 2 percent penalty reduction for early retirement under certain Federal retirement systems.

(b) COORDINATION.—The preparation of the report required by subsection (a) shall be coordinated as appropriate with elements of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401(4)).

(c) DEFINITION.—As used in this section, the term "intelligence committees of Congress" means the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 310. ASSISTANCE TO FOREIGN COUNTRIES.

Notwithstanding any other provision of law, funds authorized to be appropriated by this Act may be used to provide assistance to a foreign country for counterterrorism efforts if—

(1) such assistance is provided for the purpose of protecting the property of the United States Government or the life and property of any United States citizen, or furthering the apprehension of any individual involved in any act of terrorism against such property or persons; and

(2) the Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives are notified not later than 15 days prior to the provision of such assistance.

SEC. 311. FINANCIAL MANAGEMENT OF THE NATIONAL RECONNAISSANCE OFFICE.

(a) MANAGEMENT REVIEW.—(1) The Inspector General for the Central Intelligence Agency, assisted by the Inspector General of the Department of Defense, shall undertake a comprehensive review of the financial management of the National Reconnaissance Office to evaluate the effectiveness of policies and internal controls over the budget of the National Reconnaissance Office, including the use of carry-forward funding, to ensure that National Reconnaissance Office funds are used in accordance with applicable Federal acquisition regulations and the policies of the Director of Central Intelligence and consistent with those of the Department of Defense, the guidelines of the National Reconnaissance Office, and congressional direction.

(2) The review required by paragraph (1) shall—

(A) determine the quality of the development and implementation of the budget process within the National Reconnaissance Office at both the comptroller and directorate level;

(B) assess the advantages and disadvantages of the use of incremental versus full funding for contracts entered into by the National Reconnaissance Office;

(C) assess the advantages and disadvantages of the National Reconnaissance Office's use of carry-forward funding;

(D) determine how the National Reconnaissance Office defines, identifies, and justifies carry-forward funding requirements;

(E) determine how the National Reconnaissance Office tracks and manages carry-forward funding;

(F) determine how the National Reconnaissance Office plans to comply with congressional direction regarding carry-forward funding;

(G) determine whether or not a contract entered into by the National Reconnaissance Office has ever encountered a contingency which required the utilization of more than 30 days of carry-forward funding;

(H) consider the proposal by the Director of Central Intelligence for the establishment of a position of a Chief Financial Officer, and assess how the functions to be performed by that officer would enhance the financial management of the National Reconnaissance Office; and

(I) make recommendations, as appropriate, to improve control and management of the budget process of the National Reconnaissance Office.

Reports.

(3) The Director of Central Intelligence shall submit a report to the Congress setting forth the findings of the review required by paragraph (1) not later than March 1, 1996, with an interim report provided to the Congress not later than 2 weeks after the enactment of this Act.

President.

(b) REPORT.—(1) Not later than January 30, 1996, the President shall submit a report to the appropriate committees of the Congress on a proposal to subject the budget of the intelligence community to greater oversight by the executive branch of Government.

(2) Such report shall include (among other things)—

(A) consideration of establishing by statute a financial control officer for the National Reconnaissance Office, other elements of the intelligence community, and for the intelligence community as a whole;

(B) recommendations for procedures to be used by the Office of Management and Budget for review of the budget of the National Reconnaissance Office;

(C) a proposed statutory provision that would require the Director of Central Intelligence to establish a policy to restrict the National Reconnaissance Office authority on carry-forward funding in a manner consistent with the restriction on such authority within the Department of Defense; and

(D) an evaluation of how changes proposed as a result of the review required by subsection (a) will affect, directly or indirectly, the National Reconnaissance Office's streamlined acquisition process and, ultimately, program costs.

(c) DEFINITION.—As used in this section, the term "intelligence community" has the meaning given to the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE IV—CENTRAL INTELLIGENCE AGENCY

SEC. 401. EXTENSION OF THE CIA VOLUNTARY SEPARATION PAY ACT.

50 USC 403–4 note.

(a) EXTENSION OF AUTHORITY.—Section 2(f) of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4(f)) is amended by striking "September 30, 1997" and inserting "September 30, 1999".

50 USC 403–4 note.

(b) REMITTANCE OF FUNDS.—Section 2 of the Central Intelligence Agency Voluntary Separation Pay Act (50 U.S.C. 403–4) is amended by inserting at the end the following new subsection:

"(i) REMITTANCE OF FUNDS.—The Director shall remit to the Office of Personnel Management for deposit in the Treasury of the United States to the credit of the Civil Service Retirement

and Disability Fund (in addition to any other payments which the Director is required to make under subchapter III of chapter 83 and subchapter II of chapter 84 of title 5, United States Code), an amount equal to 15 percent of the final basic pay of each employee who, in fiscal year 1998 or fiscal year 1999, retires voluntarily under section 8336, 8412, or 8414 of such title or resigns and to whom a voluntary separation incentive payment has been or is to be paid under this section.".

SEC. 402. VOLUNTEER SERVICE PROGRAM. 50 USC 435 note.

(a) GENERAL AUTHORITY.—The Director of Central Intelligence is authorized to establish and maintain a program from fiscal years 1996 through 2001 to utilize the services contributed by not more than 50 annuitants who serve without compensation as volunteers in aid of the review for declassification or downgrading of classified information by the Central Intelligence Agency under applicable Executive orders governing the classification and declassification of national security information and Public Law 102–526.

(b) COSTS INCIDENTAL TO SERVICES.—The Director is authorized to use sums made available to the Central Intelligence Agency by appropriations or otherwise for paying the costs incidental to the utilization of services contributed by individuals under subsection (a). Such costs may include (but need not be limited to) training, transportation, lodging, subsistence, equipment, and supplies. The Director may authorize either direct procurement of equipment, supplies, and services, or reimbursement for expenses, incidental to the effective use of volunteers. Such expenses or services shall be in accordance with volunteer agreements made with such individuals. Sums made available for such costs may not exceed $100,000.

(c) APPLICATION OF CERTAIN PROVISIONS OF LAW.—A volunteer under this section shall be considered to be a Federal employee for the purposes of subchapter I of title 81 (relating to compensation of Federal employees for work injuries) and section 1346(b) and chapter 171 of title 28 (relating to tort claims). A volunteer under this section shall be covered by and subject to the provisions of chapter 11 of title 18 of the United States Code as if they were employees or special Government employees depending upon the days of expected service at the time they begin volunteering.

SEC. 403. AUTHORITIES OF THE INSPECTOR GENERAL OF THE CENTRAL INTELLIGENCE AGENCY.

(a) REPORTS BY THE INSPECTOR GENERAL.—Section 17(b)(5) of the Central Intelligence Act of 1949 (50 U.S.C. 403q(b)(5)) is amended to read as follows:

"(5) In accordance with section 535 of title 28, United States Code, the Inspector General shall report to the Attorney General any information, allegation, or complaint received by the Inspector General relating to violations of Federal criminal law that involve a program or operation of the Agency, consistent with such guidelines as may be issued by the Attorney General pursuant to subsection (b)(2) of such section. A copy of all such reports shall be furnished to the Director.".

(b) EXCEPTION TO NONDISCLOSURE REQUIREMENT.—Section 17(e)(3)(A) of such Act is amended by inserting after "investigation" the following: "or the disclosure is made to an official of the Depart-

ment of Justice responsible for determining whether a prosecution should be undertaken".

TITLE V—DEPARTMENT OF DEFENSE INTELLIGENCE ACTIVITIES

SEC. 501. DEFENSE INTELLIGENCE SENIOR LEVEL POSITIONS.

Section 1604 of title 10, United States Code, is amended to read as follows:

"§ 1604. Civilian personnel management

"(a) GENERAL PERSONNEL AUTHORITY.—The Secretary of Defense may, without regard to the provisions of any other law relating to the number, classification, or compensation of Federal employees—

"(1) establish such positions for employees in the Defense Intelligence Agency and the Central Imagery Office as the Secretary considers necessary to carry out the functions of that Agency and Office, including positions designated under subsection (f) as Defense Intelligence Senior Level positions;

"(2) appoint individuals to those positions; and

"(3) fix the compensation for service in those positions.

"(b) AUTHORITY TO FIX RATES OF BASIC PAY; OTHER ALLOWANCES AND BENEFITS.—(1) The Secretary of Defense shall, subject to subsection (c), fix the rates of basic pay for positions established under subsection (a) in relation to the rates of basic pay provided in subpart D of part III of title 5 for positions subject to that title which have corresponding levels of duties and responsibilities. Except as otherwise provided by law, an employee of the Defense Intelligence Agency or the Central Imagery Office may not be paid basic pay at a rate in excess of the maximum rate payable under section 5376 of title 5.

"(2) The Secretary of Defense may provide employees of the Defense Intelligence Agency and the Central Imagery Office compensation (in addition to basic pay under paragraph (1)) and benefits, incentives, and allowances consistent with, and not in excess of the levels authorized for, comparable positions authorized by title 5.

"(c) PREVAILING RATES SYSTEMS.—The Secretary of Defense may, consistent with section 5341 of title 5, adopt such provisions of that title as provide for prevailing rate systems of basic pay and may apply those provisions to positions in or under which the Defense Intelligence Agency or the Central Imagery Office may employ individuals described by section 5342(a)(2)(A) of such title.

"(d) ALLOWANCES BASED ON LIVING COSTS AND ENVIRONMENT FOR EMPLOYEES STATIONED OUTSIDE CONTINENTAL UNITED STATES OR IN ALASKA.—(1) In addition to the basic compensation payable under subsection (b), employees of the Defense Intelligence Agency and the Central Imagery Office described in paragraph (3) may be paid an allowance, in accordance with regulations prescribed by the Secretary of Defense, at a rate not in excess of the allowance authorized to be paid under section 5941(a) of title 5 for employees whose rates of basic pay are fixed by statute.

"(2) Such allowance shall be based on—

"(A) living costs substantially higher than in the District of Columbia;

"(B) conditions of environment which—

"(i) differ substantially from conditions of environment in the continental United States; and

"(ii) warrant an allowance as a recruitment incentive; or

"(C) both of those factors.

"(3) This subsection applies to employees who—

"(A) are citizens or nationals of the United States; and

"(B) are stationed outside the continental United States or in Alaska.

"(e) TERMINATION OF EMPLOYEES.—(1) Notwithstanding any other provision of law, the Secretary of Defense may terminate the employment of any employee of the Defense Intelligence Agency or the Central Imagery Office if the Secretary—

"(A) considers such action to be in the interests of the United States; and

"(B) determines that the procedures prescribed in other provisions of law that authorize the termination of the employment of such employee cannot be invoked in a manner consistent with the national security.

"(2) A decision by the Secretary of Defense to terminate the employment of an employee under this subsection is final and may not be appealed or reviewed outside the Department of Defense.

"(3) The Secretary of Defense shall promptly notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate whenever the Secretary terminates the employment of any employee under the authority of this subsection. Notification.

"(4) Any termination of employment under this subsection shall not affect the right of the employee involved to seek or accept employment with any other department or agency of the United States if that employee is declared eligible for such employment by the Director of the Office of Personnel Management.

"(5) The authority of the Secretary of Defense under this subsection may be delegated only to the Deputy Secretary of Defense, the Director of the Defense Intelligence Agency (with respect to employees of the Defense Intelligence Agency), and the Director of the Central Imagery Office (with respect to employees of the Central Imagery Office). An action to terminate employment of an employee by any such officer may be appealed to the Secretary of Defense.

"(f) DEFENSE INTELLIGENCE SENIOR LEVEL POSITIONS.—(1) In carrying out subsection (a)(1), the Secretary may designate positions described in paragraph (3) as Defense Intelligence Senior Level positions. The total number of positions designated under this subsection, when combined with the total number of positions in the Defense Intelligence Senior Executive Service under section 1601 of this title, may not exceed the total number of positions in the Defense Intelligence Senior Executive Service as of June 1, 1995.

"(2) Positions designated under this subsection shall be treated as equivalent for purposes of compensation to the senior level positions to which section 5376 of title 5 is applicable.

"(3) Positions that may be designated as Defense Intelligence Senior Level positions are positions in the Defense Intelligence Agency and Central Imagery Office that (A) are classified above

the GS–15 level, (B) emphasize functional expertise and advisory activity, but (C) do not have the organizational or program management functions necessary for inclusion in the Defense Intelligence Senior Executive Service.

"(4) Positions referred to in paragraph (3) include Defense Intelligence Senior Technical positions and Defense Intelligence Senior Professional positions. For purposes of this subsection—

"(A) Defense Intelligence Senior Technical positions are positions covered by paragraph (3) that involve any of the following:

"(i) Research and development.

"(ii) Test and evaluation.

"(iii) Substantive analysis, liaison, or advisory activity focusing on engineering, physical sciences, computer science, mathematics, biology, chemistry, medicine, or other closely related scientific and technical fields.

"(iv) Intelligence disciplines including production, collection, and operations in close association with any of the activities described in clauses (i), (ii), and (iii) or related activities; and

"(B) Defense Intelligence Senior Professional positions are positions covered by paragraph (3) that emphasize staff, liaison, analytical, advisory, or other activity focusing on intelligence, law, finance and accounting, program and budget, human resources management, training, information services, logistics, security, and other appropriate fields.

"(g) 'EMPLOYEE' DEFINED AS INCLUDING OFFICERS.—In this section, the term 'employee', with respect to the Defense Intelligence Agency or the Central Imagery Office, includes any civilian officer of that Agency or Office.".

SEC. 502. COMPARABLE BENEFITS AND ALLOWANCES FOR CIVILIAN AND MILITARY PERSONNEL ASSIGNED TO DEFENSE INTELLIGENCE FUNCTIONS OVERSEAS.

(a) CIVILIAN PERSONNEL.—Section 1605 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by inserting "(1)" after "(a)";

(B) by striking "of the Department of Defense" and all that follows through "this subsection," and inserting "described in subsection (d)"; and

(C) by designating the second sentence as paragraph (2);

(2) by striking subsection (c) and inserting the following:

"(c) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

"(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives."; and

(3) by adding at the end the following new subsection:

"(d) Subsection (a) applies to civilian personnel of the Department of Defense who—

"(1) are United States nationals;

"(2) in the case of employees of the Defense Intelligence Agency, are assigned to duty outside the United States and, in the case of other employees, are assigned to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; and

"(3) are designated by the Secretary of Defense for the purposes of subsection (a).".

(b) MILITARY PERSONNEL.—Section 431 of title 37, United States Code, is amended—

(1) in subsection (a), by striking "who are assigned to" and all that follows through "of this subsection" and inserting "described in subsection (e)";

(2) by striking subsection (d) and inserting the following:

"(d) Regulations prescribed under subsection (a) may not take effect until the Secretary of Defense has submitted such regulations to—

"(1) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

"(2) the Committee on National Security and the Permanent Select Committee on Intelligence of the House of Representatives."; and

(3) by adding at the end the following new subsection:

"(e) Subsection (a) applies to members of the armed forces who—

"(1) are assigned—

"(A) to Defense Attaché Offices or Defense Intelligence Agency Liaison Offices outside the United States; or

"(B) to the Defense Intelligence Agency and engaged in intelligence-related duties outside the United States; and

"(2) are designated by the Secretary of Defense for the purposes of subsection (a).".

SEC. 503. EXTENSION OF AUTHORITY TO CONDUCT INTELLIGENCE COMMERCIAL ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended by striking "1995" and inserting "1998".

SEC. 504. AVAILABILITY OF FUNDS FOR TIER II UAV.

All funds appropriated for fiscal year 1995 for the Medium Altitude Endurance Unmanned Aerial Vehicle (Tier II) are specifically authorized, within the meaning of section 504 of the National Security Act of 1947 (50 U.S.C. 414), for such purpose.

SEC. 505. MILITARY DEPARTMENT CIVILIAN INTELLIGENCE PERSONNEL MANAGEMENT SYSTEM.

(a) ESTABLISHMENT OF TRAINING PROGRAM.—Chapter 81 of title 10, United States Code, is amended by adding at the end thereof the following new section:

"§ 1599a. Financial assistance to certain employees in acquisition of critical skills

"(a) TRAINING PROGRAM.—The Secretary of Defense shall establish an undergraduate training program with respect to civilian employees in the Military Department Civilian Intelligence Personnel Management System that is similar in purpose, conditions, content, and administration to the program established by the Secretary of Defense under section 16 of the National Security

Act of 1959 (50 U.S.C. 402 note) for civilian employees of the National Security Agency.

"(b) USE OF FUNDS FOR TRAINING PROGRAM.—Any payment made by the Secretary to carry out the program required to be established by subsection (a) may be made in any fiscal year only to the extent that appropriated funds are available for that purpose.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of that chapter is amended by adding at the end thereof the following new item:

"Sec. 1599a. Financial assistance to certain employees in acquisition of critical skills.".

SEC. 506. ENHANCEMENT OF CAPABILITIES OF CERTAIN ARMY FACILITIES.

(a) AUTHORITY.—(1) In addition to funds otherwise available for such purpose, the Secretary of the Army may transfer or reprogram funds for the enhancement of the capabilities of the Bad Aibling Station and the Menwith Hill Station, including improvements of facility infrastructure and quality of life programs at those installations.

(2) The authority of paragraph (1) may be exercised notwithstanding any other provision of law.

(b) SOURCE OF FUNDS.—Funds available for the Army for operations and maintenance for fiscal years 1996 and 1997 shall be available to carry out subsection (a).

(c) CONGRESSIONAL NOTIFICATION.—Whenever the Secretary of the Army determines that an amount to be transferred or reprogrammed under this section would cause the total amount transferred or reprogrammed in that fiscal year under this section to exceed $1,000,000, the Secretary shall notify in advance the Select Committee on Intelligence, the Committee on Armed Services, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on National Security, and the Committee on Appropriations of the House of Representatives and provide a justification for the increased expenditure.

(d) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to modify or obviate existing law or practice with regard to the transfer or reprogramming of funds in excess of $2,000,000 from the Department of the Army to the Bad Aibling Station and the Menwith Hill Station.

TITLE VI—FEDERAL BUREAU OF INVESTIGATION

SEC. 601. DISCLOSURE OF INFORMATION AND CONSUMER REPORTS TO FBI FOR COUNTERINTELLIGENCE PURPOSES.

(a) IN GENERAL.—The Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by adding after section 623 the following new section:

15 USC 1681u.

"§ 624. Disclosures to FBI for counterintelligence purposes

"(a) IDENTITY OF FINANCIAL INSTITUTIONS.—Notwithstanding section 604 or any other provision of this title, a consumer reporting agency shall furnish to the Federal Bureau of Investigation the

names and addresses of all financial institutions (as that term is defined in section 1101 of the Right to Financial Privacy Act of 1978) at which a consumer maintains or has maintained an account, to the extent that information is in the files of the agency, when presented with a written request for that information, signed by the Director of the Federal Bureau of Investigation, or the Director's designee, which certifies compliance with this section. The Director or the Director's designee may make such a certification only if the Director or the Director's designee has determined in writing that—

"(1) such information is necessary for the conduct of an authorized foreign counterintelligence investigation; and

"(2) there are specific and articulable facts giving reason to believe that the consumer—

"(A) is a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978) or a person who is not a United States person (as defined in such section 101) and is an official of a foreign power; or

"(B) is an agent of a foreign power and is engaging or has engaged in an act of international terrorism (as that term is defined in section 101(c) of the Foreign Intelligence Surveillance Act of 1978) or clandestine intelligence activities that involve or may involve a violation of criminal statutes of the United States.

"(b) IDENTIFYING INFORMATION.—Notwithstanding the provisions of section 604 or any other provision of this title, a consumer reporting agency shall furnish identifying information respecting a consumer, limited to name, address, former addresses, places of employment, or former places of employment, to the Federal Bureau of Investigation when presented with a written request, signed by the Director or the Director's designee, which certifies compliance with this subsection. The Director or the Director's designee may make such a certification only if the Director or the Director's designee has determined in writing that—

"(1) such information is necessary to the conduct of an authorized counterintelligence investigation; and

"(2) there is information giving reason to believe that the consumer has been, or is about to be, in contact with a foreign power or an agent of a foreign power (as defined in section 101 of the Foreign Intelligence Surveillance Act of 1978).

"(c) COURT ORDER FOR DISCLOSURE OF CONSUMER REPORTS.—Notwithstanding section 604 or any other provision of this title, if requested in writing by the Director of the Federal Bureau of Investigation, or a designee of the Director, a court may issue an order ex parte directing a consumer reporting agency to furnish a consumer report to the Federal Bureau of Investigation, upon a showing in camera that—

"(1) the consumer report is necessary for the conduct of an authorized foreign counterintelligence investigation; and

"(2) there are specific and articulable facts giving reason to believe that the consumer whose consumer report is sought—

"(A) is an agent of a foreign power, and

"(B) is engaging or has engaged in an act of international terrorism (as that term is defined in section 101(c) of the Foreign Intelligence Surveillance Act of 1978) or

clandestine intelligence activities that involve or may involve a violation of criminal statutes of the United States.

The terms of an order issued under this subsection shall not disclose that the order is issued for purposes of a counterintelligence investigation.

"(d) CONFIDENTIALITY.—No consumer reporting agency or officer, employee, or agent of a consumer reporting agency shall disclose to any person, other than those officers, employees, or agents of a consumer reporting agency necessary to fulfill the requirement to disclose information to the Federal Bureau of Investigation under this section, that the Federal Bureau of Investigation has sought or obtained the identity of financial institutions or a consumer report respecting any consumer under subsection (a), (b), or (c), and no consumer reporting agency or officer, employee, or agent of a consumer reporting agency shall include in any consumer report any information that would indicate that the Federal Bureau of Investigation has sought or obtained such information or a consumer report.

"(e) PAYMENT OF FEES.—The Federal Bureau of Investigation shall, subject to the availability of appropriations, pay to the consumer reporting agency assembling or providing report or information in accordance with procedures established under this section a fee for reimbursement for such costs as are reasonably necessary and which have been directly incurred in searching, reproducing, or transporting books, papers, records, or other data required or requested to be produced under this section.

"(f) LIMIT ON DISSEMINATION.—The Federal Bureau of Investigation may not disseminate information obtained pursuant to this section outside of the Federal Bureau of Investigation, except to other Federal agencies as may be necessary for the approval or conduct of a foreign counterintelligence investigation, or, where the information concerns a person subject to the Uniform Code of Military Justice, to appropriate investigative authorities within the military department concerned as may be necessary for the conduct of a joint foreign counterintelligence investigation.

"(g) RULES OF CONSTRUCTION.—Nothing in this section shall be construed to prohibit information from being furnished by the Federal Bureau of Investigation pursuant to a subpoena or court order, in connection with a judicial or administrative proceeding to enforce the provisions of this Act. Nothing in this section shall be construed to authorize or permit the withholding of information from the Congress.

"(h) REPORTS TO CONGRESS.—On a semiannual basis, the Attorney General shall fully inform the Permanent Select Committee on Intelligence and the Committee on Banking, Finance and Urban Affairs of the House of Representatives, and the Select Committee on Intelligence and the Committee on Banking, Housing, and Urban Affairs of the Senate concerning all requests made pursuant to subsections (a), (b), and (c).

"(i) DAMAGES.—Any agency or department of the United States obtaining or disclosing any consumer reports, records, or information contained therein in violation of this section is liable to the consumer to whom such consumer reports, records, or information relate in an amount equal to the sum of—

"(1) $100, without regard to the volume of consumer reports, records, or information involved;

"(2) any actual damages sustained by the consumer as a result of the disclosure;

"(3) if the violation is found to have been willful or intentional, such punitive damages as a court may allow; and

"(4) in the case of any successful action to enforce liability under this subsection, the costs of the action, together with reasonable attorney fees, as determined by the court.

"(j) DISCIPLINARY ACTIONS FOR VIOLATIONS.—If a court determines that any agency or department of the United States has violated any provision of this section and the court finds that the circumstances surrounding the violation raise questions of whether or not an officer or employee of the agency or department acted willfully or intentionally with respect to the violation, the agency or department shall promptly initiate a proceeding to determine whether or not disciplinary action is warranted against the officer or employee who was responsible for the violation.

"(k) GOOD-FAITH EXCEPTION.—Notwithstanding any other provision of this title, any consumer reporting agency or agent or employee thereof making disclosure of consumer reports or identifying information pursuant to this subsection in good-faith reliance upon a certification of the Federal Bureau of Investigation pursuant to provisions of this section shall not be liable to any person for such disclosure under this title, the constitution of any State, or any law or regulation of any State or any political subdivision of any State.

"(l) LIMITATION OF REMEDIES.—Notwithstanding any other provision of this title, the remedies and sanctions set forth in this section shall be the only judicial remedies and sanctions for violation of this section.

"(m) INJUNCTIVE RELIEF.—In addition to any other remedy contained in this section, injunctive relief shall be available to require compliance with the procedures of this section. In the event of any successful action under this subsection, costs together with reasonable attorney fees, as determined by the court, may be recovered.".

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) is amended by adding after the item relating to section 623 the following new item:

"624. Disclosures to FBI for counterintelligence purposes.".

TITLE VII—TECHNICAL AMENDMENTS

SEC. 701. CLARIFICATION WITH RESPECT TO PAY FOR DIRECTOR OR DEPUTY DIRECTOR OF CENTRAL INTELLIGENCE APPOINTED FROM COMMISSIONED OFFICERS OF THE ARMED FORCES.

(a) CLARIFICATION.—Subparagraph (C) of section 102(c)(3) of the National Security Act of 1947 (50 U.S.C. 403(c)(3)) is amended to read as follows:

"(C) A commissioned officer of the Armed Forces on active duty who is appointed to the position of Director or Deputy Director, while serving in such position and while remaining on active duty, shall continue to receive military pay and allowances and shall not receive the pay prescribed for the Director or Deputy Director.

Funds from which such pay and allowances are paid shall be reimbursed from funds available to the Director.".

(b) TECHNICAL CORRECTIONS.—(1) Subparagraphs (A) and (B) of such section are amended by striking "pursuant to paragraph (2) or (3)" and inserting "to the position of Director or Deputy Director".

(2) Subparagraph (B) of such section is amended by striking "paragraph (A)" and inserting "subparagraph (A)".

SEC. 702. CHANGE OF DESIGNATION OF CIA OFFICE OF SECURITY.

Section 701(b)(3) of the National Security Act of 1947 (50 U.S.C. 431(b)(3)), is amended by striking "Office of Security" and inserting "Office of Personnel Security".

Approved January 6, 1996.

LEGISLATIVE HISTORY—H.R. 1655 (S. 922):

HOUSE REPORTS: Nos. 104–138, Pt. 1 (Permanent Select Comm. on Intelligence) and Pt. 2 (Comm. on Government Reform and Oversight), and 104–427 (Comm. of Conference).

SENATE REPORTS: Nos. 104–97 (Select Comm. on Intelligence) and 104–127 (Comm. on Armed Services), both accompanying S. 922.

CONGRESSIONAL RECORD, Vol. 141 (1995):

Sept. 13, considered and passed House.

Sept. 29, considered and passed Senate, amended, in lieu of S. 922.

Dec. 21, House and Senate agreed to conference report.

Public Law 104–95
104th Congress

An Act

To amend title 4 of the United States Code to limit State taxation of certain pension income.

Jan. 10, 1996
[H.R. 394]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LIMITATION ON STATE INCOME TAXATION OF CERTAIN PENSION INCOME.

(a) IN GENERAL.—Chapter 4 of title 4, United States Code, is amended by adding at the end the following:

"§ 114. Limitation on State income taxation of certain pension income

"(a) No State may impose an income tax on any retirement income of an individual who is not a resident or domiciliary of such State (as determined under the laws of such State).

"(b) For purposes of this section—

"(1) The term 'retirement income' means any income from—

"(A) a qualified trust under section 401(a) of the Internal Revenue Code of 1986 that is exempt under section 501(a) from taxation;

"(B) a simplified employee pension as defined in section 408(k) of such Code;

"(C) an annuity plan described in section 403(a) of such Code;

"(D) an annuity contract described in section 403(b) of such Code;

"(E) an individual retirement plan described in section 7701(a)(37) of such Code;

"(F) an eligible deferred compensation plan (as defined in section 457 of such Code);

"(G) a governmental plan (as defined in section 414(d) of such Code);

"(H) a trust described in section 501(c)(18) of such Code; or

"(I) any plan, program, or arrangement described in section 3121(v)(2)(C) of such Code, if such income—

"(i) is part of a series of substantially equal periodic payments (not less frequently than annually) made for—

"(I) the life or life expectancy of the recipient (or the joint lives or joint life expectancies of the recipient and the designated beneficiary of the recipient), or

"(II) a period of not less than 10 years, or

"(ii) is a payment received after termination of employment and under a plan, program, or arrangement (to which such employment relates) maintained solely for the purpose of providing retirement benefits for employees in excess of the limitations imposed by 1 or more of sections 401(a)(17), 401(k), 401(m), 402(g), 403(b), 408(k), or 415 of such Code or any other limitation on contributions or benefits in such Code on plans to which any of such sections apply.

Such term includes any retired or retainer pay of a member or former member of a uniform service computed under chapter 71 of title 10, United States Code.

"(2) The term 'income tax' has the meaning given such term by section 110(c).

"(3) The term 'State' includes any political subdivision of a State, the District of Columbia, and the possessions of the United States.

"(e) Nothing in this section shall be construed as having any effect on the application of section 514 of the Employee Retirement Income Security Act of 1974.".

(b) CONFORMING AMENDMENT.—The table of sections for chapter 4 of title 4, United States Code, is amended by adding at the end the following:

"114. Limitation on State income taxation of certain pension income".

4 USC 114 note.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts received after December 31, 1995.

Approved January 10, 1996.

LEGISLATIVE HISTORY—H.R. 394:

HOUSE REPORTS: No. 104–389 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 18, considered and passed House.
Dec. 22, considered and passed Senate.

Public Law 104–96
104th Congress

An Act

To require the Secretary of the Treasury to mint coins in commemoration of the sesquicentennial of the founding of the Smithsonian Institution.

Jan. 10, 1996
[H.R. 2627]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995.
31 USC 5112 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995".

31 USC 5112 note.

SEC. 2. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—The Secretary of the Treasury (hereafter in this Act referred to as the "Secretary") shall mint and issue the following coins in commemoration of the sesquicentennial of the founding of the Smithsonian Institution:

(1) $5 GOLD COINS.—Not more than 100,000 5 dollar coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 650,000 1 dollar coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

(C) contain 90 percent silver and 10 percent copper.

(b) PLATINUM COINS.—The Secretary may mint and issue not more than 100,000 5 dollar platinum coins instead of the gold coins required under subsection (a)(1) in accordance with such specifications as the Secretary determines to be appropriate.

(c) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(d) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

31 USC 5112 note.

SEC. 3. SOURCES OF BULLION.

(a) GOLD.—The Secretary shall obtain gold for minting coins under this Act pursuant to the authority of the Secretary under other provisions of law.

(b) SILVER.—The Secretary shall obtain silver for minting coins under this Act only from stockpiles established under the Strategic and Critical Materials Stock Piling Act.

31 USC 5112 note.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the scientific, educational, and cultural significance and importance of the Smithsonian Institution.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year "1996";

(C) inscriptions of the words "Liberty", "In God We Trust", "United States of America", and "E Pluribus Unum"; and

(D) an inscription of the following phrase from the original bequest of James Smithson: "for the increase and diffusion of knowledge".

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary after consultation with the Board of Regents of the Smithsonian Institution and the Commission of Fine Arts; and

(2) reviewed by the Citizens Commemorative Coin Advisory Committee.

31 USC 5112 note.

SEC. 5. ISSUANCE OF COINS.

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular combination of denomination and quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on August 1, 1996.

31 USC 5112 note.

SEC. 6. SALE OF COINS.

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided in subsection (d) with respect to such coins; and

(3) the cost of designing and issuing the coins (including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping).

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of such coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

(d) SURCHARGES.—All sales shall include a surcharge of—

(1) $35 per coin for the $5 coin; and

(2) $10 per coin for the $1 coin.

31 USC 5112 note.

SEC. 7. GENERAL WAIVER OF PROCUREMENT REGULATIONS.

(a) IN GENERAL.—Except as provided in subsection (b), no provision of law governing procurement or public contracts shall be applicable to the procurement of goods and services necessary for carrying out the provisions of this Act.

(b) EQUAL EMPLOYMENT OPPORTUNITY.—Subsection (a) shall not relieve any person entering into a contract under the authority of this Act from complying with any law relating to equal employment opportunity.

SEC. 8. DISTRIBUTION OF SURCHARGES.

31 USC 5112 note.

(a) IN GENERAL.—All surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the Smithsonian Institution for the following purposes:

(1) 85 percent of the amount transferred shall be available for such purposes as the Board of Regents of the Smithsonian Institution determines to be appropriate.

(2) 15 percent of the amount transferred shall be dedicated to the support of the operation and activities of the National Numismatic Collection at the National Museum of American History.

(b) AUDITS.—The Comptroller General of the United States shall have the right to examine such books, records, documents, and other data of the Smithsonian Institution as may be related to the expenditures of amounts paid under subsection (a).

SEC. 9. FINANCIAL ASSURANCES.

31 USC 5112 note.

(a) NO NET COST TO THE GOVERNMENT.—The Secretary shall take such actions as may be necessary to ensure that minting and issuing coins under this Act will not result in any net cost to the United States Government.

(b) PAYMENT FOR COINS.—A coin shall not be issued under this Act unless the Secretary has received—

(1) full payment for the coin;

(2) security satisfactory to the Secretary to indemnify the United States for full payment; or

(3) a guarantee of full payment satisfactory to the Secretary from a depository institution whose deposits are insured by the Federal Deposit Insurance Corporation or the National Credit Union Administration Board.

Approved January 10, 1996.

LEGISLATIVE HISTORY—H.R. 2627:

CONGRESSIONAL RECORD, Vol. 141 (1995):

Dec. 19, considered and passed House.

Dec. 22, considered and passed Senate.

Public Law 104–97
104th Congress

An Act

Jan. 11, 1996
[H.R. 2203]

To reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF TIED AID CREDIT PROGRAM.

(a) Section 10(c)(2) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–3(c)(2)) is amended by striking "1995" and inserting "1997".

(b) Section 10(e) of the Export-Import Bank Act of 1945 (12 U.S.C. 635i–3(e)) is amended by striking the first sentence and inserting the following: "There are authorized to be appropriated to the Fund such sums as may be necessary for each of fiscal years 1996 and 1997.".

5 USC 4703 note.

SEC. 2. AUTHORITY TO CONDUCT A DEMONSTRATION PROJECT.

Notwithstanding section 4701(a)(1)(A) of title 5, United States Code, the Export-Import Bank of the United States may conduct a demonstration project in accordance with section 4703 of such title.

Approved January 11, 1996.

LEGISLATIVE HISTORY—H.R. 2203 (S. 1309):

SENATE REPORTS: No. 104–154 accompanying S. 1309 (Comm. on Banking, Housing, and Urban Affairs).

CONGRESSIONAL RECORD, Vol. 141 (1995):

Oct. 19, S. 1309 considered and passed Senate.

Dec. 19, H.R. 2203 considered and passed House.

Dec. 29, considered and passed Senate.

Public Law 104–98
104th Congress

An Act

To amend the Trademark Act of 1946 to make certain revisions relating to the protection of famous marks.

Jan. 16, 1996
[H.R. 1295]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Federal Trademark Dilution Act of 1995.
15 USC 1051 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Trademark Dilution Act of 1995".

SEC. 2. REFERENCE TO THE TRADEMARK ACT OF 1946.

For purposes of this Act, the Act entitled "An Act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (15 U.S.C. 1051 and following), shall be referred to as the "Trademark Act of 1946".

SEC. 3. REMEDIES FOR DILUTION OF FAMOUS MARKS.

(a) REMEDIES.—Section 43 of the Trademark Act of 1946 (15 U.S.C. 1125) is amended by adding at the end the following new subsection:

"(c)(1) The owner of a famous mark shall be entitled, subject to the principles of equity and upon such terms as the court deems reasonable, to an injunction against another person's commercial use in commerce of a mark or trade name, if such use begins after the mark has become famous and causes dilution of the distinctive quality of the mark, and to obtain such other relief as is provided in this subsection. In determining whether a mark is distinctive and famous, a court may consider factors such as, but not limited to—

"(A) the degree of inherent or acquired distinctiveness of the mark;

"(B) the duration and extent of use of the mark in connection with the goods or services with which the mark is used;

"(C) the duration and extent of advertising and publicity of the mark;

"(D) the geographical extent of the trading area in which the mark is used;

"(E) the channels of trade for the goods or services with which the mark is used;

"(F) the degree of recognition of the mark in the trading areas and channels of trade used by the marks' owner and the person against whom the injunction is sought;

"(G) the nature and extent of use of the same or similar marks by third parties; and

"(H) whether the mark was registered under the Act of March 3, 1881, or the Act of February 20, 1905, or on the principal register.

"(2) In an action brought under this subsection, the owner of the famous mark shall be entitled only to injunctive relief unless the person against whom the injunction is sought willfully intended to trade on the owner's reputation or to cause dilution of the famous mark. If such willful intent is proven, the owner of the famous mark shall also be entitled to the remedies set forth in sections 35(a) and 36, subject to the discretion of the court and the principles of equity.

"(3) The ownership by a person of a valid registration under the Act of March 3, 1881, or the Act of February 20, 1905, or on the principal register shall be a complete bar to an action against that person, with respect to that mark, that is brought by another person under the common law or a statute of a State and that seeks to prevent dilution of the distinctiveness of a mark, label, or form of advertisement.

"(4) The following shall not be actionable under this section:

"(A) Fair use of a famous mark by another person in comparative commercial advertising or promotion to identify the competing goods or services of the owner of the famous mark.

"(B) Noncommercial use of a mark.

"(C) All forms of news reporting and news commentary.".

(b) CONFORMING AMENDMENT.—The heading for title VIII of the Trademark Act of 1946 is amended by striking "AND FALSE DESCRIPTIONS" and inserting ", FALSE DESCRIPTIONS, AND DILUTION".

SEC. 4. DEFINITION.

Section 45 of the Trademark Act of 1946 (15 U.S.C. 1127) is amended by inserting after the paragraph defining when a mark shall be deemed to be "abandoned" the following:

"The term 'dilution' means the lessening of the capacity of a famous mark to identify and distinguish goods or services, regardless of the presence or absence of—

"(1) competition between the owner of the famous mark and other parties, or

"(2) likelihood of confusion, mistake, or deception.".

SEC. 5. EFFECTIVE DATE.

15 USC 1125 note.

This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

Approved January 16, 1996.

LEGISLATIVE HISTORY—H.R. 1295:

HOUSE REPORTS: No. 104–374 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 141 (1995):
Dec. 12, considered and passed House.
Dec. 29, considered and passed Senate.

Page

A

Adult Education Act, amendments 715
Age Discrimination in Employment Act of 1967, amendments 8
Agricultural Adjustment Act of 1938, amendments 948
Agricultural Foreign Investment Disclosure Act of 1978, amendments 712
Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1995, amendments 195, 196
Agricultural Trade Development and Assistance Act of 1954, amendments 709
Agriculture and Food Act of 1981, amendments 710
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299
Alaska National Interest Lands Conservation Act, amendments 355
Alaska Native Claims Settlement Act, amendments 155, 353
Alaska Power Administration Asset Sale and Termination Act 557
Alaska Railroad Transfer Act of 1982, amendments 951
Americans with Disabilities Act of 1990, amendments 8, 16, 608
Animal Welfare Act, amendments 711, 948
Anti-Drug Abuse Act of 1988, amendments 722, 728
Architect of the Capitol Human Resources Act, amendments 41
Armored Car Industry Reciprocity Act of 1993, amendments 954
Asbestos Hazard Emergency Response Act of 1986, amendments 725
Atlantic Tunas Convention Act of 1975, amendments 384–386
Atlantic Tunas Convention Authorization Act of 1995 382
Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, amendments 715
Automotive Propulsion Research and Development Act of 1978, amendments 724

B

Black Lung Benefits Act, amendments 722

Page

C

Carl D. Perkins Vocational and Applied Technology Education Act, amendments 714, 715
Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, amendments 715
Central Bering Sea Fisheries Enforcement Act of 1992, amendments 391
Central Intelligence Act of 1949, amendments 969
Central Intelligence Agency Voluntary Separation Pay Act, amendments 968
CFTC Reauthorization Act of 1995 154
Chacoan Outliers Protection Act of 1995 158
Charitable Gift Annuity Antitrust Relief Act of 1995 687
Child Nutrition Act of 1966, amendments 710
Civil Justice Reform Act of 1990, amendments 292
Civil Rights Act of 1964, amendments 8, 728
Clayton Act, amendments 949
Clean Air Act, amendments 580, 773
Coast Guard Authorization Act of 1988, amendments 724
Colorado River Basin Salinity Control Act, amendments 255
Columbia River Gorge National Scenic Area Act, amendments 710
Commodity Exchange Act, amendments 154
Communications Act of 1934, amendments 712, 729
Communications Satellite Act of 1962, amendments 729
Competitiveness Policy Council Act, amendments 701
Congressional Accountability Act of 1995 3
Congressional Accountability Act of 1995, amendments 538
Congressional Budget and Impoundment Control Act of 1974, amendments 50, 60, 62
Congressional Operations Appropriations Act, 1996 514
Conrail Privatization Act, amendments 953
Consolidated Omnibus Budget Reconciliation Act of 1985, amendments 725
Consumer-Patient Radiation Health and Safety Act of 1981, amendments 719

Page

Corning National Fish Hatchery Conveyance Act 261
Court Reporter Fair Labor Amendments of 1995 264
Cranston-Gonzalez National Affordable Housing Act, amendments 720, 721

D

Deepwater Port Act of 1974, amendments 724
Defense Production Act Amendments of 1995 689
Defense Production Act of 1950, amendments 689
Department of Defense Appropriations Act, 1995, amendments 79, 80, 83
Department of Defense Appropriations Act, 1996 636
Department of Education Organization Act, amendments 714
Department of Energy Act of 1978—Civilian Applications, amendments 716
Department of Energy Organization Act, amendments 560, 718
Department of Housing and Urban Development Act, amendments 701
Department of the Interior and Related Agencies Appropriations Act, 1995, amendments 208, 210
Department of Transportation and Related Agencies Appropriations Act, 1994, amendments 225
Department of Transportation and Related Agencies Appropriations Act, 1995, amendments 224, 605
Department of Transportation and Related Agencies Appropriations Act, 1996 436
Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995, amendments 198
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995, amendments 88
Digital Performance Right in Sound Recordings Act of 1995 336

Page

Dire Emergency Supplemental Appropriations for Disaster Assistance, Food Stamps, Unemployment Compensation Administration, and Other Urgent Needs,and Transfers, and Reducing Funds Budgeted for Military Spending Act of 1990, amendments 538
District of Columbia Appropriations Act, 1995, amendments 109
District of Columbia Convention Center and Sports Arena Authorization Act of 1995, amendments 267
District of Columbia Emergency Highway Relief Act 257
District of Columbia Financial Responsibility and Management Assistance Act of 1995 97
District of Columbia Procurement Practices Act of 1985, amendments 148–151
District of Columbia Revenue Act of 1939, amendments 120
District of Columbia Self-Government and Governmental Reorganization Act, amendments 107, 115, 116, 140–142, 147, 148, 151, 152
Domestic Volunteer Service Act of 1973, amendments 726
Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, amendments 784

E

Edible Oil Regulatory Reform Act 546
Education for Economic Security Act, amendments 731
Eisenhower Exchange Fellowship Act of 1990, amendments 776
Electric and Hybrid Vehicle Research, Development, and Demonstration Act of1976, amendments 717
Elementary and Secondary Education Act of 1965, amendments 72
Emergency Food Assistance Act of 1983, amendments 710
Emergency Rail Services Act of 1970, amendments 951

Page

Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995, amendments 201
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194
Energy and Water Development Appropriations Act, 1991, amendments 419
Energy and Water Development Appropriations Act, 1996 402
Energy Policy Act of 1992, amendments 717–719, 949
Energy Policy and Conservation Act, amendments 716–718, 722
Energy Reorganization Act of 1974, amendments 731
Environmental Research, Development, and Demonstration Authorization Act of 1976, amendments 728
Environmental Research, Development, and Demonstration Authorization Act of 1987, amendments 728
Equal Credit Opportunity Act, amendments 948
Ethics in Government Act of 1978, amendments 704, 705
Executive Office Appropriations Act, 1996 477
Export Enhancement Act of 1988, amendments 713
Export-Import Act of 1945, amendments 984

F

Fair Credit Reporting Act, amendments 948, 974
Fair Debt Collection Practices Act, amendments 949
Fair Housing Act, amendments 787
Fair Labor Standards Act of 1938, amendments 10, 264, 722, 955
Family and Medical Leave Act of 1993, amendments 9, 41
Federal-Aid Highway Act of 1973, amendments 724

Page

Federal Aviation Administration Authorization Act of 1994, amendments 953
Federal Deposit Insurance Corporation Improvement Act of 1991, amendments 729
Federal Election Campaign Act of 1971, amendments 791, 948
Federal Energy Administration Act of 1974, amendments 717
Federal Home Loan Bank Act, amendments 732, 733
Federal Nonnuclear Energy Research and Development Act of 1974, amendments 727
Federal Property and Administrative Services Act of 1949, amendments 730
Federal Regulation of Lobbying Act, amendments 701
Federal Reports Elimination and Sunset Act of 1995 707
Federal Trademark Dilution Act of 1995 985
Federal Water Pollution Control Act, amendments 726, 727
Federal Workforce Restructuring Act of 1994, amendments 490
Federally Supported Health Centers Assistance Act of 1995 777
Fisheries Act of 1995 366
Fishermen's Protective Act of 1967, amendments 366
Flood Control Act of 1962, amendments 560
Food, Agriculture, Conservation, and Trade Act of 1990, amendments 709–711
Food Security Act of 1985, amendments 709, 710
Food Stamp Act of 1977, amendments 710, 711
Foreign Agents Registration Act of 1938, amendments 699, 704
Foreign Assistance Act of 1961, amendments 723, 724
Foreign Relations Authorization Act, Fiscal Year 1979, amendments 723
Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, amendments 191, 260, 277, 423, 960
Foreign Service Act of 1980, amendments 701
Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992, amendments 713
Futures Trading Act of 1986, amendments 710

Page

G

Geothermal Energy Research, Development, and Demonstration Act of 1974, amendments 717
Government Employee Rights Act of 1991, amendments 40, 41

H

Hawaiian Home Lands Recovery Act 357
Hazardous Materials Transportation Authorization Act of 1994, amendments 605
High-Performance Computing Act of 1991, amendments 719
High Plains States Groundwater Demonstration Program Act of 1983, amendments 721
High Seas Driftnet Fishing Moratorium Protection Act 391
High Seas Fishing Compliance Act of 1995 367
Higher Education Act of 1965, amendments 219, 715, 716
Horse Protection Act of 1970, amendments 711
House Employees Position Classification Act, amendments 522
Housing Act of 1949, amendments 701, 710
Housing and Community Development Act of 1987, amendments 720
Housing and Urban Development Act of 1968, amendments 721
Housing for Older Persons Act of 1995 787

I

ICC Termination Act of 1995 803
Immigration and Nationality Act, amendments 467
Independent Agencies Appropriations Act, 1990, amendments 486
Independent Agencies Appropriations Act, 1992, amendments 490
Independent Agencies Appropriations Act, 1996 480
Indian Child Protection and Family Violence Prevention Act, amendments 190
Inlands Waterway Revenue Act of 1978, amendments 954
Inspector General Act of 1978, amendments 949
Intelligence Authorization Act for Fiscal Year 1996 961

Page

Intercoastal Shipping Act, 1933, amendments 953
Intermodal Surface Transportation Efficiency Act of 1991, amendments 574, 577, 582, 592–595, 598–604, 625, 725
Internal Revenue Code of 1986, amendments 93, 943
International Surface Transportation Efficiency Act of 1991, amendments 957
Interstate Land Sales Full Disclosure Act, amendments 720
Investment Advisers Act of 1940, amendments 685
Investment Company Act of 1940, amendments 682, 683

J

James Madison-Bill of Rights Commemorative Coin Act, amendments 725
Jerusalem Embassy Act of 1995 398
Jobs Through Exports Act of 1992, amendments 712
Judicial Improvements Act of 1990, amendments 635

L

Labor Management Relations Act, 1947, amendments 954
Land and Water Conservation Fund Act of 1965, amendments 721
Legal Services Corporation Act, amendments 730
Legislative Branch Appropriations Act, 1989, amendments 529
Legislative Branch Appropriations Act, 1990, amendments 220, 525
Legislative Branch Appropriations Act, 1991, amendments 518
Legislative Branch Appropriations Act, 1993, amendments 432, 529
Legislative Branch Appropriations Act, 1995, amendments 518
Legislative Branch Appropriations Act, 1996 514
Lobbying Disclosure Act of 1995 691
Longshore and Harbor Workers' Compensation Act, amendments 722
Low-Income Home Energy Assistance Act of 1981, amendments 721

M

Magnetic Fusion Energy Engineering Act, amendments 421

Page

Magnetic Fusion Energy Engineering Act of 1980, amendments 717
Mail Order Consumer Protection Amendments of 1983, amendments 732
Marine Mammal Protection Act Amendments of 1994, amendments 390
Marine Plastic Pollution Research and Control Act of 1987, amendments 724
Merchant Marine Act, 1920, amendments 949
Merchant Marine Act, 1936, amendments 954
Methane Transportation Research, Development, and Demonstration Act of 1980, amendments 717
Metric Conversion Act of 1975, amendments 734
Mexican Debt Disclosure Act of 1995 89
Migrant and Seasonal Agricultural Worker Protection Act, amendments 432–434, 953
Migration and Refugee Assistance Act of 1962, amendments 723
Military Construction Appropriations Act, 1996 283
Milwaukee Railroad Restructuring Act, amendments 952
Mineral Leasing Act, amendments 560, 721, 722, 724
Mining and Minerals Policy Act of 1970, amendments 721

N

National Agricultural Research, Extension, and Teaching Policy Act of 1977, amendments 710–712
National Capital Area Interest Arbitration Standards Act of 1995 463
National Defense Authorization Act for Fiscal Year 1991, amendments 714
National Defense Authorization Act for Fiscal Years 1988 and 1989, amendments 714
National Drug Interdiction Act of 1986, amendments 722
National Energy Conservation Policy Act, amendments 718
National Highway System Designation Act of 1995 568
National Highway System Designation Act of 1995, amendments 956
National Oceanic and Atmospheric Administration Authorization Act of 1992, amendments 391

Page

National Science Foundation Act of 1950, amendments 731
National Security Act of 1947, amendments 964, 965, 977, 978
National Trails System Act, amendments 949
Navajo-Hopi Land Settlement Act of 1974, amendments 189
Neighborhood Reinvestment Corporation Act, amendments 731
Noise Control Act of 1972, amendments 955
North Pacific Anadromous Stocks Act of 1992, amendments 391
Northeast Rail Service Act of 1981, amendments 953
Northwest Atlantic Fisheries Convention Act of 1995 377
Nuclear Safety Research, Development, and Demonstration Act of 1980, amendments 717
Nuclear Waste Policy Act of 1982, amendments 716, 719

O

Ocean Thermal Energy Conversion Research, Development, and Demonstration Act, amendments 716
Oil Pollution Act of 1990, amendments 546, 547
Omnibus Budget Reconciliation Act of 1987, amendments 720
Omnibus Budget Reconciliation Act of 1990, amendments 192
Omnibus Budget Reconciliation Act of 1993, amendments 96
Outer Continental Shelf Deep Water Royalty Relief Act 563
Outer Continental Shelf Lands Act, amendments 563, 565, 722
Outer Continental Shelf Lands Act Amendments of 1978, amendments 713

P

Panama Canal Act of 1979, amendments 732
Paperwork Reduction Act of 1995 163
Perishable Agricultural Commodities Act, 1930, amendments 424
Perishable Agricultural Commodities Act Amendments of 1995 424
Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991, amendments 712

Page

Philanthropy Protection Act of 1995 682
Postal Service Appropriations Act, 1996 476
Powerplant and Industrial Fuel Use Act of 1978, amendments 716, 727
Presidential Protection Assistance Act of 1976, amendments 496
Private Securities Litigation Reform Act of 1995 737
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act 507
Public Health Service Act, amendments 719, 720, 727, 777
Public Works Employment Act of 1976, amendments 725

R

Railroad Retirement Act of 1974, amendments 733, 950
Railroad Retirement Solvency Act of 1983, amendments 733
Railroad Revitalization and Regulatory Reform Act of 1976, amendments 953
Railroad Unemployment Insurance Act, amendments 950
Railway Labor Act, amendments 950
Reclamation Reform Act of 1982, amendments 721
Regional Rail Reorganization Act of 1973, amendments 951
Rehabilitation Act of 1973, amendments 714, 715, 731
Research Facilities Act, amendments 711
Right to Financial Privacy Act of 1978, amendments 734
Robert T. Stafford Disaster Relief and Emergency Assistance Act, amendments 729
Rock Island Railroad Transition and Employee Assistance Act, amendments 952
Rural Electrification Act of 1936, amendments 711

S

Safe Drinking Water Act, amendments 727
Sea of Okhotsk Fisheries Enforcement Act of 1995 391
Securities Act of 1933, amendments 684, 685, 737, 749, 756, 757, 762
Securities Exchange Act of 1934, amendments 684, 743, 753, 756–758, 762

Page

Sex Crimes Against Children Prevention Act of 1995 774
Shipping Act, 1916, amendments 953
Shipping Act of 1984, amendments 954
Small Business Act, amendments 295, 722, 730
Small Business Administration Reauthorization and Amendment Act of 1988, amendments 297
Small Business Investment Act of 1958, amendments 295
Small Business Lending Enhancement Act of 1995 295
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 981
Social Security Act, amendments 215, 294
Social Security Amendments of 1983, amendments 720
South Pacific Tuna Act of 1988, amendments 395
Stevenson-Wydler Technology Innovation Act of 1980, amendments 734
Supplemental Appropriations Act, 1977, amendments 45
Supplemental Appropriations Act, 1983, amendments 517
Supplemental Appropriations Act of 1993, amendments 41
Surface Transportation and Uniform Relocation Assistance Act of 1987, amendments 607, 608

T

Toxic Substances Control Act, amendments 719, 728
Trade Act of 1974, amendments 705
Trademark Act of 1946, amendments 985
Treasury Department Appropriations Act, 1995, amendments 226, 227, 230
Treasury Department Appropriations Act, 1996 468
Treasury, Postal Service, and General Government Appropriations Act, 1990, amendments 486
Treasury, Postal Service, and General Government Appropriations Act, 1992, amendments 490
Treasury, Postal Service, and General Government Appropriations Act, 1993, amendments 734

Page

Treasury, Postal Service, and General Government Appropriations Act, 1995, amendments 226, 227, 468, 495
Treasury, Postal Service, and General Government Appropriations Act, 1996 468
Truth in Lending Act, amendments 161, 271
Truth in Lending Act Amendments of 1995 271
Truth in Lending Class Action Relief Act of 1995 161

U

Unfunded Mandates Reform Act of 1995 48
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, amendments 724
United States-Canada Free-Trade Agreement Implementation Act of 1988, amendments 712
United States Housing Act of 1937, amendments 235, 236, 720

V

Veterans' Compensation Cost-of-Living Adjustment Act of 1995 555

Page

Veterans Education and Employment Amendments of 1989, amendments 722
Violent Crime Control Appropriations Act, 1995, amendments 198
Vocational Education Act of 1917, amendments 715

W

Water Quality Act of 1987, amendments 727
Water Resources Development Act of 1986, amendments 713
Water Resources Development Act of 1992, amendments 407
Water Resources Research Act of 1984, amendments 721
Wind Energy Systems Act of 1980, amendments 716
Woodrow Wilson Memorial Bridge Authority Act of 1995 627
World Cup USA 1994 Commemorative Coin Act, amendments 725

Y

Yukon River Salmon Act of 1995 392

Page

A

Aged Persons
Housing for Older Persons Act of 1995 787
Agriculture
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299
CFTC Reauthorization Act of 1995 154
Edible Oil Regulatory Reform Act 546
Migrant and seasonal agricultural workers' compensation 432
Perishable Agricultural Commodities Act Amendments of 1995 424
Alabama
Seybourn H. Lynne Federal Courthouse, designation 799
Alaska
Alaska Power Administration Asset Sale and Termination Act 557
Native claims settlement 155, 353
North slope oil, exports 560
American Sugar Cane League Foundation 304
Appropriations
Agriculture, Rural Development, Food and Drug Administration and related agencies, 1996 299
Authorization
CFTC Reauthorization Act of 1995 154
Colorado river basin salinity control program 256
Hawaiian Home Lands 364
Indian child protection and family violence programs 190
Navajo-Hopi Relocation Housing Program 189
Congressional operations, 1996 514
Continuing, 1996 ..... 278, 540, 548, 767
Defense Department, 1996 636
Emergency supplemental and rescissions, 1995 ..... 73, 194
Energy and water development, 1996 402
Executive Office, 1996 477
Independent agencies, 1996 480
Intelligence Authorization Act for Fiscal Year 1996 961
Legislative Branch, 1996 514
Military construction, 1996 283
Postal Service, 1996 476
Transportation Department and related agencies, 1996 436
Treasury, Postal Service, and General Government, 1996 468
Aquaculture
See Fish and Wildlife

Page

Archaeology
See Historic Preservation
Arizona
Chacoan Outliers Protection Act of 1995 158
Arkansas
Corning National Fish Hatchery Conveyance Act 261
Armed Forces
Defense Production Act Amendments of 1995 689
Department of Defense Appropriations Act, 1996 636
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Military Construction Appropriations Act, 1996 283
Audio Recordings
See Communications

B

Boards, Committees, Councils, Etc.
Administrative Conference of the United States, termination 480
Advisory Commission on Intergovernmental Relations, termination 480
Commodity Futures Trading Commission, appropriations authorization 154
Federal Communications Commission, certified sales and exchanges 93
Interagency Council on Statistical Policy, establishment 168
National Commission on Restructuring the Internal Revenue Service, establishment 509
Railroad-Shipper Transportation Advisory Council, establishment 937
Surface Transportation Board, establishment 932
Bridges
See Highways and Roads
Budget
Fiscal year, 1996 996
Burger, Warren 995
Burke, Arleigh A. 2057

C

California
Agricultural Research Station, land conveyance 304
Air quality control standards 88
Don Edwards San Francisco Bay National Wildlife Refuge, designation 790

Page

Canada
Coast Guard Emergency Response Plan ... 566
Yukon River Salmon Act of 1995 ... 392
Charities and Charitable Organizations
Charitable Gift Annuity Antitrust Relief Act of 1995 ... 687
Philanthrophy Protection Act of 1995 ... 682
Children, Youth, and Families
Au pair programs, extension ... 776
Child and spousal support, information retrieval system, deadline extension ... 294
Indian child protection and family violence prevention programs, appropriation authorization ... 190
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act ... 507
Sex Crimes Against Children Prevention Act of 1995 ... 774
Cigarettes
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act ... 507
Claims
Alaska native claims settlement ... 155, 353
Hawaiian Home Lands Recovery Act ... 357
Coast Guard
Emergency Response Plan ... 566
Coins
See Currency
Colorado
River basin salinity control program, authorization ... 255
Winfield Scott Stratton Post Office, designation ... 397
Commerce and Trade
Charitable Gift Annuity Antitrust Relief Act of 1995 ... 687
ICC Termination Act of 1995 ... 803
Philanthropy Protection Act of 1995 ... 682
Private Securities Litigation Reform Act of 1995 ... 737
Truth in Lending Act Amendments of 1995 ... 271
Communications
Digital Performance Right in Sound Recordings Act of 1995 ... 336
Concurrent Resolutions
Architect of the Capitol, catafalque authorization ... 995
Capitol buildings and grounds
Jerusalem, anniversary celebration ... 1033
Days of remembrance of victims of the Holocaust ... 991, 1037
Raoul Wallenberg, dedication ceremony and bust placement ... 1033

Page

Ringling Bros. and Barnum & Bailey Circus, anniversary commemoration ... 992
Special Olympics torch relay ... 994
Soap box derby races ... 996
Congress
Adjournment ... 991–993, 995, 1030–1032, 1035
Joint Session ... 991
Enrolled bills, corrections
Alaska native claims settlement (H.R. 402) ... 1033
Colorado river basin salinity control (S. 523) ... 1031
ICC Termination Act of 1995 (H.R. 2539) ... 1037
Lobbying Disclosure Act of 1995 (S. 1060) ... 1036
Medicare select policies (H.R. 483) ... 1030
EXPO '98, participation ... 1036
Federal Budget, fiscal year 1996 ... 996
George M. White, retirement ... 1035
President Lee Teng-hui, private visit ... 993
Yitzhak Rabin, life and legacy ... 1034
Congress
Congressional Accountability Act of 1995 ... 3
Congressional Operations Appropriations Act, 1996 ... 514
House of Representatives
Committees and officers, law references ... 186
Election reports, filing ... 792
Legislative Branch Appropriations Act, 1996 ... 514
Lobbying Disclosure Act of 1995 ... 691
Office of Compliance, establishment ... 24
Senate consultants, appointment and compensation ... 45
Unfunded Mandates Reform Act of 1995 ... 48
Consumer Protection
Truth in Lending Act Amendments of 1995 ... 271
Contracts
Chacoan Outliers Protection Act of 1995 ... 159
Cook Inlet Regional Corporation ... 155
Copyrights
Digital Performance Right in Sound Recordings Act of 1995 ... 336
Outer Continental Shelf Deep Water Royalty Relief Act ... 563
Courts
Civil Justice Expense and Delay Reduction Demonstration Programs, extension ... 292
Court Reporter Fair Labor Amendments of 1995 ... 264

Page

Federal Sentencing Guidelines amendments, disapproval 334
Private Securities Litigation Reform Act of 1995 737
Temporary Federal judgeships, commencement date 635
Truth in Lending Class Action Relief Act of 1995 161
Venue, rules clarification 293
Credit
See Loans
Creek Native Association, Inc. 353
Currency
Coins
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 981
Specifications and design changes 784
Mexican Debt Disclosure Act of 1995 89
Treasury Department Appropriations Act, 1996 468

D

Dams
See Locks and Dams
Debts
See Loans
Disaster Assistance
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194
District of Columbia
District of Columbia Convention Center and Sports Arena Authorization Act of 1995 267
District of Columbia Emergency Highway Relief Act 257
District of Columbia Financial Responsibility and Management Assistance Act of 1995 97
Financial Responsibility and Management Assistance Authority, establishment and organization 100
National Capital Area Interest Arbitration Standards Act of 1995 463
Office of the Chief Financial Officer, establishment 142
Office of the Inspector General, establishment 148
Ronald Reagan Building and International Trade Center, designation 766

Page

Woodrow Wilson Memorial Bridge Authority Act of 1995 627
Drugs and Drug Abuse
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299

E

Education
Indian education, technical amendments 72
Elections
Federal election campaign reports, electronic filing and preservation 791
Energy
Alaska Power Administration Asset Sale and Termination Act 557
Alaskan North Slope oil, exports 560
Energy and Water Development Appropriations Act, 1996 402
Environmental Protection
Employer trip reduction programs 773
Exports and Imports
Tied aid credit program, extension 984

F

Federal Buildings and Facilities
Albert V. Bryan United States Courthouse, VA, designation 800
Bruce R. Thompson United States Courthouse and Federal Building, NV, designation 786
George J. Mitchell Post Office Building, ME, designation 266
Howard H. Baker, Jr. United States Courthouse, TN, designation 794
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act 507
Romano L. Mazzoli Federal Building, KY, designation 789
Ronald Reagan Building and International Trade Center, DC, designation 766
Seybourn H. Lynne Federal Courthouse, AL, designation 799
William J. Hughes Technical Center, NJ, designation 461
Winfield Scott Stratton Post Office, CO, designation 397
Fish and Wildlife
Atlantic Tunas Convention Authorization Act of 1995 382
Corning National Fish Hatchery Conveyance Act 261
Don Edwards San Francisco Bay National Wildlife Refuge, CA, designation 790

Page

Fish and Wildlife—Continued
Fairport National Fish Hatchery, IA, conveyance ... 262
Fisheries Act of 1995 ... 366
High Seas Drifnet Fishing Moratorium Protection Act ... 391
High Seas Fishing Compliance Act of 1995 ... 367
New London National Fish Hatchery Production Facility, MN, conveyance ... 263
Northwest Atlantic Fisheries Convention Act of 1995 ... 377
Sea of Okhotsk Fisheries Enforcement Act of 1995 ... 391
Triploid grass carp certification inspection fees, authorization ... 350
Yukon River Salmon Act of 1995 ... 392
Food
See Agriculture
Foreign Relations
Au pair programs, extension ... 776
Jerusalem Embassy Act of 1995 ... 398
Middle East peace facilitation, extension ... 191, 260, 277, 423, 960
Forests and Forestry
Timber
Emergency salvage program ... 240
Goshawk Habitat Conservation Area ... 212

G

Government Employees
Congressional Accountability Act of 1995 ... 3
Farm Credit Administration health plan, enrollment coverage ... 328
Lobbying Disclosure Act of 1995 ... 691
Government Operation
Federal Reports Elimination and Sunset Act of 1995 ... 707
Paperwork Reduction Act of 1995 ... 163
Government Organization
Administrative Conference of the United States, termination ... 480
Advisory Commission on Intergovernmental Relations, termination ... 480
Federally Supported Health Centers Assistance Act of 1995 ... 777
Government Information Locator Service, establishment ... 180
ICC Termination Act of 1995 ... 803
Office of Information and Regulatory Affairs, establishment ... 166
Grants
Chacoan Outliers Protection Act of 1995 ... 159
Greater Washington Soap Box Derby Association ... 996

Page

H

Hawaii
Hawaiian Home Lands Recovery Act ... 357
Health and Health Care
Dayton Area Health Plan enrollment requirement, extension ... 802
Federally Supported Health Centers Assistance Act of 1995 ... 777
Group Health Plans, special rules, extension ... 96
Medicare select policies ... 192
Self-employed health insurance deduction, extension and increase ... 93
Highways and Roads
Department of Transportation and Related Agencies Appropriations Act, 1996 ... 436
District of Columbia Emergency Highway Relief Act ... 257
National Highway System Designation Act of 1995 ... 568
Woodrow Wilson Memorial Bridge Authority Act of 1995 ... 627
Historic Preservation
Chacoan Outliers Protection Act of 1995 ... 158
Housing
Housing for Older Persons Act of 1995 ... 787
Navajo-Hopi Relocation Program, appropriation authorization ... 189

I

Illinois
Lake County Forest Preserve District, land conveyance ... 290
Immigration
Immigration and Nationality Act, amendments ... 467
Indians
See Native Americans
Insurance
Medicare select policies ... 192
Self-employed health insurance deduction, extension and increase ... 93
Intergovernmental Relations
Child and spousal support, information retrieval systems, deadline extension ... 294
Medicare select policies ... 192
Migrant and seasonal agricultural workers' compensation ... 432
National Highway System Designation Act of 1995 ... 568
Paperwork Reduction Act of 1995 ... 163
State income taxation, pension income ... 979

Page

Unfunded Mandates Reform Act of 1995 48

Iowa
Fairport National Fish Hatchery, conveyance 262

Israel
Jerusalem, anniversary commemoration 1033
Jerusalem Embassy Act of 1995 398

K

Kentucky
Romano L. Mazzoli Federal Building, designation 789

Korean War
Veterans of Foreign Wars, membership eligibility 47

L

Labor and Employment
Congressional Accountability Act of 1995 3
Court Reporter Fair Labor Amendments of 1995 264
Migrant and seasonal agricultural workers' compensation 432
National Capital Area Interest Arbitration Standards Act of 1995 463

Law Enforcement and Crime
Federal Sentencing Guidelines amendments, disapproval 334
Sex Crimes Against Children Prevention Act of 1995 774

Loans
Mexican Debt Disclosure Act of 1995 89
Small Business Lending Enhancement Act of 1995 295
Truth in Lending Act Amendments of 1995 271

Locks and Dams
Colorado river basin salinity control program, authorization 255

Louisiana
USDA Houma Sugar Cane Research Laboratory, land conveyance 304

M

Maine
George J. Mitchell Post Office Building, designation 266

Maritime Affairs
Coast Guard Emergency Response Plan 566

Maryland
Woodrow Wilson Memorial Bridge Authority Act of 1995 627

Medicare
See Health and Health Care

Page

Mexico
Mexican Debt Disclosure Act of 1995 89

Military
See Armed Forces; National Defense

Minerals and Mining
Alaska native claims settlement 353

Minnesota
National Fish Hatchery Production Facility, conveyance 263

Montana Creek Native Association, Inc. 353

N

National Defense
Defense Production Act Amendments of 1995 689
Department of Defense Appropriations Act, 1996 636
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Intelligence Authorization Act for Fiscal Year 1996 961

National Forest System
Goshawk Habitat Conservation Areas, timber sales 212

Native Americans
Alaska native claims settlement 155, 353
Chacoan Outliers Protection Act of 1995 158
Hawaiian Home Lands Recovery Act 357
Indian child protection and family violence prevention programs, appropriations authorization 190
Indian education, technical amendments 72
Navajo-Hopi Relocation Housing Program, appropriation authorization 189

Nevada
Bruce R. Thompson United States Courthouse and Federal Building, designation 786

New Jersey
William J. Hughes Technical Center 461

New Mexico
Chacoan Outliers Protection Act of 1995 158

O

Oil
See Energy

Page

Oklahoma
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194

P

Patents and Trademarks
Biotechnological process patents..... 351
Federal Trademark Dilution Act of 1995..... 985
Portugal
EXPO '98, U.S. participation..... 1036
Postal Service
George J. Mitchell Post Office Building, ME, designation..... 266
Proclamations
Deaths
Arleigh A. Burke..... 2057
Bosnia-Herzegovina, U.S. delegation 1809
Yitzahk Rabin..... 1855
Special observances
Adoption Month..... 1853
America Goes Back to School 1811
American Heart Month..... 1748
American Indian Heritage Month 1854
American Red Cross Month 1752
Asian/Pacific American Heritage Month 1782
Bill of Rights Day..... 1043, 1862
Breast Cancer Awareness Month 1838
Cancer Control Month..... 1771
Captive Nations Week..... 1801
Character Counts Week..... 1848
Child Abuse Prevention Month 1769
Child Health Day..... 1834
Child Support Awareness Month 1806
Children's Day..... 1840
Citizenship Day..... 1831
Classical Music Month 1812
Columbus Day 1843
Constitution Week 1831
Consumers Week..... 1850
Crime Victims' Rights Week 1778
D.A.R.E. Day 1774
Day of Mourning in Memory of Those Who Died in Oklahoma City 1776
Day of Prayer..... 1757
Defense Transportation Day..... 1785
Disability Employment Awareness Month 1839
Domestic Violence Awareness Month 1835

Page

Drunk and Drugged Driving Prevention Month 1042, 1859
Education and Sharing Day, U.S.A. 1773
Energy Awareness Month..... 1837
Family Week..... 1858
Farm-City Week 1858
Farm Safety..... 1837
Father's Day 1800
Fire Prevention Week 1845
Flag Day 1799
Flag Week..... 1799
Forest Products Week 1849
Former Prisoner of War Recognition Day..... 1770
General Pulaski Memorial Day 1846
German-American Day..... 1841
Gold Star Mother's Day..... 1832
Good Teen Day 1744
Great American Smokeout Day 1857
Greek Independence Day: A National Day of Celebration of Greek and American Democracy 1759
Health Week..... 1827
Hispanic Heritage Month 1829
Historically Black Colleges and Universities Week..... 1833
Homeownership Day..... 1798
Human Rights Day..... 1043, 1862
Human Rights Week 1043, 1862
Irish-American Heritage Month..... 1751
Jewish Heritage Week 1775
Korean War Veterans Armistice Day..... 1803
Labor History Month..... 1788
Law Day, U.S.A. 1779
Leif Erikson Day..... 1844
Loyalty Day 1781
Maritime Day 1790
Martin Luther King, Jr., Federal Holiday 1745
Minority Enterprise Development Week..... 1807
Mother's Day 1783
Oklahoma City Bombing Victims..... 1774
Older Americans Month..... 1782
Older Workers Employment Week..... 1749
Pan American Day 1772
Pan American Week..... 1772
Parents' Day 1802
Park Week 1755
Peace Officers Memorial Day..... 1787
Pearl Harbor Remembrance Day..... 1863
Poison Prevention Week 1750
Police Week..... 1787
POW/MIA Recognition Day 1810
Prayer for Peace, Memorial Day..... 1789

Page

Public Health Week ... 1756
Rehabilitation Week ... 1830
Safe Boating Week ... 1784
Save Your Vision Week ... 1754
School Lunch Week ... 1842
Small Business Week ... 1780
Thanksgiving Day ... 1856
Transportation Week ... 1785
United Nations Day ... 1851
Veterans Day ... 1852
Volunteer Week ... 1777
White Cane Safety Day ... 1847
Women's Equality Day ... 1808
Women's History Month ... 1753
World AIDS Day ... 1041, 1861
World Trade Week ... 1796
World War II, fiftieth anniversary ... 1797
Wright Brothers Day ... 1044, 2056
Year of the Grandparent ... 1746

Tariffs
Generalized System of Preferences, amendments and modifications ... 1747, 1758, 1791, 1803
Harmonized Tariff Schedule, modifications ... 1864
North American Free Trade Agreement, rules of origin ... 1864
Poland, Italian-type cheeses ... 2056
Tobacco and tobacco products ... 1813
Uruguay Round of Multilateral Trade Negotiations, implementation ... 1045, 1760

Public Information
Government Information Locator Service, establishment ... 180
Paperwork Reduction Act of 1995 ... 163

Public Lands
Agricultural Research Station, CA, land conveyance ... 304
Agriculture Department ... 304
Agricultural Research Service property, TN, land conveyance ... 304
Houma Sugar Cane Research Laboratory, LA, land conveyance
Don Edwards San Francisco Bay National Wildlife Refuge, CA, designation ... 790
Hawaiian Homes Lands Recovery Act ... 357
Lake County Forest Preserve District, IL, land conveyance ... 290
Outer Continental Shelf Deep Water Royalty Relief Act ... 563
Pecan Genetics and Improvement Research Laboratory, TX, land conveyance ... 304

R

Rabin, Yitzhak ... 1034, 1855

Page

Roads
See Highways and Roads

Royalties
See Copyrights

S

Securities
Commodity Futures Trading Commission, appropriation authorization ... 154
Philanthropy Protection Act of 1995 ... 682
Private Securities Litigation Reform Act of 1995 ... 737

Small Business
Small Business Lending Enhancement Act of 1995 ... 295

Smithsonian Institution
Board of Regents, appointments ... 795–798
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 ... 981

Sound Recordings
See Communications

Sports
District of Columbia Convention Center and Sports Arena Authorization Act of 1995 ... 267

State and Local Governments
See Intergovernmental Relations

T

Taxes
Charitable Annuity Antitrust Relief Act of 1995 ... 687
Internal Revenue Code
Earned income credit, excessive investment income, denial ... 95
Federal Communications Commission, certified sales and exchanges ... 93
Involuntary conversions, special rules ... 94
Self-employed health insurance deduction, extension and increase ... 93
State income tax, pension income ... 979

Teng-hui, Lee ... 993

Tennessee
Agricultural Research Service property, land conveyance ... 304
Howard H. Baker, Jr. United States Courthouse, designation ... 794

Terrorism
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 ... 194

Page

Texas
Pecan Genetics and Improvement Research Laboratory, land conveyance 304
Texas A&M University 304
Timber
See Forests and Forestry
Transportation
Department of Transportation and Related Agencies Appropriations Act, 1996 436
ICC Termination Act of 1995 803
National Highway System Designation Act of 1995 568

U

University of Tennessee 304
Urban and Rural Areas
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299

Page

V

Vessels
See Maritime Affairs
Veterans
Korean War, Veterans of Foreign Wars, membership eligibility 47
Veterans' Compensation Cost-of-Living Adjustment Act of 1995 555
Virginia
Albert V. Byran United States Courthouse, designation 800
Woodrow Wilson Memorial Bridge Authority Act of 1995 627

W

Wallenberg, Raoul 1033
Water
Outer Continental Shelf Deep Water Royalty Relief Act 563
White, George M. 1035
Wildlife
See Fish and Wildlife

UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS
ENACTED DURING THE FIRST SESSION OF THE
ONE HUNDRED FOURTH CONGRESS
OF THE UNITED STATES OF AMERICA

1995

AND

PROCLAMATIONS

VOLUME 109

IN TWO PARTS

PART 2

CONCURRENT RESOLUTIONS AND PROCLAMATIONS

UNITED STATES
GOVERNMENT PRINTING OFFICE
WASHINGTON : 1996

PUBLISHED BY AUTHORITY OF LAW UNDER THE DIRECTION OF THE ARCHIVIST OF THE UNITED STATES BY THE OFFICE OF THE FEDERAL REGISTER, NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

"The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, . . . proclamations by the President and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States." (1 USC 112).

For sale by the
Superintendent of Documents
U.S. Government Printing Office
Washington, DC 20402-9328
(2-part set; sold in sets only)

CONTENTS

PART 1

	Page
LIST OF BILLS ENACTED INTO PUBLIC LAW	v
LIST OF PUBLIC LAWS	vii
LIST OF CONCURRENT RESOLUTIONS	xi
LIST OF PROCLAMATIONS	xiii
PUBLIC LAWS	3
POPULAR NAME INDEX	A1
SUBJECT INDEX	B1

PART 2

	Page
LIST OF BILLS ENACTED INTO PUBLIC LAW	v
LIST OF PUBLIC LAWS	vii
LIST OF CONCURRENT RESOLUTIONS	xi
LIST OF PROCLAMATIONS	xiii
CONCURRENT RESOLUTIONS	991
PROCLAMATIONS	1041
POPULAR NAME INDEX	A1
SUBJECT INDEX	B1

LIST OF BILLS ENACTED INTO PUBLIC LAW

THE ONE HUNDRED FOURTH CONGRESS OF THE UNITED STATES
FIRST SESSION, 1995

BILL	PUBLIC LAW
H.R. 325	104–70
H.R. 394	104–95
H.R. 395	104–75
H.R. 402	104–42
H.R. 421	104–10
H.R. 436	104–55
H.R. 483	104–18
H.R. 517	104–11
H.R. 535	104–23
H.R. 584	104–24
H.R. 614	104–25
H.R. 660	104–76
H.R. 716	104–43
H.R. 831	104–7
H.R. 889	104–6
H.R. 965	104–77
H.R. 1026	104–44
H.R. 1058	104–67
H.R. 1103	104–48
H.R. 1225	104–26
H.R. 1240	104–71
H.R. 1253	104–78
H.R. 1295	104–98
H.R. 1345	104–8
H.R. 1380	104–12
H.R. 1421	104–14
H.R. 1655	104–93
H.R. 1715	104–49
H.R. 1747	104–73
H.R. 1817	104–32
H.R. 1878	104–87
H.R. 1905	104–46
H.R. 1944	104–19
H.R. 1976	104–37
H.R. 2002	104–50
H.R. 2017	104–21
H.R. 2020	104–52
H.R. 2077	104–27
H.R. 2108	104–28
H.R. 2126	104–61
H.R. 2161	104–22
H.R. 2203	104–97
H.R. 2204	104–64
H.R. 2288	104–35
H.R. 2336	104–74
H.R. 2394	104–57
H.R. 2399	104–29
H.R. 2404	104–30
H.R. 2481	104–68
H.R. 2492	104–53
H.R. 2519	104–62
H.R. 2525	104–63
H.R. 2527	104–79
H.R. 2539	104–88
H.R. 2547	104–80
H.R. 2589	104–47
H.R. 2627	104–96
H.R. 2808	104–89
H.J. Res. 69	104–81
H.J. Res. 108	104–31
H.J. Res. 110	104–82
H.J. Res. 111	104–83
H.J. Res. 112	104–84
H.J. Res. 122	104–56
H.J. Res. 123	104–54
H.J. Res. 136	104–69
S. 1	104–4
S. 2	104–1
S. 178	104–9
S. 227	104–39
S. 244	104–13
S. 257	104–3
S. 268	104–40
S. 273	104–2
S. 349	104–15
S. 369	104–85
S. 377	104–5
S. 395	104–58
S. 440	104–59
S. 441	104–16
S. 457	104–51
S. 464	104–33
S. 523	104–20
S. 532	104–34
S. 790	104–66
S. 895	104–36
S. 962	104–17
S. 965	104–86
S. 1060	104–65
S. 1111	104–41
S. 1254	104–38
S. 1322	104–45
S. 1328	104–60
S. 1465	104–72

LIST OF PUBLIC LAWS

CONTAINED IN THIS VOLUME

PUBLIC LAW		DATE	PAGE
104–1	Congressional Accountability Act of 1995	Jan. 23, 1995	3
104–2	To amend section 61h–6 of title 2, United States Code	Feb. 9, 1995	45
104–3	To amend the charter of the Veterans of Foreign Wars to make eligible for membership those veterans that have served within the territorial limits of South Korea.	Mar. 7, 1995	47
104–4	Unfunded Mandates Reform Act of 1995	Mar. 22, 1995	48
104–5	To amend a provision of part A of title IX of the Elementary and Secondary Education Act of 1965, relating to Indian education, to provide a technical amendment, and for other purposes.	Mar. 23, 1995	72
104–6	Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995.	Apr. 10, 1995	73
104–7	To amend the Internal Revenue Code of 1986 to permanently extend the deduction for the health insurance costs of self-employed individuals, to repeal the provision permitting nonrecognition of gain on sales and exchanges effectuating policies of the Federal Communications Commission, and for other purposes.	Apr. 11, 1995	93
104–8	District of Columbia Financial Responsibility and Management Assistance Act of 1995.	Apr. 17, 1995	97
104–9	CFTC Reauthorization Act of 1995	Apr. 21, 1995	154
104–10	To amend the Alaska Native Claims Settlement Act to provide for the purchase of common stock of Cook Inlet Region, and for other purposes.	May 18, 1995	155
104–11	Chacoan Outliers Protection Act of 1995	May 18, 1995	158
104–12	Truth in Lending Class Action Relief Act of 1995	May 18, 1995	161
104–13	Paperwork Reduction Act of 1995	May 22, 1995	163
104–14	To provide that references in the statutes of the United States to any committee or officer of the House of Representatives the name or jurisdiction of which was changed as part of the reorganization of the House of Representatives at the beginning of the One Hundred Fourth Congress shall be treated as referring to the currently applicable committee or officer of the House of Representatives.	June 3, 1995	186
104–15	To reauthorize appropriations for the Navajo-Hopi Relocation Housing Program.	June 21, 1995	189
104–16	To reauthorize appropriations for certain programs under the Indian Child Protection and Family Violence Prevention Act, and for other purposes.	June 21, 1995	190
104–17	To extend authorities under the Middle East Peace Facilitation Act of 1994 until August 15, 1995.	July 2, 1995	191
104–18	To amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States.	July 7, 1995	192

PUBLIC LAW		DATE	PAGE
104–19	Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995.	July 27, 1995	194
104–20	To amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes.	July 28, 1995	255
104–21	District of Columbia Emergency Highway Relief Act	Aug. 4, 1995	257
104–22	To extend authorities under the Middle East Peace Facilitation Act of 1994 until October 1, 1995, and for other purposes..	Aug. 14, 1995	260
104–23	Corning National Fish Hatchery Conveyance Act	Sept. 6, 1995	261
104–24	To direct the Secretary of the Interior to convey a fish hatchery to the State of Iowa.	Sept. 6, 1995	262
104–25	To direct the Secretary of the Interior to convey to the State of Minnesota the New London National Fish Hatchery production facility.	Sept. 6, 1995	263
104–26	Court Reporter Fair Labor Amendments of 1995	Sept. 6, 1995	264
104–27	To designate the United States Post Office building located at 33 College Avenue in Waterville, Maine, as the "George J. Mitchell Post Office Building".	Sept. 6, 1995	266
104–28	District of Columbia Convention Center and Sports Arena Authorization Act of 1995.	Sept. 6, 1995	267
104–29	Truth in Lending Act Amendments of 1995	Sept. 30, 1995	271
104–30	To extend authorities under the Middle East Peace Facilitation Act of 1994 until November 1, 1995, and for other purposes.	Sept. 30, 1995	277
104–31	Making continuing appropriations for the fiscal year 1996, and for other purposes.	Sept. 30, 1995	278
104–32	Military Construction Appropriations Act, 1996	Oct. 3, 1995	283
104–33	To make the reporting deadlines for studies conducted in Federal court demonstration districts consistent with the deadlines for pilot districts, and for other purposes.	Oct. 3, 1995	292
104–34	To clarify the rules governing venue, and for other purposes.	Oct. 3, 1995	293
104–35	To amend part D of title IV of the Social Security Act to extend for 2 years the deadline by which States are required to have in effect an automated data processing and information retrieval system for use in the administration of State plans for child and spousal support.	Oct. 12, 1995	294
104–36	Small Business Lending Enhancement Act of 1995	Oct. 12, 1995	295
104–37	Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996.	Oct. 21, 1995	299
104–38	To disapprove of amendments to the Federal Sentencing Guidelines relating to lowering of crack sentences and sentences for money laundering and transactions in property derived from unlawful activity.	Oct. 30, 1995	334
104–39	Digital Performance Right in Sound Recordings Act of 1995.	Nov. 1, 1995	336
104–40	To authorize the collection of fees for expenses for triploid grass carp certification inspections, and for other purposes.	Nov. 1, 1995	350
104–41	To amend title 35, United States Code, with respect to patents on biotechnological processes.	Nov. 1, 1995	351
104–42	To amend the Alaska Native Claims Settlement Act, and for other purposes.	Nov. 2, 1995	353
104–43	Fisheries Act of 1995	Nov. 3, 1995	366

PUBLIC LAW		DATE	PAGE
104–44	To designate the United States Post Office building located at 201 East Pikes Peak Avenue in Colorado Springs, Colorado, as the "Winfield Scott Stratton Post Office".	Nov. 3, 1995	397
104–45	Jerusalem Embassy Act of 1995	Nov. 8, 1995	398
104–46	Energy and Water Development Appropriations Act, 1996	Nov. 13, 1995	402
104–47	To extend authorities under the Middle East Peace Facilitation Act of 1994 until December 31, 1995, and for other purposes.	Nov. 13, 1995	423
104–48	Perishable Agricultural Commodities Act Amendments of 1995.	Nov. 15, 1995	424
104–49	Respecting the relationship between workers' compensation benefits and the benefits available under the Migrant and Seasonal Agricultural Worker Protection Act.	Nov. 15, 1995	432
104–50	Department of Transportation and Related Agencies Appropriations Act, 1996.	Nov. 15, 1995	436
104–51	To amend the Immigration and Nationality Act to update references in the classification of children for purposes of United States immigration laws.	Nov. 15, 1995	467
104–52	Treasury, Postal Service, and General Government Appropriations Act, 1996.	Nov. 19, 1995	468
104–53	Legislative Branch Appropriations Act, 1996	Nov. 19, 1995	514
104–54	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Nov. 19, 1995	540
104–55	Edible Oil Regulatory Reform Act	Nov. 20, 1995	546
104–56	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Nov. 20, 1995	548
104–57	Veterans' Compensation Cost-of-Living Adjustment Act of 1995.	Nov. 22, 1995	555
104–58	To authorize and direct the Secretary of Energy to sell the Alaska Power Administration, and to authorize the export of Alaska North Slope crude oil, and for other purposes.	Nov. 28, 1995	557
104–59	National Highway System Designation Act of 1995	Nov. 28, 1995	568
104–60	To amend the commencement dates of certain temporary Federal judgeships.	Nov. 28, 1995	635
104–61	Department of Defense Appropriations Act, 1996	Dec. 1, 1995	636
104–62	Philanthropy Protection Act of 1995	Dec. 8, 1995	682
104–63	Charitable Gift Annuity Antitrust Relief Act of 1995	Dec. 8, 1995	687
104–64	Defense Production Act Amendments of 1995	Dec. 18, 1995	689
104–65	Lobbying Disclosure Act of 1995	Dec. 19, 1995	691
104–66	Federal Reports Elimination and Sunset Act of 1995	Dec. 21, 1995	707
104–67	Private Securities Litigation Reform Act of 1995	Dec. 22, 1995	737
104–68	To designate the Federal Triangle project under construction at 14th Street and Pennsylvania Avenue, Northwest, in the District of Columbia, as the "Ronald Reagan Building and International Trade Center".	Dec. 22, 1995	766
104–69	Making further continuing appropriations for the fiscal year 1996, and for other purposes.	Dec. 22, 1995	767
104–70	To amend the Clean Air Act to provide for an optional provision for the reduction of work-related vehicle trips and miles travelled in ozone nonattainment areas designated as severe, and for other purposes.	Dec. 23, 1995	773
104–71	Sex Crimes Against Children Prevention Act of 1995	Dec. 23, 1995	774
104–72	To extend au pair programs	Dec. 23, 1995	776
104–73	Federally Supported Health Centers Assistance Act of 1995.	Dec. 26, 1995	777
104–74	To amend the Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, and for other purposes.	Dec. 26, 1995	784

PUBLIC LAW		DATE	PAGE
104–75	To designate the United States courthouse and Federal building to be constructed at the southeastern corner of Liberty and South Virginia Streets in Reno, Nevada, as the "Bruce R. Thompson United States Courthouse and Federal Building".	Dec. 28, 1995	786
104–76	Housing for Older Persons Act of 1995	Dec. 28, 1995	787
104–77	To designate the Federal building located at 600 Martin Luther King, Jr. Place in Louisville, Kentucky, as the "Romano L. Mazzoli Federal Building".	Dec. 28, 1995	789
104–78	To rename the San Francisco Bay National Wildlife Refuge as the Don Edwards San Francisco Bay National Wildlife Refuge.	Dec. 28, 1995	790
104–79	To amend the Federal Election Campaign Act of 1971 to improve the electoral process by permitting electronic filing and preservation of Federal Election Commission reports, and for other purposes.	Dec. 28, 1995	791
104–80	To designate the United States courthouse located at 800 Market Street in Knoxville, Tennessee, as the "Howard H. Baker, Jr. United States Courthouse".	Dec. 28, 1995	794
104–81	Providing for the reappointment of Homer Alfred Neal as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	795
104–82	Providing for the appointment of Howard H. Baker, Jr. as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	796
104–83	Providing for the appointment of Anne D'Harnoncourt as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	797
104–84	Providing for the appointment of Louis Gerstner as a citizen regent of the Board of Regents of the Smithsonian Institution.	Dec. 28, 1995	798
104–85	To designate the Federal Courthouse in Decatur, Alabama, as the "Seybourn H. Lynne Federal Courthouse", and for other purposes.	Dec. 28, 1995	799
104–86	To designate the United States Courthouse for the Eastern District of Virginia in Alexandria, Virginia, as the Albert V. Bryan United States Courthouse.	Dec. 28, 1995	800
104–87	To extend for 4 years the period of applicability of enrollment mix requirement to certain health maintenance organizations providing services under Dayton Area Health Plan.	Dec. 29, 1995	802
104–88	ICC Termination Act of 1995	Dec. 29, 1995	803
104–89[1]	To extend authorities under the Middle East Peace Facilitation Act of 1994 until March 31, 1996, and for other purposes..	Jan. 4, 1996	960
104–93[1]	Intelligence Authorization Act for Fiscal Year 1996	Jan. 6, 1996	961
104–95	To amend title 4 of the United States Code to limit State taxation of certain pension income..	Jan. 10, 1996	979
104–96	Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995.	Jan. 10, 1996	981
104–97	To reauthorize the tied aid credit program of the Export-Import Bank of the United States, and to allow the Export-Import Bank to conduct a demonstration project..	Jan. 11, 1996	984
104–98	Federal Trademark Dilution Act of 1995	Jan. 16, 1996	985

[1]For Public Laws 104–90—92 and 94, see Volume 110 for the 104th Congress, Second Session.

LIST OF CONCURRENT RESOLUTIONS

CONTAINED IN THIS VOLUME

CONCURRENT RESOLUTION		*DATE*	*PAGE*
H. Con. Res. 16	Joint session	Jan. 23, 1995	991
H. Con. Res. 30	Adjournment—House of Representatives and Senate.	Feb. 16, 1995	991
H. Con. Res. 20	Days of remembrance of victims of the Holocaust commemoration ceremonies—Capitol rotunda authorization.	Mar. 1, 1995	991
H. Con. Res. 41	Adjournment—House of Representatives	Mar. 16, 1995	992
H. Con. Res. 34	Ringling Bros. and Barnum & Bailey Circus anniversary commemoration—Capitol grounds authorization.	Apr. 3, 1995	992
H. Con. Res. 58	Adjournment—House of Representatives and Senate.	Apr. 6, 1995	993
H. Con. Res. 53	President Lee Teng-hui—Private visit	May 9, 1995	993
H. Con. Res. 64	Special Olympics torch relay—Capitol grounds authorization.	May 12, 1995	994
H. Con. Res. 72	Adjournment—House of Representatives and Senate.	May 25, 1995	995
S. Con. Res. 18	Architect of the Capitol—Catafalque authorization	June 27, 1995	995
H. Con. Res. 38	Soap Box Derby Races—Capitol grounds authorization.	June 28, 1995	996
H. Con. Res. 67	Federal Budget—Fiscal year 1996	June 29, 1995	996
S. Con. Res. 19	Enrollment correction—H.R. 483	June 30, 1995	1030
S. Con. Res. 20	Adjournment—Senate and House of Representatives.	June 30, 1995	1030
H. Con. Res. 82	Enrollment corrections—S. 523	July 13, 1995	1031
H. Con. Res. 89	Adjournment—House of Representatives and Senate.	Aug. 1, 1995	1031
H. Con. Res. 92	Adjournment—House of Representatives and Senate.	Aug. 4, 1995	1032
H. Con. Res. 104 ...	Adjournment—House of Representatives and Senate.	Sept. 29, 1995 ...	1032
H. Con. Res. 94	Raoul Wallenberg dedication ceremony and bust placement—Capitol rotunda authorization.	Oct. 10, 1995	1033
S. Con. Res. 29	Jerusalem anniversary commemoration—Capitol rotunda authorization.	Oct. 12, 1995	1033
S. Con. Res. 27	Enrollment correction—H.R. 402	Oct. 17, 1995	1034
S. Con. Res. 31	Yitzhak Rabin—Life and legacy	Nov. 8, 1995	1034
S. Con. Res. 32	Adjournment—Senate and House of Representatives.	Nov. 20, 1995	1035
S. Con. Res. 33	George M. White—Retirement	Nov. 28, 1995	1035
S. Con. Res. 36	Enrollment corrections—S. 1060	Dec. 15, 1995	1036
S. Con. Res. 22	Expo '98—United States participation	Dec. 19, 1995	1037
H. Con. Res. 106 ...	Days of remembrance of victims of the Holocaust commemoration ceremony—Capitol rotunda authorization.	Dec. 22, 1995	1037
S. Con. Res. 37	Enrollment corrections—H.R. 2539	Dec. 22, 1995	1037

LIST OF PROCLAMATIONS

CONTAINED IN THIS VOLUME

PROCLAMATION		DATE	PAGE
6759	World AIDS Day, 1994	Nov. 30, 1994	1041
6760	National Drunk and Drugged Driving Prevention Month, 1994.	Dec. 3, 1994	1042
6761	Human Rights Day, Bill of Rights Day, and Human Rights Week, 1994.	Dec. 8, 1994	1043
6762	Wright Brothers Day, 1994	Dec. 15, 1994	1044
6763	To Implement the Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes.	Dec. 23, 1994	1045
6764	National Good Teen Day, 1995	Jan. 11, 1995	1744
6765	Martin Luther King, Jr., Federal Holiday, 1995	Jan. 11, 1995	1745
6766	Year of the Grandparent, 1995	Jan. 17, 1995	1746
6767	To Amend the Generalized System of Preferences	Feb. 3, 1995	1747
6768	American Heart Month, 1995	Feb. 10, 1995	1748
6769	National Older Workers Employment Week, 1995	Feb. 10, 1995	1749
6770	National Poison Prevention Week, 1995	Feb. 15, 1995	1750
6771	Irish-American Heritage Month, 1995	Feb. 23, 1995	1751
6772	American Red Cross Month, 1995	Feb. 27, 1995	1752
6773	Women's History Month, 1995	Mar. 1, 1995	1753
6774	Save Your Vision Week, 1995	Mar. 2, 1995	1754
6775	National Park Week, 1995	Mar. 10, 1995	1755
6776	National Public Health Week, 1995	Mar. 13, 1995	1756
6777	National Day of Prayer, 1995	Mar. 14, 1995	1757
6778	To Amend the Generalized System of Preferences	Mar. 17, 1995	1758
6779	Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 1995.	Mar. 23, 1995	1759
6780	To Implement Certain Provisions of Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes.	Mar. 23, 1995	1760
6781	National Child Abuse Prevention Month, 1995	Apr. 4, 1995	1769
6782	National Former Prisoner of War Recognition Day, 1995.	Apr. 6, 1995	1770
6783	Cancer Control Month, 1995	Apr. 7, 1995	1771
6784	Pan American Day and Pan American Week, 1995	Apr. 10, 1995	1772
6785	Education and Sharing Day, U.S.A., 1995	Apr. 10, 1995	1773
6786	Victims of the Oklahoma City Bombing	Apr. 20, 1995	1774
6787	National D.A.R.E. Day, 1995	Apr. 20, 1995	1774
6788	Jewish Heritage Week, 1995	Apr. 20, 1995	1775
6789	National Day of Mourning in Memory of Those Who Died in Oklahoma City.	Apr. 21, 1995	1776
6790	National Volunteer Week, 1995	Apr. 21, 1995	1777
6791	National Crime Victims' Rights Week, 1995	Apr. 26, 1995	1778
6792	Law Day, U.S.A., 1995	Apr. 27, 1995	1779
6793	Small Business Week, 1995	Apr. 28, 1995	1780
6794	Loyalty Day, 1995	Apr. 29, 1995	1781

PROCLAMATION		DATE	PAGE
6795	Asian/Pacific American Heritage Month, 1995	May 3, 1995	1782
6796	Older Americans Month, 1995	May 3, 1995	1782
6797	Mother's Day, 1995	May 11, 1995	1783
6798	National Safe Boating Week, 1995	May 11, 1995	1784
6799	National Defense Transportation Day and National Transportation Week, 1995.	May 12, 1995	1785
6800	Peace Officers Memorial Day and Police Week, 1995	May 15, 1995	1787
6801	Labor History Month, 1995	May 17, 1995	1788
6802	Prayer for Peace, Memorial Day, 1995	May 18, 1995	1789
6803	National Maritime Day, 1995	May 19, 1995	1790
6804	To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes.	May 22, 1995	1791
6805	World Trade Week, 1995	May 22, 1995	1796
6806	Time for the National Observance of the Fiftieth Anniversary of World War II, 1995.	May 26, 1995	1797
6807	National Homeownership Day, 1995	June 2, 1995	1798
6808	Flag Day and National Flag Week, 1995	June 9, 1995	1799
6809	Father's Day, 1995	June 12, 1995	1800
6810	Captive Nations Week, 1995	July 17, 1995	1801
6811	Parents' Day, 1995	July 21, 1995	1802
6812	National Korean War Veterans Armistice Day, 1995	July 26, 1995	1803
6813	To Amend the Generalized System of Preferences	July 28, 1995	1803
6814	National Child Support Awareness Month, 1995	Aug. 5, 1995	1806
6815	Minority Enterprise Development Week, 1995	Aug. 7, 1995	1807
6816	Women's Equality Day, 1995	Aug. 16, 1995	1808
6817	Death of Those in the U.S. Delegation in Bosnia-Herzegovina.	Aug. 19, 1995	1809
6818	National POW/MIA Recognition Day, 1995	Aug. 29, 1995	1810
6819	America Goes Back to School, 1995	Sept. 8, 1995	1811
6820	Classical Music Month, 1995	Sept. 9, 1995	1812
6821	To Establish a Tariff-Rate Quota on Certain Tobacco, Eliminate Tariffs on Certain Other Tobacco, and for Other Purposes.	Sept. 12, 1995	1813
6822	National Farm Safety and Health Week, 1995	Sept. 13, 1995	1827
6823	National Hispanic Heritage Month, 1995	Sept. 14, 1995	1829
6824	National Rehabilitation Week, 1995	Sept. 15, 1995	1830
6825	Citizenship Day and Constitution Week, 1995	Sept. 16, 1995	1831
6826	Gold Star Mother's Day, 1995	Sept. 21, 1995	1832
6827	National Historically Black Colleges and Universities Week, 1995.	Sept. 21, 1995	1833
6828	Child Health Day, 1995	Oct. 2, 1995	1834
6829	National Domestic Violence Awareness Month, 1995	Oct. 2, 1995	1835
6830	Energy Awareness Month, 1995	Oct. 4, 1995	1837
6831	National Breast Cancer Awareness Month, 1995	Oct. 5, 1995	1838
6832	National Disability Employment Awareness Month, 1995.	Oct. 6, 1995	1839
6833	National Children's Day, 1995	Oct. 6, 1995	1840
6834	German-American Day, 1995	Oct. 6, 1995	1841
6835	National School Lunch Week, 1995	Oct. 6, 1995	1842
6836	Columbus Day, 1995	Oct. 6, 1995	1843
6837	Leif Erikson Day, 1995	Oct. 6, 1995	1844
6838	Fire Prevention Week, 1995	Oct. 7, 1995	1845
6839	General Pulaski Memorial Day, 1995	Oct. 10, 1995	1846
6840	White Cane Safety Day, 1995	Oct. 13, 1995	1847
6841	National Character Counts Week, 1995	Oct. 14, 1995	1848
6842	National Forest Products Week, 1995	Oct. 14, 1995	1849

PROCLAMATION		DATE	PAGE
6843	National Consumers Week, 1995	Oct. 23, 1995	1850
6844	United Nations Day, 1995	Oct. 23, 1995	1851
6845	Veterans Day, 1995	Oct. 24, 1995	1852
6846	National Adoption Month, 1995	Nov. 1, 1995	1853
6847	National American Indian Heritage Month, 1995	Nov. 2, 1995	1854
6848	Death of Yitzhak Rabin	Nov. 4, 1995	1855
6849	Thanksgiving Day, 1995	Nov. 9, 1995	1856
6850	National Great American Smokeout Day, 1995	Nov. 15, 1995	1857
6851	National Farm-City Week, 1995	Nov. 15, 1995	1858
6852	National Family Week, 1995	Nov. 15, 1995	1858
6853	National Drunk and Drugged Driving Prevention Month, 1995.	Nov. 30, 1995	1859
6854	World AIDS Day, 1995	Nov. 30, 1995	1861
6855	Human Rights Day, Bill of Rights Day, and Human Rights Week, 1995.	Dec. 5, 1995	1862
6856	National Pearl Harbor Remembrance Day, 1995	Dec. 6, 1995	1863
6857	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.	Dec. 11, 1995	1864
6858	Wright Brothers Day, 1995	Dec. 13, 1995	2056
6859	To Modify the Tariff-Rate Quota on Italian-Type Cheeses From Poland.	Dec. 13, 1995	2056
6860	Death of Admiral Arleigh A. Burke	Jan. 2, 1996	2057

CONCURRENT RESOLUTIONS

FIRST SESSION, ONE HUNDRED FOURTH CONGRESS

JOINT SESSION

Jan. 23, 1995
[H. Con. Res. 16]

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Tuesday, January 24, 1995, at 9 p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

Agreed to January 23, 1995.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Feb. 16, 1995
[H. Con. Res. 30]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, February 16, 1995, it stand adjourned until 12:30 p.m. on Tuesday, February 21, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 16, 1995, pursuant to a motion made by the majority leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon, or at such time on that day as may be specified by the majority leader or his designee in the motion to recess or adjourn, on Wednesday, February 22, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the majority leader of the Senate, acting jointly after consultation with the minority leader of the House and the minority leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to February 16, 1995.

DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST COMMEMORATION CEREMONIES—CAPITOL ROTUNDA AUTHORIZATION

Mar. 1, 1995
[H. Con. Res. 20]

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used from 8 o'clock ante meridiem until 3 o'clock post meridiem on April 27, 1995, for ceremonies as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremonies shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to March 1, 1995.

Mar. 16, 1995
[H. Con. Res. 41]

ADJOURNMENT—HOUSE OF REPRESENTATIVES

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on Thursday, March 16, 1995, it stand adjourned until 12:30 p.m. on Tuesday, March 21, 1995.

Agreed to March 16, 1995.

Apr. 3, 1995
[H. Con. Res. 34]

RINGLING BROS. AND BARNUM & BAILEY CIRCUS ANNIVERSARY COMMEMORATION—CAPITOL GROUNDS AUTHORIZATION

Authorizing the use of the Capitol Grounds for the Ringling Bros. and Barnum & Bailey Circus Anniversary Commemoration.

Whereas Ringling Bros. and Barnum & Bailey Circus celebrates its 125th year on April 10, 1995, during its engagement in our Nation's Capital;

Whereas Ringling Bros. and Barnum & Bailey Circus represents a 200-year tradition of circus in America;

Whereas Ringling Bros. and Barnum & Bailey Circus demonstrates to children of all ages that humans and animals can work together in harmony and cooperation; and

Whereas Ringling Bros. and Barnum & Bailey Circus is committed to its goal of educating the people of the United States as to the need to conserve endangered species: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR RINGLING BROS. AND BARNUM & BAILEY CIRCUS ANNIVERSARY COMMEMORATION.

Ringling Bros. and Barnum & Bailey Circus (hereinafter in this resolution referred to as "Ringling Bros.") shall be permitted to sponsor a public event, with circus elephants and performers, on the Capitol Grounds on April 3, 1995, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that Ringling Bros. shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, Ringling Bros. is authorized to erect upon the Capitol grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

SEC. 5. LIMITATION ON REPRESENTATIONS.

Ringling Bros. shall not represent, either directly or indirectly, that this resolution or any activity carried out under this resolution in any way constitutes approval or endorsement by the Federal Government of Ringling Bros. or any product or service offered by Ringling Bros.

Agreed to April 3, 1995.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Apr. 6, 1995
[H. Con. Res. 58]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, April 7, 1995, it stand adjourned until 12:30 p.m. on Monday, May 1, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first; and that when the Senate adjourns or recesses at the close of business on Thursday, April 6, 1995, Friday, April 7, 1995, Saturday, April 8, 1995, Sunday, April 9, 1995, or Monday, April 10, 1995, pursuant to a motion made by the majority leader, or his designee, in accordance with this concurrent resolution, it stand recessed or adjourned until noon on Monday, April 24, 1995, or such time on that day as may be specified by the majority leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 2. When the House adjourns on the legislative day of Wednesday, May 3, 1995, it stand adjourned until 12:30 p.m. on Tuesday, May 9, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 3 of this concurrent resolution, whichever occurs first.

SEC. 3. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to April 6, 1995.

PRESIDENT LEE TENG-HUI—PRIVATE VISIT

May 9, 1995
[H. Con. Res. 53]

Whereas United States diplomatic and economic security interests in East Asia have caused the United States to maintain a policy of recognizing the People's Republic of China while maintaining solidarity with the democratic aspirations of the people of Taiwan;

Whereas the Republic of China on Taiwan (known as Taiwan) is the United States sixth largest trading partner and an economic

powerhouse buying more than twice as much annually from the United States as do the 1,200,000,000 Chinese of the People's Republic of China;

Whereas the American people are eager for expanded trade opportunities with Taiwan, the possessor of the world's second largest foreign exchange reserves;

Whereas the United States interests are served by supporting democracy and human rights abroad;

Whereas Taiwan is a model emerging democracy, with a free press, free elections, stable democratic institutions, and human rights protections;

Whereas vigorously contested elections conducted on Taiwan in December 1994 were extraordinarily free and fair;

Whereas United States interests are best served by policies that treat Taiwan's leaders with respect and dignity;

Whereas President Lee Teng-hui of Taiwan, a Ph.D. graduate of Cornell University, has been invited to pay a private visit to his alma mater and to attend the annual USA–ROC Economic Council Conference in Anchorage, Alaska;

Whereas there are no legitimate grounds for excluding President Lee Teng-hui from paying private visits;

Whereas the Senate of the United States voted several times in 1994 to welcome President Lee to visit the United States; and

Whereas Public Law 103–416 provides that the President of Taiwan shall be welcome in the United States at any time to discuss a host of important bilateral issues: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the President should promptly indicate that the United States will welcome a private visit by President Lee Teng-hui to his alma mater, Cornell University, and will welcome a transit stop by President Lee in Anchorage, Alaska, to attend the USA–ROC Economic Council Conference.

SEC. 2. The Clerk of the House of Representatives shall transmit a copy of this concurrent resolution to the President.

Agreed to May 9, 1995.

May 12, 1995
[H. Con. Res. 64]

SPECIAL OLYMPICS TORCH RELAY—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF RUNNING OF SPECIAL OLYMPICS TORCH RELAY THROUGH CAPITOL GROUNDS.

On May 19, 1995, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may jointly designate, the 1995 Special Olympics Torch Relay may be run through the Capitol Grounds, as part of the journey of the Special Olympics torch to the District of Columbia Special Olympics summer games at Gallaudet University in the District of Columbia.

SEC. 2. RESPONSIBILITY OF CAPITOL POLICE BOARD.

The Capitol Police Board shall take such action as may be necessary to carry out section 1.

SEC. 3. CONDITIONS RELATING TO PHYSICAL PREPARATIONS.

The Architect of the Capitol may prescribe conditions for physical preparations for the event authorized by section 1.

Agreed to May 12, 1995.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

May 25, 1995
[H. Con. Res. 72]

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 25, 1995, it stand adjourned until noon on Tuesday, June 6, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, May 25, 1995, Friday, May 26, 1995, or Saturday, May 27, 1995, pursuant to a motion made by the majority leader or his designee, in accordance with this resolution, it stand recessed or adjourned until 10 a.m. on Monday, June 5, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the majority leader of the Senate, acting jointly after consultation with the minority leader of the House and the minority leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to May 25, 1995.

ARCHITECT OF THE CAPITOL—CATAFALQUE AUTHORIZATION

June 27, 1995
[S. Con. Res. 18]

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer to the custody of the Chief Justice of the United States the catafalque which is presently situated in the crypt beneath the rotunda of the Capitol so that the said catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late Honorable Warren Burger, former Chief Justice of the Supreme Court of the United States.

Agreed to June 27, 1995.

June 28, 1995
[H. Con. Res. 38]

SOAP BOX DERBY RACES—CAPITOL GROUNDS AUTHORIZATION

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. AUTHORIZATION OF SOAP BOX DERBY RACES ON CAPITOL GROUNDS.

The Greater Washington Soap Box Derby Association (hereinafter in this resolution referred to as the "Association") shall be permitted to sponsor a public event, soap box derby races, on the Capitol grounds on July 15, 1995, or on such other date as the Speaker of the House of Representatives and the President pro tempore of the Senate may jointly designate.

SEC. 2. CONDITIONS.

The event to be carried out under this resolution shall be free of admission charge to the public and arranged not to interfere with the needs of Congress, under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board; except that the Association shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. STRUCTURES AND EQUIPMENT.

For the purposes of this resolution, the Association is authorized to erect upon the Capitol grounds, subject to the approval of the Architect of the Capitol, such stage, sound amplification devices, and other related structures and equipment as may be required for the event to be carried out under this resolution.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event under this resolution.

Agreed to June 28, 1995.

June 29, 1995
[H. Con. Res. 67]

FEDERAL BUDGET—FISCAL YEAR 1996

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 1996.

(a) DECLARATION.—The Congress determines and declares that this resolution is the concurrent resolution on the budget for fiscal year 1996, including the appropriate budgetary levels for fiscal years 1997, 1998, 1999, 2000, as required by section 301 of the Congressional Budget Act of 1974, and including the appropriate levels for fiscal years 2001 and 2002.

(b) TABLE OF CONTENTS.—The table of contents for this concurrent resolution is as follows:

Sec. 1. Concurrent resolution on the budget for fiscal year 1996.

TITLE I—LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Debt increase.
Sec. 103. Social Security.
Sec. 104. Major functional categories.
Sec. 105. Reconciliation.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

Sec. 201. Discretionary spending limits.
Sec. 202. Extension of pay-as-you-go point of order.
Sec. 203. Tax reserve fund in the Senate.
Sec. 204. Welfare reform reserve fund.
Sec. 205. Budget surplus allowance.
Sec. 206. Sale of government assets.
Sec. 207. Credit reform and direct student loans.
Sec. 208. Extension of Budget Act 60-vote enforcement through 2002.
Sec. 209. Repeal of IRS allowance.
Sec. 210. Tax reduction contingent on balanced budget in the House of Representatives.
Sec. 211. Exercise of rulemaking powers.

TITLE III—SENSE OF THE CONGRESS, HOUSE OF REPRESENTATIVES, AND SENATE

Sec. 301. Sense of the Congress on the elimination of fraud, waste, and abuse in the medicare system.
Sec. 302. Sense of Congress regarding privatization of the student loan marketing association (Sallie Mae).
Sec. 303. Sense of the Congress regarding the debt limit.
Sec. 304. Sense of the Congress assumptions.
Sec. 305. Sense of the Senate that tax reductions should benefit working families.
Sec. 306. Sense of the Senate on the distribution of agriculture savings.
Sec. 307. Sense of the Senate on the establishment of a medicare solvency commission.
Sec. 308. Sense of the Senate regarding protection of children's health.
Sec. 309. Sense of the Senate on the assumptions.
Sec. 310. House Statement on agriculture savings.
Sec. 311. Sense of the House on baselines.
Sec. 312. Sense of the House regarding a commission on the solvency of the Federal military and civil service retirement funds.
Sec. 313. Sense of the House regarding the repeal of House Rule XLIX.
Sec. 314. Sense of the House on emergencies.

TITLE I—LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for the fiscal years 1996, 1997, 1998, 1999, 2000, 2001, and 2002:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution—

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 1996: $1,042,500,000,000.
Fiscal year 1997: $1,082,700,000,000.
Fiscal year 1998: $1,134,200,000,000.
Fiscal year 1999: $1,186,700,000,000.
Fiscal year 2000: $1,245,400,000,000.
Fiscal year 2001: $1,313,400,000,000.
Fiscal year 2002: $1,384,200,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 1996: $100,000,000.
Fiscal year 1997: $100,000,000.
Fiscal year 1998: $200,000,000.
Fiscal year 1999: $200,000,000.
Fiscal year 2000: $200,000,000.
Fiscal year 2001: $200,000,000.

Fiscal year 2002: $200,000,000.

(C) The amounts for Federal Insurance Contributions Act revenues for hospital insurance within the recommended levels of Federal revenues are as follows:

Fiscal year 1996: $103,800,000,000.
Fiscal year 1997: $109,000,000,000.
Fiscal year 1998: $114,900,000,000.
Fiscal year 1999: $120,700,000,000.
Fiscal year 2000: $126,900,000,000.
Fiscal year 2001: $133,600,000,000.
Fiscal year 2002: $140,400,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 1996: $1,285,500,000,000.
Fiscal year 1997: $1,324,300,000,000.
Fiscal year 1998: $1,362,300,000,000.
Fiscal year 1999: $1,396,900,000,000.
Fiscal year 2000: $1,445,600,000,000.
Fiscal year 2001: $1,476,300,000,000.
Fiscal year 2002: $1,518,800,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 1996: $1,288,100,000,000.
Fiscal year 1997: $1,316,800,000,000.
Fiscal year 1998: $1,338,200,000,000.
Fiscal year 1999: $1,379,600,000,000.
Fiscal year 2000: $1,426,500,000,000.
Fiscal year 2001: $1,453,600,000,000.
Fiscal year 2002: $1,492,600,000,000.

(4) DEFICITS.—For purposes of the enforcement of this resolution, the amounts of the deficits are as follows:

Fiscal year 1996: $245,600,000,000.
Fiscal year 1997: $234,100,000,000.
Fiscal year 1998: $204,000,000,000.
Fiscal year 1999: $192,900,000,000.
Fiscal year 2000: $181,100,000,000.
Fiscal year 2001: $140,200,000,000.
Fiscal year 2002: $108,400,000,000.

(5) PUBLIC DEBT.—The appropriate levels of the public debt are as follows:

Fiscal year 1996: $5,210,700,000,000.
Fiscal year 1997: $5,510,100,000,000.
Fiscal year 1998: $5,779,800,000,000.
Fiscal year 1999: $6,038,900,000,000.
Fiscal year 2000: $6,288,900,000,000.
Fiscal year 2001: $6,503,500,000,000.
Fiscal year 2002: $6,688,600,000,000.

(6) DIRECT LOAN OBLIGATIONS.—The appropriate levels of total new direct loan obligations are as follows:

Fiscal year 1996: $37,600,000,000.
Fiscal year 1997: $40,200,000,000.
Fiscal year 1998: $42,300,000,000.
Fiscal year 1999: $45,700,000,000.
Fiscal year 2000: $45,800,000,000.
Fiscal year 2001: $45,800,000,000.

Fiscal year 2002: $46,100,000,000.

(7) PRIMARY LOAN GUARANTEE COMMITMENTS.—The appropriate levels of new primary loan guarantee commitments are as follows:

Fiscal year 1996: $193,400,000,000.
Fiscal year 1997: $187,900,000,000.
Fiscal year 1998: $185,300,000,000.
Fiscal year 1999: $183,300,000,000.
Fiscal year 2000: $184,700,000,000.
Fiscal year 2001: $186,100,000,000.
Fiscal year 2002: $187,600,000,000.

SEC. 102. DEBT INCREASE.

The amounts of the increase in the public debt subject to limitation are as follows:

Fiscal year 1996: $307,800,000,000.
Fiscal year 1997: $299,300,000,000.
Fiscal year 1998: $269,800,000,000.
Fiscal year 1999: $259,100,000,000.
Fiscal year 2000: $249,900,000,000.
Fiscal year 2001: $214,600,000,000.
Fiscal year 2002: $185,100,000,000.

SEC. 103. SOCIAL SECURITY.

(a) SOCIAL SECURITY REVENUES.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of revenues of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1996: $374,700,000,000.
Fiscal year 1997: $392,000,000,000.
Fiscal year 1998: $411,400,000,000.
Fiscal year 1999: $430,900,000,000.
Fiscal year 2000: $452,000,000,000.
Fiscal year 2001: $475,200,000,000.
Fiscal year 2002: $498,600,000,000.

(b) SOCIAL SECURITY OUTLAYS.—For purposes of Senate enforcement under sections 302, 602, and 311 of the Congressional Budget Act of 1974, the amounts of outlays of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund are as follows:

Fiscal year 1996: $299,400,000,000.
Fiscal year 1997: $310,900,000,000.
Fiscal year 1998: $324,600,000,000.
Fiscal year 1999: $338,500,000,000.
Fiscal year 2000: $353,100,000,000.
Fiscal year 2001: $368,100,000,000.
Fiscal year 2002: $383,800,000,000.

SEC. 104. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority, budget outlays, new direct loan obligations, and new primary loan guarantee commitments for fiscal years 1996 through 2002 for each major functional category are:

(1) National Defense (050):

Fiscal year 1996:

(A) New budget authority, $264,700,000,000.
(B) Outlays, $263,100,000,000.

(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 1997:
(A) New budget authority, $267,300,000,000.
(B) Outlays, $265,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 1998:
(A) New budget authority, $269,000,000,000.
(B) Outlays, $263,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 1999:
(A) New budget authority, $271,700,000,000.
(B) Outlays, $267,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 2000:
(A) New budget authority, $274,400,000,000.
(B) Outlays, $270,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 2001:
(A) New budget authority, $277,100,000,000.
(B) Outlays, $270,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
Fiscal year 2002:
(A) New budget authority, $280,000,000,000.
(B) Outlays, $270,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $1,700,000,000.
(2) International Affairs (150):
Fiscal year 1996:
(A) New budget authority, $15,800,000,000.
(B) Outlays, $17,000,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 1997:
(A) New budget authority, $14,000,000,000.
(B) Outlays, $15,100,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 1998:
(A) New budget authority, $12,400,000,000.
(B) Outlays, $13,900,000,000.
(C) New direct loan obligations, $5,700,000,000.

(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 1999:
(A) New budget authority, $11,200,000,000.
(B) Outlays, $12,600,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 2000:
(A) New budget authority, $12,700,000,000.
(B) Outlays, $11,900,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 2001:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $12,000,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
Fiscal year 2002:
(A) New budget authority, $12,800,000,000.
(B) Outlays, $11,800,000,000.
(C) New direct loan obligations, $5,700,000,000.
(D) New primary loan guarantee commitments, $18,300,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 1996:
(A) New budget authority, $16,700,000,000.
(B) Outlays, $16,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $16,300,000,000.
(B) Outlays, $16,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $15,900,000,000.
(B) Outlays, $16,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $15,600,000,000.
(B) Outlays, $15,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $15,300,000,000.
(B) Outlays, $15,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $15,300,000,000.
(B) Outlays, $15,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

Fiscal year 2002:
(A) New budget authority, $15,300,000,000.
(B) Outlays, $15,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(4) Energy (270):
Fiscal year 1996:
(A) New budget authority, $4,600,000,000.
(B) Outlays, $4,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $4,200,000,000.
(B) Outlays, $3,500,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $3,800,000,000.
(B) Outlays, $3,100,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $3,600,000,000.
(B) Outlays, $2,600,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $3,400,000,000.
(B) Outlays, $2,200,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $3,300,000,000.
(B) Outlays, $2,200,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $3,300,000,000.
(B) Outlays, $2,200,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $0.

(5) Natural Resources and Environment (300):
Fiscal year 1996:
(A) New budget authority, $19,500,000,000.
(B) Outlays, $20,300,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $19,200,000,000.
(B) Outlays, $20,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $17,700,000,000.
(B) Outlays, $18,700,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.

Fiscal year 1999:
(A) New budget authority, $18,200,000,000.
(B) Outlays, $19,000,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $17,900,000,000.
(B) Outlays, $18,500,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $17,100,000,000.
(B) Outlays, $17,400,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $17,500,000,000.
(B) Outlays, $17,700,000,000.
(C) New direct loan obligations, $100,000,000.
(D) New primary loan guarantee commitments, $0.

(6) Agriculture (350):
Fiscal year 1996:
(A) New budget authority, $13,100,000,000.
(B) Outlays, $11,800,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
Fiscal year 1997:
(A) New budget authority, $12,500,000,000.
(B) Outlays, $11,100,000,000.
(C) New direct loan obligations, $11,500,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
Fiscal year 1998:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $10,500,000,000.
(C) New direct loan obligations, $10,900,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
Fiscal year 1999:
(A) New budget authority, $11,500,000,000.
(B) Outlays, $10,300,000,000.
(C) New direct loan obligations, $11,600,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
Fiscal year 2000:
(A) New budget authority, $10,900,000,000.
(B) Outlays, $9,800,000,000.
(C) New direct loan obligations, $11,400,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.
Fiscal year 2001:
(A) New budget authority, $9,800,000,000.
(B) Outlays, $8,700,000,000.
(C) New direct loan obligations, $11,100,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.

Fiscal year 2002:
(A) New budget authority, $9,600,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $10,900,000,000.
(D) New primary loan guarantee commitments, $5,700,000,000.

(7) Commerce and Housing Credit (370):
Fiscal year 1996:
(A) New budget authority, $2,600,000,000.
(B) Outlays, -$6,900,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 1997:
(A) New budget authority, $1,800,000,000.
(B) Outlays, -$5,100,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 1998:
(A) New budget authority, $900,000,000.
(B) Outlays, -$6,700,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 1999:
(A) New budget authority, $400,000,000.
(B) Outlays, -$4,800,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 2000:
(A) New budget authority, $2,100,000,000.
(B) Outlays, -$2,200,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 2001:
(A) New budget authority, $800,000,000.
(B) Outlays, -$2,900,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.
Fiscal year 2002:
(A) New budget authority, $600,000,000.
(B) Outlays, -$3,000,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $123,100,000,000.

(8) Transportation (400):
Fiscal year 1996:
(A) New budget authority, $36,600,000,000.
(B) Outlays, $38,900,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $43,100,000,000.

(B) Outlays, $37,600,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $43,900,000,000.
(B) Outlays, $36,600,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $42,600,000,000.
(B) Outlays, $34,100,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $42,900,000,000.
(B) Outlays, $33,200,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $42,200,000,000.
(B) Outlays, $32,400,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $41,800,000,000.
(B) Outlays, $32,000,000,000.
(C) New direct loan obligations, $200,000,000.
(D) New primary loan guarantee commitments, $0.
(9) Community and Regional Development (450):
Fiscal year 1996:
(A) New budget authority, $6,600,000,000.
(B) Outlays, $9,900,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 1997:
(A) New budget authority, $6,500,000,000.
(B) Outlays, $7,800,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 1998:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,500,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 1999:
(A) New budget authority, $6,400,000,000.
(B) Outlays, $6,200,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 2000:
(A) New budget authority, $6,300,000,000.
(B) Outlays, $6,200,000,000.
(C) New direct loan obligations, $2,700,000,000.

(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 2001:
(A) New budget authority, $5,700,000,000.
(B) Outlays, $6,100,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.
Fiscal year 2002:
(A) New budget authority, $5,600,000,000.
(B) Outlays, $6,100,000,000.
(C) New direct loan obligations, $2,700,000,000.
(D) New primary loan guarantee commitments, $1,200,000,000.

(10) Education, Training, Employment, and Social Services (500):
Fiscal year 1996:
(A) New budget authority, $48,400,000,000.
(B) Outlays, $53,400,000,000.
(C) New direct loan obligations, $13,600,000,000.
(D) New primary loan guarantee commitments, $16,300,000,000.
Fiscal year 1997:
(A) New budget authority, $47,800,000,000.
(B) Outlays, $48,900,000,000.
(C) New direct loan obligations, $16,300,000,000.
(D) New primary loan guarantee commitments, $15,900,000,000.
Fiscal year 1998:
(A) New budget authority, $47,600,000,000.
(B) Outlays, $47,300,000,000.
(C) New direct loan obligations, $19,100,000,000.
(D) New primary loan guarantee commitments, $15,200,000,000.
Fiscal year 1999:
(A) New budget authority, $48,400,000,000.
(B) Outlays, $47,500,000,000.
(C) New direct loan obligations, $21,800,000,000.
(D) New primary loan guarantee commitments, $14,300,000,000.
Fiscal year 2000:
(A) New budget authority, $49,100,000,000.
(B) Outlays, $48,200,000,000.
(C) New direct loan obligations, $21,900,000,000.
(D) New primary loan guarantee commitments, $15,000,000,000.
Fiscal year 2001:
(A) New budget authority, $48,600,000,000.
(B) Outlays, $47,700,000,000.
(C) New direct loan obligations, $22,000,000,000.
(D) New primary loan guarantee commitments, $15,800,000,000.
Fiscal year 2002:
(A) New budget authority, $48,800,000,000.
(B) Outlays, $47,800,000,000.
(C) New direct loan obligations, $22,200,000,000.

(D) New primary loan guarantee commitments, $16,600,000,000.

(11) Health (550):

Fiscal year 1996:

(A) New budget authority, $121,000,000,000.

(B) Outlays, $121,100,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 1997:

(A) New budget authority, $127,600,000,000.

(B) Outlays, $127,500,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 1998:

(A) New budget authority, $131,600,000,000.

(B) Outlays, $131,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 1999:

(A) New budget authority, $135,700,000,000.

(B) Outlays, $135,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 2000:

(A) New budget authority, $140,100,000,000.

(B) Outlays, $139,900,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 2001:

(A) New budget authority, $144,500,000,000.

(B) Outlays, $144,300,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

Fiscal year 2002:

(A) New budget authority, $149,200,000,000.

(B) Outlays, $149,000,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $300,000,000.

(12) Medicare (570):

Fiscal year 1996:

(A) New budget authority, $176,100,000,000.

(B) Outlays, $173,700,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 1997:

(A) New budget authority, $184,300,000,000.

(B) Outlays, $182,800,000,000.

(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.

Fiscal year 1998:

(A) New budget authority, $194,000,000,000.
(B) Outlays, $192,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $205,700,000,000.
(B) Outlays, $203,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $216,500,000,000.
(B) Outlays, $214,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $231,800,000,000.
(B) Outlays, $229,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $249,200,000,000.
(B) Outlays, $247,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(13) Income Security (600):
Fiscal year 1996:
(A) New budget authority, $225,900,000,000.
(B) Outlays, $227,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 1997:
(A) New budget authority, $231,600,000,000.
(B) Outlays, $236,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 1998:
(A) New budget authority, $250,300,000,000.
(B) Outlays, $245,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 1999:
(A) New budget authority, $253,100,000,000.
(B) Outlays, $255,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 2000:
(A) New budget authority, $269,500,000,000.
(B) Outlays, $269,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 2001:
(A) New budget authority, $274,800,000,000.

(B) Outlays, $274,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
Fiscal year 2002:
(A) New budget authority, $288,700,000,000.
(B) Outlays, $288,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $100,000,000.
(14) Social Security (650):
Fiscal year 1996:
(A) New budget authority, $5,900,000,000.
(B) Outlays, $8,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $8,100,000,000.
(B) Outlays, $10,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $8,800,000,000.
(B) Outlays, $11,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $9,600,000,000.
(B) Outlays, $12,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $10,500,000,000.
(B) Outlays, $12,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $11,100,000,000.
(B) Outlays, $13,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $11,700,000,000.
(B) Outlays, $14,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(15) Veterans Benefits and Services (700):
Fiscal year 1996:
(A) New budget authority, $37,500,000,000.
(B) Outlays, $36,900,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $26,700,000,000.
Fiscal year 1997:
(A) New budget authority, $37,900,000,000.
(B) Outlays, $38,000,000,000.
(C) New direct loan obligations, $1,100,000,000.

(D) New primary loan guarantee commitments, $21,600,000,000.
Fiscal year 1998:
(A) New budget authority, $38,200,000,000.
(B) Outlays, $38,400,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $19,700,000,000.
Fiscal year 1999:
(A) New budget authority, $38,800,000,000.
(B) Outlays, $39,000,000,000.
(C) New direct loan obligations, $1,000,000,000.
(D) New primary loan guarantee commitments, $18,600,000,000.
Fiscal year 2000:
(A) New budget authority, $39,100,000,000.
(B) Outlays, $40,600,000,000.
(C) New direct loan obligations, $1,200,000,000.
(D) New primary loan guarantee commitments, $19,300,000,000.
Fiscal year 2001:
(A) New budget authority, $39,700,000,000.
(B) Outlays, $41,300,000,000.
(C) New direct loan obligations, $1,400,000,000.
(D) New primary loan guarantee commitments, $19,900,000,000.
Fiscal year 2002:
(A) New budget authority, $40,200,000,000.
(B) Outlays, $41,800,000,000.
(C) New direct loan obligations, $1,700,000,000.
(D) New primary loan guarantee commitments, $20,600,000,000.
(16) Administration of Justice (750):
Fiscal year 1996:
(A) New budget authority, $19,800,000,000.
(B) Outlays, $18,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $19,800,000,000.
(B) Outlays, $18,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $20,200,000,000.
(B) Outlays, $19,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $21,000,000,000.
(B) Outlays, $20,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $21,100,000,000.
(B) Outlays, $20,900,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $20,700,000,000.
(B) Outlays, $20,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $20,600,000,000.
(B) Outlays, $20,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(17) General Government (800):
Fiscal year 1996:
(A) New budget authority, $12,400,000,000.
(B) Outlays, $12,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $12,300,000,000.
(B) Outlays, $12,300,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $12,200,000,000.
(B) Outlays, $12,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $12,100,000,000.
(B) Outlays, $12,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $12,000,000,000.
(B) Outlays, $12,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $11,600,000,000.
(B) Outlays, $11,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(18) Net Interest (900):
Fiscal year 1996:
(A) New budget authority, $298,400,000,000.
(B) Outlays, $298,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, $310,500,000,000.
(B) Outlays, $310,500,000,000.
(C) New direct loan obligations, $0.

(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, $319,400,000,000.
(B) Outlays, $319,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, $331,500,000,000.
(B) Outlays, $331,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, $342,900,000,000.
(B) Outlays, $342,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, $349,900,000,000.
(B) Outlays, $349,900,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, $357,600,000,000.
(B) Outlays, $357,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

(19) The corresponding levels of gross interest on the public debt are as follows:
Fiscal year 1996: $369,900,000,000.
Fiscal year 1997: $381,600,000,000.
Fiscal year 1998: $390,900,000,000.
Fiscal year 1999: $404,000,000,000.
Fiscal year 2000: $416,100,000,000.
Fiscal year 2001: $426,800,000,000.
Fiscal year 2002: $436,100,000,000.

(20) Allowances (920):
Fiscal year 1996:
(A) New budget authority, -$6,400,000,000.
(B) Outlays, -$4,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, -$6,300,000,000.
(B) Outlays, -$6,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, -$5,300,000,000.
(B) Outlays, -$5,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, -$4,700,000,000.
(B) Outlays, -$5,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:

(A) New budget authority, ·$3,700,000,000.
(B) Outlays, ·$4,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, ·$3,700,000,000.
(B) Outlays, ·$4,000,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, ·$3,700,000,000.
(B) Outlays, ·$4,100,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
(21) Undistributed Offsetting Receipts (950):
Fiscal year 1996:
(A) New budget authority, ·$33,700,000,000.
(B) Outlays, ·$33,700,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1997:
(A) New budget authority, ·$34,200,000,000.
(B) Outlays, ·$34,200,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1998:
(A) New budget authority, ·$36,400,000,000.
(B) Outlays, ·$36,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 1999:
(A) New budget authority, ·$35,500,000,000.
(B) Outlays, ·$35,500,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2000:
(A) New budget authority, ·$37,400,000,000.
(B) Outlays, ·$37,400,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2001:
(A) New budget authority, ·$36,800,000,000.
(B) Outlays, ·$36,800,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.
Fiscal year 2002:
(A) New budget authority, ·$41,600,000,000.
(B) Outlays, ·$41,600,000,000.
(C) New direct loan obligations, $0.
(D) New primary loan guarantee commitments, $0.

SEC. 105. RECONCILIATION.

(a) RECONCILIATION OF SPENDING REDUCTIONS.—

(1) SENATE COMMITTEES.—Not later than September 22, 1995, the committees named in this subsection shall submit their recommendations to the Committee on the Budget of the Senate. After receiving those recommendations, the

Committee on the Budget shall report to the Senate a reconciliation bill carrying out all such recommendations without any substantive revision.

(A) COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY.—The Senate Committee on Agriculture, Nutrition, and Forestry shall report changes in laws within its jurisdiction that provide direct spending (as defined in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) to reduce outlays $2,503,000,000 in fiscal year 1996, $29,059,000,000 for the period of fiscal years 1996 through 2000, and $48,402,000,000 for the period of fiscal years 1996 through 2002.

(B) COMMITTEE ON ARMED SERVICES.—The Senate Committee on Armed Services shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $1,571,000,000 in fiscal year 1996, $1,888,000,000 for the period of fiscal years 1996 through 2000, and $2,199,000,000 for the period of fiscal years 1996 through 2002.

(C) COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS.—The Senate Committee on Banking, Housing, and Urban Affairs shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $481,000,000 in fiscal year 1996, $1,698,000,000 for the period of fiscal years 1996 through 2000, and $2,391,000,000 for the period of fiscal years 1996 through 2002.

(D) COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.—The Senate Committee on Commerce, Science, and Transportation shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $114,000,000 in fiscal year 1996, $9,088,000,000 for the period of fiscal years 1996 through 2000, and $15,036,000,000 for the period of fiscal years 1996 through 2002.

(E) COMMITTEE ON ENERGY AND NATURAL RESOURCES.—The Senate Committee on Energy and Natural Resources shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $354,000,000 in fiscal year 1996, $4,292,000,000 for the period of fiscal years 1996 through 2000, and $4,001,000,000 for the period of fiscal years 1996 through 2002.

(F) COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS.—The Senate Committee on Environment and Public Works shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $118,000,000 in fiscal year 1996, $1,308,000,000 for the period of fiscal years 1996 through 2000, and $2,250,000,000 for the period of fiscal years 1996 through 2002.

(G) COMMITTEE ON FINANCE.—(i) The Senate Committee on Finance shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $15,328,000,000 in fiscal year 1996, $272,974,000,000 for the period of fiscal years 1996 through 2000, and $530,359,000,000 for the period of fiscal years 1996 through 2002.

(ii) The Senate Committee on Finance shall report changes in laws to increase the statutory limit on the public debt to not more than $5,500,000,000,000.

(H) COMMITTEE ON GOVERNMENTAL AFFAIRS.—The Senate Committee on Governmental Affairs shall report changes in laws within its jurisdiction to reduce the deficit $524,000,000 in fiscal year 1996, $5,357,000,000 for the period of fiscal years 1996 through 2000, and $9,844,000,000 for the period of fiscal years 1996 through 2002.

(I) COMMITTEE ON THE JUDICIARY.—The Senate Committee on the Judiciary shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $0 in fiscal year 1996, $238,000,000 for the period of fiscal years 1996 through 2000, and $476,000,000 for the period of fiscal years 1996 through 2002.

(J) COMMITTEE ON LABOR AND HUMAN RESOURCES.—The Senate Committee on Labor and Human Resources shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $809,000,000 in fiscal year 1996, $6,956,000,000 for the period of fiscal years 1996 through 2000, and $10,779,000,000 for the period of fiscal years 1996 through 2002.

(K) COMMITTEE ON VETERANS' AFFAIRS.—The Senate Committee on Veterans' Affairs shall report changes in laws within its jurisdiction that provide direct spending to reduce outlays $274,000,000 in fiscal year 1996, $3,614,000,000 for the period of fiscal years 1996 through 2000, and $6,392,000,000 for the period of fiscal years 1996 through 2002.

(2) HOUSE COMMITTEES.—

(A) GENERAL RULES.—(i) Not later than September 22, 1995, the House committees named in clauses (i) through (xii) of subparagraph (B) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(ii) Each committee named in clauses (i) through (xi) of subparagraph (B) shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee for—

(I) fiscal year 1996,

(II) the 5-year period beginning with fiscal year 1996 and ending with fiscal year 2000, and

(III) the 7-year period beginning with fiscal year 1996 and ending with fiscal year 2002,

does not exceed the total level of direct spending in that period in the clause applicable to that committee.

(iii) Each committee named in clauses (i)(II), (iv)(II), (v)(II), and (vi)(II) of subparagraph (B) shall report changes in laws within its jurisdiction as set forth in the clause applicable to that committee.

(iv) The Committee on Ways and Means shall carry out subparagraph (B)(xii).

(B) COMMITTEE AMOUNTS.—(i)(I) The House Committee on Agriculture: $10,506,000,000 in outlays in fiscal year 1996, $44,741,000,000 in outlays in fiscal years 1996 through 2000, and $59,232,000,000 in outlays in fiscal years 1996 through 2002.

(II) In addition to the changes in law reported pursuant to subclause (I), the House Committee on Agriculture shall report changes in laws within its jurisdiction that provide direct spending (other than that defined within subparagraph (A) or (B) of section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985) such that the total level of direct spending (as so defined) for that committee does not exceed: $26,748,000,000 in outlays in fiscal year 1996, $133,246,000,000 in outlays in fiscal years 1996 through 2000, and $192,270,000,000 in outlays in fiscal years 1996 through 2002.

(ii) The House Committee on Banking and Financial Services: ·$13,087,000,000 in outlays in fiscal year 1996, ·$50,061,000,000 in outlays in fiscal years 1996 through 2000, and ·$65,112,000,000 in outlays in fiscal years 1996 through 2002.

(iii) The House Committee on Commerce: $285,537,000,000 in outlays in fiscal year 1996, $1,592,240,000,000 in outlays in fiscal years 1996 through 2000, and $2,361,708,000,000 in outlays in fiscal years 1996 through 2002.

(iv)(I) The House Committee on Economic and Educational Opportunities: $16,026,000,000 in outlays in fiscal year 1996, $77,346,000,000 in outlays in fiscal years 1996 through 2000, and $110,936,000,000 in outlays in fiscal years 1996 through 2002.

(II) In addition to changes in law reported pursuant to subclause (I), the House Committee on Economic and Educational Opportunities shall report program changes in laws within its jurisdiction that would result in a reduction in outlays as follows: ·$720,000,000 in fiscal year 1996, ·$5,810,000,000 in fiscal years 1996 through 2000, and ·$8,770,000,000 in fiscal years 1996 through 2002.

(v)(I) The House Committee on Government Reform and Oversight: $57,743,000,000 in outlays in fiscal year 1996, $310,364,000,000 in outlays in fiscal years 1996 through 2000, and $449,583,000,000 in outlays in fiscal years 1996 through 2002.

(II) In addition to changes in law reported pursuant to subclause (I), the House Committee on Government Reform and Oversight shall report changes in laws within its jurisdiction that would reduce the deficit by: $85,000,000 in fiscal year 1996, $775,000,000 in fiscal years 1996 through 2000, and $1,127,000,000 in fiscal years 1996 through 2002.

(vi)(I) The House Committee on International Relations: $14,243,000,000 in outlays in fiscal year 1996, $62,072,000,000 in outlays in fiscal years 1996 through 2000, and $83,221,000,000 in outlays in fiscal years 1996 through 2002.

(II) In addition to changes in law reported pursuant to subclause (I), the House Committee on International

Relations shall report changes in laws within its jurisdiction that would reduce the deficit by: $1,000,000 in fiscal year 1996, $14,000,000 in fiscal years 1996 through 2000, and $22,000,000 in fiscal years 1996 through 2002.

(vii) The House Committee on the Judiciary: $2,580,000,000 in outlays in fiscal year 1996, $13,734,000,000 in outlays in fiscal years 1996 through 2000, and $19,530,000,000 in outlays in fiscal years 1996 through 2002.

(viii) The House Committee on National Security: $39,601,000,000 in outlays in fiscal year 1996, $226,931,000,000 in outlays in fiscal years 1996 through 2000, and $331,210,000,000 in outlays in fiscal years 1996 through 2002.

(ix) The House Committee on Resources: $1,535,000,000 in outlays in fiscal year 1996, $7,816,000,000 in outlays in fiscal years 1996 through 2000, and $12,871,000,000 in outlays in fiscal years 1996 through 2002.

(x) The House Committee on Transportation and Infrastructure: $16,615,000,000 in outlays in fiscal year 1996, $83,070,000,000 in outlays in fiscal years 1996 through 2000, and $116,811,000,000 in outlays in fiscal years 1996 through 2002.

(xi) The House Committee on Veterans' Affairs: $19,041,000,000 in outlays in fiscal year 1996, $106,163,000,000 in outlays in fiscal years 1996 through 2000, and $154,864,000,000 in outlays in fiscal years 1996 through 2002.

(xii)(I) The House Committee on Ways and Means shall report changes in laws within its jurisdiction that provide direct spending such that the total level of direct spending for that committee for—

(aa) fiscal year 1996,

(bb) the 5-year period beginning with fiscal year 1996 and ending with fiscal year 2000, and

(cc) the 7-year period beginning with fiscal year 1996 and ending with fiscal year 2002,

does not exceed the following level in that period: $349,172,000,000 in outlays in fiscal year 1996, $2,010,751,000,000 in outlays in fiscal years 1996 through 2000, and $3,002,706,000,000 in outlays in fiscal years 1996 through 2002.

(II) The House Committee on Ways and Means shall report changes in laws within its jurisdiction such that the total level of revenues for that committee for fiscal year 2000 is not less than $1,304,215,000,000 and for fiscal years 1996 through 2002 is not less than $17,938,254,000,000.

(III) The House Committee on Ways and Means shall report changes in laws to increase the statutory limit on the public debt to not more than $5,500,000,000,000.

(C) DEFINITION.—For purposes of this paragraph, the term "direct spending" has the meaning given to such term in section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(b) RECONCILIATION OF REVENUE REDUCTIONS IN THE SENATE.—

(1) CERTIFICATION.—In the Senate, upon the certification pursuant to section 205(a) of this resolution, the Senate Committee on Finance shall submit its recommendations pursuant to paragraph (2) to the Senate Committee on the Budget. After receiving those recommendations, the Committee on the Budget shall add these recommendations to the recommendations submitted pursuant to subsection (a) and report a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) COMMITTEE ON FINANCE.—Not later than five days after the certification made pursuant to section 205(a), the Senate Committee on Finance shall report changes in laws within its jurisdiction necessary to reduce revenues by not more than $50,000,000,000 in fiscal year 2002 and $245,000,000,000 for the period of fiscal years 1996 through 2002.

TITLE II—BUDGETARY RESTRAINTS AND RULEMAKING

SEC. 201. DISCRETIONARY SPENDING LIMITS.

(a) DEFINITION.—As used in this section and for the purposes of allocations made pursuant to section 302(a) or 602(a) of the Congressional Budget Act of 1974, for the discretionary category, the term "discretionary spending limit" means—

(1) with respect to fiscal year 1996—

(A) for the defense category $265,406,000,000 in new budget authority and $264,043,000,000 in outlays; and

(B) for the nondefense category $219,668,000,000 in new budget authority and $267,725,000,000 in outlays;

(2) with respect to fiscal year 1997—

(A) for the defense category $267,962,000,000 in new budget authority and $265,734,000,000 in outlays; and

(B) for the nondefense category $214,468,000,000 in new budget authority and $254,561,000,000 in outlays;

(3) with respect to fiscal year 1998—

(A) for the defense category $269,731,000,000 in new budget authority and $264,531,000,000 in outlays; and

(B) for the nondefense category $220,961,000,000 in new budget authority and $248,101,000,000 in outlays;

(4) with respect to fiscal year 1999, for the discretionary category $482,207,000,000 in new budget authority and $510,482,000,000 in outlays;

(5) with respect to fiscal year 2000, for the discretionary category $489,379,000,000 in new budget authority and $514,234,000,000 in outlays;

(6) with respect to fiscal year 2001, for the discretionary category $496,601,000,000 in new budget authority and $516,403,000,000 in outlays; and

(7) with respect to fiscal year 2002, for the discretionary category $498,837,000,000 in new budget authority and $515,075,000,000 in outlays;

as adjusted for changes in concepts and definitions and emergency appropriations.

(b) POINT OF ORDER IN THE SENATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), it shall not be in order in the Senate to consider—

(A) any concurrent resolution on the budget for fiscal year 1996, 1997, or 1998 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the sum of the defense and nondefense discretionary spending limits for such fiscal year;

(B) any concurrent resolution on the budget for fiscal years 1999, 2000, 2001, or 2002 (or amendment, motion, or conference report on such a resolution) that provides discretionary spending in excess of the discretionary spending limit for such fiscal year; or

(C) any appropriations bill or resolution (or amendment, motion, or conference report on such appropriations bill or resolution) for fiscal year 1995, 1996, 1997, 1998, 1999, 2000, 2001, or 2002 that would exceed any of the discretionary spending limits in this section or suballocations of those limits made pursuant to section 602(b) of the Congressional Budget Act of 1974.

(2) EXCEPTION.—

(A) IN GENERAL.—This section shall not apply if a declaration of war by the Congress is in effect or if a joint resolution pursuant to section 258 of the Balanced Budget and Emergency Deficit Control Act of 1985 has been enacted.

(B) ENFORCEMENT OF DISCRETIONARY LIMITS.—Paragraph (1)(A) and the application of paragraph (1)(B) to fiscal years 1997 through 2002 shall not take effect until the enactment of a reconciliation bill pursuant to section 105 of this resolution.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the concurrent resolution, bill, or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, new entitlement authority, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

SEC. 202. EXTENSION OF PAY-AS-YOU-GO POINT OF ORDER.

(a) PURPOSE.—The Senate declares that it is essential to—

(1) ensure continued compliance with the balanced budget plan set forth in this resolution; and

(2) continue the pay-as-you-go enforcement system.

(b) POINT OF ORDER.—

(1) IN GENERAL.—It shall not be in order in the Senate to consider any direct spending or revenue legislation that

would increase the deficit for any one of the three applicable time periods as measured in paragraphs (5) and (6).

(2) APPLICABLE TIME PERIODS.—For purposes of this subsection the term "applicable time period" means any one of the three following periods:

(A) The first year covered by the most recently adopted concurrent resolution on the budget.

(B) The period of the first five fiscal years covered by the most recently adopted concurrent resolution on the budget.

(C) The period of the five fiscal years following the first five fiscal years covered in the most recently adopted concurrent resolution on the budget.

(3) DIRECT-SPENDING LEGISLATION.—For purposes of this subsection and except as provided in paragraph (4), the term "direct-spending legislation" means any bill, joint resolution, amendment, motion, or conference report that affects direct spending as that term is defined by and interpreted for purposes of the Balanced Budget and Emergency Deficit Control Act of 1985.

(4) EXCLUSION.—For purposes of this subsection, the terms "direct-spending legislation" and "revenue legislation" do not include—

(A) any concurrent resolution on the budget; or

(B) any provision of legislation that affects the full funding of, and continuation of, the deposit insurance guarantee commitment in effect on the date of enactment of the Budget Enforcement Act of 1990.

(5) BASELINE.—Estimates prepared pursuant to this section shall—

(A) use the baseline used for the most recently adopted concurrent resolution on the budget; and

(B) be calculated under the requirements of subsections (b) through (d) of section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 for fiscal years beyond those covered by that concurrent resolution on the budget.

(6) PRIOR SURPLUS.—If direct spending or revenue legislation increases the deficit when taken individually, then it must also increase the deficit when taken together with all direct spending and revenue legislation enacted since the beginning of the calendar year not accounted for in the baseline under paragraph (5)(A), except that the direct spending or revenue effects resulting from legislation enacted pursuant to the reconciliation instructions included in that concurrent resolution on the budget shall not be available.

(c) WAIVER.—This section may be waived or suspended in the Senate only by the affirmative vote of three-fifths of the Members, duly chosen and sworn.

(d) APPEALS.—Appeals in the Senate from the decisions of the Chair relating to any provision of this section shall be limited to 1 hour, to be equally divided between, and controlled by, the appellant and the manager of the bill or joint resolution, as the case may be. An affirmative vote of three-fifths of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(e) DETERMINATION OF BUDGET LEVELS.—For purposes of this section, the levels of new budget authority, outlays, and revenues for a fiscal year shall be determined on the basis of estimates made by the Committee on the Budget of the Senate.

(f) CONFORMING AMENDMENT.—Section 23 of House Concurrent Resolution 218 (103d Congress) is repealed.

(g) SUNSET.—Subsections (a) through (e) of this section shall expire September 30, 2002.

SEC. 203. TAX RESERVE FUND IN THE SENATE.

(a) IN GENERAL.—In the Senate, on or after October 1, 1995, revenue and spending aggregates shall be reduced and allocations may be revised for legislation that reduces revenues within a committee's jurisdiction if such a committee or the committee of conference on such legislation reports such legislation, if, to the extent that the costs of such legislation are not included in this concurrent resolution on the budget, the enactment of such legislation will not increase the deficit in this resolution for—

(1) fiscal year 1996;

(2) the period of fiscal years 1996 through 2000; or

(3) the period of fiscal years 2001 through 2005.

(b) REVISED ALLOCATIONS.—Upon the reporting of legislation pursuant to subsection (a), and again upon the submission of a conference report on such legislation (if a conference report is submitted), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this concurrent resolution on the budget.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committee shall report appropriately revised allocations pursuant to sections 302(b) and 602(b) of the Congressional Budget Act of 1974 to carry out this section.

SEC. 204. WELFARE REFORM RESERVE FUND.

(a) IN GENERAL.—

(1) DIRECT SPENDING.—In the Senate and the House of Representatives, budget authority and outlays, and (in the House) entitlement authority, allocated to a committee may be revised, pursuant to subsection (b)(1), for legislation in that committee's jurisdiction that has the effect of reducing direct spending for a welfare program and authorizes an increase in discretionary spending for that welfare program, if that committee reports such legislation.

(2) DISCRETIONARY SPENDING.—In the Senate and the House of Representatives, budget authority and outlays allocated to the Committee on Appropriations, and (in the Senate) the discretionary spending limits in section 201 of this resolution, may be increased, pursuant to subsection (b)(2), for an appropriation measure that provides new discretionary budget authority for a welfare program pursuant to authority provided in legislation described in paragraph (1), if the Committee on Appropriations reports such an appropriation measure.

(b) REVISED ALLOCATIONS.—

(1) DIRECT SPENDING.—Upon reporting of legislation pursuant to subsection (a)(1) and again upon submission of a conference report on such legislation, the chairman of the Committee on the Budget of the House or Senate (whichever is appropriate) may submit to that House revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 to carry out this section. Such revised allocations shall be considered for the purposes of the Congressional Budget Act of 1974 to be the allocations under this concurrent budget resolution. In the Senate, the revision shall reflect that amount of the direct spending savings estimated to result from such legislation to the extent they exceed the savings assumed in this concurrent resolution on the budget.

(2) DISCRETIONARY SPENDING.—Upon reporting of legislation pursuant to subsection (a)(2) and again upon the submission of a conference report on such legislation, the chairman of the Committee on the Budget of the House or Senate (whichever is appropriate) may submit to that House revised allocations under sections 302(a) and 602(a) of the Congressional Budget Act of 1974 and revised discretionary spending limits. The revision shall reflect that amount of the new discretionary budget authority provided for the welfare program up to the level authorized in the legislation reported pursuant to subsection (a)(1), except that the budget authority and outlay revisions shall not exceed the adjustments made pursuant to paragraph (1) for that welfare program. Such revised allocations and discretionary spending limits shall be considered, for the purposes of the Congressional Budget Act of 1974, to be the allocations and spending limits under this concurrent resolution on the budget.

(c) COMMITTEE ON APPROPRIATIONS.—The Committees on Appropriations may report appropriately revised suballocations pursuant to sections 302(b)(1) and 602(b)(1) of the Congressional Budget Act of 1974 following the revision of the allocations pursuant to subsection (b)(2), to carry out this section.

SEC. 205. BUDGET SURPLUS ALLOWANCE.

(a) CBO CERTIFICATION OF LEGISLATIVE SUBMISSIONS.—

(1) SUBMISSION OF LEGISLATION.—Upon the submission of legislative recommendations pursuant to section 105(a) and prior to the submission of a conference report on legislation reported pursuant to section 105, the chairman of the Committee on the Budget of the Senate and the House of Representatives (as the case may be) shall submit such recommendations to the Congressional Budget Office.

(2) BASIS OF ESTIMATES.—For the purposes of preparing an estimate pursuant to this subsection, the Congressional Budget Office shall include the budgetary impact of all legislation enacted to date, use the economic and technical assumptions underlying this resolution, and assume compliance with the total discretionary spending levels assumed in this resolution unless superseded by law.

(3) ESTIMATE OF LEGISLATION.—The Congressional Budget Office shall provide an estimate to the Chairman of the Budget Committee of the Senate and the House of Representatives (as the case may be) and certify whether the legislative rec-

ommendations would balance the total budget by fiscal year 2002.

(4) CERTIFICATION.—If the Congressional Budget Office certifies that such legislative recommendations would balance the total budget by fiscal year 2002, the Chairman shall submit such certification in his respective House.

(b) PROCEDURE IN THE SENATE.—

(1) ADJUSTMENTS.—For the purposes of points of order under the Congressional Budget Act of 1974 and this concurrent resolution on the budget, the appropriate budgetary allocations and aggregates shall be revised to be consistent with the instructions set forth in section 105(b) for legislation that reduces revenues by providing family tax relief and incentives to stimulate savings, investment, job creation, and economic growth.

(2) REVISED AGGREGATES.—Upon the reporting of legislation pursuant to section 105(b) and again upon the submission of a conference report on such legislation, the Chairman of the Committee on the Budget of the Senate shall submit appropriately revised budgetary allocations and aggregates.

(3) EFFECT OF REVISED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates submitted under paragraph (2) shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) CONTINGENCIES.—This section shall not apply unless the reconciliation legislation—

(1) complies with the sum of the reconciliation directives for the period of fiscal years 1996 through 2002 provided in section 105(a); and

(2) would balance the total budget for fiscal year 2002 and the period of fiscal years 2002 through 2005.

(d) DEFINITIONS.—For the purposes of this section, the term "balance the total budget" means total outlays are less than or equal to total revenues for a fiscal year or a period of fiscal years.

SEC. 206. SALE OF GOVERNMENT ASSETS.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the prohibition on scoring asset sales has discouraged the sale of assets that can be better managed by the private sector and generate receipts to reduce the Federal budget deficit;

(2) the President's fiscal year 1996 budget included $8,000,000,000 in receipts from asset sales and proposed a change in the asset sale scoring rule to allow the proceeds from these sales to be scored;

(3) assets should not be sold if such sale would increase the budget deficit over the long run; and

(4) the asset sale scoring prohibition should be repealed and consideration should be given to replacing it with a methodology that takes into account the long-term budgetary impact of asset sales.

(b) BUDGETARY TREATMENT.—For purposes of any concurrent resolution on the budget and the Congressional Budget Act of 1974, the amounts realized from sales of assets shall be scored with respect to the level of budget authority, outlays, or revenues.

(c) DEFINITIONS.—For purposes of this section, the term "sale of an asset" shall have the same meaning as under section 250(c)(21) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(d) TREATMENT OF LOAN ASSETS.—For the purposes of this section, the sale of loan assets or the prepayment of a loan shall be governed by the terms of the Federal Credit Reform Act of 1990.

SEC. 207. CREDIT REFORM AND DIRECT STUDENT LOANS.

For the purposes of any concurrent resolution on the budget and the Congressional Budget Act of 1974, the cost of a direct loan under the Federal direct student loan program shall be the net present value, at the time when the direct loan is disbursed, of the following cash flows for the estimated life of the loan:

(1) Loan disbursements.

(2) Repayments of principal.

(3) Payments of interest and other payments by or to the Government over the life of the loan after adjusting for estimated defaults, prepayments, fees, penalties, and other recoveries.

(4) Direct expenses, including—

(A) activities related to credit extension, loan origination, loan servicing, management of contractors, and payments to contractors, other government entities, and program participants;

(B) collection of delinquent loans; and

(C) writeoff and closeout of loans.

SEC. 208. EXTENSION OF BUDGET ACT 60-VOTE ENFORCEMENT THROUGH 2002.

Notwithstanding section 275(b) of the Balanced Budget and Emergency Deficit Control Act of 1985 (as amended by sections 13112(b) and 13208(b)(3) of the Budget Enforcement Act of 1990), the second sentence of section 904(c) of the Congressional Budget Act of 1974 (except insofar as it relates to section 313 of that Act) and the final sentence of section 904(d) of that Act (except insofar as it relates to section 313 of that Act) shall continue to have effect as rules of the Senate through (but no later than) September 30, 2002.

SEC. 209. REPEAL OF IRS ALLOWANCE.

Section 25 of House Concurrent Resolution 218 (103d Congress, 2d Session) is repealed.

SEC. 210. TAX REDUCTION CONTINGENT ON BALANCED BUDGET IN THE HOUSE OF REPRESENTATIVES

(a) ESTIMATES AND CERTIFICATION.—

(1) ESTIMATES.—Upon reporting a reconciliation bill to carry out this resolution, the chairman of the Committee on the Budget of the House shall submit such legislation to the Director of the Congressional Budget Office (hereinafter in this section referred to as the "Director"). The Director shall provide an estimate of whether the enactment of the bill, as reported, would result in a balanced total budget by fiscal year 2002.

(2) CERTIFICATION.—(A) If the enactment of the bill as estimated by the Director would so balance the budget, the chairman of the Committee on the Budget is authorized to so certify.

(B) If the enactment of the bill as estimated by the Director would not so balance the budget, the chairman of the Committee on the Budget shall notify the chairman of the Committee on Rules. The Committee on Rules may recommend to the House a resolution providing for the consideration of an amendment in the nature of a substitute consisting of the text of the reconciliation bill reported by the Committee on the Budget, modified by amendments to achieve a balanced budget by fiscal year 2002 and amendments described in section 310(d) of the Congressional Budget Act of 1974, as an original bill for purposes of amendment.

(C) If the Committee on Rules so recommends, the chairman of the Committee on the Budget shall submit the substitute text to the Director, who shall provide an estimate of whether the substitute text would balance the total budget by fiscal year 2002. If the enactment of the bill as estimated by the Director would so balance the budget, the chairman of the Committee on the Budget is authorized to so certify.

(3) BASIS OF ESTIMATE.—In preparing any estimate under this section, the Director shall include the budgetary impact of all legislation enacted through the date of submission of that estimate and of all legislation incorporated by reference in the reconciliation bill, use the economic and technical assumptions underlying this resolution, assume compliance with the total discretionary levels assumed in this resolution unless superseded by law, and include changes in outlays and revenues estimated to result from the economic impact of balancing the budget by fiscal year 2002 as estimated by the Congressional Budget Office in Table B–4 in Appendix B of its Analysis of the President's Budgetary Proposals for Fiscal Year 1996.

(b) PROCEDURE IN THE HOUSE OF REPRESENTATIVES.—

(1) ADJUSTMENTS.—Upon certification by the chairman of the Committee on the Budget of the House under subsection (a), the chairman shall submit a report to the House that revises the appropriate budgetary allocations, aggregates, and totals to be consistent with the instructions set forth in section 105(a)(2)(B)(xii)(II).

(2) EFFECT OF REVISED ALLOCATIONS, AGGREGATES, AND TOTALS.—In the House of Representatives, revised allocations, aggregates, and totals submitted under paragraph (1) shall be deemed as the allocations, aggregates, and totals contained in this resolution for all purposes under the Congressional Budget Act of 1974.

(3) STATEMENT REGARDING POINT OF ORDER.—If the chairman of the House Committee on the Budget does not certify a balanced budget by 2002, then the reconciliation bill to carry out this resolution would be subject to a point of order under the Congressional Budget Act of 1974.

SEC. 211. EXERCISE OF RULEMAKING POWERS.

The Congress adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, or of that House to which they specifically apply, and such

rules shall supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change those rules (so far as they relate to that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.

TITLE III—SENSE OF THE CONGRESS, HOUSE OF REPRESENTATIVES, AND SENATE

SEC. 301. SENSE OF THE CONGRESS ON THE ELIMINATION OF FRAUD, WASTE, AND ABUSE IN THE MEDICARE SYSTEM.

It is the sense of the Congress that, in order to meet the aggregate levels in this budget resolution—

(1) the committees of jurisdiction should give high priority to proposals that identify, eliminate, and recover funds expended from the medicare trust funds due to fraud and abuse in the medicare program in order to address the long-term solvency of medicare; and

(2) any funds recovered from enhanced antifraud and abuse efforts should be used to enhance the solvency of medicare.

SEC. 302. SENSE OF CONGRESS REGARDING PRIVATIZATION OF THE STUDENT LOAN MARKETING ASSOCIATION (SALLIE MAE).

It is the sense of the Congress that the Student Loan Marketing Association should be restructured as a private corporation.

SEC. 303. SENSE OF THE CONGRESS REGARDING THE DEBT LIMIT.

It is the sense of the Congress that—

(1) the reconciliation legislation under section 105 of this budget resolution should be enacted prior to passage of legislation that will extend the public debt limit; and

(2) the extension of the public debt should be set at levels and for durations that ensure a balanced budget by fiscal year 2002, consistent with this budget resolution.

SEC. 304. SENSE OF THE CONGRESS ASSUMPTIONS.

It is the sense of the Congress that the aggregates and functional levels included in this budget resolution assume that—

(1) Federal programs should be restructured to meet identified priorities in the most effective and efficient manner, to eliminate obsolete programs, and to reduce duplication;

(2) Federal programs should be reviewed to determine whether they are more appropriately the responsibility of the States and, for programs that should be under State responsibility, that—

(A) Federal funding of these programs should be provided in a manner that rewards work, promotes families, and provides a helping hand during times of crisis;

(B) the programs should be returned in the form of block grants that provide maximum flexibility to the States and localities to ensure the maximum benefit at the least cost to the American taxpayer;

(C) Federal funds should not supplant existing expenditures by other sources, both public and private; and

(D) the Federal interest in the program should be protected with adequate safeguards, such as auditing or maintenance of effort provisions, and that Federal goals and principles may be appropriate;

(3) Congress should examine Federal functions to determine those that could be more conveniently, efficiently, and effectively performed by the private sector and, in order to facilitate the privatization of these functions—

(A) provisions of law that prohibit or "lockout" the private sector from competing for the provision of certain services should be eliminated;

(B) section 257(e) of the Balanced Budget and Emergency Deficit Control Act of 1985 should be repealed or modified to permit the sale of assets when appropriate to privatization goals;

(C) each Federal agency and department should be encouraged to develop and evaluate privatization initiatives; and

(D) the "Common Rule", modified by Executive Order 12803, should be modified to delete grant repayment provisions which restrict local governments and prevent private sector investments in Federal-aid facilities;

(4) Congress, in fulfilling its responsibility to future generations, should—

(A) enact a plan that balances the budget by 2002 and develop a regimen for paying off the Federal debt; and

(B) once the budget is in balance, use the surpluses to implement that regimen;

(5) in considering child nutrition programs—

(A) reductions in nutrition program spending should be achieved without compromising the nutritional well-being of program recipients;

(B) school lunches should continue to meet minimal nutrition requirements and should not have to compete with alternative foods of minimal nutritional value during lunch hours; and

(C) the content of the Women, Infants, and Children (WIC) food package should continue to be based on scientific evidence; and

(6) science and technology development are critical to sustainable long-term economic growth and priority should be given to Federal funding for science and basic and applied research.

SEC. 305. SENSE OF THE SENATE THAT TAX REDUCTIONS SHOULD BENEFIT WORKING FAMILIES.

It is the sense of the Senate that this concurrent resolution on the budget assumes any reductions in taxes should be structured to benefit working families by providing family tax relief and incentives to stimulate savings, investment, job creation, and economic growth.

SEC. 306. SENSE OF THE SENATE ON THE DISTRIBUTION OF AGRICULTURE SAVINGS.

It is the sense of the Senate that, in response to the reconciliation instructions in section 105 of this resolution, the Senate Committee on Agriculture, Nutrition, and Forestry should provide

that no more than 20 percent of the savings be achieved in commodity programs.

SEC. 307. SENSE OF THE SENATE ON THE ESTABLISHMENT OF A MEDICARE SOLVENCY COMMISSION.

It is the sense of the Senate that, in order to meet the aggregates and levels in this budget resolution—

(1) a special bipartisan commission should be established immediately to make recommendations on the most appropriate response to the short-term solvency crisis facing medicare;

(2) the commission should report its recommendations under paragraph (1) at the earliest possible date, in order that the committees of jurisdiction may give due consideration to those recommendations in fashioning their response pursuant to section 105 of this resolution; and

(3) the commission should study, evaluate, and make recommendations to sustain the long-term viability of the medicare system and should report those recommendations to Congress by February 1, 1996.

SEC. 308. SENSE OF THE SENATE REGARDING PROTECTION OF CHILDREN'S HEALTH.

It is the sense of the Senate that, in meeting the aggregates and levels in this resolution, the committees of jurisdiction of the Senate—

(1) should give careful consideration to the impact of medicaid reform legislation on children's health; and

(2) should encourage States to place a priority on funding for low-income pregnant women and children within any medicaid reform legislation that allows greater flexibility to the States in the delivery of care and in controlling the rate of growth in costs under the program.

SEC. 309. SENSE OF THE SENATE ON THE ASSUMPTIONS.

It is the sense of the Senate that the aggregates and functional levels included in this budget resolution assume that—

(1) beginning with fiscal year 1997, the Federal government should establish, implement, and maintain a uniform accounting system and provide financial statements in accordance with accepted accounting principles under standards and interpretations recommended by the Federal Accounting Standards Advisory Board;

(2) Congress should revise the Internal Revenue Code to ensure that very wealthy individuals are not able to reduce or avoid United States income, estate or gift tax liability by relinquishing their U.S. citizenship and, that, any savings resulting from this revision should be used to reduce the deficit;

(3) in furtherance of the goals of the Decade of the Brain, full funding should be provided for research on brain diseases and disorders;

(4) the essential air service program should receive sufficient funding to continue to provide air service to small rural communities;

(5) funds will be made available to reimburse States for the costs of implementing the National Voter Registration Act of 1993; and

(6) a temporary nonpartisan commission should be established to make recommendations concerning the appropriate-

ness and accuracy of the methodology and calculations that determine the Consumer Price Index (CPI) and those recommendations should be submitted to the Bureau of Labor Statistics at the earliest possible date.

SEC. 310. HOUSE STATEMENT ON AGRICULTURE SAVINGS.

The House of Representatives shall re-examine budget reductions for agricultural programs in the United States Department of Agriculture for fiscal years 1999 and 2000 unless the following conditions are met:

(1) Land values on agricultural land on January 1, 1998, are at least 95 percent of the same values on the date of adoption of this resolution.

(2) There is enacted into law regulatory relief for the agricultural sector in the areas of wetlands regulation, the Endangered Species Act, private property rights and cost-benefit analyses of proposed regulations.

(3) There is tax relief for producers in the form of capital gains tax reduction, increased estate tax exemptions and mechanisms to average tax loads over strong and weak income years.

(4) There is no government interference in the international market in the form of agricultural trade embargoes in effect and there is successful implementation and enforcement of trade agreements, including the General Agreement on Tariffs and Trade (GATT) and the North American Free Trade Agreement (NAFTA) to lower export subsidies and reduce import barriers to trade imposed by foreign governments.

SEC. 311. SENSE OF THE HOUSE ON BASELINES.

(a) FINDINGS.—The House of Representatives finds that—

(1) baselines are projections of future spending if existing policies remain unchanged;

(2) under baseline assumptions, spending automatically rises with inflation even if such increases are not provided under current law;

(3) baseline budgeting is inherently biased against policies that would reduce the projected growth in spending because such policies are scored as a reduction from a rising baseline; and

(4) the baseline concept has encouraged Congress to abdicate its constitutional responsibility to control the public purse for programs which are automatically funded under existing law.

(b) SENSE OF THE HOUSE.—It is the sense of the House of Representatives that baseline budgeting should be replaced with a form of budgeting that requires full justification and analysis of budget proposals and maximizes congressional accountability for public spending.

SEC. 312. SENSE OF THE HOUSE REGARDING A COMMISSION ON THE SOLVENCY OF THE FEDERAL MILITARY AND CIVIL SERVICE RETIREMENT FUNDS.

(a) FINDINGS.—The House of Representatives finds that the Federal retirement system, for both military and civil service retirees, currently has liabilities of $1,100,000,000,000, while holding assets worth $340,000,000,000 and anticipating employee contribu-

tions of $220,000,000,000, which leaves an unfunded liability of $540,000,000,000.

(b) SENSE OF HOUSE.—It is the sense of the House of Representatives that a high-level commission should be convened to study the problems associated with the Federal retirement system and make recommendations that will ensure the long-term solvency of the military and civil service retirement funds.

SEC. 313. SENSE OF THE HOUSE REGARDING THE REPEAL OF HOUSE RULE XLIX.

It is the sense of the House that rule XLIX of the Rules of the House of Representatives (popularly known as the Gephardt rule) should be repealed.

SEC. 314. SENSE OF THE HOUSE ON EMERGENCIES.

(a) FINDINGS.—The House of Representative finds that—

(1) The Budget Enforcement Act of 1990 exempted from the discretionary spending limits and the Pay-As-You-Go requirements for entitlement and tax legislation funding requirements that are designated by Congress and the President as an emergency.

(2) Congress and the President have increasingly misused the emergency designation by—

(A) designating funding as an emergency that is neither unforeseen nor a genuine emergency; and

(B) circumventing spending limits or passing controversial items that would not pass scrutiny in a free-standing bill.

(b) SENSE OF THE HOUSE.—It is the sense of the House that Congress should study alternative approaches to budgeting for emergencies, including codifying the definition of an emergency and establishing contingency funds to pay for emergencies.

Agreed to June 29, 1995.

June 30, 1995
[S. Con. Res. 19]

ENROLLMENT CORRECTION—H.R. 483

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 483) to amend title XVIII of the Social Security Act to permit medicare select policies to be offered in all States, and for other purposes, the Clerk of the House of Representatives shall make the following correction: Amend the title so as to read as follows: "An Act to amend the Omnibus Budget Reconciliation Act of 1990 to permit medicare select policies to be offered in all States.".

Agreed to June 30, 1995.

June 30, 1995
[S. Con. Res. 20]

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Thursday, June 29, 1995, or Friday, June 30, 1995, pursuant to a motion made by the Majority Leader or his designee,

in accordance with this resolution, it stand recessed or adjourned until 12:00 noon on Monday, July 10, 1995, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until 12:00 noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the House of Representatives adjourns on the legislative day of Friday, June 30, 1995, it stand adjourned until 2:00 p.m. on Monday, July 10, 1995, or until 12:00 noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first.

SEC 2. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to June 30, 1995.

ENROLLMENT CORRECTIONS—S. 523

July 13, 1995
[H. Con. Res. 82]

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill (S. 523) to amend the Colorado River Basin Salinity Control Act to authorize additional measures to carry out the control of salinity upstream of Imperial Dam in a cost-effective manner, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In the last sentence of paragraph (1) of section 1 of the bill (adding a new paragraph (6) to section 202(a) of the Colorado River Basin Salinity Control Act) insert a period after the words "submits such report".

(2) In paragraph (2)(B) of section 1 of the bill (amending section 205(a)(4)(i) of the Colorado River Basin Salinity Control Act) strike "section 202(a)(4) and (5)" and insert "sections 202(a)(4) and (5)".

(3) At the end of paragraph (4) of section 1 of the bill (amending section 202(b)(4) of the Colorado River Basin Salinity Control Act) strike the period before the closing quotation marks.

Agreed to July 13, 1995.

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Aug. 1, 1995
[H. Con. Res. 89]

Resolved by the House of Representatives (the Senate concurring), That, nothwithstanding the provisions of section 132(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198(a)), the House of Representatives and the Senate shall not adjourn for a period in excess of three days, or adjourn sine die, until both Houses of Congress have adopted a concurrent resolution providing

either for an adjournment (in excess of three days) to a day certain or for adjournment sine die.

Agreed to August 1, 1995.

Aug. 4, 1995
[H. Con. Res. 92]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, August 4, 1995, pursuant to a motion made by the Majority Leader, or his designee, it stand adjourned until noon on Wednesday, September 6, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day beginning on Saturday, August 5, 1995, through Saturday, August 19, 1995, pursuant to a motion made by the Majority Leader, or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, September 5, 1995, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to August 4, 1995.

Sept. 29, 1995
[H. Con. Res. 104]

ADJOURNMENT—HOUSE OF REPRESENTATIVES AND SENATE

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, September 29, 1995, it stand adjourned until 10 a.m. on Friday, October 6, 1995, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day beginning with Friday, September 29, 1995, through Friday, October 6, 1995, pursuant to a motion made by the Majority Leader or his designee in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, October 10, 1995, or until such time on that day as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

Sec. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall

notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to September 29, 1995.

RAOUL WALLENBERG DEDICATION CEREMONY AND BUST PLACEMENT—CAPITOL ROTUNDA AUTHORIZATION

Oct. 10, 1995
[H. Con. Res. 94]

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. DEDICATION CEREMONY AND PLACEMENT OF A BUST OF RAOUL WALLENBERG IN THE CAPITOL.

The rotunda of the Capitol may be used on November 2, 1995, for a ceremony incident to the placement of a bust of Raoul Wallenberg in the Capitol as previously authorized by Congress.

SEC. 2. SECURITY AND PHYSICAL PREPARATIONS.

The Capitol Police Board shall take such action with respect to security as may be necessary to carry out section 1. The Architect of the Capitol shall make appropriate physical preparations for the ceremony referred to in section 1.

Agreed to October 10, 1995.

JERUSALEM ANNIVERSARY COMMEMORATION—CAPITOL ROTUNDA AUTHORIZATION

Oct. 12, 1995
[S. Con. Res. 29]

Whereas the Senate wishes to mark the 3,000th anniversary of King David's establishment of Jerusalem as the capital of Israel; and

Whereas Jerusalem, the City of David, has been the focal point of Jewish life; and

Whereas Jerusalem, the City of Peace, has held a unique place and exerted a unique influence on the moral development of Western Civilization; and

Whereas no other city on Earth is today the capital of the same country, inhabited by the same people, speaking the same language, and worshipping the same God as it was 3,000 years ago: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Architect is directed to make the necessary arrangements for a date in October to be mutually agreed upon by the Speaker of the House of Representatives and the Majority Leader of the Senate, after consultation with the Minority Leaders of the two Houses, for the use of the Rotunda for a celebration of the founding of the city of Jerusalem.

Agreed to October 12, 1995.

Oct. 17, 1995
[S. Con. Res. 27]

ENROLLMENT CORRECTION—H.R. 402

Resolved by the Senate (the House of Representatives concurring), That the action of the Speaker of the House of Representatives and the President pro tempore of the Senate in signing the bill (H.R. 402) is rescinded, and the Clerk of the House of Representatives shall, in the reenrollment of the bill, make the following correction:

Strike section 109.

Agreed to October 17, 1995.

Nov. 8, 1995
[S. Con. Res. 31]

YITZHAK RABIN—LIFE AND LEGACY

Whereas Yitzhak Rabin, a true hero of Israel, was born in Jerusalem on March 1, 1922;

Whereas Yitzhak Rabin served in the Israel Defense Forces for more than two decades, and fought in three wars including service as Chief of Staff of the Israel Defense Forces during the Six Day War of June 1967;

Whereas Yitzhak Rabin served the people of Israel with great distinction in a number of government positions, including Ambassador to the United States from 1968 to 1973, Minister of Defense from 1984 to 1988, and twice as Prime Minister from 1974 to 1977 and from June 1992 until his assassination;

Whereas under the leadership of Yitzhak Rabin, a framework for peace between Israel and the Palestinians was established with the signing of the Declaration of Principles on September 13, 1993, continued with the conclusion of a peace treaty between Israel and Jordan on October 26, 1994, and continues today;

Whereas on December 10, 1994, Yitzhak Rabin was awarded the Nobel Prize for Peace for his vision and accomplishments as a peacemaker;

Whereas shortly before his assassination, Yitzhak Rabin said, "I have always believed that the majority of the people want peace and are ready to take a chance for peace. . . . Peace is not only in prayers . . . but it is in the desire of the Jewish people.";

Whereas Yitzhak Rabin's entire life was dedicated to the cause of peace and security for Israel and its people; and

Whereas on November 4, 1995, Prime Minister Yitzhak Rabin was assassinated in Tel Aviv, Israel: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) condemns the heinous assassination of Prime Minister Yitzhak Rabin in the strongest possible terms;

(2) extends its deepest sympathy and condolences to the family of Prime Minister Yitzhak Rabin and to all the people of Israel in this moment of tragedy;

(3) expresses its admiration for the historic contributions made by Yitzhak Rabin over his long and distinguished career of public service;

(4) expresses its support for the government of Acting Prime Minister Shimon Peres; and

(5) reaffirms its commitment to the process of building a just and lasting peace between Israel and its neighbors.

SEC. 2. When the Senate completes its business today, it stand adjourned as a further mark of respect in honor of the late Yitzhak Rabin.

SEC. 3. The Secretary of the Senate is directed to transmit an enrolled copy of this resolution to the family of the deceased.

Agreed to November 8, 1995.

ADJOURNMENT—SENATE AND HOUSE OF REPRESENTATIVES

Nov. 20, 1995
[S. Con. Res. 32]

Resolved by the Senate (the House of Representatives concurring), That when the Senate recesses or adjourns at the close of business on Monday, November 20, 1995, pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until a time to be determined by the Majority Leader on Monday, November 27, 1995, or until one hour after the House has voted on H.J. Res. 122, unless the House agrees to the Senate amendment.

SEC. 2. The two Houses shall convene at 12:00 noon on the second day after Members are notified to reassemble pursuant to section 3 of this resolution, whichever occurs first; and that when the House of Representatives adjourns on the legislative day of Monday, November 20, 1995, or the legislative day of Tuesday, November 21, 1995, it stand adjourned until 12:30 p.m. on Tuesday, November 28, 1995, or until 12:00 noon on the second day after Members are notified to reassemble pursuant to section 3 of this resolution, whichever occurs first.

SEC 3. The Majority Leader of the Senate and the Speaker of the House, acting jointly after consultation with the Minority Leader of the Senate and Minority Leader of the House, shall notify the Members of the Senate and the House, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

Agreed to November 20, 1995.

GEORGE M. WHITE—RETIREMENT

Nov. 28, 1995
[S. Con. Res. 33]

Whereas at its inception, the Capitol of the United States of America was blessed to rise under the hand of some of this Nation's greatest architects, including Dr. William Thornton, Benjamin Henry Latrobe, and Charles Bullfinch;

Whereas prior to the Honorable George Malcolm White, FAIA, being appointed by President Nixon on January 27, 1971, it had been 106 years since a professional architect had been named to the post of Architect of the Capitol;

Whereas Mr. White has served the Congress through an unprecedented period of growth and modernization, using to advantage his professional accreditation in architecture, engineering, law, and business;

Whereas Mr. White has prepared the Capitol Complex for the next century by developing the "Master Plan for the Future Development of the Capitol Grounds and Related Areas";

Whereas Mr. White has added new buildings to the Capitol grounds as authorized by Congress, including the Thurgood Marshall Federal Judiciary Building, the Philip A. Hart Senate Office Building, and the Library of Congress James Madison Memorial Building, and through acquisition and renovation, the Thomas P. O'Neill and Gerald R. Ford House Office Buildings, the Webster Hall Senate Page Dormitory, and the Capitol Police Headquarters Building;

Whereas Mr. White has preserved for future generations the existing historic fabric of the Capitol Complex by faithfully restoring the Old Senate Chamber, the Old Supreme Court Chamber, National Statuary Hall, the Brumidi corridors, the Rotunda canopy and frieze, the West Central Front and Terraces of the Capitol, the House Monumental Stairs, the Library of Congress Thomas Jefferson and John Adams Buildings, and the Statue of Freedom atop the Capitol Dome;

Whereas Mr. White has greatly contributed to the preservation and enhancement of the design of the District of Columbia through his place on the District of Columbia Zoning Commission, the Commission of Fine Arts, the Pennsylvania Avenue Development Corporation, and other civic organizations and commissions; and

Whereas upon Mr. White's retirement on November 21, 1995, he leaves a legacy of tremendous accomplishment, having made the Capitol his life's work and brought to this century the erudition and polymath's capacity of our first Architects: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the thanks and good wishes of the American people are hereby tendered to the Honorable George M. White, FAIA, on the occasion of his retirement from the Office of the Architect of the Capitol after nearly a quarter-century of outstanding service to this Nation.

Agreed to November 28, 1995.

Dec. 15, 1995
[S. Con. Res. 36]

ENROLLMENT CORRECTIONS—S. 1060

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill S. 1060, to provide for the disclosure of lobbying activities to influence the Federal Government, and for other purposes, the Secretary of the Senate shall make the following corrections:

(1) In section 6(8), strike "6" and insert "7".

(2) In section 9(7), insert "and" after the semicolon, in section 9(8), strike "; and" and insert a period, and strike paragraph (9) of section 9.

(3) In section 12(c), strike "7" and insert "6".

(4) In section 15(a)(2), strike "8" and insert "7".

(5) In section 15(b)(1), strike ", 5(a)(2)," and in section 15(b)(2), strike "8" and insert "7".

(6) In section 24(b), strike "13, 14, 15, and 16" and insert "9, 10, 11, and 12".

(7) In section 12(b)(1), strike "7" and insert "6".

Agreed to December 15, 1995.

EXPO '98—UNITED STATES PARTICIPATION

Dec. 19, 1995
[S. Con. Res. 22]

Whereas there was international concern expressed at the Rio Conference of 1992 about conservation of the seas;
Whereas 1998 has been declared the "International Year of the Ocean" by the United Nations in an effort to alert the world to the need for improving the physical and cultural assets offered by the world's oceans;
Whereas the theme of Expo '98 is "The Oceans, a Heritage for the Future";
Whereas Expo '98 has a fundamental aim of alerting political, economic, and public opinion to the growing importance of the world's oceans;
Whereas Portugal has established a vast network of relationships through ocean exploration;
Whereas Portugal's history is rich with examples of the courage and exploits of Portuguese explorers;
Whereas Portugal and the United States have a relationship based on mutual respect, and a sharing of interests and ideals, particularly the deeply held commitment to democratic values;
Whereas today over 2,000,000 Americans can trace their ancestry to Portugal; and
Whereas the United States and Portugal agreed in the 1995 Agreement on Cooperation and Defense that in 1998 the 2 countries would consider and develop appropriate means of commemorating the upcoming quincentennial anniversary of the historic voyage of discovery by Vasco da Gama: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the United States should fully participate in Expo '98 in Lisbon, Portugal, and encourage the private sector to support this worthwhile undertaking.

Agreed to December 19, 1995.

DAYS OF REMEMBRANCE OF VICTIMS OF THE HOLOCAUST COMMEMORATION CEREMONY—CAPITOL ROTUNDA AUTHORIZATION

Dec. 22, 1995
[H. Con. Res. 106]

Resolved by the House of Representatives (the Senate concurring), That the rotunda of the Capitol is authorized to be used from 8 o'clock ante meridiem until 3 o'clock post meridiem on April 16, 1996, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

Agreed to December 22, 1995.

ENROLLMENT CORRECTIONS—H.R. 2539

Dec. 22, 1995
[S. Con. Res. 37]

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives, in the enrollment of the bill (H.R. 2539) entitled "An Act to abolish the Interstate

Commerce Commission, to amend subtitle IV of title 49, United States Code, to reform economic regulation of transportation, and for other purposes" shall make the following corrections:

(1) In section 11326(b) proposed to be inserted in title 49, United States Code, by section 102, strike "unless the applicant elects to provide the alternative arrangement specified in this subsection. Such alternative" and insert "except that such".

(2) In section 13902(b)(5) proposed to be inserted in title 49, United States Code, by section 103, strike "Any" and insert "Subject to section 14501(a), any".

Agreed to December 22, 1995.

PROCLAMATIONS

Proclamation 6759 of November 30, 1994

World AIDS Day, 1994

By the President of the United States of America
A Proclamation

On this World AIDS Day, we recognize the countless determined individuals who have provided assistance to those affected by HIV and AIDS, and we redouble our efforts to work with our international partners and to confront the enormous challenges that remain. Here and around the world, people are reaching out to those who are living with HIV and AIDS and are joining the fight to stop this epidemic. The theme of this year's commemoration, "Families and AIDS," is especially fitting. When one person suffers, the entire global family is affected. Today, we pledge to keep faith with the thousands of people living with HIV and AIDS and their families—their mothers and fathers, brothers and sisters, their friends, neighbors, and loved ones.

In slightly more than 13 years, AIDS has claimed the lives of more than 250,000 Americans—nearly five times as many men and women as were killed in the Korean War. If current trends continue, by the end of this decade we will have lost half a million people to this insidious disease, more than our Nation's total losses in World War II. The World Health Organization estimates that 30 to 40 million people worldwide will have been infected with HIV by the end of the decade. The problem of HIV and AIDS is global, and it is one of staggering proportions. The United States will continue to work with our global partners in the worldwide battle against HIV and AIDS.

Here at home in response to the epidemic, hundreds of community-based organizations have devoted themselves to provide medical care, social and support services, respite care, meal delivery, and education and prevention programs to persons with HIV or AIDS. Together with those they serve, the men and women of these organizations—most of whom are volunteers—are the heroes of our common struggle.

In the past two years, our Nation has reenergized its response to HIV and AIDS. At a time of zero budget growth, funding for AIDS programs has been increased by 30 percent. AIDS research funding has risen by 25 percent, and money going to grants under the Ryan White CARE Act has been increased by 82 percent, bringing vital services to thousands of men, women, and children in need. Our research efforts have been reorganized and refocused, and they have already begun to produce results. When scientists discovered that treatment with AZT could sharply reduce the risk of HIV transmission from mothers to their unborn children, the Government acted quickly both to provide women and their health care professionals with new guidelines and to change the labeling on that drug. Already, we are saving lives.

On World AIDS Day, we rededicate ourselves to the battle against HIV and AIDS. Our Government must continue to do its part, including reauthorizing the Ryan White CARE Act and continuing to enforce the Americans with Disabilities Act. Business and community leaders must push forward in their remarkable efforts to educate people everywhere. And every one of us must strive to reach out to those who are living with HIV and AIDS to make their paths a little smoother, to make their hearts a little lighter, and to make their lives a little richer.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1, 1994, as "World AIDS Day." I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other territories subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combat HIV and AIDS and to reach out with compassion to those living with this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord nineteen hundred and ninety-four, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6760 of December 3, 1994

National Drunk and Drugged Driving Prevention Month, 1994

By the President of the United States of America
A Proclamation

All across the Nation, Americans are coming together in an ever-expanding chorus of voices demanding an end to drunk and drugged driving. Too many family members and friends have already been lost. In recent years numerous grassroots organizations have arisen throughout the land and dedicated themselves to ending this national tragedy. In big cities and small towns across the country, students, parents, and concerned citizens recognize that education and prevention are the keys to saving lives. Naming a designated driver is an idea embraced by millions of Americans, and many schools now include drunk driving awareness programs as part of their curricula.

Despite the tremendous efforts of both the private and public sectors, drunk and drugged driving remains America's number one danger on the highways. We must redouble our efforts to teach all Americans that alcohol and drugs—used alone or in combination—cause loss of control and loss of judgment, and that under these circumstances it is irresponsible and dangerous to attempt to drive.

Countless caring people across the country have taken on the daunting challenge of changing the way Americans think about alcohol, drugs, and driving. They have moved forward with an energy born of a deep personal commitment to serving the common good. Thanks in great part to their devotion and hard work, parents can feel a little safer and a little more secure about their children's future. This month, I ask each citizen to work actively to make our roads and highways safer—for the good of our children and for our Nation.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1994 as "National Drunk and Drugged Driving Prevention Month." I ask all Americans to reaffirm that being drunk or drugged is unaccept-

able and to intervene by stopping anyone impaired by drugs or alcohol from getting behind the wheel. I call upon public officials at all levels, as well as interested citizens and groups, to observe this month with appropriate ceremonies, programs, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of December, in the year of our Lord nineteen hundred and ninety-four, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6761 of December 8, 1994

Human Rights Day, Bill of Rights Day, and Human Rights Week, 1994

By the President of the United States of America
A Proclamation

Every generation is blessed with its own moral leaders and visionaries. Through the years, America has been graced by the wisdom and guidance of Thomas Jefferson, Abraham Lincoln, Woodrow Wilson. Many of us aspire to live the teachings of Martin Luther King, Jr. The youth of today might find strength in the courage of Vaclav Havel or Nelson Mandela. Regardless of the visionary, regardless of the generation, the content of the vision endures: a commitment to freedom, an expectation of justice, and a belief in the infinite value of humanity.

From a jail cell in Birmingham, Alabama, Dr. King penned some of the most eloquent words of the United States civil rights movement: "Any law that uplifts human personality is just. Any law that degrades human personality is unjust." Even in a place of absolute confinement, King recognized that discrimination, ignorance, and intolerance are far more imprisoning barriers than any common construction of steel and barbed wire. And true freedom demands more than beating down prison walls. Equality only comes by striking at injustice with reason and the power of the law.

Our Bill of Rights and the United Nations Universal Declaration of Human Rights are powerful statements indeed. They have moved humankind closer to realizing a society of "just" laws—a society that upholds what we believe is righteous and affirms what we know is right.

Yet in celebrating the freedoms that are ours as beneficiaries of democracy, we are no less bound to those who remain prisoners of prejudice, poverty, and violence. In this Nation and in countries around the world, it is unfortunate that much of Dr. King's work remains undone. Today, we rededicate ourselves to Dr. King's dream, to joining President Mandela as he works to renew South Africa, to standing with President Havel as he promotes prosperity in the Czech Republic—to championing the cause of human dignity for people everywhere on Earth. Freedom is the ability to reach out and the responsibility to help build. With the wind of justice at our backs, freedom is the strength to lift all humanity to higher ground.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 1994, as "Human Rights Day," December 15, 1994, as "Bill of Rights Day," and the week beginning December 10, 1994, as "Human Rights Week." I call upon all of the people of the United States to mark these observances with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of December, in the year of our Lord nineteen hundred and ninety-four, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6762 of December 15, 1994

Wright Brothers Day, 1994

By the President of the United States of America
A Proclamation

On a windy December day 91 years ago, Orville and Wilbur Wright made history. In 12 seconds of flight, they demonstrated to the world that mortals really could touch the sky in powered flight. In the decades since, Americans have continued to make history with countless achievements in aviation and aerospace technology.

America leads the world in aeronautics technology, and that leadership is directly reflected in the success of our aircraft industry. The legacy of the Wright brothers is clear: in the past year, the U.S. aeronautics industry sold more than $100 billion in products and employed more than a million people in high-quality jobs. Aircraft are the Nation's top manufactured export, with more than $40 billion in sales in 181 countries around the world.

We have a grand history and a promising future in aeronautics. The enactment of the General Aviation Revitalization Act of 1994, which I signed into law last August, provides a significant opportunity to reassert America's global leadership in general aviation aircraft. Offering the promise of new jobs and an enhanced economic climate, this measure applies the kind of innovation, creativity, and vision exemplified so many years ago by the Wright brothers.

Today, Orville and Wilbur's perseverance continues to challenge and inspire us as we take the lead in cutting-edge aeronautics technology. The National Aeronautics and Space Administration is working with industry to develop technologies that will make conventional aircraft safer, more affordable, and more environmentally friendly. Government and industry researchers are also working in partnership to transform the concept of affordable commercial supersonic flight into a reality early in the next century. These technological advancements in aviation and aerospace will continue to contribute to our success and prosperity. The dream that began on a lonely stretch of beach near Kitty Hawk, North Carolina, has taken us through the sound barrier and into space—and the future holds endless possibilities.

The Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402; 36 U.S.C. 169), has designated December 17 of each year as "Wright Brothers Day" and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 17, 1994, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of December, in the year of our Lord nineteen hundred and ninety-four, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6763 of December 23, 1994

To Implement the Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes

By the President of the United States of America

A Proclamation

1. On April 15, 1994, the President entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations ("the Uruguay Round Agreements"). In section 101(a) of the Uruguay Round Agreements Act ("the URAA") (Public Law 103–465; 108 Stat. 4809), the Congress approved the Uruguay Round Agreements listed in section 101(d) of that Act.

2. (a) Sections 1102 (a) and (e) of the Omnibus Trade and Competitiveness Act of 1988, as amended ("the 1988 Act") (19 U.S.C. 2902 (a) and (e)), authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreements entered into under those sections.

(b) Accordingly, I have determined that it is required or appropriate in order to carry out the Uruguay Round Agreements, which were entered into under sections 1102 (a) and (e) of the 1988 Act (19 U.S.C. 2902 (a) and (e)), that I proclaim the modifications and continuances of existing duties, duty-free treatments, excise treatments, and additional duties set forth in the Annex to this proclamation.

3. (a) Section 111(a) of the URAA authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such other additional duties beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902) as the President determines to be necessary or appropriate to carry out Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX").

(b) Accordingly, I have determined that it is necessary or appropriate to carry out Schedule XX to proclaim such other modifications of du-

ties, such other staged rate reductions, and such other additional duties, beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902), as are set forth in the Annex to this proclamation.

4. Section 111(d) of the URAA requires the President to proclaim the rate of duty set forth in Column B of the table set forth in that section as the column 2 rate of duty for the subheading of the Harmonized Tariff Schedule of the United States ("HTS") that corresponds to the subheading in Schedule XX listed in Column A.

5. (a) Section 22(f) of the Agricultural Adjustment Act ("the Adjustment Act") (7 U.S.C. 624(f)), as amended by section 401(a)(1) of the URAA, provides that, as of the date of entry into force of the Agreement Establishing the World Trade Organization ("the WTO Agreement"), no quantitative limitation or fee shall be imposed under that section with respect to any article that is the product of a World Trade Organization member, as defined in section 2(10) of the URAA.

(b) Section 401(a)(2) of the URAA further provides that, with respect to wheat, amended section 22(f) of the Adjustment Act (7 U.S.C. 624(f)) shall be effective on the later of the date of entry into force of the WTO Agreement or September 12, 1995.

(c) Accordingly, I have decided that it is necessary to provide for the termination of all quantitative limitations and fees previously proclaimed under section 22 of the Adjustment Act (7 U.S.C. 624), other than those for wheat, as provided in the Annex to this proclamation.

6. (a) Section 404(a) of the URAA directs the President to take such action as may be necessary in implementing the tariff-rate quotas set out in Schedule XX to ensure that imports of agricultural products do not disrupt the orderly marketing of commodities in the United States.

(b) Section 404(d)(3) of the URAA authorizes the President to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any allocation, as he determines appropriate.

(c) Section 404(d)(5) of the URAA authorizes the President to proclaim additional U.S. note 3 to chapter 17 of the HTS, dealing with imports of sugar, together with appropriate modifications thereto, to reflect Schedule XX.

(d) Section 405 of the URAA directs the President to cause to be published in the **Federal Register** the list of special safeguard agricultural goods and, if appropriate, to impose price-based or volume-based safeguards with respect to such goods consistent with Article 5 of the Agreement on Agriculture annexed to the WTO Agreement, and authorizes the President to exempt from any safeguard duty any goods originating in a country that is a party to the North American Free Trade Agreement ("the NAFTA").

7. Presidential Proclamation No. 6641 of December 15, 1993, implemented 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 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 or apply the NAFTA. Certain technical errors were made in the Annexes to that proclamation. I have determined that, in order to reflect accurately the intended tariff treatment and rules of origin provided for in the NAFTA, it is necessary

to modify certain provisions of the HTS, as set forth in the Annex to this proclamation.

8. Presidential Proclamation No. 6455 of July 2, 1992, implementing the Andean Trade Preference Act ("the ATPA") (19 U.S.C. 3201 *et seq.*), provided duty-free entry for all eligible articles, and duty reductions for certain other articles that are the product of any designated beneficiary country under that Act. Through technical error, the tariff treatment of ethyl alcohol, ethyl tertiary-butyl ether, and mixtures containing these products was incompletely stated. Accordingly, I have decided that it is appropriate to modify the provisions of subchapter I of chapter 99 of the HTS to provide fully for the tariff treatment of such products under the ATPA.

9. Section 242 of the Compact of Free Association ("the Compact") between the United States and Palau provides that, upon implementation of the Compact, the President shall proclaim duty-free entry for most products of designated freely associated states. Such duty-free treatment, pursuant to the Compact of Free Association Approval Act ("the Compact Act") (Public Law 99–658; 100 Stat. 3672, 48 U.S.C. 1681 note), is subject to the limitations of section 201 of the Compact Act and sections 503(b) and 504(c) of the Trade Act of 1974 ("the 1974 Act") (19 U.S.C. 2463(b) and 2464(c)). In Presidential Proclamation No. 6726 of September 27, 1994, I proclaimed that the Compact would enter into force on October 1, 1994. In order to accord such duty-free treatment to products of Palau, I have decided that it is necessary and appropriate to modify general note 10 to the HTS to designate the Republic of Palau as a freely associated state. Further, I have decided that it is appropriate to modify general note 4(a) to the HTS, which enumerates designated beneficiary countries for purposes of the Generalized System of Preferences, to delete Palau from the list of non-independent countries and territories.

10. Presidential Proclamation No. 5759 of December 24, 1987, imposed increased rates of duty on certain products of the European Community ("EC"), in response to the EC's implementation of the Council Directive Prohibiting the Use in Livestock Farming of Certain Substances Having a Hormonal Action. Austria, Finland, and Sweden have indicated that they will become member states of the EC on January 1, 1995. Accordingly, to clarify that the increased rates of duty imposed by Proclamation No. 5759 continue to apply to the EC in its capacity as a foreign instrumentality, it is necessary to amend the HTS to indicate that the duties are to be imposed on products of the EC, including products of all new and future member states, and not just on products of countries that were members of the EC in 1987 and that were listed in the HTS for illustrative purposes.

11. Additional U.S. note 24 to chapter 4 of Schedule XX provides for a delay in the effective date, or prorating, of the expansion of tariff-rate quotas for cheeses above the existing quota quantities provided for in subchapter IV of chapter 99 of the HTS that will result from the implementation of United States commitments under the Uruguay Round Agreements, in the case of countries or areas that implement their market access commitments on a date later than the effective date of Schedule XX. The current members of the European Community (Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, and the United Kingdom), Austria, Poland, Sweden, and Switzerland all have

indicated their intention not to implement their market access commitments until July 1, 1995. Accordingly, I have determined, pursuant to my authority under sections 111 (a) and (b) of the URAA and section 1102 of the 1988 Act (19 U.S.C. 2902), that it is appropriate not to make available the amounts specified in section K of the Annex to this proclamation until July 1, 1995.

12. 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, 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 but not limited to section 604 of the 1974 Act (19 U.S.C. 2483), section 1102 of the 1988 Act (19 U.S.C. 2902), sections 201 and 202 of the NAFTA Act (19 U.S.C. 3331 and 3332), and title I and title IV of the URAA, do hereby proclaim:

(1) In order to provide generally for the tariff treatment being accorded under the Uruguay Round Agreements, including the modification or continuance of existing duties or other import restrictions and the continuance of existing duty-free or excise treatment provided for in Schedule XX, the URAA, and the other authorities cited in this proclamation, including the termination of quantitative limitations and fees previously imposed under section 22 of the Adjustment Act (7 U.S.C. 624), the HTS is modified as set forth in the Annex to this proclamation.

(2)(a) The modifications to the HTS made by sections A (except with respect to paragraphs thereof specifying other effective dates), C, E, and IJ of the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on and after January 1, 1995;

(b) The modifications to the HTS made by sections B, D(1)–(5), F, G, H, and L of the Annex to this proclamation, and by those paragraphs of section A specifying effective dates other than January 1, 1995, shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on and after the dates set forth in such sections of the Annex;

(c) The modifications to the HTS made by section D(6) of the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on and after the dates set forth in such section, unless the United States Trade Representative (USTR) announces that the scheduled staged duty reductions set forth in such Annex section are being withheld because other major countries have not afforded adequate entity coverage under the Agreement on Government Procurement annexed to the WTO Agreement, and so advises the Secretary of the Treasury and publishes this information in a notice in the **Federal Register**;

(d) The modifications to the HTS made by section D(7) of the Annex to this proclamation shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on and after the date announced by the USTR in a notice published in the **Federal Register**

as the date on which other major countries have afforded adequate entity coverage under the Agreement on Government Procurement annexed to the WTO Agreement; and

(e) Section K of the Annex to this proclamation, providing for a delay in implementation of the expansion of tariff-rate quotas of cheeses, applies during the period January 1, 1995, through June 30, 1995, unless the USTR determines that it is in the interest of the United States for any such delays to apply to a different period and publishes notice of the determination and applicable period in the **Federal Register**. The USTR also is authorized to prorate over the applicable period any of the quantities that may be imported.

(3) The USTR is authorized to exercise my authority under section 404(d)(3) of the URAA to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any allocation as the USTR determines appropriate.

(4) The Secretary of Agriculture is authorized to exercise my authority to make determinations under section 405(a) of the URAA and to publish those determinations in the **Federal Register**.

(5) Effective January 1, 1995, in order to clarify that the additional duty provided for in subheadings 9903.23.00 through 9903.23.35, inclusive, of the HTS shall apply to new member states of the European Community, the superior text to those subheadings is modified as provided in the Annex to this proclamation. The USTR is authorized to alter the application of the increased duties imposed by Presidential Proclamation No. 5759, as modified herein, by further modifying the superior text to those subheadings so that it reflects accurately all member states of the European Community or any successor organization. Notice of any such modification shall be published in the **Federal Register**.

(6) Whenever the rate of duty in the general subcolumn of rates of duty column 1 of the HTS is reduced to "Free", all rates of duty set forth in the special subcolumn of column 1 shall be deleted from the HTS.

(7) The USTR, the Secretary of Agriculture, and the Secretary of the Treasury are authorized to exercise my authority under the statutes cited in this proclamation to perform certain functions to implement this proclamation, as assigned to them in the Annex to this proclamation.

(8) Paragraphs (1)–(4), (6), and (7) shall be effective on January 1, 1995, unless the USTR announces prior to that date that the WTO Agreement will not enter into force on that date.

(9) All 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.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of December, in the year of our Lord nineteen hundred and ninety-four, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Annex

Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1995 (except as otherwise noted in this section).

(1). General note 1 to the HTS is modified by (a) inserting after "Goods" in the note title the phrase "and of Vessel Equipments, Parts and Repairs", (b) by inserting after "thereof" the phrase ", and all vessel equipments, parts, materials and repairs covered by the provisions of subchapter XVIII to chapter 98 of this schedule,", and (c) by deleting "general notes 3 through 13, inclusive." and by inserting "general notes 3 through 14, inclusive, and general note 16." in lieu thereof.

(2). General note 3(c) is modified by:

(a). in subdivision (i) inserting immediately after "Andean Trade Preferences Act" and at the same level of indentation, the following:

"Agreement on Trade in Pharmaceutical Products..... K
Uruguay Round Concessions on Intermediate Chemicals for Dyes..... L"

(b). in subdivision (ii) deleting "general notes 4 through 12" and by inserting "general notes 4 through 14" in lieu thereof and by deleting "provisions of subchapters I and II" and by inserting "provisions of subchapters I, II and VII" in lieu thereof.

(c). in subdivision (iii) deleting "general notes 4 through 12" and by inserting "general notes 4 through 14" in lieu thereof.

(3). General note 4 is modified by:

(a). in subdivision (a) the list of non-independent countries and territories is modified by deleting "Trust Territory of the Pacific Islands (Palau)" from such list.

Section A. (continued)

(3). (con.):

(b). in subdivision (c) inserting after the end of the first sentence of text the following provisions, with the remaining existing text of such subdivision to appear at the same level of indentation as such first sentence of text:

"The following articles may not be designated as an eligible article for purposes of the GSP:

(i) textile and apparel articles which are subject to textile agreements;
(ii) watches, except as determined by the President pursuant to section 503(c)(1)(B) of the Trade Act of 1974, as amended;
(iii) import-sensitive electronic articles;
(iv) import-sensitive steel articles;
(v) footwear, handbags, luggage, flat goods, work gloves and leather wearing apparel, the foregoing which were not eligible articles for purposes of the GSP on April 1, 1984;
(vi) import-sensitive semimanufactured and manufactured glass products;
(vii) any agricultural product of chapters 2 through 52, inclusive, that is subject to a tariff-rate quota, if entered in a quantity in excess of the in-quota quantity for such product; and
(viii) any other articles which the President determines to be import-sensitive in the context of the GSP."

(c). in subdivision (d) deleting the following provisions and the countries set out opposite them:

1515.30.40 India	2936.27.00 India	2941.40.00 India	3004.50.50 India
2907.15.30 India	2936.28.00 India	2941.50.00 India	3005.10.10 India
2908.20.08 India	2936.90.00 India	2941.90.10 India	3005.10.50 India
2909.49.05 India	2937.10.00 India	2941.90.50 India	3005.90.10 India
2914.61.00 India	2937.21.00 India	3001.10.00 India	3005.90.50 India
2918.12.00 India	2937.22.00 India	3001.20.00 India	3006.10.00 India
2918.13.10 India	2937.29.00 India	3002.90.10 India	3006.40.00 India
2918.13.20 India	2937.91.00 India	3003.31.00 India	3006.50.00 India
2918.13.30 India	2937.92.10 India	3003.39.10 India	3006.60.00 India
2918.17.10 India	2939.10.50 India	3003.40.00 India	3407.00.20 India
2935.00.30 India	2939.30.00 India	3003.90.00 India	3811.11.10 India
2935.00.33 India	2939.50.00 India	3004.10.10 India	3811.11.50 India
2936.10.00 India	2939.60.00 India	3004.20.00 India	4104.10.20 Argentina
2936.21.00 India	2939.70.00 India	3004.31.00 India	4104.10.40 Brazil;
2936.22.00 India	2939.90.10 India	3004.32.00 India	India
2936.24.00 India	2939.90.50 India	3004.39.00 India	
2936.25.00 India	2941.10.20 India	3004.40.00 India	
2936.26.00 India	2941.30.00 India	3004.50.30 India	

(4). General note 6 is modified by deleting "imported article has been imported for use in civil aircraft" and inserting "imported article is a civil aircraft or has been imported for use in civil aircraft" in lieu thereof and by deleting "that the article has been approved" and inserting "that such article has been approved" in lieu thereof.

(5). General note 7(d) is modified by:

(a). in subdivisions (i) and (ii) deleting "1702.90.31, 1806.10.41, 1806.10.42, and 2106.90.11" and inserting "1702.90.20 and 2106.90.44" in lieu thereof; and

Section A. (continued)

(5). (con.):
(b). deleting "or" at the end of subdivision (ii), by deleting the period at the end of subdivision (iii) and inserting "; or" in lieu thereof, and by adding in numerical sequence the following new subdivision (iv):

"(iv) any agricultural product of chapters 2 through 52, inclusive, that is subject to a tariff-rate quota, if entered in a quantity in excess of the in-quota quantity for such product."

(6). General note 10(d) is modified by deleting "and" at the end of subdivision (iv), by deleting the period and inserting "; and" at the end of subdivision (v), and by adding in numerical sequence the following new subdivision (vi):

"(vi) any agricultural product of chapters 2 through 52, inclusive, that is subject to a tariff-rate quota, if entered in a quantity in excess of the in-quota quantity for such product."

(7). General note 11(d) is modified by:
(a). in subdivision (vii) deleting "1701.11.03, 1701.12.02, 1701.99.02, 1702.90.32, 1806.10.42, and 2106.90.12" and inserting "1701.11.50. 1701.12.50, 1701.99.50, 1702.90.20, and 2106.90.46" in lieu thereof; and
(b). deleting "or" at the end of subdivision (vii), by inserting "or" at the end of subdivision (viii), and by adding in numerical sequence the following new subdivision (ix):

"(ix) any agricultural product of chapters 2 through 52, inclusive, that is subject to a tariff-rate quota, if entered in a quantity in excess of the in-quota quantity for such product."

(8). General note 12 is modified by:
(a). in subdivisions (f)(iii)(A) and (f)(iii)(B) deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof wherever it appears.

(b). in subdivision (f)(iii)(B) deleting "1901.10.10, 1901.20.10," and inserting "1901.10.15, 1901.10.30, 1901.10.35, 1901.10.40, 1901.10.45, 1901.20.05, 1901.20.15, 1901.20.20, 1901.20.25, 1901.20.30, 1901.20.35, 1901.20.40," in lieu thereof, deleting "2106.90.05, 2106.90.13, 2106.90.41, 2106.90.51, 2106.90.61" and inserting "2106.90.03, 2106.90.06, 2106.90.09, 2106.90.22, 2106.90.24, 2106.90.26, 2106.90.28, 2106.90.62, 2106.90.64, 2106.90.66, 2106.90.68, 2106.90.72, 2106.90.74, 2106.90.76, 2106.90.78, 2106.90.80, 2106.90.82" in lieu thereof and deleting "2202.90.20 or 2309.90.31" and inserting "2202.90.22, 2202.90.24, 2202.90.28, 2309.90.22, 2309.90.24 or 2309.90.28" in lieu thereof.

(c). in subdivision (f)(iii)(C) deleting "2106.90.16, 2106.90.17" and inserting "2106.90.48, 2106.90.52" in lieu thereof.

(d). in subdivision (f)(iv) deleting "2106.90.18" and inserting "2106.90.54" in lieu thereof.

Section A. (continued)

(8). (con.):

(e). in subdivision (r)(v)(A) deleting "1901.10.10, 1901.20.10, 1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.10.05, 1901.10.15, 1901.10.30, 1901.10.35, 1901.10.40, 1901.10.45, 1901.20.02, 1901.20.05, 1901.20.15, 1901.20.20, 1901.20.25, 1901.20.30, 1901.20.35, 1901.20.40, 1901.90.42 or 1901.90.44" in lieu thereof, deleting "2106.90.05, 2106.90.13, 2106.90.16, 2106.90.17, 2106.90.18, 2106.90.41, 2106.90.51, 2106.90.61" and inserting "2106.90.03, 2106.90.06, 2106.90.09, 2106.90.22, 2106.90.24, 2106.90.26, 2106.90.28, 2106.90.48, 2106.90.52, 2106.90.54, 2106.90.62, 2106.90.64, 2106.90.66, 2106.90.68, 2106.90.72, 2106.90.74, 2106.90.76, 2106.90.78, 2106.90.80, 2106.90.82" in lieu thereof, and deleting "2202.90.20" and inserting "2202.90.22, 2202.90.24, 2202.90.28" in lieu thereof and deleting "2309.90.31" and inserting "2309.90.22, 2309.90.24, 2309.90.28" in lieu thereof.

(f). in subdivision (s)(i)(C) deleting "1806.10.42 or 2106.90.12" and inserting "1806.10.43, 1806.10.45, 1806.10.55, 1806.10.65, 1806.10.75 or 2106.90.46" in lieu thereof.

(g). in subdivision (t):

(i) for chapter 4's tariff classification rule, deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof;

(ii) for chapter 18 tariff classification rule 2, deleting "1806.10.41 or 1806.10.42" and inserting "1806.10.45, 1806.10.55, 1806.10.65 or 1806.10.75" in lieu thereof;

(iii) for chapter 19:

(A) tariff classification rule 1, deleting "item 1901.10.10" and inserting "items 1901.10.15, 1901.10.30, 1901.10.35, 1901.10.40 or 1901.10.45" in lieu thereof;

(B) tariff classification rule 3, deleting "item 1901.20.10" and inserting "items 1901.20.05, 1901.20.15, 1901.20.20, 1901.20.25, 1901.20.30, 1901.20.35 or 1901.20.40" in lieu thereof;

(C) tariff classification rule 5, deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof;

(iv) for chapter 20 tariff classification rule 2, deleting "item 2008.11.20" and inserting "items 2008.11.25 or 2008.11.35" in lieu thereof;

(v) for chapter 21:

(A) tariff classification rules 9 and 12, deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof;

(B) tariff classification rule 10, deleting "2106.90.16 or 2106.90.17" and inserting "2106.90.46 or 2106.90.52" in lieu thereof;

Section A. (continued)

(8). (con.):
(g). in subdivision (t) (con.):
(v) for chapter 21 (con.):
(C) tariff classification rule 11(A) and 11(B), deleting "2106.90.18" and inserting "2106.90.54" in lieu thereof;
(D) tariff classification rule 12, deleting "2106.90.05, 2106.90.13, 2106.90.41, 2106.90.51 or 2106.90.61" and inserting "2106.90.03, 2106.90.06, 2106.90.09, 2106.90.22, 2106.90.24, 2106.90.26, 2106.90.28, 2106.90.62, 2106.90.64, 2106.90.66, 2106.90.68, 2106.90.72, 2106.90.74, 2106.90.76, 2106.90.78, 2106.90.80 or 2106.90.82" in lieu thereof;
(vi) for chapter 22:
(A) tariff classification rule 3, deleting "2106.90.16 or 2106.90.17" and inserting "2106.90.46 or 2106.90.52" in lieu thereof;
(B) tariff classification rule 4(A) and 4(B), deleting "2106.90.18" and inserting "2106.90.54" in lieu thereof;
(C) tariff classification rule 5, deleting "or 2202.90.20" and inserting ", 2202.90.24 or 2202.90.28" in lieu thereof and deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof;
(vii) for chapter 23 tariff classification rule 3, deleting "item 2309.90.31" and inserting "items 2309.90.24 or 2309.90.28" in lieu thereof and deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.42 or 1901.90.44" in lieu thereof;
(viii) for chapter 42 tariff classification rules 3, 5, 7 and 9, deleting "5907.00.20" and inserting "5907.00.05, 5907.00.15" in lieu thereof;
(ix) for chapter 61:
(A) tariff classification rule 6, deleting "item 6103.19.40" and inserting "items 6103.19.60 or 6103.19.90" in lieu thereof;
(B) tariff classification rule 10, deleting "item 6103.39.20" and inserting "items 6103.39.40 or 6103.39.80" in lieu thereof;
(C) tariff classification rule 14, deleting "item 6104.19.20" and inserting "items 6104.19.40 or 6104.19.80" in lieu thereof;
(D) tariff classification rule 22, deleting "item 6104.59.20" and inserting "items 6104.59.40 or 6104.59.80" in lieu thereof;
(x) for chapter 62:
(A) tariff classification rule 10, deleting "item 6203.19.40" and inserting "items 6203.19.50 or 6203.19.90" in lieu thereof;
(B) tariff classification rule 14, deleting "item 6203.39.40" and inserting "items 6203.39.50 or 6203.39.90" in lieu thereof;
(C) tariff classification rule 18, deleting "item 6204.19.30" and inserting "items 6204.19.40 or 6204.19.80" in lieu thereof;
(xi) for chapter 85:
(A) tariff classification rules 1(A) and (B), deleting "or 8503.00.55" and inserting ", 8503.00.45 or 8503.00.65" in lieu thereof;

Section A. (continued)

(8). (con.):
(g). in subdivision (t) (con.):
(xi) for chapter 85 (con.):
(B) tariff classification rule 84, deleting "8528.10.14 or 8528.10.18" and inserting "8528.10.11, 8528.10.13, 8528.10.17 or 8528.10.19" in lieu thereof;
(C) tariff classification rule 86, deleting "8529.10.38" and inserting "8528.10.38" in lieu thereof;
(D) tariff classification rules 87(A) and (B), deleting "8540.11.40" and inserting "8540.11.44, 8540.11.48" in lieu thereof;
(E) tariff classification rules 88(A) and (B), deleting "8540.12.10, 8540.12.50" and inserting "8540.12.20, 8540.12.70" in lieu thereof;
(F) tariff classification rule 89, deleting "8528.10.64 or 8528.10.68" and inserting "8528.10.61, 8528.10.63, 8528.10.67 or 8528.10.69" in lieu thereof;
(G) tariff classification rules 100(A) and (B), deleting "8529.90.79" and inserting "8529.90.78, 8529.90.81" in lieu thereof;
(H) tariff classification rule 126, deleting "item 8540.11.20" and inserting "items 8540.11.24 or 8540.11.28" in lieu thereof;
(I) tariff classification rule 128, deleting "item 8540.11.40" and inserting "items 8540.11.44 or 8540.11.48" in lieu thereof;
(xii) for chapter 90:
(A) chapter rule 3, deleting "item 9009.90.40 covers" and inserting "items 9009.90.10 and 9009.90.30 cover" in lieu thereof;
(B) tariff classification rule 23, deleting "item 9009.90.40 from tariff item 9009.90.80" and inserting "items 9009.90.10 or 9009.90.30 from tariff items 9009.90.50 or 9009.90.70" in lieu thereof, and deleting "chapter note" and inserting "chapter rule" in lieu thereof.

(9). The general notes are modified by renumbering general notes 13, 14, 15, 16, 17 and 18 as general notes 16, 17, 18, 19, 20 and 21, respectively, and inserting new general notes 13, 14 and 15 as follows:

"13. Pharmaceutical products. Whenever a rate of duty of "Free" followed by the symbol "K" in parentheses appears in the "Special" subcolumn for a heading or subheading, any product (by whatever name known) classifiable in such provision (and not dutiable under column 2) shall be entered free of duty, provided that such product is included in the pharmaceutical appendix to the tariff schedule. Products in the pharmaceutical appendix include the salts, esters and hydrates of the International Non-proprietary Name (INN) products enumerated in table 1 of the appendix that contain in their names any of the prefixes or suffixes listed in table 2 of the appendix, provided that any such salt, ester or hydrate is classifiable in the same 6-digit tariff provision as the relevant product enumerated in table 1.

Section A. (continued)

(9). (con.):

14. Intermediate chemicals for dyes. Whenever a rate of duty of "Free" followed by the symbol "L" in parentheses appears in the "Special" subcolumn for a heading or subheading, any product classifiable in such provision (and not dutiable under column 2) shall be entered free of duty, provided that such product is listed in the intermediate chemicals for dyes appendix to the tariff schedule.

15. Whenever any agricultural product of chapters 2 through 52, inclusive, is of a type (i) subject to a tariff-rate quota and (ii) subject to the provisions of subchapter IV of chapter 99, entries of such products described in this note shall not be counted against the quantity specified as the in-quota quantity for any such product in such chapters:
(a) such products imported by or for the account of any agency of the U.S. Government;
(b) such products imported for the personal use of the importer, provided that the net quantity of such product in any one shipment does not exceed 5 kilograms;
(c) such products, which will not enter the commerce of the United States, imported as samples for taking orders, for exhibition, display or sampling at a trade fair, for research, for use by embassies of foreign governments or for testing of equipment, provided that written approval of the Secretary of Agriculture or his designated representative (USDA) is presented at the time of entry;
(d) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, provided that, subject to the approval of the Foreign Trade Zones Board, such syrups are manufactured in and entered from a U.S. foreign trade zone by a foreign trade zone user whose facilities were in operation on June 1, 1990, to the extent that the annual quantity entered into the customs territory from such zone does not contain a quantity of sugar of nondomestic origin greater than that authorized by the Foreign Trade Zones Board for processing in the zones during calendar year 1985; and
(e) cotton entered under the provisions of U.S note 6 to subchapter III of chapter 99 and subheadings 9903.52.00 through 9903.52.20, inclusive.

In applying to USDA for approval under subdivision (c) of this note, the importer must identify the product, quantity and intended use of the goods for which exemption is sought. USDA may seek additional information and specify such conditions of entry as it deems necessary to ensure that the product will not enter the commerce of the United States.

The Secretary of the Agriculture shall carry out the provisions of this note in consultation with the United States Trade Representative."

(10). The additional U.S. notes to chapter 2 are modified by inserting the following additional U.S. note 3 in numerical sequence:

"3. The aggregate quantity of beef, entered under subheadings 0201.10.10, 0201.20.10, 0201.20.30, 0201.20.50, 0201.30.10, 0201.30.30, 0201.30.50, 0202.10.10, 0202.20.10, 0202.20.30, 0202.20.50, 0202.30.10, 0202.30.30 and 0202.30.50 in any calendar year shall not exceed the quantities specified in this note.

	Quantity (metric ton)
Canada	No limit
Mexico	No limit
Australia	378,214
New Zealand	213,402
Japan	200
Other countries or areas	64,805

Imports under these provisions are subject to regulations issued by the United States Trade Representative."

Annex (con.)
-8-

Section A. (continued)

(11)(a). Subheadings 0201.10.00, 0201.20.20, 0201.20.40, 0201.20.60, 0201.30.20, 0201.30.40 and 0201.30.60 and the superior text immediately preceding subheading 0201.20.20 and immediately preceding subheading 0201.30.20 are superseded and the following provisions inserted in numerical sequence:

	[Meat of bovine animals, fresh or chilled:]			
"0201.10	Carcasses and half-carcasses:			
0201.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0201.10.10	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0201.10.50	Other.....	[See section D to this Annex]	Free (MX)	31.1%"
	[Other cuts with bone in:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
	Processed:			
0201.20.02	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0201.20.04	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0201.20.06	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions:			
	Processed:			
0201.20.10	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0201.20.30	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0201.20.50	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0201.20.80	Other.....	[See section D to this Annex]	Free (MX)	31.1%"

Section A. (continued)

(11)(a). (con.):

	[Meat of bovine animals, fresh or chilled:]			
	[Boneless:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
	Processed:			
0201.30.02	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0201.30.04	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0201.30.06	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions:			
	Processed:			
0201.30.10	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0201.30.30	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0201.30.50	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0201.30.80	Other.....	[See section D to this Annex]	Free (MX)	31.1%"

(b). Conforming change: The article description for subheading 9903.23.00 is modified by deleting "0201.30.60 or 0202.30.60" and inserting "0201.30.06, 0201.30.50, 0202.30.06 or 0202.30.50" in lieu thereof.

(12). Subheadings 0202.10.00, 0202.20.20, 0202.20.40, 0202.20.60, 0202.30.20, 0202.30.40 and 0202.30.60 and the superior text immediately preceding subheading 0202.20.20 and immediately preceding 0202.30.20 are superseded and the following provisions inserted in numerical sequence:

	[Meat of bovine animals, frozen:]			
"0202.10	Carcasses and half-carcasses:			
0202.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0202.10.10	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0202.10.50	Other.....	[See section D to this Annex]	Free (MX)	31.1%"

Section A. (continued)

(12). (con.):

	[Meat of bovine animals, frozen:]			
	[Other cuts with bone in:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
	Processed:			
0202.20.02	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0202.20.04	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0202.20.06	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions:			
	Processed:			
0202.20.10	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0202.20.30	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0202.20.50	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0202.20.80	Other.....	[See section D to this Annex]	Free (MX)	31.1%*
	[Boneless:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
	Processed:			
0202.30.02	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0202.30.04	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0202.30.06	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions:			
	Processed:			
0202.30.10	High-quality beef cuts.....	4%	Free (CA,E*,IL,J, MX)	20%
0202.30.30	Other.....	10%	Free (CA,E*,IL,J, MX)	20%
0202.30.50	Other.....	4.4¢/kg	Free (CA,E*,IL,J, MX)	13.2¢/kg
0202.30.80	Other.....	[See section D to this Annex]	Free (MX)	31.1%*

Section A. (continued)

(13). The additional U.S. notes to chapter 4 are modified by deleting additional U.S. notes 1, 2, 3 and 4 and by inserting the following additional U.S. notes in lieu thereof:

"1. For the purposes of this schedule, the term "dairy products described in additional U.S. note 1 to chapter 4" means any of the following goods: malted milk, and articles of milk or cream (except (a) white chocolate and (b) inedible dried milk powders certified to be used for calibrating infrared milk analyzers); articles containing over 5.5 percent by weight of butterfat which are suitable for use as ingredients in the commercial production of edible articles; or, dried milk, whey and buttermilk (of the type provided for in subheadings 0402.10, 0402.21, 0403.90 or 0404.10) which contains not over 5.5 percent by weight of butterfat and which is mixed with other ingredients, including but not limited to sugar, if such mixtures contain over 16 percent milk solids by weight, are capable of being further processed or mixed with similar or other ingredients and are not prepared for marketing to the ultimate consumer in the identical form and package in which imported.

2. For the purposes of this schedule, the term "EC 12" means the product of Belgium, Denmark, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, or the United Kingdom.

3. For the purposes of this chapter, the term "soft ripened cow's milk cheese" means cheese which:
   (a) Has a prominent crust formed on the exterior surface as a result of curing or ripening by biological curing agents such as molds, yeasts or other microorganisms;
   (b) Visibly cures or ripens from the surface toward the center;
   (c) Has a fat content by weight (on a moisture-free basis) of not less than 50 percent; and
   (d) Has a moisture content (calculated by weight of the non-fatty matter) of not less than 65 percent, but does not include cheese with mold distributed throughout its interior.

4. For the purposes of this chapter, unless the context otherwise requires--
   (a) the term "capable of being processed or mixed with similar or other ingredients" means that the imported product is in such condition or container as to be subject to any additional preparation, treatment or manufacture or be blended or combined with any additional ingredient, including water or any other liquid, other than processing or mixing with other ingredients performed by the ultimate consumer prior to consumption of the product;
   (b) the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labelling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging; and
   (c) the term "ultimate consumer" does not include institutions such as hospitals, prisons and military establishments or food service establishments such as restaurants, hotels, bars or bakeries.

5. The aggregate quantity of milk and cream, fluid or frozen, fresh or sour, containing over 6 percent but not over 45 percent by weight of butterfat, the foregoing goods entered under subheadings 0401.30.05 and 0403.90.04 in any calendar year shall not exceed 5,727,940 liters (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

   Of the quantitative limitations provided for in this note, New Zealand shall have access to a quantity of not less than 5,678,117 liters.

6. The aggregate quantity of butter, and fresh or sour cream containing over 45 percent by weight of butterfat, the foregoing goods entered under subheadings 0401.30.50, 0403.90.74 and 0405.00.20 in any calendar year shall not exceed 3,977,000 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

   Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

Section A. (continued)

(13). (con.):

7. The aggregate quantity of dried milk, whether or not containing added sugar or other sweetening matter, entered under subheadings 0402.10.10 and 0402.21.05 in any calendar year shall not exceed 1,261,000 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

   Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

8. The aggregate quantity of dried milk and dried cream, whether or not containing added sugar or other sweetening matter, the foregoing goods entered under subheadings 0402.21.30 and 0403.90.51 in any calendar year shall not exceed 371,300 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

   Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

9. The aggregate quantity of dried milk and dried cream, whether or not containing added sugar or other sweetening matter, the foregoing goods entered under subheadings 0402.21.75 and 0403.90.61 in any calendar year shall not exceed 99,500 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

10. The aggregate quantity of dairy products described in additional U.S. note 1 to chapter 4, entered under subheadings 0402.29.10, 0402.99.70, 0403.10.10, 0403.90.90, 0404.10.11, 0404.90.30, 1517.90.50, 1704.90.54, 1806.20.81, 1806.32.60, 1806.90.05, 1901.10.35, 1901.10.80, 1901.20.05, 1901.20.45, 1901.90.42, 1901.90.46, 2105.00.30, 2106.90.06, 2106.90.64, 2106.90.85 and 2202.90.24 in any calendar year shall not exceed 1,905,000 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

    Of the quantitative limitations provided for in this note, Australia shall have access to a quantity of not less than 1,016,046 kilograms, and Belgium and Denmark (aggregated) shall have access to a quantity of not less than 154,221 kilograms.

Section A. (continued)

(13). (con.):

11. The aggregate quantity of milk and cream, condensed or evaporated, the foregoing goods entered under subheadings 0402.91.10, 0402.91.30, 0402.99.10 and 0402.99.30 in any calendar year shall not exceed 2,857,300 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Australia:	
condensed, in airtight containers	91,625
Canada:	
evaporated, in airtight containers	31,751
condensed, in airtight containers	994,274
other condensed	2,267
Denmark:	
evaporated, in airtight containers	4,989
condensed, in airtight containers	605,092
Germany:	
evaporated, in airtight containers	9,979
Netherlands:	
evaporated, in airtight containers	548,393
condensed, in airtight containers	153,314

12. The aggregate quantity of dried milk, dried cream and dried whey, the foregoing whether or not containing added sugar or other sweetening matter and entered under subheadings 0403.90.41 and 0404.10.50 in any calendar year shall not exceed 296,000 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports under these provisions not in excess of 224,981 kilograms in any calendar year require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

13. For purposes of subheading 0404.90.10, the term "milk protein concentrate" means any complete milk protein (casein plus lactalbumin) concentrate that is 40 percent or more protein by weight.

14. The aggregate quantity of butter substitutes containing over 45 percent by weight of butterfat, entered under subheadings 0405.00.60, 2106.90.24 and 2106.90.34 and butter oil however provided for in this schedule in any calendar year shall not exceed 3,480,500 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

15. No allowance in weight shall be made for inedible, not readily removable, protective coverings of cheese.

Section A. (continued)

(13). (con.):

16. The aggregate quantity of cheeses and substitutes for cheese (except (i) cheese not containing cow's milk; (ii) soft ripened cow's milk cheese; (iii) cheese (except cottage cheese) containing 0.5 percent or less by weight of butterfat; and, (iv) articles within the scope of other import quotas provided for in additional U.S. notes 17 through 25, inclusive, to this chapter), the foregoing goods entered under subheadings 0406.10.04, 0406.10.84, 0406.20.89, 0406.30.89 and 0406.90.95 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Argentina	100,000
Australia	1,591,667
Austria	741,000
Canada	1,141,000
Costa Rica	1,000,000
Czech Republic	200,000
EC 12	20,756,000
Finland	1,300,000
Iceland	323,000
Israel	673,000
New Zealand	11,322,000
Norway	150,000
Poland	1,236,224
Sweden	1,059,000
Switzerland	1,303,333
Slovak Republic	600,000
Uruguay	250,000
Other countries or areas	201,635
Any country	100,000

Of the quantitative limitations provided for in this note for the EC 12, Portugal shall have access to a quantity of not less than 353,000 kilograms; of the quantitative limitations provided for in this note for Israel, no more than 160,000 kilograms shall contain more than 3 percent by weight of butterfat.

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

17. The aggregate quantity of blue-mold cheese (except Stilton produced in the United Kingdom) and of cheese and substitutes for cheese containing, or processed from, blue-mold cheese, the foregoing goods entered under subheadings 0406.10.14, 0406.20.24, 0406.20.61, 0406.30.14, 0406.30.61, 0406.40.54, 0406.40.58 and 0406.90.72 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Argentina	2,000
Chile	13,333
Czech Republic	50,000
EC 12	2,529,000
Other countries or areas	1

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

Section A. (continued)

(13). (con.):

18. (a) The aggregate quantity of Cheddar cheese and of cheese and substitutes for cheese containing, or processed from, Cheddar cheese, the foregoing goods entered under subheadings 0406.10.24, 0406.20.31, 0406.20.65, 0406.30.24, 0406.30.65, 0406.90.08 and 0406.90.76 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Australia	1,408,333
Canada	833,417
Chile	36,667
Czech Republic	50,000
EC 12	429,667
New Zealand	3,950,000
Other countries or areas	139,889
Any country	100,000

(b) Except as provided in (c), imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

(c) No license shall be required under subheadings 0406.20.31 and 0406.90.08 for an aggregate quantity of up to 833,417 kilograms per quota year of natural Cheddar cheese, the product of Canada, which was made from unpasteurized milk and aged not less than 9 months, and which prior to exportation has been certified as meeting such requirements by an official of the Canadian government.

19. The aggregate quantity of American-type cheese, including Colby, washed curd and granular cheese (but not including Cheddar cheese), and of cheese and substitutes for cheese containing, or processed from, such American-type cheese, the foregoing goods entered under subheadings 0406.10.34, 0406.20.36, 0406.20.69, 0406.30.34, 0406.30.69, 0406.90.52 and 0406.90.82 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Australia	1,000,000
EC 12	270,667
New Zealand	2,000,000
Other countries or areas	168,556

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

Section A. (continued)

(13). (con.):

20. The aggregate quantity of Edam and Gouda cheeses and of cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese, the foregoing goods entered under subheadings 0406.10.44, 0406.20.44, 0406.20.73, 0406.30.44, 0406.30.73, 0406.90.16 and 0406.90.86 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Argentina	235,500
Austria	66,667
Czech Republic	100,000
EC 12	5,348,000
Norway	167,000
Sweden	41,000
Other countries or areas	25,402

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

21. The aggregate quantity of Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti and Sbrinz); and Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) and of cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves, the foregoing goods entered under subheadings 0406.10.54, 0406.20.51, 0406.20.77, 0406.30.77, 0406.90.31, 0406.90.36, 0406.90.41 and 0406.90.66 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quant.tative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Argentina	6,383,000
EC 12	3,498,667
Hungary	400,000
Poland	1,100,000
Romania	83,333
Uruguay	1,178,000
Other countries or areas	13,064

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

Section A. (continued)

(13). (con.):

22. The aggregate quantity of Swiss or Emmentaler cheese other than with eye formation, Gruyere-process cheese and of cheese and substitutes for cheese containing, or processed from, such cheeses, the foregoing goods entered under subheadings 0406.10.64, 0406.20.81, 0406.30.51, 0406.30.81 and 0406.90.90 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Austria	933,333
EC 12	3,675,000
Finland	1,000,000
Switzerland	1,850,000
Other countries or areas	79,833

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

23. The aggregate quantity of cheese, and substitutes for cheese, containing 0.5 percent or less by weight of butterfat (except articles within the scope of other import quotas provided for in additional U.S. notes 16 through 22, inclusive, or additional U.S. notes 24 and 25 to this chapter) and margarine cheese, the foregoing goods entered under subheadings 0406.10.74, 0406.20.85, 0406.30.85, 0406.90.93 and 1901.90.34 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
EC 12	4,000,000
New Zealand	1,000,000
Poland	174,907
Sweden	250,000
Israel	50,000
Other countries or areas	1

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

24. Stilton cheese, the product of the United Kingdom, the foregoing good entered under subheadings 0406.20.15, 0406.30.05, 0406.40.44 or 0406.40.48 during any calendar year shall not be subject to limits on the quantity of such cheese imported into the United States. Stilton cheese, other than the product of the United Kingdom, shall be classified as appropriate in the subheadings provided for in additional U.S. note 17 to this chapter and subject to the quantitative limitations of such additional U.S. note 17.

Section A. (continued)

(13). (con.):

25. The aggregate quantity of Swiss or Emmentaler cheese with eye formation, the foregoing goods entered under subheading 0406.90.46 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (kg)
Argentina	80,000
Australia	500,000
Austria	6,316,667
Canada	70,000
Czech Republic	400,000
EC 12	6,116,667
Finland	8,200,000
Hungary	400,000
Iceland	300,000
Israel	27,000
Norway	6,883,000
Sweden	300,000
Switzerland	3,463,333
Other countries or areas	85,276

Imports under these provisions require import licenses, in accordance with terms and conditions provided in regulations issued by the Secretary of Agriculture, subject to the approval of the United States Trade Representative (USTR). The regulations may provide for the reallocation among supplying countries or areas of unfilled quantities, subject to USTR approval.

26. The importation of eggs of wild birds is prohibited, except eggs of game birds imported for propagating purposes under regulations prescribed by the Secretary of the Interior and specimens imported for scientific collections."

Section A. (continued)

(14)(a). Subheadings 0401.30.10, 0401.30.30 and 0401.30.40 are superseded and the following provisions inserted in numerical sequence:

	[Milk and cream,...:]			
	[Of a fat content, by weight, exceeding 6 percent:]			
	[Of a fat content, by weight, not exceeding 45 percent:]			
"0401.30.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.2¢/liter	Free (E,IL,J,MX) 0.9¢/liter (CA)	15¢/liter
0401.30.05	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	3.2¢/liter	Free (E,IL,J) 0.9¢/liter (CA)	15¢/liter
0401.30.25	Other.....	[See section D to this Annex]	See 9906.04.01-9906.04.03 (MX)	90.8¢/liter
	Other:			
0401.30.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J,MX) 3.6¢/kg (CA)	31¢/kg
0401.30.50	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J) 3.6¢/kg (CA)	31¢/kg
0401.30.75	Other.....	[See section D to this Annex]	See 9906.04.04-9906.04.06 (MX)	$1.936/kg"

(b). Conforming changes:

(i) The superior text immediately preceding subheading 9906.04.01 is modified by deleting "0401.30.10 or 0401.30.30" and inserting "0401.30.25" in lieu thereof; and

(ii) The superior text immediately preceding subheading 9906.04.04 is modified by deleting "0401.30.40" and inserting "0401.30.75" in lieu thereof.

Annex (con.)
-20-

Section A. (continued)

(15)(a). Subheadings 0402.10.00, 0402.21.20, 0402.21.40, 0402.21.60, 0402.29.00, 0402.91.20, 0402.91.40, 0402.99.20, 0402.99.40 and 0402.99.60 are superseded and the following provisions inserted in numerical sequence:

	[Milk and cream, concentrated...:]				
"0402.10	In powder, granules or other solid forms, of a fat content, by weight, not exceeding 1.5 percent:				
0402.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	6.6¢/kg	
0402.10.10	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	6.6¢/kg	
0402.10.50	Other	[See section D to this Annex]	See 9906.04.07-9906.04.13 (MX)	$1.018/kg"	
	[In powder, granules or other solid forms, of a fat content, by weight, exceeding 1.5 percent:]				
	[Not containing added...:]				
	"Of a fat content, by weight, not exceeding 3 percent:				
0402.21.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	6.6¢/kg	
0402.21.05	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	6.6¢/kg	
0402.21.25	Other	[See section D to this Annex]	See 9906.04.14-9906.04.16 (MX)	$1.018/kg	
	Of a fat content, by weight, exceeding 3 percent but not exceeding 35 percent:				
0402.21.27	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	6.8¢/kg	Free (E,IL,J,MX) 2¢/kg (CA)	13.7¢/kg	
0402.21.30	Described in additional U.S. note 8 to this chapter and entered pursuant to its provisions	6.8¢/kg	Free (E,IL,J) 2¢/kg (CA)	13.7¢/kg	
0402.21.50	Other	[See section D to this Annex]	See 9906.04.17-9906.04.19 (MX)	$1.285/kg	

Section A. (continued)

(15)(a). (con.):

	[Milk and cream, concentrated...:]			
	[In powder, granules or other solid forms, of a fat content, by weight, exceeding 1.5 percent:]			
	[Not containing added...:]			
	Other:			
0402.21.73	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	13.7¢/kg	Free (E,IL,J,MX) 4.1¢/kg (CA)	27.3¢/kg
0402.21.75	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions...	13.7¢/kg	Free (E,IL,J) 4.1¢/kg (CA)	27.3¢/kg
0402.21.90	Other.....	[See section D to this Annex]	See 9906.04.20-9906.04.22 (MX)	$1.831/kg
0402.29	Other:			
0402.29.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	17.5%	Free (E,IL,J,MX) 5.2% (CA)	35%
0402.29.10	Described in additional U.S note 10 to this chapter and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
0402.29.50	Other.....	[See section D to this Annex]	See 9906.04.23-9906.04.25 (MX)	$1.299/kg + 17.5%*
	[Other:]			
	[Not containing added...:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
0402.91.03	In airtight containers.....	2.2¢/kg	Free (E,IL,J,MX) 0.6¢/kg (CA)	4¢/kg
0402.91.06	Other.....	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	5.6¢/kg
	Described in additional U.S. note 11 to this chapter and entered pursuant to its provisions:			
0402.91.10	In airtight containers.....	2.2¢/kg	Free (E,IL,J) 0.6¢/kg (CA)	4¢/kg
0402.91.30	Other.....	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	5.6¢/kg

Annex (con.)
-22-

Section A. (continued)

(15)(a). (con.):

	[Milk and cream, concentrated...:]			
	[Other:]			
	[Not containing added...:]			
	Other:			
0402.91.70	In airtight containers.....	[See section D to this Annex]	See 9906.04.26-9906.04.28 (MX)	36.8¢/kg
0402.91.90	Other.....	[See section D to this Annex]	See 9906.04.26-9906.04.28 (MX)	36.8¢/kg*
	[Other:]			
	[Condensed milk:]			
	*Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
0402.99.03	In airtight containers.....	3.9¢/kg	Free (E,IL,J,MX) 1.1¢/kg (CA)	6¢/kg
0402.99.06	Other.....	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	5.6¢/kg
	Described in additional U.S. note 11 to this chapter and entered pursuant to its provisions:			
0402.99.10	In airtight containers.....	3.9¢/kg	Free (E,IL,J) 1.1¢/kg (CA)	6¢/kg
0402.99.30	Other.....	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	5.6¢/kg
	Other:			
0402.99.45	In airtight containers.....	[See section D to this Annex]	See 9906.04.29-9906.04.31 (MX)	58.4¢/kg
0402.99.55	Other.....	[See section D to this Annex]	See 9906.04.29-9906.04.31 (MX)	58.4¢/kg

Section A. (continued)

(15)(a). (con.):

	[Milk and cream, concentrated...:]			
	[Other:]			
	[Other:]			
	Other:			
0402.99.68	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	17.5%	Free (E,IL,J,MX) 5.2% (CA)	35%
0402.99.70	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions...	17.5%	Free (E,IL,J) 5.2% (CA)	35%
0402.99.90	Other.....	[See section D to this Annex]	See 9906.04.29-9906.04.31 (MX)	54.5¢/kg + 17.5%"

(b). Conforming changes:

(i) The superior text preceding subheading 9906.04.07 which reads "Provided for in subheading 0402.10.00:" is modified by deleting "0402.10.00" and inserting "0402.10.50" in lieu thereof;

(ii) The superior text immediately preceding subheading 9906.04.14 is modified by deleting "0402.21.20" and inserting "0402.21.25" in lieu thereof;

(iii) The superior text immediately preceding subheading 9906.04.17 is modified by deleting "0402.21.40" and inserting "0402.21.50" in lieu thereof;

(iv) The superior text immediately preceding subheading 9906.04.20 is modified by deleting "0402.21.60" and inserting "0402.21.90" in lieu thereof;

(v) The superior text immediately preceding subheading 9906.04.23 is modified by deleting "0402.29.00" and inserting "0402.29.50" in lieu thereof;

(vi) The superior text immediately preceding subheading 9906.04.26 is modified by deleting "0402.91" and inserting "0402.91.70 or 0402.91.90" in lieu thereof; and

(vii) The superior text immediately preceding subheading 9906.04.29 is modified by deleting "0402.99" and inserting "0402.99.45, 0402.99.55 or 0402.99.90" in lieu thereof.

Section A. (continued)

(16)(a). Subheadings 0403.10.00, 0403.90.10, 0403.90.15, 0403.90.40, 0403.90.50, 0403.90.60, 0403.90.70, 0403.90.75 and 0403.90.80 and the superior text immediately preceding subheading 0403.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Buttermilk, curdled milk...:]			
"0403.10	Yogurt:			
	In dry form:			
0403.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	20%
0403.10.10	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	20%
0403.10.50	Other.....	[See section D to this Annex]	See 9906.04.32-9906.04.34 (MX)	$1.217/kg + 20%
0403.10.90	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 6% (CA)	20%"
	[Other:]			
	[Sour cream containing not over 45 percent by weight of butterfat; buttermilk:]			
	[Fluid:]			
	[Sour cream:]			
"0403.90.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.2¢/liter	Free (E,IL,J,MX) 0.9¢/liter (CA)	15¢/liter
0403.90.04	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	3.2¢/liter	Free (E,IL,J) 0.9¢/liter (CA)	15¢/liter
0403.90.16	Other.....	[See section D to this Annex]	See 9906.04.36-9906.04.38 (MX)	90.8¢/liter"

Section A. (continued)

(16)(a). (con.):

	[Buttermilk, curdled milk...:] [Other:] [Sour cream containing not over 45 percent by weight of butterfat; buttermilk:] [Dried:] "Containing not over 6 percent by weight of butterfat:			
0403.90.37	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	6.6¢/kg
0403.90.41	Described in additional U.S. note 12 to this chapter and entered pursuant to its provisions.....	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	6.6¢/kg
0403.90.45	Other.....	[See section D to this Annex]	See 9906.04.39-9906.04.41 (MX)	$1.03/kg
	Containing over 6 percent but not over 35 percent by weight of butterfat:			
0403.90.47	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6.8¢/kg	Free (E,IL,J,MX) 2¢/kg (CA)	13.7¢/kg
0403.90.51	Described in additional U.S. note 8 to this chapter and entered pursuant to its provisions.....	6.8¢/kg	Free (E,IL,J) 2¢/kg (CA)	13.7¢/kg
0403.90.55	Other.....	[See section D to this Annex]	See 9906.04.42-9906.04.44 (MX)	$1.285/kg

Section A. (continued)

(16)(a). (con.):

	[Buttermilk, curdled milk...:]				
	[Other:]				
	[Sour cream containing not over 45 percent by weight of butterfat; buttermilk:]				
	[Dried:]				
	Other:				
0403.90.57	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	13.7¢/kg	Free (E,IL,J,MX) 4.1¢/kg (CA)	27.3¢/kg	
0403.90.61	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	13.7¢/kg	Free (E,IL,J) 4.1¢/kg (CA)	27.3¢/kg	
0403.90.65	Other.....	[See section D to this Annex]	See 9906.04.45-9906.04.47 (MX)	$1.831/kg"	
	[Sour cream containing over 45 percent by weight of butterfat:]				
"0403.90.72	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J,MX) 3.6¢/kg (CA)	30.9¢/kg	
0403.90.74	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J) 3.6¢/kg (CA)	30.9¢/kg	
0403.90.78	Other.....	[See section D to this Annex]	See 9906.04.48-9906.04.50 (MX)	$1.936/kg	
	Other:				
0403.90.85	Fermented milk other than dried fermented milk or other than dried milk with added lactic ferments.....	[See section D to this Annex]	Free (E,IL,J,MX) 6% (CA)	20%	

Section A. (continued)

(16)(a). (con.):

	[Buttermilk, curdled milk...:]			
	[Other:]			
	Other (con.):			
	Other:			
0403.90.87	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	20%	Free (E,IL,J,MX) 6% (CA)	20%
0403.90.90	Described in additional U.S note 10 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	20%
0403.90.95	Other.....	[See section D to this Annex]	See 9906.04.51-9906.04.53 (MX)	$1.217/kg + 20%*

(b). Conforming changes:

(i) The superior text preceding subheading 9906.04.32 which reads "Provided for in subheading 0403.10.00:" is modified by deleting "0403.10.00" and inserting "0403.10.50" in lieu thereof;

(ii) Subheading 9906.04.35 is deleted;

(iii) The superior text immediately preceding subheading 9906.04.36 is modified by deleting "0403.90.10 or 0403.90.15" and inserting "0403.90.16" in lieu thereof;

(iv) The superior text immediately preceding subheading 9906.04.39 is modified by deleting "0403.90.40" and inserting "0403.90.45" in lieu thereof;

(v) The superior text immediately preceding subheading 9906.04.42 is modified by deleting "0403.90.50" and inserting "0403.90.55" in lieu thereof;

(vi) The superior text immediately preceding subheading 9906.04.45 is modified by deleting "0403.90.60" and inserting "0403.90.65" in lieu thereof;

(vii) The superior text immediately preceding subheading 9906.04.48 is modified by deleting "0403.90.70 or 0403.90.75" and inserting "0403.90.78" in lieu thereof; and

Section A. (continued)

(16)(b). (con.):

(viii) The superior text preceding subheading 9906.04.51 which reads "Provided for in subheading 0403.90.80:", the superior text immediately preceding subheading 9906.04.51, subheading 9906.04.51 and the superior text immediately following such subheading, and subheadings 9906.04.52, 9906.04.53 and 9906.04.54, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]		
	[Buttermilk, curdled milk...:]		
	"Provided for in subheading 0403.90.95:		
9906.04.51	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....		Free (MX)
	Other:		
9906.04.52	Valued not over $1.27/kg.....		84.6¢/kg (MX)
9906.04.53	Other.....		66.5% (MX)"

(17)(a). Subheadings 0404.10.07, 0404.10.09, 0404.10.40, 0404.90.20, 0404.90.45 and 0404.90.65 and the superior text immediately preceding subheading 0404.90.45 are superseded and the following provisions inserted in numerical sequence:

	[Whey, whether or not...:]				
	[Whey and modified whey,...:]				
	[Modified whey:]				
	[Other:]				
"0404.10.08	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	13%		Free (E,IL,J,MX) 3% (CA)	20%
0404.10.11	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions...	13%		Free (E,IL,J) 3% (CA)	20%
0404.10.15	Other.....	[See section D to this Annex]		See 9906.04.55-9906.04.59 (MX)	$1.217/kg + 10%"

Section A. (continued)

(17)(a). (con.):

	[Whey, whether or not...:]			
	[Whey and modified whey,...:]			
	[Other:]			
	"Dried:			
0404.10.48	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	3.3¢/kg	Free (E,IL,J,MX) 0.9¢/kg (CA)	6.6¢/kg
0404.10.50	Described in additional U.S. note 12 to this chapter and entered pursuant to its provisions...	3.3¢/kg	Free (E,IL,J) 0.9¢/kg (CA)	6.6¢/kg
0404.10.90	Other.....	[See section D to this Annex]	See 9906.04.60-9906.04.66 (MX)	$1.03¢/kg"
	[Other:]			
	"Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
0404.90.28	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	14.5%	Free (E,IL,J,MX) 3% (CA)	25%
0404.90.30	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions...	14.5%	Free (E,IL,J) 3% (CA)	25%
0404.90.50	Other.....	[See section D to this Annex]	See 9906.04.70-9906.04.72 (MX)	$1.399/kg + 10%
0404.90.70	Other.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) See 9906.04.73-9906.04.74 (MX)	20%"

(b). Conforming changes:

(i) U.S. note 7 to subchapter VI of chapter 99 is modified by deleting "9906.04.67" from such note;

(ii) The superior text preceding subheading 9906.04.55 which reads "Provided for in subheading 0404.10.07 or 0404.10.09:" is modified by deleting "0404.10.07 or 0404.10.09" and inserting "0404.10.15" in lieu thereof;

(iii) The article description for subheading 9906.04.58 is deleted and "Containing over 5.5 percent by weight of butterfat and not packaged for retail sale" inserted in lieu thereof;

(iv) The article description for subheading 9906.04.59 is deleted and "Other" inserted in lieu thereof;

Section A. (continued)

(17)(b). Conforming changes:

(v) The superior text preceding subheading 9906.04.60 which reads "Provided for in subheading 0404.10.40:" is modified by deleting "0404.10.40" and inserting "0404.10.90" in lieu thereof;

(vi) Subheading 9906.04.67 and the superior text immediately preceding subheading 9906.04.67, and subheadings 9906.04.68 and 9906.04.69 and the superior text immediately preceding subheading 9906.04.68, are all deleted; and

(vii) The superior text preceding subheading 9906.04.70 which reads "Provided for in subheading 0404.90.45 or 0404.90.65:", the superior text immediately preceding subheading 9906.04.70, subheading 9906.04.70 and the superior text immediately following such subheading, subheadings 9906.04.71 and 9906.04.72, the superior text immediately preceding subheading 9906.04.73, and subheadings 9906.04.73 and 9906.04.74, are all deleted and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Whey, whether or not...:]	
	"Provided for in subheading	
	0404.90.50:	
9906.04.70	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.04.71	Valued not over $1.28/kg.....	89.2¢/kg (MX)
9906.04.72	Other.....	69.6% (MX)
	Provided for in subheading	
	0404.90.70:	
9906.04.73	Containing over 5.5 percent by weight of butterfat and not packaged for retail sale.....	12.8% (MX)
9906.04.74	Other.....	Free (MX)"

(18)(a). Subheadings 0405.00.70, 0405.00.75 and 0405.00.80 are superseded and the following provisions inserted in numerical sequence:

	[Butter and other fats...:]			
	[Butter:]			
"0405.00.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J,MX) 3.6¢/kg (CA)	30.9¢/kg
0405.00.20	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions.....	12.3¢/kg	Free (E,IL,J) 3.6¢/kg (CA)	30.9¢/kg
0405.00.40	Other.....	[See section D to this Annex]	See 9906.04.75-9906.04.77 (MX)	$1.813/kg

Section A. (continued)

(18)(a). (con.):

	[Butter and other fats...:]			
	Other:			
0405.00.55	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	20%
0405.00.60	Described in additional U.S. note 14 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
0405.00.90	Other.....	[See section D to this Annex]	See 9906.04.78-9906.04.80 (MX)	$2.194/kg + 10%"

(b). Conforming changes:

(i) The superior text immediately preceding subheading 9906.04.75 is modified by deleting "0405.00.70 or 0405.00.75" and inserting "0405.00.40" in lieu thereof; and

(ii) The superior text immediately preceding subheading 9906.04.78 is modified by deleting "0405.00.80" and inserting "0405.00.90" in lieu thereof.

(19)(a). Subheadings 0406.10.10, 0406.10.50, 0406.20.20, 0406.20.30, 0406.20.35, 0406.20.40, 0406.20.50, 0406.20.60, 0406.30.10, 0406.30.20, 0406.30.30, 0406.30.40, 0406.30.50, 0406.30.60, 0406.40.60, 0406.40.80, 0406.90.10, 0406.90.15, 0406.90.30, 0406.90.35, 0406.90.40, 0406.90.45, 0406.90.65, 0406.90.70 and 0406.90.80 and the superior text immediately preceding subheading 0406.90.70 are superseded and the following provisions inserted in numerical sequence:

	[Cheese and curd:]			
	[Fresh (unripened or uncured)...:]			
	"Chongos:			
0406.10.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	35%
0406.10.04	Described in additional U.S. note 16 to this chapter and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	35%
0406.10.08	Other.....	[See section D to this Annex]	See 9906.04.81-9906.04.82 (MX)	$1.775/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Fresh (unripened or uncured)...:]			
	Other:			
0406.10.12	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	35%
	Other:			
	Blue-mold cheese and cheese and substitutes for cheese containing, or processed from, blue-mold cheese:			
0406.10.14	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.18	Other.....	[See section D to this Annex]	See 9906.04.83-9906.04.85 (MX)	$2.67/kg
	Cheddar cheese, and cheese and substitutes for cheese containing, or processed from, Cheddar cheese:			
0406.10.24	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.28	Other.....	[See section D to this Annex]	See 9906.04.86-9906.04.88 (MX)	$1.443/kg
	American-type cheese, including Colby, washed curd and granular cheese (but not including Cheddar cheese), and cheese and substitutes for cheese containing, or processed from, such American-type cheese:			
0406.10.34	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.38	Other.....	[See section D to this Annex]	See 9906.04.86-9906.04.88 (MX)	$1.241/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Fresh (unripened or uncured)...:] Other (con.): Other (con.): Edam and Gouda cheeses, and cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese:			
0406.10.44	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.48	Other.....	[See section D to this Annex]	See 9906.04.89-9906.04.94 (MX)	$2.121/kg
	Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti and Sbrinz); Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya), and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves:			
0406.10.54	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.58	Other.....	[See section D to this Annex]	See 9906.04.95-9906.05.00 (MX)	$2.525/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Fresh (unripened or uncured)...:]			
	Other (con.):			
	Other (con.):			
	Swiss or Emmentaler cheese other than with eye formation, Gruyere-process cheese and cheese and substitutes for cheese containing, or processed from, such cheeses:			
0406.10.64	Described in additional U.S. note 22 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.68	Other.....	[See section D to this Annex]	See 9906.05.01-9906.05.03 (MX)	$1.631/kg
	Other:			
	Cheese, and substitutes for cheese, containing 0.5 percent or less by weight of butterfat:			
0406.10.74	Described in additional U.S. note 23 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.78	Other.....	[See section D to this Annex]	See 9906.05.04-9906.05.06 (MX)	$1.328/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Fresh (unripened or uncured)...:]			
	Other (con.):			
	Other (con.):			
	Other (con:)			
	Other cheese and substitutes for cheese (except cheese not containing cow's milk, and soft ripened cow's milk cheese):			
0406.10.84	Described in additional U.S. note 16 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.10.88	Other.....	[See section D to this Annex]	See 9906.05.07-9906.05.09 (MX)	$1.775/kg
0406.10.95	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 3% (CA)	35%"
	[Grated or powdered...:]			
	[Blue-veined cheese:]			
"0406.20.15	Stilton cheese described in additional U.S. note 24 to this chapter and entered pursuant to its provisions.....	[See section D to this Annex]		35%
	Other:			
0406.20.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	20%	Free (E,IL,J,MX) 6% (CA)	35%
0406.20.24	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions...	20%	Free (E,IL,J) 6% (CA)	35%
0406.20.28	Other.....	[See section D to this Annex]	See 9906.05.11-9906.05.13 (MX)	$2.67/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Grated or powdered...:]			
	Cheddar cheese:			
0406.20.29	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	16%	Free (E,IL,J,MX) 4.8% (CA)	35%
0406.20.31	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	16%	Free (E,IL,J) 4.8% (CA)	35%
0406.20.33	Other.....	[See section D to this Annex]	See 9906.05.14-9906.05.16 (MX)	$1.443/kg
	Colby:			
0406.20.34	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	35%
0406.20.36	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	35%
0406.20.39	Other.....	[See section D to this Annex]	See 9906.05.14-9906.05.16 (MX)	$1.241/kg
	Edam and Gouda cheeses:			
0406.20.43	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15%	Free (E,IL,J,MX) 4.5% (CA)	35%
0406.20.44	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%
0406.20.48	Other.....	[See section D to this Annex]	See 9906.05.17-9906.05.22 (MX)	$2.121/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]				
	[Grated or powdered...:]				
	Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya cheeses:				
0406.20.49	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15%	Free (E,IL,J,MX) 4.5% (CA)	35%	
	Other:				
	Made from cow's milk:				
0406.20.51	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%	
0406.20.53	Other.....	[See section D to this Annex]	See 9906.05.23-9906.05.25 (MX)	$2.525/kg	
0406.20.54	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.5% (CA) 9% (MX)	35%"	
	[Other, including mixtures of the above:]				
"0406.20.56	Other, described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	35%	
	Other:				
0406.20.57	Containing, or processed from, Bryndza, Gjetost, Gammelost, Nokkelost or Roquefort cheeses.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 6% (MX)	35%	
	Containing, or processed from, blue-veined cheese (except Roquefort):				
0406.20.61	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%	
0406.20.63	Other.....	[See section D to this Annex]	See 9906.05.28-9906.05.30 (MX)	$2.67/kg	

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Grated or powdered...:] [Other, including mixtures of the above:] Other (con.): Containing, or processed from, Cheddar cheese:			
0406.20.65	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.67	Other.....	[See section D to this Annex]	See 9906.05.31-9906.05.33 (MX)	$1.443/kg
	Containing, or processed from, American-type cheese (including Colby, washed curd and granular cheese but not including Cheddar):			
0406.20.69	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.71	Other.....	[See section D to this Annex]	See 9906.05.31-9906.05.33 (MX)	$1.241/kg
	Containing, or processed from, Edam or Gouda cheese:			
0406.20.73	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.75	Other.....	[See section D to this Annex]	See 9906.05.34-9906.05.36 (MX)	$2.121/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Grated or powdered...:] [Other, including mixtures of the above:] Other (con.): Containing, or processed from, Italian-type cheeses (Romano, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) made from cow's milk:			
0406.20.77	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.79	Other.....	[See section D to this Annex]	See 9906.05.37-9906.05.39 (MX)	$2.525/kg
	Containing, or processed from, Swiss, Emmentaler, or Gruyere-process cheeses:			
0406.20.81	Described in additional U.S. note 22 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.83	Other.....	[See section D to this Annex]	See 9906.05.40-9906.05.42 (MX)	$1.631/kg
	Other: Containing 0.5 percent or less by weight of butterfat:			
0406.20.85	Described in additional U.S. note 23 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.87	Other.....	[See section D to this Annex]	See 9906.05.43-9906.05.45 (MX)	$1.328/kg

Annex (con.)
-40-

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Grated or powdered...:]			
	[Other, including mixtures of the above:]			
	Other (con.):			
	Other (con.):			
	Other:			
	Containing cow's milk:			
0406.20.89	Described in additional U.S. note 16 to this chapter and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	35%
0406.20.91	Other.....	[See section D to this Annex]	See 9906.05.46-9906.05.48 (MX)	$1.775/kg
0406.20.95	Other.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 6% (MX)	35%"
	[Processed (process)...:]			
	"Blue-veined cheese other than Roquefort cheese:			
0406.30.05	Stilton cheese described in additional U.S. note 24 to this chapter and entered pursuant to its provisions.....	[See section D to this Annex]		35%
	Other:			
0406.30.12	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	20%	Free (E,IL,J,MX) 6% (CA)	35%
0406.30.14	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions...	20%	Free (E,IL,J) 6% (CA)	35%
0406.30.18	Other.....	[See section D to this Annex]	See 9906.05.50-9906.05.52 (MX)	$2.67/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Processed (process)...:]			
	Cheddar cheese:			
0406.30.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	16%	Free (E,IL,J,MX) 4.8% (CA)	35%
0406.30.24	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	16%	Free (E,IL,J) 4.8% (CA)	35%
0406.30.28	Other.....	[See section D to this Annex]	See 9906.05.53-9906.05.55 (MX)	$1.443/kg
	Colby cheese:			
0406.30.32	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	35%
0406.30.34	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	35%
0406.30.38	Other.....	[See section D to this Annex]	See 9906.05.53-9906.05.55 (MX)	$1.241/kg
	Edam and Gouda cheeses:			
0406.30.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15%	Free (E,IL,J,MX) 4.5% (CA)	35%
0406.30.44	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%
0406.30.48	Other.....	[See section D to this Annex]	See 9906.05.56-9906.05.58 (MX)	$2.121/kg

Annex (con.)
-42-

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Processed (process)...:]			
	Gruyere-process cheese:			
0406.30.49	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6.4%	Free (E,IL,J,MX) 1.9% (CA)	35%
0406.30.51	Described in additional U.S. note 22 to this chapter and entered pursuant to its provisions.....	6.4%	Free (E,IL,J) 1.9% (CA)	35%
0406.30.53	Other.....	[See section D to this Annex]	See 9906.05.59-9906.05.61 (MX)	$1.631/kg"
	[Other, including mixtures of the above:]			
"0406.30.56	Other, described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	35%
	Other:			
0406.30.57	Containing, or processed from, Bryndza, Gjetost, Gammelost, Nokkelost or Roquefort cheeses.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 6% (MX)	35%
	Containing, or processed from, blue-veined cheese (except Roquefort):			
0406.30.61	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.63	Other.....	[See section D to this Annex]	See 9906.05.63-9906.05.65 (MX)	$2.67/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Processed (process)...:] [Other, including mixtures of the above:] Other (con): Containing, or processed from, Cheddar cheese:			
0406.30.65	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.67	Other.....	[See section D to this Annex]	See 9906.05.66-9906.05.68 (MX)	$1.443/kg
	Containing, or processed from, American-type cheese (including Colby, washed curd and granular cheese but not including Cheddar):			
0406.30.69	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.71	Other.....	[See section D to this Annex]	See 9906.05.66-9906.05.68 (MX)	$1.241/kg
	Containing, or processed from, Edam or Gouda cheese:			
0406.30.73	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.75	Other.....	[See section D to this Annex]	See 9906.05.69-9906.05.71 (MX)	$2.121/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Processed (process)...:] [Other, including mixtures of the above:] Other (con): Containing, or processed from, Italian-type cheeses (Romano, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya):			
0406.30.77	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.79	Other.....	[See section D to this Annex]	See 9906.05.72-9906.05.75 (MX)	$2.525/kg
	Containing, or processed from, Swiss, Emmentaler, or Gruyere-process cheeses:			
0406.30.81	Described in additional U.S. note 22 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.83	Other.....	[See section D to this Annex]	See 9906.05.76-9906.05.78 (MX)	$1.631/kg
	Other: Containing 0.5 percent or less by weight of butterfat:			
0406.30.85	Described in additional U.S. note 23 to this chapter and entered pursuant to its provisions..	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.87	Other.....	[See section D to this Annex]	See 9906.05.79-9906.05.81 (MX)	$1.328/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Processed (process)...:]			
	[Other, including mixtures of the above:]			
	Other (con.):			
	Other (con.):			
	Other:			
	Containing cow's milk:			
0406.30.89	Described in additional U.S. note 16 to this chapter and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	35%
0406.30.91	Other.....	[See section D to this Annex]	See 9906.05.82-9906.05.84 (MX)	$1.775/kg
0406.30.95	Other.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 6% (MX)	35%"
	[Blue-veined cheese:]			
	"Stilton cheese described in additional U.S. note 24 to this chapter and entered pursuant to its provisions:			
0406.40.44	In original loaves.....	[See section D to this Annex]		35%
0406.40.48	Other.....	[See section D to this Annex]		35%"
	[Other:]			
	"Described in general note 15 of the tariff schedule and entered pursuant to its provisions:			
0406.40.51	In original loaves.....	15%	Free (E,IL,J,MX) 4.5% (CA)	35%
0406.40.52	Other.....	20%	Free (E,IL,J,MX) 6% (CA)	35%

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Blue-veined cheese:]			
	[Other:]			
	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions:			
0406.40.54	In original loaves.....	15%	Free (E,IL,J) 4.5% (CA)	35%
0406.40.58	Other.....	20%	Free (E,IL,J) 6% (CA)	35%
0406.40.70	Other.....	[See section D to this Annex]	See 9906.05.86-9906.05.88 (MX)	$2.67/kg"
	[Other cheese:]			
	"Cheddar cheese:			
0406.90.06	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12%	Free (E,IL,J,MX) 3.6% (CA)	35%
0406.90.08	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	12%	Free (E,IL,J) 3.6% (CA)	35%
0406.90.12	Other.....	[See section D to this Annex]	See 9906.05.89-9906.05.91 (MX)	$1.443/kg
	Edam and Gouda cheeses:			
0406.90.14	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%
0406.90.16	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%
0406.90.18	Other.....	[See section D to this Annex]	See 9906.05.92-9906.05.94 (MX)	$2.121/kg
	Goya cheese:			
0406.90.28	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	25%	Free (E,IL,J,MX) 7.5% (CA)	35%

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]			
	[Other cheese:]			
	Goya cheese (con.):			
	Other:			
	Made from cow's milk and not in original loaves:			
0406.90.31	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	25%	Free (E,IL,J) 7.5% (CA)	35%
0406.90.32	Other.....	[See section D to this Annex]	See 9906.05.95- 9906.05.97 (MX)	$2.525/kg
0406.90.33	Other.....	[See section D to this Annex]	Free (E,IL,J) 7.5% (CA) 20% (MX)	35%
	$brinz cheese:			
0406.90.34	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	19%	Free (E,IL,J,MX) 5.7% (CA)	35%
	Other:			
	Made from cow's milk:			
0406.90.36	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	19%	Free (E,IL,J) 5.7% (CA)	35%
0406.90.37	Other.....	[See section D to this Annex]	See 9906.05.99- 9906.06.04 (MX)	$2.525/kg
0406.90.38	Other.....	[See section D to this Annex]	Free (E,IL,J) 5.7% (CA) See 9906.06.02- 9906.06.04 (MX)	35%

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:]				
	[Other cheese:]				
	Romano made from cow's milk, Reggiano, Parmesan, Provolone and Provoletti cheeses:				
0406.90.39	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15%	Free (E,IL,J,MX) 4.5% (CA)	35%	
	Other:				
	Made from cow's milk:				
0406.90.41	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	15%	Free (E,IL,J) 4.5% (CA)	35%	
0406.90.42	Other.....	[See section D to this Annex]	See 9906.06.05-9906.06.10 (MX)	$2.525/kg	
0406.90.43	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.5% (CA) 9% (MX)	35%	
	Swiss or Emmentaler cheese with eye formation:				
0406.90.44	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6.4%	Free (E,IL,J,MX) 1.9% (CA)	35%	
0406.90.46	Described in additional U.S. note 25 to this chapter and entered pursuant to its provisions.....	6.4%	Free (E,IL,J) 1.9% (CA)	35%	
0406.90.48	Other.....	[See section D to this Annex]	See 9906.06.12-9906.06.14 (MX)	$2.208/kg	
0406.90.49	Gammelost and Nokkelost cheeses.....	[See section D to this Annex]	Free (E,IL,J) 1.9% (CA) 5.1% (MX)	35%	

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Other cheese:] Colby cheese:			
0406.90.51	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	35%
0406.90.52	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	35%
0406.90.54	Other.....	[See section D to this Annex]	See 9906.06.16-9906.06.18 (MX)	$1.241/kg"
	[Other cheeses, and substitutes for cheese, including mixtures of the above:] "Other, described in general note 15 of the tariff schedule and entered pursuant to its provisions (including mixtures):			
0406.90.61	Containing Romano, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz or Goya, all the foregoing made from cow's milk.....	7.5%	Free (E,IL,J,MX) 2.2% (CA)	35%
0406.90.63	Other.....	10%	Free (E,IL,J,MX) 3% (CA)	35%
	Other, including mixtures of the above (excluding goods containing mixtures of subheadings 0406.90.61 or 0406.90.63): "Containing Romano, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz or Goya, all the foregoing made from cow's milk:			
0406.90.66	Described in additional U.S. note 21 to this chapter and entered pursuant to its provisions.....	7.5%	Free (E,IL,J) 2.2% (CA)	35%
0406.90.68	Other.....	[See section D to this Annex]	See 9906.06.19-9906.06.21 (MX)	$2.525/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Other cheese:] [Other cheeses, and substitutes for cheese, including mixtures of the above:] Other, including mixtures of the above (excluding goods containing mixtures of subheadings 0406.90.61 or 0406.90.63) (con.): Containing, or processed from, blue-veined cheese:			
0406.90.72	Described in additional U.S. note 17 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.74	Other.....	[See section D to this Annex]	See 9906.06.22-9906.06.24 (MX)	$2.67/kg
	Containing, or processed from, Cheddar cheese:			
0406.90.76	Described in additional U.S. note 18 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.78	Other.....	[See section D to this Annex]	See 9906.06.25-9906.06.27 (MX)	$1.443/kg
	Containing, or processed from, American-type cheese (including Colby, washed curd and granular cheese but not including Cheddar):			
0406.90.82	Described in additional U.S. note 19 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.84	Other.....	[See section D to this Annex]	See 9906.06.25-9906.06.27 (MX)	$1.241/kg

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Other cheese:] [Other cheeses, and substitutes for cheese, including mixtures of the above:] Other, including mixtures of the above (excluding goods containing mixtures of subheadings 0406.90.61 or 0406.90.63) (con.): Containing, or processed from, Edam or Gouda cheese:			
0406.90.86	Described in additional U.S. note 20 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.88	Other.....	[See section D to this Annex]	See 9906.06.28-9906.06.30 (MX)	$2.121/kg
	Containing, or processed from, Swiss, Emmentaler, or Gruyere-process cheeses:			
0406.90.90	Described in additional U.S. note 22 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.92	Other.....	[See section D to this Annex]	See 9906.06.31-9906.06.33 (MX)	$1.631/kg
	Other: Containing 0.5 percent or less by weight of butterfat:			
0406.90.93	Described in additional U.S. note 23 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.94	Other.....	[See section D to this Annex]	See 9906.06.34-9906.06.36 (MX)	$1.328/kg

Annex (con.)
-52-

Section A. (continued)

(19)(a). (con.):

	[Cheese and curd:] [Other cheese:] [Other cheeses, and substitutes for cheese, including mixtures of the above:] Other, including mixtures of the above (excluding goods containing mixtures of subheadings 0406.90.61 or 0406.90.63) (con.): Other (con.): Other: Containing cow's milk (except soft-ripened cow's milk cheese):			
0406.90.95	Described in additional U.S. note 16 to this chapter and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	35%
0406.90.97	Other.....	[See section D to this Annex]	See 9906.06.37-9906.06.39 (MX)	$1.775/kg
0406.90.99	Other.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 6% (MX)	35%"

(b). Conforming changes:

(i) Subheadings 0406.90.50, 0406.90.55 and 0406.90.60 are renumbered as 0406.90.56, 0406.90.57 and 0406.90.59, respectively;

(ii) The article description of subheading 9903.04.05 is modified by deleting "0406.40.60" and inserting "0406.40.44, 0406.40.54 or 0406.40.70" in lieu thereof;

(iii) The article description of subheading 9903.04.10 is modified by deleting "0406.20.20, 0406.30.10, or 0406.40.80" and inserting "0406.20.15, 0406.20.24, 0404.20.28, 0406.30.05, 0406.30.14, 0406.30.18, 0406.40.48, 0406.40.58 or 0406.40.70" in lieu thereof;

(iv) The article description of subheading 9903.04.15 is modified by deleting "0406.20.40, 0406.30.40, or 0406.90.15" and inserting "0406.20.44, 0406.20.48, 0406.30.44, 0406.30.48, 0406.90.16 or 0406.90.18" in lieu thereof;

Section A. (continued)

(19)(b). (con.):

(v) The article description of subheading 9903.04.20 is deleted and the following description "Cheeses and substitutes for cheeses, valued over 11.3¢ per kg, containing, or processed from, Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) (provided for in subheading 0406.20.77, 0406.20.79, 0406.30.77, 0406.30.79, 0406.90.66 or 0406.90.68)" inserted in lieu thereof;

(vi) The superior text immediately preceding subheading 9906.04.81 is modified by deleting "0406.10.10" and inserting "0406.10.08" in lieu thereof;

(vii) The superior text preceding subheading 9906.04.83 which reads "Provided for in subheading 0406.10.50:", subheadings 9906.04.83 through 9906.05.10, and any superior text to such subheadings, are all deleted and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	"Provided for in subheading 0406.10.18:	
9906.04.83	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.04.84	Valued not over $2.32/kg.....	$1.294/kg (MX)
9906.04.85	Other.....	55.6% (MX)
	Provided for in subheading 0406.10.28 or 0406.10.38:	
9906.04.86	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.04.87	Valued not over $1.76/kg.....	98¢/kg (MX)
9906.04.88	Other.....	55.6% (MX)
	Provided for in subheading 0406.10.48:	
	Edam and Gouda cheeses:	
9906.04.89	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.04.90	Valued not over $2.87/kg.....	$1.597/kg (MX)
9906.04.91	Other.....	55.6% (MX)

Annex (con.)
-54-

Section A. (continued)

(19)(b). (con.):
(vii) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading 0406.10.48 (con.):	
	Cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese:	
9906.04.92	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.04.93	Valued not over $1.97/kg.....	$1.098/kg (MX)
9906.04.94	Other.....	55.6% (MX)
	Provided for in subheading 0406.10.58:	
	Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti and Sbrinz):	
9906.04.95	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.04.96	Valued not over $3.13/kg.....	$1.744/kg (MX)
9906.04.97	Other.....	55.6% (MX)
	Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves:	
9906.04.98	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.04.99	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.00	Other.....	55.6% (MX)

Annex (con.)
-55-

Section A. (continued)

(19)(b). (con.):
(vii) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading 0406.10.68:	
9906.05.01	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.02	Valued not over $2.04/kg.....	$1.137/kg (MX)
9906.05.03	Other.....	55.6% (MX)
	Provided for in subheading 0406.10.78:	
9906.05.04	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.05	Valued not over $1.72/kg.....	96¢/kg (MX)
9906.05.06	Other.....	55.6% (MX)
	Provided for in subheading 0406.10.88:	
9906.05.07	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.08	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.09	Other.....	55.6% (MX)"

(viii) The superior text immediately preceding subheading 9906.05.11 i: modified by deleting "0406.20.20" and inserting "0406.20.28" in thereof;

(ix) The superior text immediately preceding subheading 9906.05.14 i: modified by deleting "0406.20.30 or 0406.20.35" and inserting "0406.20.33 or 0406.20.39" in lieu thereof;

(x) The superior text preceding subheading 9906.05.17 which reads "Provided for in 0406.20.40:" is modified by deleting "0406.20.4 inserting "subheading 0406.20.48" in lieu thereof;

Section A. (continued)

(19)(b). (con.):

(xi) The superior text preceding subheading 9906.05.23 which reads "Provided for in subheading 0406.20.50:", the superior text immediately preceding subheading 9906.05.23, subheading 9906.05.23 and the superior text immediately following such subheading, subheadings 9906.05.24, 9906.05.25 and 9906.05.26, the superior text immediately preceding subheading 9906.05.27, and subheadings 9906.05.27 through 9906.05.49, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	"Provided for in subheading 0406.20.53:	
9906.05.23	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.24	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.25	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.63:	
9906.05.28	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.29	Valued not over $2.32/kg.....	$1.294/kg (MX)
9906.05.30	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.67 or 0406.20.71:	
9906.05.31	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.32	Valued not over $1.76/kg.....	98¢/kg (MX)
9906.05.33	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.75:	
9906.05.34	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.35	Valued not over $1.97/kg.....	$1.098/kg (MX)
9906.05.36	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.79:	
9906.05.37	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.38	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.39	Other.....	55.6% (MX)

Section A. (continued)

(19)(b). (con.):
(xi) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading 0406.20.83:	
9906.05.40	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.41	Valued not over $2.04/kg.....	$1.137/kg (MX)
9906.05.42	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.87:	
9906.05.43	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.44	Valued not over $1.72/kg.....	96¢/kg (MX)
9906.05.45	Other.....	55.6% (MX)
	Provided for in subheading 0406.20.91:	
9906.05.46	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.47	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.48	Other.....	55.6% (MX)"

(xii) The superior text immediately preceding subheading 9906.05.50 is modified by deleting "0406.30.10" and inserting "0406.30.18" in lieu thereof;

(xiii) The superior text immediately preceding subheading 9906.05.53 is modified by deleting "0406.30.20 or 0406.30.30" and inserting "0406.30.28 or 0406.30.38" in lieu thereof;

(xiv) The superior text immediately preceding subheading 9906.05.56 is modified by deleting "0406.30.40" and inserting "0406.30.48" in lieu thereof;

(xv) The superior text immediately preceding subheading 9906.05.59 is modified by deleting "0406.30.50" and inserting "0406.30.53" in lieu thereof;

Annex (con.)
-58-

Section A. (continued)

(19)(b). (con.):
(xvi) The superior text immediately preceding subheading 9906.05.62, subheadings 9906.05.62 through 9906.05.85, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	"Provided for in subheading 0406.30.63:	
9906.05.63	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.64	Valued not over $2.32/kg.....	$1.294/kg (MX)
9906.05.65	Other.....	55.6% (MX)
	Provided for in subheading 0406.30.67 or 0406.30.71:	
9906.05.66	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.67	Valued not over $1.76/kg.....	98¢/kg (MX)
9906.05.68	Other.....	55.6% (MX)
	Provided for in subheading 0406.30.75:	
9906.05.69	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.70	Valued not over $1.97/kg.....	$1.098/kg (MX)
9906.05.71	Other.....	55.6% (MX)
	Provided for in subheading 0406.30.79:	
	Made from cow's milk:	
9906.05.72	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.05.73	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.74	Other.....	55.6% (MX)
9906.05.75	Other.....	6% (MX)
	Provided for in subheading 0406.30.83:	
9906.05.76	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.77	Valued not over $2.04/kg.....	$1.137/kg (MX)
9906.05.78	Other.....	55.6% (MX)

Section A. (continued)

(19)(b). (con.):
(xvi) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading	
	0406.30.87:	
9906.05.79	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.80	Valued not over $1.72/kg.....	96¢/kg (MX)
9906.05.81	Other.....	55.6% (MX)
	Provided for in subheading	
	0406.30.91:	
9906.05.82	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.83	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.84	Other.....	55.6% (MX)"

(xvii) The superior text immediately preceding subheading 9906.05.86 is modified by deleting "0406.40.60 or 0406.40.80" and inserting "0406.40.70" in lieu thereof;

(xviii) The superior text immediately preceding subheading 9906.05.89 is modified by deleting "0406.90.10" and inserting "0406.90.12" in lieu thereof;

(xix) The superior text immediately preceding subheading 9906.05.92 is modified by deleting "0406.90.15" and inserting "0406.90.18" in lieu thereof; and

(xx) The superior text preceding subheading 9906.05.95 which reads "Provided for in subheading 0406.90.30:", the superior text immediately preceding subheading 9906.05.95, subheading 9906.05.95 and the superior text immediately following such subheading, subheadings 9906.05.96 through 9906.06.40, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	"Provided for in subheading	
	0406.90.32:	
9906.05.95	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.05.96	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.05.97	Other.....	55.6% (MX)

Section A. (continued)

(19)(b). (con.):
(xx) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading 0406.90.37 or 0406.90.38:	
	Made from cow's milk in original loaves:	
9906.05.99	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.06.00	Valued not over $3.13/kg.....	$1.744/kg (MX)
9906.06.01	Other.....	55.6% (MX)
	Other:	
9906.06.02	Subject to the quantitative limits specified in U.S. note 8 to this subchapter....	Free (MX)
	Other:	
9906.06.03	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.06.04	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.42:	
	In original loaves:	
9906.06.05	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.06	Valued not over $3.13/kg.....	$1.744/kg (MX)
9906.06.07	Other.....	55.6% (MX)
	Other:	
9906.06.08	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.09	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.06.10	Other.....	55.6% (MX)

Section A. (continued)

(19)(b). (con.):
(xx) (con.):

	[Goods of Mexico,...:]	
	[Cheese and curd...:]	
	Provided for in subheading 0406.90.48:	
9906.06.12	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.13	Valued not over $2.78/kg.....	$1.548/kg (MX)
9906.06.14	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.54:	
9906.06.16	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.17	Valued not over $1.76/kg.....	98¢/kg (MX)
9906.06.18	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.68:	
9906.06.19	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.20	Valued not over $2.30/kg.....	$1.283/kg (MX)
9906.06.21	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.74:	
9906.06.22	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.23	Valued not over $2.32/kg.....	$1.294/kg (MX)
9906.06.24	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.78 or 0406.90.84:	
9906.06.25	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.26	Valued not over $1.76/kg.....	98¢/kg (MX)
9906.06.27	Other.....	55.6% (MX)
	Provided for in subheading 0406.90.88:	
9906.06.28	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....	Free (MX)
	Other:	
9906.06.29	Valued not over $1.97/kg.....	$1.098/kg (MX)
9906.06.30	Other.....	55.6% (MX)

Section A. (continued)

(19)(b). (con.):
(xx) (con.):

	[Goods of Mexico,...:]		
	[Cheese and curd...:]		
	Provided for in subheading		
	0406.90.92:		
9906.06.31	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....		Free (MX)
	Other:		
9906.06.32	Valued not over $2.04/kg.....		$1.137/kg (MX)
9906.06.33	Other.....		55.6% (MX)
	Provided for in subheading		
	0406.90.94:		
9906.06.34	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....		Free (MX)
	Other:		
9906.06.35	Valued not over $1.72/kg.....		96¢/kg (MX)
9906.06.36	Other.....		55.6% (MX)
	Provided for in subheading		
	0406.90.97:		
9906.06.37	Subject to the quantitative limits specified in U.S. note 8 to this subchapter.....		Free (MX)
	Other:		
9906.06.38	Valued not over $2.30/kg.....		$1.283/kg (MX)
9906.06.39	Other.....		55.6% (MX)"

(20)(a). Subheading 0505.90.00 is superseded by:

	[Skins and other parts of birds...:]			
"0505.90	Other:			
0505.90.20	Feather meal and waste.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	20%
0505.90.60	Other.....	Free		20%"

(b). Conforming change: Subheadings 9902.05.10 and 9902.05.11 and the superior text immediately preceding subheading 9902.05.10 are deleted.

(21) Additional U.S. note 5 to chapter 7 is deleted and the following additional U.S. note 5 inserted in lieu thereof:

"5. The aggregate quantity of olives entered under subheadings 0711.20.18 and 2005.70.06 in any calendar year shall not exceed 4,400 metric tons."

Section A. (continued)

(22)(a). Subheadings 0709.60.00, 0709.90.13, 0709.90.16 and 0709.90.40 are superseded and the following provisions inserted in numerical sequence:

	[Other vegetables, fresh or chilled:]			
"0709.60	Fruits of the genus Capsicum (peppers) or of the genus Pimenta (e.g., allspice):			
0709.60.20	Chili peppers.....	[See section D to this Annex]	Free (A,E,IL,J) 1.6¢/kg (CA) See 9906.07.41-9906.07.43 (MX)	5.5¢/kg
0709.60.40	Other.....	[See section D to this Annex]	Free (A,E,IL,J) 1.6¢/kg (CA) See 9906.07.44-9906.07.45 (MX)	5.5¢/kg"
	[Other:]			
"0709.90.14	Okra.....	[See section D to this	Free (A,E,IL,J, MX) 7.5% (CA)	50%
0709.90.45	Sweet corn.....	[See section D to this Annex]	Free (E,IL,J) 7.5% (CA) 15% (MX)	50%
0709.90.90	Other.....	[See section D to this Annex]	Free (E,IL,J) 7.5% (CA) See 9906.07.50-9906.07.53 (MX)	50%"

(b). Conforming changes:

(i) The superior text preceding subheading 9906.07.41 which reads "Provided for in subheading 0709.60.00:", the superior text immediately preceding subheading 9906.07.41, subheading 9906.07.41, the superior text immediately preceding subheading 9906.07.42, subheadings 9906.07.42 through 9906.07.45, inclusive, and any intervening superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Other vegetables, fresh...:]	
	"Provided for in subheading 0709.60.20:	
9906.07.41	If entered during the period from August 1 to September 30, inclusive, in any year.....	Free (MX)
	If entered during the period from October 1 in any year to the following July 31, inclusive:	
9906.07.42	Subject to the quantitative limits specified in U.S. note 13 to this subchapter...	4.4¢/kg (MX)
9906.07.43	Other.....	5.3¢/kg (MX)

Annex (con.)
-64-

Section A. (continued)

(22)(b). (con.):
(i) (con.):

	[Goods of Mexico,...:]			
	[Other vegetables, fresh...:]			
	Provided for in subheading 0709.60.40:			
9906.07.44	If entered during the period from June 1 to October 31, inclusive, in any year.....		3.3¢/kg (MX)	
9906.07.45	If entered during the period from January 1 to May 31, inclusive, or the period from November 1 to December 31, inclusive, in any year.....		4.4¢/kg (MX)"	

(ii) The superior text immediately preceding subheading 9906.07.49 is modified by deleting "0709.90.40" and inserting "0709.90.90" in lieu thereof; and
(iii) Subheading 9906.07.49 is deleted.

(23)(a). Subheadings 0711.20.15 and 0711.20.25 are superseded by:

	[Vegetables provisionally preserved...:]				
	[Olives:]				
	[Not pitted:]				
	"Green in color, in a saline solution, in containers each holding more than 8 kg, drained weight, certified by the importer to be used for repacking or sale as green olives:				
0711.20.18	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	3.7¢/kg on drained weight	Free (A,E,IL,J,MX) 1.1¢/kg on drained weight (CA)	7.4¢/kg on drained weight	
0711.20.28	Other.....	[See section D to this Annex]	Free (IL,MX) 2.2¢/kg on drained weight (CA)	7.4¢/kg on drained weight	
0711.20.38	Other.....	[See section D to this Annex]	Free (E,IL,J) 2.2¢/kg on drained weight (CA) 4.4¢/kg on drained weight (MX)	7.4¢/kg on drained weight"	

Section A. (continued)

(23)(b). Conforming change: The superior text preceding subheading 9906.07.56 which reads "Vegetables provisionally preserved (for example, by sulfur dioxide gas, in brine, in sulfur water or in other preservative solutions), but unsuitable in that state for immediate consumption:", the superior text immediately preceding subheading 9906.07.56 and subheadings 9906.07.56 and 9906.07.57 are all deleted.

(24)(a). Subheading 0904.20.70 is superseded by:

[Pepper of the genus Piper; dried...:]				
[Fruits of the genus Capsicum...:]				
[Of the genus Capsicum...:]				
[Other:]				
"Ground:				
0904.20.73	Mixtures of mashed or macerated hot red peppers and salt.....	Free		17.6¢/kg
0904.20.76	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3.3¢/kg (CA)	17.6¢/kg"

(b). Conforming change: Heading 9902.09.04 is deleted.

(25)(a). Additional U.S. note 1 to chapter 11 is deleted and new additional U.S. note 1 to chapter 11 is inserted in lieu thereof as follows:

"1. Notwithstanding the rates of duty set forth in this subchapter, mixtures of the products classifiable in headings 1101, 1102, 1103 or 1104 (except mixtures classifiable in subheading 1102.90.30) are dutiable as follows:

column 1 (general)- 18.8%

column 1 (special)- Free (E,IL,J,MX)
6% (CA)

column 2- 20%"

(b). Conforming changes:

(i) On or after January 1 of the following years, the rate of duty provided for in additional U.S. note 1 to chapter 11 as the "column 1 (general)" rate of duty shall be modified (i) by deleting the rate of duty provided for such column 1 (general) and inserting the rate of duty specified in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty specified for the column 1 (general) are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1996	1997	1998	1999	2000
17.6%	16.4%	15.2%	14%	12.8%

Section A. (continued)

(25)(b). (con.):

(ii) On or after January 1 of the following years, the rate of duty provided for in additional U.S. note 1 to chapter 11 as the "column 1 (special)" rate of duty followed by the symbol "CA" in parentheses shall be modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified below in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1996	1997	1998
4%	2%	Free

(26). The additional U.S. notes to chapter 12 are modified by inserting at the end thereof the following new note; and subdivision (a) of such note, the designation "(b)" for the remaining text, subdivisions (b)(1) and (2) shall then be redesignated as "(a)" and "(b)", and the parenthetical phrase "(beginning with April 1, 1995), all the foregoing as added herein, shall be deleted on April 1, 1995:

"2. (a) Except as provided in this subdivision, the aggregate quantity of peanuts entered under subheadings 1202.10.40, 1202.20.40, 2008.11.25 and 2008.11.45 during the period from January 1 through March 31, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota quantity of 775,180 kilograms applicable to such goods during the quota period that began on August 1, 1994; and at the close of March 31, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of peanuts entered under subheadings 1202.10.40, 1202.20.40, 2008.11.25 and 2008.11.45 during the 12-month period from April 1 in any year through the following March 31, inclusive (beginning with April 1, 1995), shall not exceed the quantities specified herein (imports from Mexico shall not be permitted or included under this quantitative limitation and no such articles shall be classifiable therein).

	Quantity (metric tons) Entered in the 12-month period from April 1 in any year to the following March 31, inclusive
Argentina	26,341
Other countries or areas	4,052

For the purposes of this note, imports of peanuts in the shell shall be charged against the quantities in this note on the basis of 75 kilograms for each 100 kilograms of peanuts in the shell.

Section A. (continued)

(27)(a). Subheadings 1202.10.00 and 1202.20.00 are superseded by:

	[Peanuts (ground-nuts), not roasted or...:]			
"1202.10	In shell:			
1202.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	9.35¢/kg	Free (CA,E,IL,J, MX)	9.35¢/kg
1202.10.40	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions	9.35¢/kg	Free (CA,E,IL,J)	9.35¢/kg
1202.10.80	Other	[See section D to this Annex]	See 9906.12.01-9906.12.03 (MX)	192.7%
1202.20	Shelled, whether or not broken:			
1202.20.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	6.6¢/kg	Free (CA,E,IL,J) MX)	15.4¢/kg
1202.20.40	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions	6.6¢/kg	Free (CA,E,IL,J)	15.4¢/kg
1202.20.80	Other	[See section D to this Annex]	See 9906.12.04-9906.12.06 (MX)	155%"

(b). Conforming changes:

(i) The superior text immediately preceding subheading 9906.12.01 is modified by deleting "1202.10.00" and inserting "1202.10.80" in lieu thereof; and

(ii) The superior text immediately preceding subheading 9906.12.04 is modified by deleting "1202.20.00" and inserting "1202.20.80" in lieu thereof.

(28)(a). Subheadings 1515.30.20 and 1515.30.40 are superseded by:

	[Other fixed vegetable fats and oils...:]		
"1515.30.00	Castor oil and its fractions	Free	6.6¢/kg"

(b). Conforming change: Subheading 9902.15.15 is deleted.

Section A. (continued)

(29)(a). Subheading 1517.90.40 is superseded by:

	[Margarine; edible mixtures or...:]			
	[Other:]			
	"Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
1517.90.45	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	11¢/kg	Free (E,IL,J,MX) 3.3¢/kg (CA)	11¢/kg
1517.90.50	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	11¢/kg	Free (E,IL,J) 3.3¢/kg (CA)	11¢/kg
1517.90.60	Other.....	[See section D to this Annex]	See 9906.15.01-9906.15.03 (MX)	40.2¢/kg
1517.90.90	Other.....	[See section D to this Annex]	Free (E,IL,J) 3.3¢/kg (CA) 8.8¢/kg (MX)	11¢/kg"

(b). Conforming change: The superior text preceding subheading 9906.15.01 which reads "Provided for in subheading 1517.90.40:", the superior text immediately preceding subheading 9906.15.01, subheading 9906.15.01 and the superior text immediately following such subheading, and subheadings 9906.15.02 through 9906.15.04, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]		
	[Margarine; edible mixtures...:]		
	"Provided for in subheading 1517.90.60:		
9906.15.01	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....		Free (MX)
	Other:		
9906.15.02	Valued not over 22¢/kg.....		16.5¢/kg (MX)
9906.15.03	Other.....		75% (MX)"

Section A. (continued)

(30). The additional U.S. note to section IV is modified by adding the following new additional U.S. note:

"2. For the purposes of this section, unless the context otherwise requires--
(a) the term "percent by dry weight" means the sugar content as a percentage of the total solids in the product;
(b) the term "capable of being further processed or mixed with similar or other ingredients" means that the imported product is in such condition or container as to be subject to any additional preparation, treatment or manufacture or to be blended or combined with any additional ingredient, including water or any other liquid, other than processing or mixing with other ingredients performed by the ultimate consumer prior to consumption of the product;
(c) the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labeling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging; and
(d) the term "ultimate consumer" does not include institutions such as hospitals, prisons and military establishments or food service establishments such as restaurants, hotels, bars or bakeries."

(31). Subheadings 1604.13.45 and 1604.13.50 are superseded by:

	[Prepared or preserved fish;...:]			
	[Fish, whole or in pieces,...:]			
	[Sardines, sardinella and...:]			
	[Other:]			
"1604.13.90	Other.....	[See section D to this Annex)	Free (A,E,IL,J, MX) 1.8% (CA)	25%"

(32). The additional U.S. notes to chapter 17 are modified by:
(a). deleting additional U.S. notes 2, 3 and 4;
(b). by renumbering additional U.S. note 5 as additional U.S. note 11;
(c). by inserting the following additional U.S. notes in numerical sequence; and
(d). the first sentence and the text "Thereafter, " in subdivision (a)(i), subdivision (a) of additional U.S. note 7, subdivision (a) of additional U.S. note 8, subdivision (a) of additional U.S. note 9, the parenthetical phrase "(beginning with October 1, 1995)" wherever it appears in each of aforementioned notes (as added herein), are all deleted and the remaining subdivisions redesignated accordingly on October 1, 1995:

"2. For the purposes of this schedule, the term "articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17" means articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported.

Section A. (continued)

(32)(c). (con.):

3. For the purposes of this schedule, the term "articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17" means articles containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, except (a) articles not principally of crystalline structure or not in dry amorphous form, the foregoing that are prepared for marketing to the ultimate consumer in the identical form and package in which imported; (b) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported; (c) articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported; or (d) cake decorations and similar products to be used in the same condition as imported without any further processing other than the direct application to individual pastries or confections, finely ground or masticated coconut meat or juice thereof mixed with those sugars, and sauces and preparations therefor.

4. For the purposes of this schedule, the term "blended syrups described in additional U.S. note 4 to chapter 17" means blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported.

5. (a)(i) Except as provided in this subdivision, the aggregate quantity of sugars, syrups and molasses entered under subheadings 1701.11.10, 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44 during the period from January 1 through September 30, 1995, inclusive, shall not exceed the remaining quantity available, if any, of the total quota amount previously established, or subsequently modified, by the Secretary of Agriculture, plus 8,000 metric tons, raw value, of refined sugars which are originating goods of Canada. Thereafter, the aggregate quantity of raw cane sugar entered, or withdrawn from warehouse for consumption, under subheading 1701.11.10, during any fiscal year, shall not exceed in the aggregate an amount (expressed in terms of raw value), not less than 1,117,195 metric tons, as shall be established by the Secretary of Agriculture (hereinafter referred to as "the Secretary"), and the aggregate quantity of sugars, syrups and molasses entered, or withdrawn from warehouse for consumption, under subheadings 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44, during any fiscal year, shall not exceed in the aggregate an amount (expressed in terms of raw value), not less than 22,000 metric tons, as shall be established by the Secretary. With either the aggregate quantity for raw cane sugar or the aggregate quantity for sugars, syrups and molasses other than raw cane sugar, the Secretary may reserve a quota adjustment quantity and a quota quantity for the importation of specialty sugars as defined by the United States Trade Representative.

(ii) Whenever the Secretary believes that domestic supplies of sugars may be inadequate to meet domestic demand at reasonable prices, the Secretary may modify any quantitative limitations which have previously been established under this note but may not reduce the total amounts below the amounts provided for in subdivision (i) hereof.

(iii) The Secretary shall inform the Secretary of the Treasury of any determination made under this note. Notice of such determinations shall be published in the Federal Register.

(iv) Sugar entering the United States during a quota period established under this note may be charged to the previous or subsequent quota period with the written approval of the Secretary.

Section A. (continued)

(32)(c). (con.):

(b)(i) The quota amounts established under subdivision (a) may be allocated among supplying countries and areas by the United States Trade Representative.

(ii) The United States Trade Representative, after consultation with the Secretaries of State and Agriculture, may modify, suspend (for all or part of the quota amount), or reinstate the allocations provided for in this subdivision (including the addition or deletion of any country or area) if he finds that such action is appropriate to carry out the rights or obligations of the United States under any international agreement to which the United States is a party or is appropriate to promote the economic interests of the United States.

(iii) The United States Trade Representative shall inform the Secretary of the Treasury of any such action and shall publish notice thereof in the Federal Register. Such action shall not become effective until the day following the date of publication of such notice in the Federal Register or such later date as may be specified by the United States Trade Representative.

(iv) The United States Trade Representative may promulgate regulations appropriate to provide for the allocations authorized pursuant to this note. Such regulations may, among other things, provide for the issuance of certificates of eligibility to accompany any sugars, syrups or molasses (including any specialty sugars) imported from any country or area for which an allocation has been provided and for such minimum quota amounts as may be appropriate to provide reasonable access to the U.S. market for imports from those countries or areas having small allocations.

(c) For purposes of this note, the term raw value means the equivalent of such articles in terms of ordinary commercial raw sugar testing 96 degrees by the polariscope as determined in accordance with regulations or instructions issued by the Secretary of the Treasury. Such regulations or instructions may, among other things, provide: (i) for the entry of such articles pending a final determination of polarity; and (ii) that positive or negative adjustments for differences in preliminary and final raw values be made in the same or succeeding quota periods. The principal grades and types of sugar shall be translated into terms of raw value in the following manner--

(A) For articles described in subheadings 1701.11.05, 1701.11.10, 1701.11.20, 1701.11.50, 1701.12.05, 1701.12.10, 1701.12.50, 1701.91.05, 1701.91.10, 1701.91.30, 1701.99.05, 1701.99.10, 1701.99.50, 2106.90.42, 2106.90.44 and 2106.90.46 by multiplying the number of kilograms thereof by the greater of 0.93, or 1.07 less 0.0175 for each degree of polarization under 100 degrees (and fractions of a degree in proportion).

(B) For articles described in subheadings 1702.90.05, 1702.90.10 and 1702.90.20, by multiplying the number of kilograms of the total sugars thereof (the sum of the sucrose and reducing or invert sugars) by 1.07.

(C) The Secretary of the Treasury shall establish methods for translating sugar into terms of raw value for any special grade or type of sugar, syrup, or molasses for which he/she determines that the raw value cannot be measured adequately under the above provisions.

6. Raw cane sugar classifiable in subheading 1701.11.20 shall be entered only to be used for the production (other than by distillation) of polyhydric alcohols, except polyhydric alcohols for use as a substitute for sugar in human food consumption, or to be refined and reexported in refined form or in sugar-containing products, or to be substituted for domestically produced raw cane sugar that has been or will be exported. The Secretary of Agriculture may issue licenses for such entries and may promulgate such regulations (including any terms, conditions, certifications, bonds, civil penalties, or other limitations) as are appropriate to ensure that sugar entered under subheading 1701.11.20 is used only for such purposes.

Annex (con.)
-72-

Section A. (continued)

(32)(c). (con.):

7. (a) Except as provided in this subdivision, the aggregate quantity of articles containing over 65 percent by dry weight of sugars described in additional U.S. note 2 to chapter 17, the foregoing goods entered under subheadings 1701.91.44, 1702.90.64, 1704.90.64, 1806.10.24, 1806.10.45, 1806.20.71, 1806.90.45, 1901.20.20, 1901.20.55, 1901.90.52, 2101.10.44, 2101.20.44, 2106.90.74 and 2106.90.92 during the period from January 1 to September 30, 1995, inclusive, shall be none and no such articles shall be classifiable therein.

(b) The aggregate quantity of articles containing over 65 percent by dry weight of sugars described in additional U.S. note 2 to chapter 17, entered under subheadings 1701.91.44, 1702.90.64, 1704.90.64, 1806.10.24, 1806.10.45, 1806.20.71, 1806.90.45, 1901.20.20, 1901.20.55, 1901.90.52, 2101.10.44, 2101.20.44, 2106.90.74 and 2106.90.92 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning with October 1, 1995), shall be none and no such articles shall be classifiable therein.

8. (a) Except as provided in this subdivision, the aggregate quantity of articles containing over 10 percent by dry weight of sugars described in additional U.S. note 3 to chapter 17, the foregoing goods entered under subheadings 1701.91.54, 1704.90.74, 1806.20.75, 1806.20.95, 1806.90.55, 1901.90.56, 2101.10.54, 2101.20.54, 2103.90.74, 2106.90.78 and 2106.90.95 during the period from January 1 to September 30, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 64,773 metric tons (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such articles during the quota period that began on October 1, 1994; and at the close of September 30, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of articles containing over 10 percent by dry weight of sugars described in additional U.S. note 3 to chapter 17, entered under subheadings 1701.91.54, 1704.90.74, 1806.20.75, 1806.20.95, 1806.90.55, 1901.90.56, 2101.10.54, 2101.20.54, 2106.90.78 and 2106.90.95 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning with October 1, 1995), shall not exceed 64,709 metric tons (imports from Mexico shall not be permitted or included under this quantitative limitation and no such articles shall be classifiable therein).

9. (a) Except as provided for in this subdivision, the aggregate quantity of blended syrups described in additional U.S. note 4 to chapter 17, the foregoing goods entered under subheadings 1702.20.24, 1702.30.24, 1702.40.24, 1702.60.24, 1702.90.54, 1806.20.91, 1806.90.35, 2101.10.34, 2101.20.34, 2106.90.68 and 2106.90.89 during the period from January 1 to September 30, 1995, inclusive, shall be none and no such articles shall be classifiable therein.

(b) The aggregate quantity of blended syrups described in additional U.S. note 4 to chapter 17, the foregoing goods entered under subheadings 1702.20.24, 1702.30.24, 1702.40.24, 1702.60.24, 1702.90.54, 1806.20.91, 1806.90.35, 2101.10.34, 2101.20.34, 2106.90.68 and 2106.90.89 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning October 1, 1995), shall be none and no such articles shall be classifiable therein."

Section A. (continued)

(33)(a). Subheadings 1701.11.01, 1701.11.02, 1701.11.03, 1701.12.01, 1701.12.02, 1701.91.21, 1701.91.22, 1701.91.40, 1701.99.01 and 1701.99.02 are superseded and the following provisions inserted in numerical sequence:

	[Cane or beet sugar and chemically...:] [Raw sugar not containing added...:] [Cane sugar:]				
"1701.11.05		Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	1.4606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.943854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.2831564¢/kg (CA)	4.3817¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 2.831562¢/kg
1701.11.10		Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	1.4606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.943854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions o a degree in proportion) but not less than 0.2831564¢/kg (CA)	4.3817¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 2.831562¢/kg

Section A. (continued)

(33)(a). (con.):

	[Cane or beet sugar and chemically...:] [Raw sugar not containing added...:] [Cane sugar:]				
1701.11.20	Other sugar to be used for the production (other than by distillation) of polyhydric alcohols, except polyhydric alcohols for use as a substitute for sugar in human food consumption, or to be refined and re-exported in refined form or in sugar-containing products, or to be substituted for domestically produced raw cane sugar that has been or will be exported.....	1.4606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.943854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	4.3817¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 2.831562¢/kg
1701.11.50	Other.....	[See section D to this Annex]	35.517¢/kg less 0.503¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.953¢/kg (MX)	39.85¢/kg"

Annex (con.)
-75-

Section A. (continued)

(33)(a). (con.):

	[Cane or beet sugar and chemically...:] [Raw sugar not containing added...:] [Beet sugar:]			
"1701.12.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.12.10	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.12.50	Other.....	(See section D to this Annex)	35.517¢/kg less 0.503¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.953¢/kg (MX)	42.05¢/kg"

Section A. (continued)

(33)(a). (con.):

	[Cane or beet sugar and chemically...:] [Other:] [Containing added flavoring or...:] [Containing added coloring but not...:]				
"1701.91.05		Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.91.10		Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.91.30		Other.....	[See section D to this Annex]	35.517¢/kg less 0.503¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.953¢/kg (MX)	42.05¢/kg"

Section A. (continued)

(33)(a). (con.):

	[Cane or beet sugar and chemically...:] [Other:] [Containing added flavoring...:] "Containing added flavoring matter whether or not containing added coloring: Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1701.91.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1701.91.44	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions.....	6%		20%
1701.91.48	Other.....	[See section D to this Annex]	See 9906.17.03-9906.17.05 (MX)	39.9¢/kg + 6%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1701.91.52	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1701.91.54	Described in additional U.S. note 8 to this chapter and entered pursuant to its provisions.....	6%	Free (A,E,IL,J) 1.8% (CA)	20%
1701.91.58	Other.....	[See section D to this Annex]	See 9906.17.39-9906.17.41 (MX)	39.9¢/kg + 6%
1701.91.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.8% (CA)	20%*

Section A. (continued)

(33)(a). (con.):

	[Cane or beet sugar and chemically...:]				
	[Other:]				
	[Other:]				
"1701.99.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J, MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.99.10	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg	Free (A*,E*,IL,J) MX) 0.4381¢/kg less 0.0062¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.283156¢/kg (CA)	6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fraction of a degree in proportion) but not less than 5.031562¢/kg
1701.99.50	Other.....	[See section D to this Annex]	35.517¢/kg less 0.503¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.953¢/kg (MX)	42.05¢/kg"

Section A. (continued)

(33)(b). Conforming changes:

(i) General note 4(d) is modified by:

(A) deleting "1701.11.01 Brazil
1701.11.02 Brazil;
Guatemala
1701.12.01 Brazil
1701.91.21 Brazil
1701.99.01 Brazil" and

(B) inserting "1701.11.05 Brazil
1701.11.10 Brazil
1701.11.20 Brazil;
Guatemala
1701.12.05 Brazil
1701.12.10 Brazil
1701.91.05 Brazil
1701.91.10 Brazil
1701.99.05 Brazil
1701.99.10 Brazil" in numerical sequence;

(ii) U.S. note 20 of subchapter VI of chapter 99 is modified by deleting "9906.17.35," and inserting "9906.17.35, 9906.17.39," in lieu thereof;

(iii) Subheadings 9906.17.01 and 9907.17.02 and the superior text immediately preceding subheading 9906.17.01 are deleted;

(iv) The superior text preceding subheading 9906.17.03 which reads "Provided for in subheading 1701.91.40:", the superior text immediately preceding subheading 9906.17.03, subheading 9906.17.03 and the superior text immediately following such subheading, subheadings 9906.17.04 through 9906.17.06, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

[Goods of Mexico,...:]		
[Cane or beet sugar and...:]		
"Provided for in subheading 1701.91.48:		
9906.17.03	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.17.04	Valued not over 31.5¢/kg.....	30.3¢/kg (MX)
9906.17.05	Other.....	96.2% (MX)"

Section A. (continued)

(33)(b). (con.):
(v) The following provisions are inserted in subchapter VI of chapter 99 in numerical sequence:

	[Goods of Mexico,...:]			
	"Cane or beet sugar and chemically pure sucrose, in solid form:			
	Provided for in subheading 1701.91.58:			
9906.17.39	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....		Free (MX)	
	Other:			
9906.17.40	Valued not over 31.5¢/kg.....		30.3¢/kg (MX)	
9906.17.41	Other.....		96.2% (MX)"	

(34)(a). Subheadings 1702.20.20, 1702.30.20, 1702.40.00, 1702.60.00, 1702.90.31, 1702.90.32 and 1702.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Other sugars, including...:]			
	[Maple sugar and maple syrup:]			
	"Blended syrups described in additional U.S. note 4 to chapter 17:			
1702.20.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1702.20.24	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.20.28	Other.....	[See section D to this Annex]	See 9906.17.07-9906.17.10 (MX)	19.9¢/kg of total sugars + 6%"
	[Glucose and glucose syrup,...:]			
	"Blended syrups described in additional U.S. note 4 to chapter 17:			
1702.30.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1702.30.24	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.30.28	Other.....	[See section D to this Annex]	See 9906.17.07-9906.17.10 (MX)	19.9¢/kg of total sugars + 6%

Section A. (continued)

(34)(a). (con.):

	[Other sugars, including...:]			
1702.40	Glucose and glucose syrup, containing in the dry state at least 20 percent but less than 50 percent by weight of fructose:			
	Blended syrups described in additional U.S. note 4 to chapter 17:			
1702.40.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1702.40.24	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.40.28	Other.....	[See section D to this Annex]	See 9906.17.12-9906.17.15 (MX)	39.9¢/kg of total sugars + 6%
1702.40.40	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.8% (CA)	20%"
	[Chemically pure fructose:]			
"1702.60	Other fructose and fructose syrup, containing in the dry state more than 50 percent by weight of fructose:			
	Blended syrups described in additional U.S. note 4 to chapter 17:			
1702.60.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
1702.60.24	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.60.28	Other.....	[See section D to this Annex]	See 9906.17.12-9906.17.15 (MX)	39.9¢/kg of total sugars + 6%
1702.60.40	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.8% (CA)	20%"

Annex (con.)
-82-

Section A. (continued)

(34)(a). (con.):

	[Other sugars, including...:]			
	[Other, including invert sugar:]			
	[Derived from sugar cane or...:]			
	[Containing soluble...:]			
*1702.90.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	3.6606¢/kg of total sugars	Free (A,E*,IL,J, MX) 0.4381¢/kg of total sugars (CA)	6.5817¢/kg of total sugars
1702.90.10	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	3.6606¢/kg of total sugars	Free (A,E*,IL,J, MX) 0.4381¢/kg of total sugars (CA)	6.5817¢/kg of total sugars
1702.90.20	Other.....	[See section D to this Annex]	35.517¢/kg (MX)	42¢.05/kg
	Other:			
1702.90.52	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	6%	Free (A,E,IL,J,MX) 1.8% (CA)	20%
	Other:			
	Blended syrups described in additional U.S. note 4 to chapter 17:			
1702.90.54	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.90.58	Other.....	[See section D to this Annex]	See 9906.17.21-9906.17.24 (MX)	39.9¢/kg of total sugars + 6%

Annex (con.)
-83-

Section A. (continued)

(34)(a). (con.):

	[Other sugars, including...:]			
	[Other, including invert sugar:]			
	Other (con.):			
	Other (con.):			
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1702.90.64	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions.....	6%		20%
1702.90.68	Other.....	[See section D to this Annex]	See 9906.17.18-9906.17.20 (MX)	39.9¢/kg + 6%
1702.90.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.8% (CA)	20%*

(b). Conforming changes:

(i) The superior text preceding subheading 9906.17.07 which reads "Provided for in subheading 1702.20.20 or 1702.30.20:" is modified by deleting "1702.20.20 or 1702.30.20" and inserting "1702.20.28 or 1702.30.28" in lieu thereof;

(ii) The superior text preceding subheading 9906.17.11, subheadings 9906.17.11 through 9906.17.15, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Other sugars, including...]	
	"Provided for in subheading 1702.40.28 or 1702.60.28:	
	Goods of a type described in U.S. note 19 to this subchapter:	
9906.17.12	Subject to the quantitative limits specified in U.S. note 19 to this subchapter...	Free (MX)
	Other:	
9906.17.13	Valued not over 31.5¢/kg.....	30.3¢/kg (MX)
9906.17.14	Other.....	96.2% (MX)
9906.17.15	Other.....	Free (MX)"

Section A. (continued)

(34)(b). (con.):

(iii) Subheadings 9906.17.16 and 9906.17.17 and the superior text immediately preceding subheading 9906.17.16 are deleted; and

(iv) The superior text preceding subheading 9906.17.18 which reads "Provided for in subheading 1702.90.50:", subheading 9906.17.18 and the superior text immediately preceding subheading 9906.17.18, subheadings 9906.17.19 through 9906.17.24, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]		
	[Other sugars, including...]		
	"Provided for in subheading 1702.90.68:		
9906.17.18	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....		Free (MX)
	Other:		
9906.17.19	Valued not over 31.5¢/kg.....		30.3¢/kg (MX)
9906.17.20	Other.....		96.2% (MX)
	Provided for in subheading 1702.90.58:		
	Goods of a type described in U.S. note 19 to this subchapter:		
9906.17.21	Subject to the quantitative limits specified in U.S. note 19 to this subchapter...		Free (MX)
	Other:		
9906.17.22	Valued not over 31.5¢/kg.....		30.3¢/kg (MX)
9906.17.23	Other.....		96.2% (MX)
9906.17.24	Other.....		Free (MX)"

(35)(a). Subheadings 1704.90.40 and 1704.90.60 are superseded and the following provisions inserted in numerical sequence:

	[Sugar confectionery (including...:]			
	[Other:]			
	[Other:]			
"1704.90.52	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	12.2%	Free (E,IL,J,MX) 3.6% (CA)	12.2%

Section A. (continued)

(35)(a). (con.):

	[Sugar confectionery (including...:] [Other:] [Other:] Other: Dairy products described in additional U.S. note 1 to chapter 4:			
1704.90.54	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	12.2%	Free (E,IL,J) 3.6% (CA)	12.2%
1704.90.58	Other.....	[See section D to this Annex]	See 9906.17.25-9906.17.27 (MX)	47.4¢/kg + 12.2%
	Other: Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1704.90.64	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions.....	12.2%		12.2%
1704.90.68	Other.....	[See section D to this Annex]	See 9906.17.32-9906.17.34 (MX)	47.4¢/kg + 12.2%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1704.90.74	Described in additional U.S. note 8 to this chapter and entered pursuant to its provisions.....	12.2%	Free (E,IL,J) 3.6% (CA)	12.2%
1704.90.78	Other.....	[See section D to this Annex]	See 9906.17.35-9906.17.37 (MX)	47.4¢/kg + 12.2%
1704.90.90	Other.....	[See section D to this Annex]	Free (E,IL,J) 3.6% (CA) See 9906.17.42-9906.17.43 (MX)	12.2%"

Section A. (continued)

(35)(b). Conforming changes:

(i) U.S. note 7 to subchapter VI of chapter 99 is modified by deleting "9906.17.29," from such note; and

(ii) The superior text preceding subheading 9906.17.25 which reads "Provided for in subheading 1704.90.40:", subheading 9906.17.25 and the superior text immediately preceding such subheading, subheadings 9906.17.26 through 9906.17.38, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Sugar confectionery (including...:]	
	"Provided for in subheading 1704.90.58:	
9906.17.25	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.17.26	Valued not over 43.75¢/kg....	33.9¢/kg (MX)
9906.17.27	Other.....	77.5% (MX)
	Provided for in subheading 1704.90.68:	
9906.17.32	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.17.33	Valued not over 43.75¢/kg....	33.9¢/kg (MX)
9906.17.34	Other.....	77.5% (MX)
	Provided for in subheading 1704.90.78:	
9906.17.35	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.17.36	Valued not over 43.75¢/kg....	33.9¢/kg (MX)
9906.17.37	Other.....	77.5% (MX)
	Sugar confectionery (including white chocolate), not containing cocoa:	
	Provided for in subheading 1704.90.90:	
9906.17.42	Articles of milk or cream.....	Free (MX)
9906.17.43	Other.....	9.7% (MX)"

Section A. (continued)

(36). The notes to chapter 18 are modified by inserting the following additional U.S. notes in numerical sequence; and subdivision (a) of U.S. additional note 3 along with the designation "(b)" for the remaining text and the parenthetical phrase "(beginning with October 1, 1995)" of such note (as added herein) shall be deleted on October 1, 1995:

"Additional U.S. Notes

1. (a) Except as provided in this subdivision, the aggregate quantity of cocoa powder containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients (except (a) articles not principally of crystalline structure or not in dry amorphous form, the foregoing that are prepared for marketing to the ultimate consumer in the identical form and package in which imported, (b) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, or (c) articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported), the foregoing goods entered under subheadings 1806.10.10, 1806.10.34 and 1806.10.65 during the period from January 1 to September 30, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 2,313 metric tons (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein) applicable to such goods during the quota period that began on October 1, 1994; and at the close of September 30, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of cocoa powder containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients (except (a) articles not principally of crystalline structure or not in dry amorphous form that are prepared for marketing to the ultimate consumer in the identical form and package in which imported, (b) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, or (c) articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported), the foregoing goods entered under subheadings 1806.10.10, 1806.10.34 and 1806.10.65 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning with October 1, 1995), shall not exceed 2,313 metric tons (imports from Mexico shall not be permitted or included under this quantitative limitation and no such articles shall be classifiable therein).

2. The aggregate quantity of chocolate containing over 5.5 percent by weight of butterfat (excluding articles for consumption at retail as candy or confection), the foregoing entered under subheadings 1806.20.24, 1806.32.04 and 1806.90.15 in any calendar year shall not exceed 15,467,700 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Ireland	4,286,491
United Kingdom	3,379,297
Netherlands	45,359
Australia	2,000,000
New Zealand	1

Section A. (continued)

(36). (con.):

3. The aggregate quantity of chocolate and low fat chocolate crumb containing 5.5 percent or less by weight of butterfat (excluding articles for consumption at retail as candy or confection), the foregoing entered under subheadings 1806.20.34, 1806.20.85, 1806.32.14 and 1806.90.25 in any calendar year shall not exceed 2,122,834 kilograms (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Ireland	1,700,988
United Kingdom	421,845
New Zealand	1"

(37)(a). Subheadings 1806.10.20, 1806.10.30, 1806.10.41, the superior text immediately preceding subheading 1806.10.41, subheadings 1806.10.42, 1806.20.40, 1806.20.70, 1806.20.80, 1806.32.20, 1806.32.40 and 1806.90.00 are superseded and the following provisions inserted in numerical sequence:

	[Chocolate and other...:] [Cocoa powder, containing...:] "Containing less than 65 percent by dry weight of sugar:			
1806.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	Free		40%
1806.10.10	Described in additional U.S. note 1 to this chapter and entered pursuant to its provisions.....	Free		40%
1806.10.15	Other.....	[See section D to this Annex]	See 9906.18.01-9906.18.03 (MX)	25.5¢/kg
	Containing 65 percent or more but less than 90 percent by dry weight of sugar:			
1806.10.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	20%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1806.10.24	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1806.10.28	Other.....	[See section D to this Annex]	See 9906.18.51-9906.18.53 (MX)	39.5¢/kg

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
	[Cocoa powder, containing...:]			
	Containing 65 percent or more but less than 90 percent by dry weight of sugar (con.):			
	Other:			
1806.10.34	Described in additional U.S. note 1 to this chapter and entered pursuant to its provisions...	10%	Free (A,E,IL,J) 3% (CA)	20%
1806.10.38	Other.....	[See section D to this Annex]	See 9906.18.54-9906.18.57 (MX)	39.5¢/kg
	Containing 90 percent or more by dry weight of sugar:			
1806.10.43	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	20%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1806.10.45	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1806.10.55	Other.....	[See section D to this Annex]	See 9906.18.51-9906.18.53 (MX)	39.5¢/kg
	Other:			
1806.10.65	Described in additional U.S. note 1 to this chapter and entered pursuant to its provisions...	10%	Free (A*,E,IL,J) 3% (CA)	20%
1806.10.75	Other.....	[See section D to this Annex]	See 9906.18.54-9906.18.57 (MX)	39.5¢/kg*
	[Other preparations in blocks,...:]			
	[Preparations consisting wholly...:]			
	*Other:			
	Containing butterfat or other milk solids (excluding articles for consumption at retail as candy or confection):			
1806.20.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	5%	Free (A,E,IL,J,MX) 1.5% (CA)	40%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]				
	[Other preparations in blocks,...:]				
	[Preparations consisting wholly...:]				
	Other (con.):				
	Containing butterfat or other milk solids (excluding articles for consumption at retail as candy or confection) (con.):				
	Other, containing over 5.5 percent by weight of butterfat:				
1806.20.24	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	5%	Free (A,E,IL,J) 1.5% (CA)	40%	
	Other:				
1806.20.26	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.58-9906.18.60 (MX)	43.8¢/kg + 5%	
1806.20.28	Other.....	[See section D to this Annex]	See 9906.18.14-9906.18.16 (MX)	62.1¢/kg + 5%	
	Other:				
1806.20.34	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	5%	Free (A,E,IL,J) 1.5% (CA)	40%	
	Other:				
1806.20.36	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.58-9906.18.60 (MX)	43.8¢/kg + 5%	
1806.20.38	Other.....	[See section D to this Annex]	See 9906.18.14-9906.18.16 (MX)	62.1¢/kg + 5%	
1806.20.50	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.5% (CA)	40%"	

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:] [Other preparations in blocks,...:] [Other:] "Containing more than 65 percent by weight of sugar:			
1806.20.67	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	10%	Free (A,E,IL,J,MX) 3% (CA)	20%
	Other: Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1806.20.71	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1806.20.73	Other.....	[See section D to this Annex]	See 9906.18.17-9906.18.19 (MX)	35.9¢/kg + 10%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1806.20.75	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
1806.20.77	Other.....	[See section D to this Annex]	See 9906.18.20-9906.18.22 (MX)	35.9¢/kg + 10%
1806.20.78	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%
	Other:			
1806.20.79	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	10%	Free (E,IL,J,MX) 3% (CA)	20%

Annex (con.)
-92-

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:] [Other preparations in blocks,...:] [Other:] Other (con.): Other: Dairy products described in additional U.S. note 1 to chapter 4:			
1806.20.81	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
	Other:			
1806.20.82	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.61-9906.18.63 (MX)	43.8¢/kg + 10%
1806.20.83	Other.....	[See section D to this Annex]	See 9906.18.24-9906.18.26 (MX)	62.1¢/kg + 5%
	Other, low fat chocolate crumb (excluding articles for consumption at retail as candy or confection):			
1806.20.85	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
	Other:			
1806.20.87	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.61-9906.18.63 (MX)	43.8¢/kg + 10%
1806.20.89	Other.....	[See section D to this Annex]	See 9906.18.24-9906.18.26 (MX)	62.1¢/kg + 10%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:] [Other preparations in blocks,...:] [Other:] Other (con.): Other (con.): Other: Blended syrups described in additional U.S. note 4 to chapter 17:			
1806.20.91	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions....	10%		20%
1806.20.94	Other.....	[See section D to this Annex]	See 9906.18.64-9906.18.66 (MX)	43.8¢/kg + 10%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1806.20.95	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	20%
1806.20.98	Other.....	[See section D to this Annex]	See 9906.18.67-9906.18.69 (MX)	43.8¢/kg + 10%
1806.20.99	Other.....	[See section D to this Annex]	Free (E,IL,J) 3% (CA) 8% (MX)	20%"

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
	[Other, in blocks, slabs or bars:]			
	[Not filled:]			
	"Preparations consisting wholly of ground cocoa beans, with or without added cocoa fat, flavoring or emulsifying agents, and containing not more than 32 percent by weight of butterfat or other milk solids and not more than 60 percent by weight of sugar:			
	Containing butterfat or other milk solids (excluding articles for consumption at retail as candy or confection):			
1806.32.01	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	5%	Free (A,E,IL,J,MX) 1.5% (CA)	40%
	Other, containing over 5.5 percent by weight of butterfat:			
1806.32.04	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	5%	Free (A,E,IL,J) 1.5% (CA)	40%
	Other:			
1806.32.06	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.70-9906.18.72 (MX)	43.8¢/kg + 5%
1806.32.08	Other.....	[See section D to this Annex]	See 9906.18.34-9906.18.36 (MX)	62.1¢/kg + 5%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:] [Other, in blocks, slabs or bars:] [Not filled:] Preparations consisting wholly of ground cocoa beans, with or without added cocoa fat, flavoring or emulsifying agents, and containing not more than 32 percent by weight of butterfat or other milk solids and not more than 60 percent by weight of sugar (con.): Containing butterfat or other milk solids (excluding articles for consumption at retail as candy or confection) (con.): Other:			
1806.32.14	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	5%	Free (A,E,IL,J) 1.5% (CA)	40%
	Other:			
1806.32.16	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.70-9906.18.72 (MX)	43.8¢/kg + 5%
1806.32.18	Other.....	[See section D to this Annex]	See 9906.18.34-9906.18.36 (MX)	62.1¢/kg + 5%
1806.32.30	Other: Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.5% (CA)	40%"
	Other:			
1806.32.55	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	7%	Free (A,E,IL,J,MX) 2.1% (CA)	40%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
	[Other, in blocks, slabs or bars:]			
	[Not filled:]			
	Other (con.):			
	Other, dairy products described in additional U.S. note 1 to chapter 4:			
1806.32.60	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	7%	Free (A,E,IL,J) 2.1% (CA)	40%
	Other:			
1806.32.70	Containing less than 21 percent by weight of milk solids.....	[See section D to this Annex]	See 9906.18.70-9906.18.72 (MX)	43.8¢/kg + 7%
1806.32.80	Other.....	[See section D to this Annex]	See 9906.18.34-9906.18.36 (MX)	62.1¢/kg + 7%
1806.32.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 2.1% (CA)	40%
1806.90	Other:			
1806.90.01	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 2.1% (CA)	40%
	Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
1806.90.05	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	[See section D to this Annex]	Free (A,E,IL,J) 2.1% (CA)	40%
	Other:			
1806.90.08	Containing less than 21 percent by weight of milk solids.....	[See section D to this Annex]	See 9906.18.73-9906.18.75 (MX)	43.8¢/kg + 7%
1806.90.10	Other.....	[See section D to this Annex]	See 9906.18.38-9906.18.40 (MX)	62.1¢/kg + 7%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
1806.90 (con.)	Other (con.):			
	Other (con.):			
	Other:			
	Containing butterfat or other milk solids (excluding articles for consumption at retail as candy or confection):			
	Containing over 5.5 percent by weight of butterfat:			
1806.90.15	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	[See section D to this Annex]	Free (A,E,IL,J) 2.1% (CA)	40%
	Other:			
1806.90.18	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.73-9906.18.75 (MX)	43.8¢/kg + 7%
1806.90.20	Other.....	[See section D to this Annex]	See 9906.18.38-9906.18.40 (MX)	62.1¢/kg + 7%
	Other:			
1806.90.25	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	[See section D to this Annex]	Free (A,E,IL,J) 2.1% (CA)	40%
	Other:			
1806.90.28	Containing less than 21 percent by weight of milk solids...	[See section D to this Annex]	See 9906.18.73-9906.18.75 (MX)	43.8¢/kg + 7%
1806.90.30	Other.....	[See section D to this Annex]	See 9906.18.38-9906.18.40 (MX)	62.1¢/kg + 7%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
1806.90 (con.)	Other (con.):			
	Other (con.):			
	Other (con.):			
	Other:			
	Blended syrups described in additional U.S. note 4 to chapter 17:			
1806.90.35	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions.....	[See section D to this Annex]		40%
1806.90.39	Other.....	[See section D to this Annex]	See 9906.18.76-9906.18.78 (MX)	43.8¢/kg + 7%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1806.90.45	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	[See section D to this Annex]		40%
1806.90.49	Other.....	[See section D to this Annex]	See 9906.18.79-9906.18.81 (MX)	43.8¢/kg + 7%

Section A. (continued)

(37)(a). (con.):

	[Chocolate and other...:]			
1806.90 (con.)	Other (con.):			
	Other (con.):			
	Other (con.):			
	Other (con.):			
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1806.90.55	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions.....	[See section D to this Annex]	Free (A,E,IL,J) 2.1% (CA)	40%
1806.90.59	Other.....	[See section D to this Annex]	See 9906.18.82-9906.18.84 (MX)	43.8¢/kg + 7%
1806.90.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 2.1% (CA)	40%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "1806.10.41 Brazil" and inserting "1806.10.65 Brazil" in lieu thereof;

(ii) U.S. note 7 to subchapter VI of chapter 99 is modified by deleting "9906.18.38" and inserting "9906.18.38, 9906.18.58, 9906.18.61, 9906.18.70, 9906.18.73" in lieu thereof;

(iii) U.S. note 18 to subchapter VI of chapter 99 is modified by deleting "9906.18.04," and by deleting "9906.18.41" and inserting "9906.18.51, 9906.18.79" in lieu thereof;

(iv) U.S. note 19 to subchapter VI of chapter 99 is modified by deleting "9906.18.27, 9906.18.44" and inserting "9906.18.64, 9906.18.76" in lieu thereof;

(v) U.S. note 20 to subchapter VI of chapter 99 is modified by deleting "9906.18.07," and "9906.18.30, 9906.18.47" and inserting "9906.18.54, 9906.18.67, 9906.18.82" in lieu thereof; and

Annex (con.)
-100-

Section A. (continued)

(37)(b). (con.):

(vi) The superior text preceding subheading 9906.18.01 which reads "Provided for in subheading 1806.10.20:", the superior text immediately preceding subheading 9906.18.01, subheading 9906.18.01 and the superior text immediately following such subheading, subheadings 9906.18.02 through 9908.18.50, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Chocolate and other food...:]	
	"Provided for in subheading 1806.10.15:	
9906.18.01	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.18.02	Valued not over 20.2¢/kg.....	19.4¢/kg (MX)
9906.18.03	Other.....	96.2% (MX)
	Provided for in subheading 1806.20.28 or 1806.20.38:	
9906.18.14	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.15	Valued not over 59¢/kg.....	45¢/kg (MX)
9906.18.16	Other.....	75.6% (MX)
	Provided for in subheading 1806.20.73:	
9906.18.17	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.18.18	Valued not over 28.3¢/kg.....	27.3¢/kg (MX)
9906.18.19	Other.....	96.2% (MX)
	Provided for in subheading 1806.20.77:	
9906.18.20	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.18.21	Valued not over 28.3¢/kg.....	27.3¢/kg (MX)
9906.18.22	Other.....	96.2% (MX)
	Provided for in subheading 1806.20.83 or 1806.20.89:	
9906.18.24	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.25	Valued not over 59¢/kg.....	45¢/kg (MX)
9906.18.26	Other.....	75.6% (MX)

Annex (con.)
-101-

Section A. (continued)

(37)(b). (con.):
(vi) (con.):

	[Goods of Mexico,...:]	
	[Chocolate and other food...:]	
	Provided for in subheading 1806.32.08, 1806.32.18 or 1806.32.80:	
9906.18.34	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.35	Valued not over 59¢/kg.....	45¢/kg (MX)
9906.18.36	Other.....	75.6% (MX)
	Provided for in subheading 1806.90.10, 1806.90.20 or 1806.90.30:	
9906.18.38	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.39	Valued not over 59¢/kg.....	45¢/kg (MX)
9906.18.40	Other.....	75.6% (MX)
	Provided for in subheading 1806.10.28 or 1806.10.55:	
9906.18.51	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.18.52	Valued not over 31.2¢/kg.....	30¢/kg (MX)
9906.18.53	Other.....	96.2% (MX)
	Provided for in subheading 1806.10.38 or 1806.10.75:	
	Goods of a type described in U.S. note 20 to this subchapter:	
9906.18.54	Subject to the quantitative limits specified in U.S. note 20 to this subchapter...	Free (MX)
	Other:	
9906.18.55	Valued not over 31.2¢/kg.....	30¢/kg (MX)
9906.18.56	Other.....	96.2% (MX)
9906.18.57	Other.....	Free (MX)
	Provided for in subheading 1806.20.26 or 1806.20.36:	
9906.18.58	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.59	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.60	Other.....	75.6% (MX)

Section A. (continued)

(37)(b). (con.):
(vi) (con.):

	[Goods of Mexico,...:]	
	[Chocolate and other food...:]	
	Provided for in subheading 1806.20.82 or 1806.20.87:	
9906.18.61	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.62	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.63	Other.....	75.6% (MX)
	Provided for in subheading 1806.20.94:	
9906.18.64	Subject to the quantitative limits specified in U.S. note 19 to this subchapter.....	Free (MX)
	Other:	
9906.18.65	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.66	Other.....	75.6% (MX)
	Provided for in subheading 1806.20.98:	
9906.18.67	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.18.68	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.69	Other.....	75.6% (MX)
	Provided for in subheading 1806.32.06, 1806.32.16 or 1806.32.70:	
9906.18.70	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.71	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.72	Other.....	75.6% (MX)
	Provided for in subheading 1806.90.08, 1806.90.18 or 1806.90.28:	
9906.18.73	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.18.74	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.75	Other.....	75.6% (MX)
	Provided for in subheading 1806.90.39:	
9906.18.76	Subject to the quantitative limits specified in U.S. note 19 to this subchapter.....	Free (MX)
	Other:	
9906.18.77	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.78	Other.....	75.6% (MX)

Section A. (continued)

(37)(b). (con.):
(vi) (con.):

	[Goods of Mexico,...:]	
	[Chocolate and other food...:]	
	Provided for in subheading 1806.90.49:	
9906.18.79	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.18.80	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.81	Other.....	75.6% (MX)
	Provided for in subheading 1806.90.59:	
9906.18.82	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.18.83	Valued not over 42.1¢/kg.....	31.8¢/kg (MX)
9906.18.84	Other.....	75.6% (MX)"

(38). The notes to chapter 19 are modified by inserting the following additional U.S. notes in numerical sequence; and subdivision (a) of U.S. additional note 4 note along with the designation "(b)" for the remaining text and the parenthetical phrase "(beginning with October 1, 1995)" of such note (as added herein) shall be deleted on October 1, 1995:

"Additional U.S. Notes

1. For the purposes of this chapter, the term "mixes and doughs described in additional U.S. note 1 to chapter 19" means articles containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients (except (a) articles not principally of crystalline structure or not in dry amorphous form, the foregoing that are prepared for marketing to the ultimate consumer in the identical form and package in which imported, (b) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, or (c) articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported).

2. The aggregate quantity of infant formula containing oligosaccharides, approved by the Food and Drug Administration, the foregoing goods entered under subheadings 1901.10.15 and 1901.10.60 in any calendar year shall not exceed 100 metric tons (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

3. (a) Except as provided in this subdivision, the aggregate quantity of mixes and doughs described in additional U.S. note 1 to chapter 19, the foregoing goods entered under subheadings 1901.20.30 and 1901.20.65 during the period from January 1 to September 30, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 5,398 metric tons (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such goods during the quota period that began on October 1, 1994; and at the close of September 30, 1995, such quota period shall be considered terminated.

Section A. (continued)

(38). (con.):

(b) The aggregate quantity of mixes and doughs described in additional U.S. note 1 to chapter 19, the foregoing goods entered under subheadings 1901.20.30 and 1901.20.65 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning with October 1, 1995), shall not exceed 5,398 metric tons (imports from Mexico shall not be permitted or included under this quantitative limitation and no such articles shall be classifiable therein)."

(39)(a). Subheadings 1901.10.10, 1901.10.90, 1901.20.10, 1901.20.90, the superior text immediately preceding subheading 1901.90.31, subheadings 1901.90.31 through 1901.90.90, inclusive, and the article description of any superior text to such subheadings are superseded and the following provisions inserted in numerical sequence:

	[Malt extract; food preparations...:] [Preparations for infant use,...:] "Containing over 10 percent by weight of milk solids:			
1901.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	17.5%	Free (E,IL,J,MX) 5.2% (CA)	35%
	Other: Infant formula containing oligosaccharides:			
1901.10.15	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
1901.10.30	Other.....	[See section D to this Annex]	See 9906.19.01-9906.19.03 (MX)	$1.217/kg + 17.5%
	Other: Dairy products described in additional U.S. note 1 to chapter 4:			
1901.10.35	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
1901.10.40	Other.....	[See section D to this Annex]	See 9906.19.01-9906.19.03 (MX)	$1.217/kg + 17.5%
1901.10.45	Other.....	[See section D to this Annex]	Free (E,IL,J) 5.2% (CA) 14% (MX)	35%

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:]			
	[Preparations for infant use,...:]			
	Other:			
1901.10.55	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	17.5%	Free (E,IL,J,MX) 5.2% (CA)	35%
	Other:			
	Infant formula containing oligosaccharides:			
1901.10.60	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
1901.10.75	Other.....	[See section D to this Annex]	See 9906.19.01-9906.19.03 (MX)	$1.217/kg + 17.5%
	Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
1901.10.80	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
1901.10.85	Other.....	[See section D to this Annex]	See 9906.19.01-9906.19.03 (MX)	$1.217/kg + 17.5%
1901.10.95	Other.....	[See section D to this Annex]	Free (E,IL,J) 5.2% (CA) 14% (MX)	35%"
	[Mixes and doughs for the...:]			
	"Containing over 25 percent by weight of butterfat, not put up for retail sale:			
1901.20.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	20%

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:] [Mixes and doughs for the...:] Containing over 25 percent by weight of butterfat, not put up for retail sale (con.): Other: Dairy products described in additional U.S. note 1 to chapter 4:			
1901.20.05	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
1901.20.15	Other.....	[See section D to this Annex]	See 9906.19.05-9906.19.07 (MX)	49.8¢/kg + 10%
	Other: Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1901.20.20	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1901.20.25	Other.....	[See section D to this Annex]	See 9906.19.08-9906.19.10 (MX)	49.8¢/kg + 10%
	Mixes and doughs described in additional U.S. note 1 to chapter 19:			
1901.20.30	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
1901.20.35	Other.....	[See section D to this Annex]	See 9906.19.11-9906.19.13 (MX)	49.8¢/kg + 10%
1901.20.40	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:] [Mixes and doughs for the...:] Other:			
1901.20.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	20%
	Other: Dairy products described in additional U.S. note 1 to chapter 4:			
1901.20.45	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
1901.20.50	Other.....	[See section D to this Annex]	See 9906.19.05-9906.19.07 (MX)	49.8¢/kg + 10%
	Other: Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1901.20.55	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1901.20.60	Other.....	[See section D to this Annex]	See 9906.19.08-9906.19.10 (MX)	49.8¢/kg + 10%
	Mixes and doughs described in additional U.S. note 1 to chapter 19:			
1901.20.65	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
1901.20.70	Other.....	[See section D to this Annex]	See 9906.19.11-9906.19.13 (MX)	49.8¢/kg + 10%
1901.20.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%"

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:]			
	[Other:]			
"1901.90.28	Dry mixtures containing less than 31 percent by weight of butterfat and consisting of not less than 17.5 percent by weight each of sodium caseinate, butterfat, whey solids containing over 5.5 percent by weight of butterfat, and dried whole milk, but not containing dried milk, dried whey or dried buttermilk any of which contain 5.5 percent or less by weight of butterfat.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	12.1¢/kg
1901.90.32	Cajeta not made from cow's milk.....	[See section D to this Annex]	Free (E,IL,J) 5.2% (CA) 14% (MX)	35%
	Margarine cheese:			
1901.90.33	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	20%
1901.90.34	Described in additional U.S. note 23 to chapter 4 and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
1901.90.36	Other.....	[See section D to this Annex]	See 9906.19.16-9906.19.18 (MX)	$1.328/kg
	Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
	Dairy preparations containing over 10 percent by weight of milk solids:			
1901.90.38	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	16%	Free (E,IL,J,MX) 3% (CA)	25%
1901.90.42	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	16%	Free (E,IL,J) 3% (CA)	25%
1901.90.43	Other.....	[See section D to this Annex]	See 9906.19.16-9906.19.18 (MX)	$1.217/kg + 16%

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:]			
	[Other:]			
	Other (con.):			
	Dairy products described in additional U.S. note 1 to chapter 4 (con.):			
	Other:			
1901.90.44	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	16%	Free (E,IL,J,MX) 3% (CA)	25%
1901.90.46	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	16%	Free (E,IL,J) 3% (CA)	25%
1901.90.47	Other.....	[See section D to this Annex]	See 9906.19.16-9906.19.18 (MX)	$1.217/kg + 16%
	Other:			
1901.90.48	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	10%	Free (E,IL,J,MX) 3% (CA)	20%
	Other:			
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
1901.90.52	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
1901.90.54	Other.....	[See section D to this Annex]	See 9906.19.31-9906.19.33 (MX)	27.9¢/kg + 10%

Section A. (continued)

(39)(a). (con.):

	[Malt extract; food preparations...:] [Other:] Other (con.): Other (con.): Other (con.): Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
1901.90.56	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
1901.90.58	Other.....	[See section D to this Annex]	See 9906.19.34-9906.19.36 (MX)	27.9¢/kg + 10%
	Other:			
1901.90.70	Containing over 5.5 percent by weight of butterfat and not packaged for retail sale.....	[See section D to this Annex]	Free (E,IL,J) 4.8% (CA) 12.8% (MX)	20%
1901.90.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J) 3% (CA) 8% (MX)	20%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "3501.90.50 India" and inserting "3501.90.60 India" in numerical sequence in lieu thereof;

(ii) Subheading 3501.90.50 is renumbered as 3501.90.60;

(iii) U.S. note 7 to subchapter VI of chapter 99 is modified by deleting "1901.90.31 or 1901.90.39" wherever it appears and inserting "1901.90.42, 1901.90.44, 1901.90.46 or 1901.90.48" in lieu thereof and by deleting "9906.19.20, 9906.19.24, 9906.19.28," from such note;

(iv) Subheading 9906.19.04 is deleted; and

Section A. (continued)

(39)(b). (con.):

(v) The superior text preceding subheading 9906.19.05 which reads "Provided for in subheading 1901.20:", the superior text immediately preceding subheading 9906.19.05, subheading 9906.19.05 and the superior text immediately following such subheading, subheadings 9906.19.06 through 9906.19.38, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Malt extract; food...:]	
	"Provided for in subheading 1901.20.15 or 1901.20.50:	
9906.19.05	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.19.06	Valued not over 47.7¢/kg.....	34.8¢/kg (MX)
9906.19.07	Other.....	73% (MX)
	Provided for in subheading 1901.20.25 or 1901.20.60:	
9906.19.08	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.19.09	Valued not over 47.7¢/kg.....	34.8¢/kg (MX)
9906.19.10	Other.....	73% (MX)
	Provided for in subheading 1901.20.35 or 1901.20.70:	
9906.19.11	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.19.12	Valued not over 47.7¢/kg.....	34.8¢/kg (MX)
9906.19.13	Other.....	73% (MX)
9906.19.15	Cajeta with milk component containing over 50 percent by weight of goat's milk (provided for in subheading 1901.90.32).....	Free (MX)
	Provided for in subheading 1901.90.36, 1901.90.43 or 1901.90.47:	
9906.19.16	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.19.17	Valued not over $1.27/kg.....	84.6¢/kg (MX)
9906.19.18	Other.....	66.5% (MX)

Section A. (continued)

(39)(b). (con.):
(v) (con.):

	[Goods of Mexico,...:]	
	[Malt extract; food...:]	
	Provided for in subheading 1901.90.54:	
9906.19.31	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.19.32	Valued not over 22¢/kg.....	21.2¢/kg (MX)
9906.19.33	Other.....	96.2% (MX)
	Provided for in subheading 1901.90.58:	
9906.19.34	Subject to the quantitative limits described in U.S. note 20 to this subchapter.....	Free (MX)
	Other:	
9906.19.35	Valued not over 22¢/kg.....	21.2¢/kg (MX)
9906.19.36	Other.....	96.2% (MX)"

(40). Additional U.S. note 4 to chapter 20 is deleted and the following additional U.S. note 4 inserted in lieu thereof:

"4. The aggregate quantity of olives entered under subheadings 0711.20.18 and 2005.70.06 in any calendar year shall not exceed 4,400 metric tons."

(41). The additional U.S. notes to chapter 20 are further modified by inserting the following additional U.S. notes in numerical sequence:

"5. The aggregate quantity of peanut butter and paste entered under subheading 2008.11.05 in any calendar year shall not exceed the quantities specified in this note (imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable therein).

	Quantity (metric tons)
Canada	14,500
Argentina	3,650
Countries or territories identified in additional U.S. note 6 to this chapter combined (aggregate)	750
Other countries or areas	250

Section A. (continued)

(41). (con.):

6. The expression "Countries or territories identified in additional U.S. note 6 to this chapter" means that those countries listed below shall be eligible to enter, in the aggregate, the quantity specified in additional U.S. note 5 to this chapter:

Albania
Angola
Anguilla
Antigua and Barbuda
Argentina
Aruba
Bahamas
Bahrain
Bangladesh
Barbados
Belize
Benin
Bhutan
Bolivia
Bosnia-Hercegovina
Botswana
Brazil
British Indian Ocean Territory
British Virgin Islands
Bulgaria
Burkina
Burundi
Cameroon
Cape Verde
Cayman Islands
Central African Republic
Chad
Chile
Christmas Island (in the Indian Ocean)
Cocos (Keeling) Island
Colombia
Comoros
Congo
Cook Islands
Costa Rica
Croatia
Cyprus
Czech Republic
Dominica
Dominican Republic
Djibouti
Ecuador
Egypt
El Salvador
Equatorial Guinea
Ethiopia
Estonia
Falkland Islands
French Polynesia
Fiji
Gabon
Gambia, The
Ghana
Gibraltar
Greenland
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Heard Island and McDonald Islands
Honduras
Hungary
India
Indonesia
Israel
Ivory Coast
Jamaica
Jordan
Kazakhstan
Kenya
Kiribati
Kyrgyzstan
Latvia
Lebanon
Lesotho
Liberia
Lithuania
Macao
Macedonia
Madagascar
Malawi
Malaysia
Maldive Islands
Mali
Malta and Gozo
Mauritania
Mauritius
Montserrat
Morocco
Mozambique
Namibia
Nepal
Netherlands Antilles
New Caledonia
Nicaragua
Niger
Niue
Norfolk Island
Oman
Pakistan
Palau
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Pitcairn Island
Poland
Republic of South Africa
Republic of Yemen
Romania
Russia
Rwanda
St. Helena
St. Kitts and Nevis
St. Lucia
St. Vincent and the Grenadines
Sao Tome and Principe
Senegal
Seychelles
Sierra Leone
Slovakia
Slovenia
Solomon Islands
Somalia
Sri Lanka
Suriname
Swaziland
Tanzania
Thailand
Togo
Tokelau Islands
Tonga
Trinidad and Tobago
Tunisia
Turkey
Turks and Caicos Islands
Tuvalu
Uganda
Ukraine
Uruguay
Vanuatu
Venezuela
Wallis and Futuna
Western Sahara
Western Samoa
Zaire
Zambia
Zimbabwe"

(42). Subheadings 2005.20.20 and 2005.20.60 are superseded by:

	[Other vegetables prepared or preserved...:]			
"2005.20.00	Potatoes.....	(See section D to this Annex]	Free (A,E,IL,J, MX) 3% (CA)	35%"

Section A. (continued)

(43)(a). Subheadings 2005.70.11, 2005.70.13, 2005.70.15, 2005.70.21, 2005.70.22, 2005.70.81 and 2005.70.83 are superseded and the following provisions inserted in numerical sequence:

	[Other vegetables prepared or preserved...:] [Olives:] [In a saline solution:] [Green in color:] [Not pitted:] "Ripe, in containers each holding less than 13 kg, drained weight:			
2005.70.02	In an aggregate quantity not to exceed 730 metric tons entered in any calendar year.....	5.4¢/kg on drained weight	Free (A,E,IL,J) 1.6¢/kg on drained weight (CA) 4.3¢/kg on drained weight (MX)	7.4¢/kg on drained weight
2005.70.04	Other.....	[See section D to this Annex]	Free (IL) 2.2¢/kg on drained weight (CA) 5.9¢/kg on drained weight (MX)	7.4¢/kg on drained weight"
	[Other:] "In containers each holding more than 8 kg, drained weight, certified by the importer to be used for repacking or sale as green olives:			
2005.70.06	Described in additional U.S. note 4 to this chapter and entered pursuant to its provisions....	3.7¢/kg on drained weight	Free (A,E,IL,J) 1.1¢/kg on drained weight (CA) 2.9¢/kg on drained weight (MX)	7.4¢/kg on drained weight

Section A. (continued)

(43)(a). (con.):

	[Other vegetables prepared or preserved...:] [Olives:] [In a saline solution:] [Green in color:] [Not pitted:] [Other:] In containers each holding more than 8 kg, drained weight, certified by the importer to be used for repacking or sale as green olives (con.):			
2005.70.08	Other.....	[See section D to this Annex]	Free (IL) 2.2¢/kg on drained weight (CA) 5.9¢/kg on drained weight (MX)	7.4¢/kg on drained weight
2005.70.12	Other.....	[See section D to this Annex]	Free (A,E,IL,J) 2.2¢/kg on drained weight (CA) 5.9¢/kg on drained weight (MX)	7.4¢/kg on drained weight"
	[Pitted or stuffed:] [Place packed:] "Stuffed, in containers each holding not more than 1 kg, drained weight:			
2005.70.16	In an aggregate quantity not to exceed 2,700 metric tons in any calendar year.....	5.4¢/kg on drained weight	Free (A,E,IL,J) 1.6¢/kg on drained weight (CA) 4.3¢/kg on drained weight (MX)	10.8¢/kg on drained weight

Section A. (continued)

(43)(a). (con.):

	[Other vegetables prepared or preserved...:] [Olives:] [In a saline solution:] [Green in color:] [Pitted or stuffed:] [Place packed:] Stuffed, in containers each holding not more than 1 kg, drained weight (con.):			
2005.70.18	Other.....	[See section D to this Annex]	Free (IL) 3.2¢/kg on drained weight (CA) 8.6¢/kg on drained weight (MX)	10.8¢/kg on drained weight
2005.70.23	Other.....	[See section D to this Annex]	Free (IL) 3.2¢/kg on drained weight (CA) 8.6¢/kg on drained weight (MX)	10.8¢/kg on drained weight"
	[Otherwise prepared or preserved:] "Green, in containers each holding less than 13 kg, drained weight:			
2005.70.91	In an aggregate quantity not to exceed 550 metric tons in any calendar year....	5.5¢/kg on drained weight	Free (E,IL,J) 1.6¢/kg on drained weight (CA) 4.4¢/kg on drained weight (MX)	11¢/kg on drained weight
2005.70.93	Other.....	[See section D to this Annex]	Free (IL) 3.3¢/kg on drained weight (CA) 8.8¢/kg on drained weight (MX)	11¢/kg on drained weight"
2005.70.97	Other.....	[See section D to this Annex]	Free (E,IL,J) 3.3¢/kg on drained weight (CA) 8.8¢/kg on drained weight (MX)	11¢/kg on drained weight"

Section A. (continued)

(43)(b). Conforming change: The superior text preceding subheading 9906.20.01 which reads "Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen:", the superior text immediately preceding subheading 9906.20.01 and subheadings 9906.20.01 and 9906.20.02 are all deleted.

(44). Subheadings 2005.90.87 and 2005.90.95 are superseded by:

	[Other vegetables prepared or preserved...:]			
	[Other vegetables and mixtures...:]			
"2005.90.97	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 5.2% (CA)	35%"

(45)(a). Subheadings 2008.11.10, 2008.11.20 and 2008.11.90 are superseded and the following provisions inserted in numerical sequence:

	[Fruit, nuts and other edible...:]			
	[Nuts, peanuts (ground-nuts)...:]			
	[Peanuts (ground-nuts):]			
	"Peanut butter and paste:			
2008.11.02	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	[See section D to this Annex]	Free (E,IL,J,MX) 1.9¢/kg (CA)	15¢/kg
2008.11.05	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	[See section D to this Annex]	Free (E,IL,J) 1.9¢/kg (CA)	15¢/kg
2008.11.15	Other.....	[See section D to this Annex]	5.2¢/kg (MX)	155%
	Blanched peanuts:			
2008.11.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	6.6¢/kg	Free (E,IL,J,MX) 1.9¢/kg (CA)	15¢/kg
2008.11.25	Described in additional U.S. note 2 to chapter 12 and entered pursuant to its provisions.....	6.6¢/kg	Free (E,IL,J) 1.9¢/kg (CA)	15¢/kg
2008.11.35	Other.....	[See section D to this Annex]	See 9906.20.03-9906.20.05 (MX)	155%

Section A. (continued)

(45)(a). (con.):

	[Fruit, nuts and other edible...:]				
	[Nuts, peanuts (ground-nuts)...:]				
	[Peanuts (ground-nuts):]				
	Other:				
2008.11.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	6.6¢/kg	Free (E,IL,J,MX) 1.9¢/kg (CA)	15¢/kg
2008.11.45	Described in additional U.S. note 2 to chapter 12 and entered pursuant to its provisions.....	6.6¢/kg	Free (E,IL,J) 1.9¢/kg (CA)	15¢/kg
2008.11.60	Other.....	[See section D to this Annex]	See 9906.20.03 9906.20.05 (MX)	155%"

(b). Conforming change: The superior text immediately preceding subheading 9906.20.03 is modified by deleting "2008.11.20 or 2008.11.90" and inserting "2008.11.35 or 2008.11.60" in lieu thereof.

(46). Subheadings 2008.30.52 and 2008.30.54 are superseded by:

	[Fruit, nuts and other edible parts...:]				
	[Citrus fruit:]				
	[Other:]				
	[Mandarins (including...:]				
	[Mandarins:]				
	"Satsumas, in airtight containers:				
2008.30.42	For an aggregate quantity entered in any calendar year not to exceed 40,000 metric tons.....	Free		2.2¢/kg
2008.30.46	Other.....	[See section D to this Annex]	Free (IL,MX) 0.1¢/kg (CA)	2.2¢/kg
2008.30.48	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 0.1¢/kg (CA)	2.2¢/kg"

Section A. (continued)

(47). The additional U.S. notes to chapter 21 are modified by inserting the following additional U.S. notes in numerical sequence; and the parenthetical phrase "(beginning with October 1, 1995)" of additional U.S. note 4 (as added herein) shall be deleted on October 1, 1995:

"3. For the purposes of this chapter, the term "mixed condiments and mixed seasonings described in additional U.S. note 3 to this chapter" means articles containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, except (a) articles not principally of crystalline structure or not in dry amorphous form that are prepared for marketing to the ultimate consumer in the identical form and package in which imported; or (b) cake decorations and similar products to be used in the same condition as imported without any further processing other than the direct application to individual pastries or confections, finely ground or masticated coconut meat or juice thereof mixed with those sugars, and sauces and preparations therefor.

4. The aggregate quantity of mixed condiments and mixed seasonings described in additional U.S. note 3 to this chapter and entered under subheading 2103.90.74 during the 12-month period from October 1 in any year to the following September 30, inclusive (beginning with October 1, 1995), shall not exceed 689 metric tons (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

5. The aggregate quantity of ice cream entered under subheading 2105.00.10 in any calendar year shall not exceed 3,283,772 liters (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (liters)
Belgium	922,315
Denmark	13,059
Jamaica	3,596
Netherlands	104,477
New Zealand	589,312"

(48)(a). Subheadings 2101.10.40 and 2101.20.40 are superseded and the following provisions inserted in numerical sequence:

	[Extracts, essences and concentrates, of coffee, tea or maté...:]			
	[Extracts, essences and concentrates, of coffee,...:]			
	"Other:			
2101.10.32	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,E,IL,J,MX) 3% (CA)	20%

Annex (con.)
-120-

Section A. (continued)

(48)(a). (con.):

	[Extracts, essences and concentrates, of coffee, tea or maté...:] [Extracts, essences and concentrates, of coffee,...:] Other (con.): Other: Blended syrups described in additional U.S. note 4 to chapter 17:			
2101.10.34	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions.....	10%		20%
2101.10.38	Other.....	[See section D to this Annex]	See 9906.21.04-9906.21.06 (MX)	35.9¢/kg + 10%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
2101.10.44	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
2101.10.48	Other.....	[See section D to this Annex]	See 9906.21.01-9906.21.03 (MX)	35.9¢/kg + 10%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
2101.10.54	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions.....	10%	Free (A,E,IL,J) 3% (CA)	20%
2101.10.58	Other.....	[See section D to this Annex]	See 9906.21.07-9906.21.09 (MX)	35.9¢/kg + 10%
2101.10.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%"

Section A. (continued)

(48)(a). (con.):

	[Extracts, essences and concentrates, of coffee, tea or maté...:] [Extracts, essences and concentrates, of tea or maté,...:] "Other:			
2101.20.32	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (A,CA,E,IL, J,MX)	20%
	Other:			
	Blended syrups described in additional U.S. note 4 to chapter 17:			
2101.20.34	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions.....	10%		20%
2101.20.38	Other.....	[See section D to this Annex]	See 9906.21.04-9906.21.06 (MX)	35.9¢/kg + 10%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
2101.20.44	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions.....	10%		20%
2101.20.48	Other.....	[See section D to this Annex]	See 9906.21.01-9906.21.03 (MX)	35.9¢/kg + 10%
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
2101.20.54	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions.....	10%	Free (A,CA,E,IL,J)	20%
2101.20.58	Other.....	[See section D to this Annex]	See 9906.21.07-9906.21.09 (MX)	35.9¢/kg + 10%
2101.20.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	20%"

Annex (con.)
-122-

Section A. (continued)

(48)(b). Conforming change: The superior text preceding subheading 9906.21.01 which reads "Provided for in subheading 2101.10.40 or 2101.20.40:", the superior text immediately preceding subheading 9906.19.05, subheading 9906.21.01 and the superior text immediately following such subheading, subheadings 9906.21.02 through 9906.21.10, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]		
	[Extracts, essences and concentrates, of coffee, tea or maté...:]		
	"Provided for in subheading 2101.10.48 or 2101.20.48:		
9906.21.01	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....		Free (MX)
	Other:		
9906.21.02	Valued not over 28.3¢/kg.....		27.3¢/kg (MX)
9906.21.03	Other.....		96.2% (MX)
	Provided for in subheading 2101.10.38 or 2101.20.38:		
9906.21.04	Subject to the quantitative limits specified in U.S. note 19 to this subchapter.....		Free (MX)
	Other:		
9906.21.05	Valued not over 28.3¢/kg.....		27.3¢/kg (MX)
9906.21.06	Other.....		96.2% (MX)
	Provided for in subheading 2101.10.58 or 2101.20.58:		
9906.21.07	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....		Free (MX)
	Other:		
9906.21.08	Valued not over 28.3¢/kg.....		27.3¢/kg (MX)
9906.21.09	Other.....		96.2% (MX)"

(49)(a). Subheading 2103.90.60 is superseded by:

	[Sauces and preparations therefor;...:]		
	[Other:]		
	"Other:		
	Mixed condiments or mixed seasonings:		
	Mixed condiments and mixed seasonings described in additional U.S. note 3 to this chapter:		
2103.90.72	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	7.5%	Free (A,E,IL,J,MX) 35% 2.2% (CA)

Section A. (continued)

(49)(a). (con.):

	[Sauces and preparations therefor;...:]			
	[Other:]			
	Other (con.):			
	Mixed condiments or mixed seasonings (con.):			
	Mixed condiments and mixed seasonings described in additional U.S. note 3 to this chapter (con.):			
2103.90.74	Described in additional U.S. note 8(a) to chapter 17 and entered pursuant to its provisions.....	7.5%	Free (A,E,IL,J) 2.2% (CA)	35%
2103.90.78	Other.....	[See section D to this Annex]	See 9906.21.11-9906.21.17 (MX)	35.9¢/kg + 7.5%
2103.90.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 2.2% (CA)	35%
2103.90.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 2.2% (CA)	35%*

(b). Conforming changes:

(i) The article description of subheading 2103.90.74 is modified by deleting "note 8(a) to chapter 17" and inserting "note 4 to this chapter" in lieu thereof on October 1, 1995;

(ii) The article description of subheading 9905.21.05 is modified by deleting "2103.90.60" and inserting "2103.90.90" in lieu thereof; and

Section A. (continued)

(49)(b). (con.):

(iii) The superior text preceding subheading 9906.21.11 which reads "Provided for in subheading 2103.90.60:" and "Mixed condiments and mixed seasonings:", the superior text immediately preceding subheading 9906.21.11, subheading 9906.21.11 and the superior text immediately following such subheading, subheadings 9906.21.11 through 9906.21.18, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Sauces and preparations therefor;...:]	
	"Provided for in subheading 2103.90.78:	
	Goods of a type described in U.S. note 18 to this subchapter:	
9906.21.11	Subject to the quantitative limits specified in U.S. note 18 to this subchapter...	Free (MX)
	Other:	
9906.21.12	Valued not over 28.3¢/kg.....	27.3¢/kg (MX)
9906.21.13	Other.....	96.2% (MX)
	Goods of a type described in U.S. note 20 to this subchapter:	
9906.21.14	Subject to the quantitative limits specified in U.S. note 20 to this subchapter...	Free (MX)
	Other:	
9906.21.15	Valued not over 28.3¢/kg.....	27.3¢/kg (MX)
9906.21.16	Other.....	96.2% (MX)
9906.21.17	Other.....	Free (MX)"

Section A. (continued)

(50)(a). Heading 2105.00.00 is superseded by:

"2105.00	Ice cream and other edible ice, whether or not containing cocoa:			
	Ice cream:			
2105.00.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	20%
2105.00.10	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	20%
2105.00.20	Other.....	[See section D to this Annex]	See 9906.21.19-9906.21.21 (MX)	59¢/kg + 20%
	Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
2105.00.25	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	20%	Free (E,IL,J,MX) 6% (CA)	20%
2105.00.30	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	20%	Free (E,IL,J) 6% (CA)	20%
2105.00.40	Other.....	[See section D to this Annex]	See 9906.21.22-9906.21.24 (MX)	59¢/kg + 20%
2105.00.50	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 6% (CA)	20%"

(b). Conforming change: The superior text preceding subheading 9906.21.19 which reads "Provided for in heading 2105.00.00":, the superior text immediately preceding subheading 9906.21.19, subheading 9906.21.19 and the superior text immediately following such subheading, subheadings 9906.21.20 through 9906.21.25, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]		
	[Ice cream and other edible ice,...:]		
	"Provided for in subheading 2105.00.20:		
9906.21.19	Subject to the quantitative limits specified in U.S. note 4 to this subchapter.....		Free (MX)
	Other:		
9906.21.20	Valued not over 51.2¢/kg.....		37.8¢/kg (MX)
9906.21.21	Other.....		73.8% (MX)

Section A. (continued)

(50)(b). (con.):

	[Goods of Mexico,...:]			
	[Ice cream and other edible ice,...:]			
	Provided for in heading 2105.00.40:			
9906.21.22	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....		Free (MX)	
	Other:			
9906.21.23	Valued not over 51.2¢/kg.....		37.8¢/kg (MX)	
9906.21.24	Other.....		73.8% (MX)"	

(51)(a). Subheadings 2106.90.05, 2106.90.11, 2106.90.12, 2106.90.13, 2106.90.14, 2106.90.41, 2106.90.49, 2106.90.51, 2106.90.59, 2106.90.61 and 2106.90.69, and any superior text to such subheadings are superseded and the following provisions inserted in numerical sequence:

	[Food preparations not elsewhere...:]			
	[Other:]			
	"Products derived from the dried milk, dried buttermilk or dried whey of subheadings 0402.10, 0402.21.05, 0402.21.25, 0402.21.30, 0402.21.50, 0403.90.41, 0403.90.45, 0404.10.50 or 0404.10.90, which contain not over 5.5 percent by weight of butterfat and which are mixed with other ingredients including, but not limited to sugar, if such mixtures contain over 16 percent milk solids by weight, are capable of being further processed or mixed with similar ingredients and are not prepared for marketing to the retail consumer in the identical form and package in which imported:			
2106.90.03	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	2.9¢/kg	Free (A,E,IL,J,MX) 0.8¢/kg (CA)	12.1¢/kg
2106.90.06	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	2.9¢/kg	Free (A,E,IL,J) 0.8¢/kg (CA)	12.1¢/kg
2106.90.09	Other.....	[See section D to this Annex]	See 9906.21.26-9906.21.28 (MX)	$1.014/kg

Annex (con.)
-127-

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:] [Other:] Butter substitutes, whether in liquid or solid state, containing over 15 percent by weight of butter or other fats or oils derived from milk: Containing over 10 percent by weight of milk solids: Butter substitutes containing over 45 percent by weight of butterfat:			
2106.90.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J,MX) 4.6¢/kg (CA)	31¢/kg
2106.90.24	Described in additional U.S. note 14 to chapter 4 and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J) 4.6¢/kg (CA)	31¢/kg
2106.90.26	Other.....	[See section D to this Annex]	See 9906.21.31-9906.21.33 (MX)	$2.348/kg
2106.90.28	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.6¢/kg (CA) 12.3¢/kg (MX)	31¢/kg
	Other: Butter substitutes containing over 45 percent by weight of butterfat:			
2106.90.32	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J,MX) 4.6¢/kg (CA)	31¢/kg
2106.90.34	Described in additional U.S. note 14 to chapter 4 and entered pursuant to its provisions.....	15.4¢/kg	Free (E,IL,J) 4.6¢/kg (CA)	31¢/kg
2106.90.36	Other.....	[See section D to this Annex]	See 9906.21.31-9906.21.33 (MX)	$2.348/kg
2106.90.38	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.6¢/kg (CA) 12.3¢/kg (MX)	31¢/kg

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:]			
	[Other:]			
	Syrups derived from cane or beet sugar, containing added coloring but not added flavoring matter:			
2106.90.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	3.6606¢/kg of total sugars	Free (A,E*,IL,J, MX) 0.4381¢/kg of total sugars (CA)	6.58170¢/kg of total sugars
2106.90.44	Described in additional U.S. note 5 to chapter 17 and entered pursuant to its provisions.....	3.6606¢/kg of total sugars	Free (A,E*,IL,J, MX) 0.4381¢/kg of total sugars (CA)	6.58170¢/kg of total sugars
2106.90.46	Other.....	[See section D to this Annex]	35.517¢/kg (MX)	42¢.05/kg*
	[Other:]			
	[Other:]			
	"Containing over 10 percent by weight of milk solids:			
2106.90.62	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	20%
	Other, dairy products described in additional U.S. note 1 to chapter 4:			
2106.90.64	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
2106.90.66	Other.....	[See section D to this Annex]	See 9906.21.37-9906.21.39 (MX)	82.8¢/kg + 10%

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:] [Other:] [Other:] [Other:] Containing over 10 percent by weight of milk solids (con.): Other: Blended syrups described in additional U.S. note 4 to chapter 17:			
2106.90.68	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions....	10%		20%
2106.90.72	Other.....	[See section D to this Annex]	See 9906.21.47-9906.21.49 (MX)	82.8¢/kg + 10%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
2106.90.74	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions....	10%		20%
2106.90.76	Other.....	[See section D to this Annex]	See 9906.21.44-9906.21.46 (MX)	82.8¢/kg + 10%

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:] [Other:] [Other:] [Other:] Containing over 10 percent by weight of milk solids (con.): Other (con.): Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:			
2106.90.78	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	20%
2106.90.80	Other.....	[See section D to this Annex]	See 9906.21.50-9906.21.52 (MX)	82.8¢/kg + 10%
2106.90.82	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%
	Other: Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	10%	Free (E,IL,J,MX) 3% (CA)	20%
	Other, dairy products described in additional U.S. note 1 to chapter 4:			
2106.90.85	Described in additional U.S. note 10 to chapter 4 and entered pursuant to its provisions.....	10%	Free (E,IL,J) 3% (CA)	20%
2106.90.87	Other.....	[See section D to this Annex]	See 9906.21.37-9906.21.39 (MX)	33.9¢/kg + 10%

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:] [Other:] [Other:] [Other:] Other (con.): Other: Blended syrups described in additional U.S. note 4 to chapter 17:			
2106.90.89	Described in additional U.S. note 9 to chapter 17 and entered pursuant to its provisions....	10%		20%
2106.90.91	Other.....	[See section D to this Annex]	See 9906.21.47-9906.21.49 (MX)	33.9¢/kg + 10%
	Articles containing over 65 percent by dry weight of sugar described in additional U.S. note 2 to chapter 17:			
2106.90.92	Described in additional U.S. note 7 to chapter 17 and entered pursuant to its provisions....	10%		20%
2106.90.94	Other.....	[See section D to this Annex]	See 9906.21.44-9906.21.46 (MX)	33.9¢/kg + 10%

Section A. (continued)

(51)(a). (con.):

	[Food preparations not elsewhere...:]				
	[Other:]				
	[Other:]				
	[Other:]				
	Other (con.):				
	Other (con.):				
	Articles containing over 10 percent by dry weight of sugar described in additional U.S. note 3 to chapter 17:				
2106.90.95	Described in additional U.S. note 8 to chapter 17 and entered pursuant to its provisions....	10%	Free (E,IL,J) 3% (CA)	20%	
2106.90.97	Other.....	[See section D to this Annex]	See 9906.21.50-9906.21.52 (MX)	33.9¢/kg + 10%	
2106.90.99	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 3% (CA)	20%"	

(b). Conforming changes:

(i) Additional U.S. notes 1 and 2 to chapter 21 are modified by deleting "2106.90.16, 2106.90.17 and 2106.90.18" and inserting "2106.90.48, 2106.90.52 and 2106.90.54" in lieu thereof;

(ii) Subheadings 2106.90.16, 2106.90.17, 2106.90.18 and 2106.90.20 are renumbered as 2106.90.48, 2106.90.52, 2106.90.54 and 2106.90.58, respectively;

(iii) Additional U.S. note 2 to chapter 22 is modified by deleting "2106.90.16, 2106.90.17 or 2106.90.18" and inserting "2106.90.48, 2106.90.52 or 2106.90.54" in lieu thereof;

(iv) The article description of subheading 9905.21.10 is modified by deleting "2106.90.61 or 2106.90.69" and inserting "2106.90.82 or 2106.90.99" in lieu thereof;

(v) U.S. note 7 to subchapter VI of chapter 99 is modified by deleting "9906.21.41," from such note;

(vi) The superior text immediately preceding subheading 9906.21.26 is modified by deleting "2106.90.05" and inserting "2106.90.09" in lieu thereof;

(vii) Subheadings 9906.21.29 and 9906.21.30 and the superior text immediately preceding subheading 9906.21.29 are deleted;

Annex (con.)
-133-

Section A. (continued)

(51)(b). (con.):

(viii) The superior text preceding subheading 9906.21.31 which reads "Provided for in subheading 2106.90.13 or 2106.90.14:", the superior text immediately preceding subheading 9906.21.31, subheading 9906.21.31 and the superior text immediately following such subheading, subheadings 9906.21.32 through 9906.21.34, inclusive, and any superior text to such subheadings, the superior text preceding subheading 9906.21.37 which reads "Provided for in subheading 2106.90.41 or 2106.90.49:", the superior text immediately preceding subheading 9906.21.37, subheading 9906.21.37 and the superior text immediately following such subheading, subheadings 9906.21.38 through 9906.21.54, inclusive, and any superior text to such subheadings, are all deleted, and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Food preparations not...:]	
	"Provided for in subheading	
	2106.90.26 or 2106.90.36:	
9906.21.31	Subject to the quantitative limits specified in U.S. note 5 to this subchapter.....	Free (MX)
	Other:	
9906.21.32	Valued not over $1.57/kg.....	$1.20¢/kg (MX)
9906.21.33	Other.....	76.6% (MX)
	Provided for in subheading	
	2106.90.66 or 2106.90.87:	
9906.21.37	Subject to the quantitative limits specified in U.S. note 7 to this subchapter.....	Free (MX)
	Other:	
9906.21.38	Valued not over 74.8¢/kg.....	56.2¢/kg (MX)
9906.21.39	Other.....	75.1% (MX)
	Provided for in subheading	
	2106.90.76 or 2106.90.94:	
9906.21.44	Subject to the quantitative limits specified in U.S. note 18 to this subchapter.....	Free (MX)
	Other:	
9906.21.45	Valued not over 74.8¢/kg.....	56.2¢/kg (MX)
9906.21.46	Other.....	75.1% (MX)
	Provided for in subheading	
	2106.90.72 or 2106.90.91:	
9906.21.47	Subject to the quantitative limits specified in U.S. note 19 to this subchapter.....	Free (MX)
	Other:	
9906.21.48	Valued not over 74.8¢/kg.....	56.2¢/kg (MX)
9906.21.49	Other.....	75.1% (MX)

Annex (con.)
-134-

Section A. (continued)

(51)(b). (con.):
(viii) (con.):

	[Goods of Mexico,...:]			
	[Food preparations not...:]			
	Provided for in subheading			
	2106.90.80 or 2106.90.97:			
9906.21.50	Subject to the quantitative limits specified in U.S. note 20 to this subchapter.....		Free (MX)	
	Other:			
9906.21.51	Valued not over 74.8¢/kg.....		56.2¢/kg (MX)	
9906.21.52	Other.....		75.1% (MX)"	

(ix) The superior text immediately preceding subheading 9906.21.35 is modified by deleting "2106.90.16" and inserting "2106.90.48" in lieu thereof.

(52)(a). Subheading 2202.90.20 is superseded by:

	[Waters, including mineral...:]			
	[Other:]			
	[Milk-based drinks:]			
	"Other:			
2202.90.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	17.5%	Free (E,IL,J,MX) 5.2% (CA)	35%
2202.90.24	Described in additional U.S note 10 to chapter 4 and entered pursuant to its provisions.....	17.5%	Free (E,IL,J) 5.2% (CA)	35%
2202.90.28	Other.....	[See section D to this Annex]	See 9906.22.01-9906.22.03 (MX)	27.6¢/liter + 17.5%"

(b). Conforming change: The superior text immediately preceding subheading 9906.22.01 is modified by deleting "2202.90.20" and inserting "2202.90.28" in lieu thereof.

Section A. (continued)

(53). The notes to chapter 23 are modified by inserting the following additional U.S. notes in numerical sequence:

"2. The aggregate quantity of animal feed containing milk or milk derivatives entered under subheadings 2309.90.24 and 2309.90.44 in any calendar year shall not exceed 7,399,700 kilograms (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Ireland	5,470,323
United Kingdom	83,914
New Zealand	1,782,618
Australia	56,699"

(54)(a). Subheadings 2309.90.31 and 2309.90.39 are superseded by:

	[Preparations of a kind used in animal...:] [Other:] [Other:] [Animal feeds containing milk or milk derivatives:] "Containing over 10 percent by weight of milk solids:			
2309.90.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	7.5%	Free (CA,E,IL,J, MX)	20%
2309.90.24	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	7.5%	Free (CA,E,IL,J)	20%
2309.90.28	Other.....	[See section D to this Annex]	See 9906.23.01-9906.23.03 (MX)	94.6¢/kg + 7.5%
	Other:			
2309.90.42	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	7.5%	Free (CA,E,IL,J, MX)	20%

Annex (con.)
-136-

Section A. (continued)

(54)(a). (con.):

	[Preparations of a kind used in animal...:]			
	[Other:]			
	[Other:]			
	[Animal feeds containing milk or milk derivatives:]			
	Other (con.):			
2309.90.44	Described in additional U.S. note 2 to this chapter and entered pursuant to its provisions.....	7.5%	Free (CA,E,IL,J)	20%
2309.90.48	Other.....	[See section D to this Annex]	See 9906.23.01-9906.23.03 (MX)	94.6¢/kg + 7.5%"

(b). Conforming change: The superior text immediately preceding subheading 9906.23.01 is modified by deleting "2309.90.31 or 2309.90.39" and inserting "2309.90.28 or 2309.90.48" in lieu thereof.

(55). Subheadings 2401.10.80 and 2401.20.50 are superseded and following provisions inserted in numerical sequence:

	[Unmanufactured tobacco (whether or...:]			
	[Tobacco, not stemmed/stripped:]			
	[Not containing wrapper tobacco,...:]			
	"Other, including cigar leaf:			
2401.10.70	Cigar binder and filler.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 11.5¢/kg (CA)	85¢/kg
2401.10.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 11.5¢/kg (CA)	85¢/kg"
	[Tobacco, partly or wholly stemmed/stripped:]			
	[Not threshed or similarly processed:]			
	[Other:]			
	[Not containing wrapper...:]			
	"Other, including cigar leaf:			
2401.20.45	Cigar binder and filler.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 14¢/kg (CA)	$1.15/kg
2401.20.55	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 14¢/kg (CA)	$1.15/kg"

Section A. (continued)

(56)(a). Heading 2611.00.00 is superseded by:

"2611.00	Tungsten ores and concentrates:			
2611.00.30	Ores	Free		$1.10/kg on tungsten content
2611.00.60	Concentrates	37.5¢/kg on tungsten content	Free (A,CA,E,IL, J,MX)	$1.10/kg on tungsten content"

(b). Conforming change: Heading 9902.26.11 is deleted.

(57)(a). Subheading 2811.19.50 is superseded by:

	[Other inorganic acids and other...:]			
	[Other inorganic acids:]			
	[Other:]			
"2811.19.30	Hydrobromic acid	[See section D to this Annex	Free (A*,CA,E,IL, J,MX)	25%
2811.19.60	Other	4.2%	Free (A*,CA,E,IL, J,MX)	25%"

(b). Conforming change: General note 4(d) is modified by deleting "2811.19.50 India" and inserting "2811.19.30 India" and "2811.19.60 India" in numerical sequence in lieu thereof.

(58)(a). Subheading 2825.90.60 is superseded by:

	[Hydrazine and hydroxylamine and their...:]			
	[Other:]			
"2825.90.45	Mercuric oxide	Free		25%
2825.90.75	Cadmium oxide	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	25%
2825.90.90	Other	3.7%	Free (A*,CA,E,IL, J,MX)	25%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2825.90.60 India" and inserting "2825.90.75 India" and "2825.90.90 India" in numerical sequence in lieu thereof.

(ii) Heading 9902.28.25 is deleted.

Section A. (continued)

(59). Subheadings 2827.51.10, 2827.51.20, 2827.59.05, 2827.59.20 and 2827.59.30 are superseded and the following provisions inserted in numerical sequence:

	[Chlorides, chloride oxides and...:]			
	[Bromides and bromide oxides:]			
"2827.51.00	Bromides of sodium or of potassium.....	Free		22¢/kg"
	[Other:]			
"2827.59.25	Of ammonium, of calcium or of zinc.....	Free		25%"

(b). Conforming change: General note 4(d) is modified by deleting:

2827.51.10 India
2827.51.20 India
2827.59.05 India;
Israel
2827.59.30 India

(60)(a). Subheadings 2829.90.10 and 2829.90.50 are superseded by:

	[Chlorates and perchlorates; bromates and...:]			
	[Other:]			
"2829.90.05	Potassium bromate.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	25%
2829.90.25	Sodium bromate.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	25%
	Other:			
2829.90.40	Of potassium.....	3.1%	Free (A*,CA,E,IL, J,MX)	25%
2829.90.60	Other.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%"

(b). Conforming change: General note 4(d) is modified by deleting "2829.90.10 India" and "2829.90.50 India" and inserting "2829.90.05 India", "2829.90.25 India", "2829.90.40 India" and "2829.90.60 India" in numerical sequence in lieu thereof.

(61)(a). Subheading 2830.20.00 is superseded by:

	[Sulfides; polysulfides:]			
"2830.20	Zinc sulfide:			
2830.20.10	Luminescent grade having a purity of 99.99 percent or more by weight.....	Free		11%
2830.20.20	Other.....	2.8%	Free (A*,CA,E,IL, J,MX)	11%"

(b). Conforming change: General note 4(d) is modified by deleting "2830.20.00 India" and inserting "2830.20.20 India" in numerical sequence in lieu thereof.

Section A. (continued)

(62)(a). Subheading 2831.10.00 is superseded by:

	[Dithionites and sulfoxylates:]				
"2831.10	Of sodium:				
2831.10.10	Sodium formaldehyde sulfoxylate.....	Free			35%
2831.10.50	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)		35%"

(b). Conforming change: General note 4(d) is modified by deleting "2831.10.00 India" and inserting "2831.10.50 India" in numerical sequence in lieu thereof.

(63)(a). Subheadings 2833.40.10 and 2833.40.50 are superseded by:

	[Sulfates; alums;...:]				
	[Peroxosulfates (persulfates):]				
"2833.40.60	Other.....	3.1%	Free (A*,CA,E,IL, J,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2833.40.10 India" and "2833.40.50 India" and inserting "2833.40.60 India" in numerical sequence in lieu thereof.

(64)(a). Subheading 2846.90.50 is superseded by:

	[Compounds, inorganic or organic, of rare-earth metals, of...:]				
	[Other:]				
	"Other:				
2846.90.40	Yttrium bearing materials and compounds containing by weight more than 19 percent but less than 85 percent yttrium oxide equivalent.....	Free			25%
2846.90.80	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2846.90.50 India" and inserting "2846.90.80 India" in numerical sequence in lieu thereof.

(65). The article description for subheading 2902.90.60 is modified by deleting "diphenyl" and inserting "Diphenyl" in lieu thereof.

Annex (con.)
-140-

Section A. (continued)

(66)(a). Subheading 2903.19.50 is superseded by:

	[Halogenated derivatives of hydrocarbons:]				
	[Saturated chlorinated derivatives...:]				
	[Other:]				
"2903.19.30	sec-Butyl chloride.....	Free			114.5%
2903.19.60	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,L,MX)		114.5%"

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2903.19.50 India" and inserting "2903.19.60 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.29.03 is deleted.

(67)(a). Subheading 2903.40.00 is superseded by:

	[Halogenated derivatives of hydrocarbons:]				
"2903.40	Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens:				
2903.40.10	Bromochloromethane.....	Free			25%
2903.40.40	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming change: General note 4(d) is modified by:
(i) deleting "2903.40.00 India; Israel"; and
(ii) inserting "2903.40.40 India; Israel" in numerical sequence in lieu thereof.

(68)(a). Subheading 2903.59.50 is superseded by:

	[Halogenated derivatives of hydrocarbons:]				
	[Halogenated derivatives of cyclanic, cyclenic or...:]				
	[Other:]				
	[Other:]				
	[Other:]				
"2903.59.60	Tetrabromocyclooctane...	Free			25%
2903.59.70	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2903.59.50 India" and inserting "2903.59.70 India" in numerical sequence in lieu thereof.

Section A. (continued)

(69). Subheadings 2903.69.25 and 2903.69.60 are superseded and the following provisions inserted in numerical sequence:

	[Halogenated derivatives of hydrocarbons:]				
	[Halogenated derivatives of aromatic hydrocarbons:]				
	[Other:]				
"2903.69.15	Triphenylmethyl chloride.....	Free			15.4¢/kg + 71%
2903.69.23	Pentabromoethylbenzene.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)		15.4¢/kg + 71%
2903.69.27	Tribromocumene.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)		15.4¢/kg + 71%"
	[Other:]				
"2903.69.70	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 7.2% (MX)		15.4¢/kg + 71%"

(70)(a). Subheading 2905.14.00 is superseded by:

	[Acyclic alcohols and their halogenated...:]				
	[Saturated monohydric alcohols:]				
"2905.14	Other butanols:				
2905.14.10	tert-Butyl alcohol, having a purity of less than 99 percent by weight.....	Free			50.5%
2905.14.50	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)		50.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2905.14.00 India" and inserting "2905.14.50 India" in numerical sequence in lieu thereof.

(71)(a). Subheading 2905.39.50 is superseded by:

	[Acyclic alcohols and their halogenated...:]				
	[Diols:]				
	[Other:]				
"2905.39.60	Hexylene glycol.....	Free			54.5%
2905.39.90	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)		54.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2905.39.50 India" and inserting "2905.39.90 India" in numerical sequence in lieu thereof.

Section A. (continued)

(72)(a). Subheading 2905.49.20 is superseded by:

	[Acyclic alcohols and their halogenated...:]			
	[Other polyhydric alcohols:]			
	[Other:]			
	[Other:]			
	"Polyhydric alcohols derived from sugars:			
2905.49.30	Xylitol.....	Free		50%
2905.49.40	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	50%"

(b). Conforming change: General note 4(d) is modified by deleting "2905.49.20 India" and inserting "2905.49.40 India" in numerical sequence in lieu thereof.

(73)(a). Subheading 2905.50.50 is superseded by:

	[Acyclic alcohols and their halogenated...:]			
	[Halogenated, sulfonated, nitrated or...:]			
	[Other:]			
"2905.50.30	Dibromoneopentylglycol.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	54.5%
2905.50.60	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	54.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2905.50.50 India" and inserting "2905.50.30 India" and "2905.50.60 India" in numerical sequence in lieu thereof.

(74)(a). Subheading 2906.19.00 is superseded by:

	[Cyclic alcohols and their halogenated,...:]			
	[Cyclanic, cyclenic or cycloterpenic:]			
"2906.19	Other:			
2906.19.10	4,4-Isopropylidenedicyclohexanol; and Mixtures containing not less than 90 percent by weight of stereoisomers of 2-isopropyl-5-methylcyclohexanol, but containing not more than 30 percent by weight of any one such stereoisomer.....	Free		45%
2906.19.50	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	45%"

Section A. (continued)

(74)(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2906.19.00 India" and inserting "2906.19.50 India" in numerical sequence in lieu thereof; and
(ii) Headings 9902.29.05 and 9902.30.10 are deleted.

(75)(a). Subheading 2906.29.50 is superseded by:

	[Cyclic alcohols and their halogenated,...:]				
	[Aromatic:]				
	[Other:]				
	"Other:				
2906.29.30	1,1-Bis(4-chlorophenyl)-2,2,2-trichloroethanol (Dicofol); and				
	p-Nitrobenzyl alcohol.....	Free			15.4¢/kg + 40%
2906.29.60	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K, L) 4.3% (MX)		15.4¢/kg + 40%"

(b). Conforming changes:
(i) Heading 9902.29.06 is deleted.
(ii) The article description of subheading 9906.29.03 is modified by deleting "1,1-Bis(4-chlorophenyl)-2,2,2-trichloroethanol (Dicofol); and" and by deleting "2906.29.50" and inserting "2906.29.60" in lieu thereof.

(76). The article description for subheading 2907.15.30 is modified by deleting "2-Naphthol (β-Naphthol)" and inserting "β-Naphthol (2-Naphthol)" in lieu thereof.

(77)(a). Subheading 2907.19.50 is superseded by:

	[Phenols; phenol-alcohols:]				
	[Monophenols:]				
	[Other:]				
	"Other:				
2907.19.60	2-tert-Butyl ethyl phenol; and				
	6-tert-Butyl-2,4-xylenol.....	Free			15.4¢/kg + 44%
2907.19.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)		15.4¢/kg + 44%"

(b). Conforming changes:
(i) The article description of heading 9902.30.08 and 9902.30.11 is modified by deleting "2907.19.50" and inserting "2907.19.80" in lieu thereof.
(ii) Heading 9902.30.12 is deleted.

Section A. (continued)

(78)(a). Subheadings 2907.29.20 and 2907.29.30, the superior text immediately preceding subheading 2907.29.30, and subheading 2907.29.60 are superseded by:

	[Phenols; phenol-alcohols:]				
	[Polyphenols:]				
	[Other:]				
"2907.29.15	4,4'-Biphenol	Free			15.4¢/kg + 44%"
2907.29.25	tert-Butylhydroquinone	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)		15.4¢/kg + 44%
2907.29.90	Other	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)		15.4¢/kg + 44%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2907.29.20 India" and inserting "2907.29.25 India" in numerical sequence in lieu thereof; and

(ii) The article description of heading 9902.30.13 is modified by deleting "2907.29.60" and inserting "2907.29.90" in lieu thereof.

(79)(a). Subheading 2908.10.50 is superseded and the following provisions inserted in numerical sequence:

	[Halogenated, sulfonated, nitrated or nitrosated derivatives of phenols or phenol-alcohols:]				
	[Derivatives containing only halogen...:]				
"2908.10.05	2,2-Bis(4-hydroxyphenyl)-1,1,1,3,3,3-hexafluoropropane	Free			15.4¢/kg + 62%"
	[Other:]				
"2908.10.60	Other	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)		15.4¢/kg + 62%"

(b). Conforming changes:

(i) Heading 9902.29.09 is deleted.

(ii) The article description of heading 9902.29.89 is modified by deleting "2908.10.50" and inserting "2908.10.60" in lieu thereof.

(80)(a). Subheading 2909.19.50 is superseded by:

	[Ethers, ether-alcohols, ether-phenols,...:]				
	[Acyclic ethers and their halogenated,...:]				
	[Other:]				
	"Ethers of polyhydric alcohols:				
2909.19.30	Triethylene glycol dichloride	Free			54.5%
2909.19.60	Other	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)		54.5%"

Section A. (continued)

(80)(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2909.19.50 India" and inserting "2909.19.60 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.29.11 is deleted.

(81). Subheading 2909.30.50 is superseded and the following provisions inserted in numerical sequence:

	[Ethers, ether-alcohols, ether-phenols,...:] [Aromatic ethers and their halogenated, sulfonated, nitrated or...:]			
"2909.30.09	Bis-(tribromophenoxy)ethane; Pentabromodiphenyl oxide; and Tetradecabromodiphenoxybenzene.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 16% (MX)	15.4¢/kg + 70.5%"
	[Other:] [Other:]			
"2909.30.60	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 16% (MX)	15.4¢/kg + 70.5%"

(82)(a). Subheading 2909.49.50 is superseded by:

	[Ethers, ether-alcohols, ether-phenols,...:] [Ether-alcohols and their halogenated,...:] [Other:] [Other:]			
"2909.49.30	Di-pentaerythritol having a purity of 94 percent or more by weight.....	Free		54.5%
2909.49.60	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	54.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2909.49.50 India" and inserting "2909.49.60 India" in numerical sequence in lieu thereof.

(83)(a). Heading 2911.00.00 is superseded by:

"2911.00	Acetals and hemiacetals, whether or not with other oxygen function, and their halogenated, sulfonated, nitrated or nitrosated derivatives:			
2911.00.10	1,1-Bis-(1-methylethoxy)cyclohexane.....	Free		36.5%
2911.00.50	Other.....	5.3%	Free (A*,CA,E,IL, J,K,MX)	36.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2911.00.00 India" and inserting "2911.00.50 India" in numerical sequence in lieu thereof.

Annex (con.)
-146-

Section A. (continued)

(84)(a). Heading 2912.29.50 is superseded by:

	[Aldehydes, whether or not with other...:] [Cyclic aldehydes without other...:] [Other:]			
"2912.29.30	3,4-Dimethylbenzaldehyde; and p-Tolualdehyde.....	Free		15.4¢/kg + 58%
2912.29.60	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 58%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2912.29.50 India" and inserting "2912.29.60 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.31.10 is deleted.

(85)(a). Subheading 2912.49.20 is superseded by:

	[Aldehydes, whether or not with other...:] [Aldehyde-ethers, aldehyde-phenols...:] [Other:] [Aromatic:]			
"2912.49.15	p-Hydroxybenzaldehyde.....	Free		15.4¢/kg + 58%
2912.49.25	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 58%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2912.49.20 India" and inserting "2912.49.25 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.30.09 is deleted.

(86)(a). Subheading 2912.50.00 is superseded by:

	[Aldehydes, whether or not with other...:]			
"2912.50	Cyclic polymers of aldehydes:			
2912.50.10	Metaldehyde.....	Free		40%
2912.50.50	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,L,MX)	40%"

(b). Conforming change: General note 4(d) is modified by deleting "2912.50.00 India" and inserting "2912.50.50 India" in numerical sequence in lieu thereof.

Section A. (continued)

(87)(a). Subheading 2913.00.10 is superseded by:

	[Halogenated, sulfonated, nitrated or nitrosated derivatives of products of heading 2912:]			
	"Aromatic:			
2913.00.20	4-Fluoro-3-phenoxybenzaldehyde.....	Free		15.4¢/kg + 77.5%
2913.00.40	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, L,MX)	15.4¢/kg + 77.5%"

(b). Conforming changes:

(i) The article description of heading 9902.29.13 is modified by deleting "2913.00.10" and inserting "2913.00.40" in lieu thereof; and

(ii) Heading 9902.30.54 is deleted.

(88)(a). Subheading 2914.30.00 is superseded by:

	[Ketones and quinones, whether or not...:]			
"2914.30	Aromatic ketones without other oxygen function:			
2914.30.10	7-Acetyl-1,1,3,4,4,6-hexamethyl-tetrahydronaphthalene; 1-(2-naphthalenyl)ethanone; and 6-Acetyl-1,1,2,3,3,5-hexamethylindan...	Free		15.4¢/kg + 58%
2914.30.50	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 58%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2914.30.00 India" and inserting "2914.30.50 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.30.16 is deleted.

(89)(a). Subheading 2914.49.50 is superseded by:

	[Ketones and quinones, whether or not...:]			
	[Ketone-alcohols and ketone-aldehydes:]			
	[Other:]			
	"Other:			
2914.49.60	1,3-Dihydroxyacetone.....	Free		20%
2914.49.90	Other.....	4.8%	Free (A*,CA,E,IL, J,K,MX)	20%"

(b). Conforming change: General note 4(d) is modified by deleting "2914.49.50 India" and inserting "2914.49.90 India" in numerical sequence in lieu thereof.

Section A. (continued)

(90). Subheading 2914.50.20 is superseded by:

	[Ketones and quinones, whether or not...:] [Ketone-phenols and ketones with other oxygen function:] "Aromatic:			
2914.50.10	5-Benzoyl-4-hydroxy-2-methoxy-benzenesulfonic acid.....	Free		15.4¢/kg + 42%
2914.50.30	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 6.6% (MX)	15.4¢/kg + 42%"

(91)(a). Subheading 2914.69.50 is superseded by:

	[Ketones and quinones, whether or not...:] [Quinones:] [Other:] "Other:			
2914.69.60	1,4-Dihydroxyanthraquinone; and 2-Ethylanthraquinone.....	Free		15.4¢/kg + 42%
2914.69.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K,L,MX)	15.4¢/kg + 42%"

(b). Conforming change: Headings 9902.30.18 and 9902.30.19 are deleted.

(92)(a). Subheadings 2914.70.20 and 2914.70.50 are superseded by:

	[Ketones and quinones, whether or not...:] [Halogenated, sulfonated, nitrated or nitrosated derivatives:] [Aromatic:]			
"2914.70.30	Anthraquinonedisulfonic acid, sodium salt; and 4-(3,4-Dichlorophenyl)-1-tetralone.....	Free		15.4¢/kg + 42%
2914.70.40	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K,L,MX)	15.4¢/kg + 42%
	Other:			
2914.70.60	1-Chloro-5-hexanone.....	Free		20%
2914.70.90	Other.....	4%	Free (A*,CA,E,IL,J,K,MX)	20%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2914.70.50 India" and inserting "2914.70.90 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.30.20 is deleted.

Annex (con.)
-149-

Section A. (continued)

(93)(a). Subheading 2915.29.00 is superseded by:

	[Saturated acyclic monocarboxylic acids...:]				
	[Acetic acid and its salts; acetic anhydride:]				
"2915.29	Other:				
2915.29.10	Cupric acetate monohydrate.....	Free			25%
2915.29.50	Other.....	2.8%	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2915.29.00 India" and inserting "2915.29.50 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.31.08 is deleted.

(94)(a). Subheading 2915.39.50 is superseded by:

	[Saturated acyclic monocarboxylic acids...:]				
	[Esters of acetic acid:]				
	[Other:]				
	[Other:]				
	[Other:]				
	"Other:				
2915.39.60	Bis(Bromo-acetoxy)butene.....	Free			25%
2915.39.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2915.39.50 India" and inserting "2915.39.90 India" in numerical sequence in lieu thereof.

(95)(a). Subheading 2916.14.00 is superseded by:

	[Unsaturated acyclic monocarboxylic acids,...:]				
	[Unsaturated acyclic monocarboxylic...:]				
"2916.14	Esters of methacrylic acid:				
2916.14.10	Dicyclopentenyloxethyl methacrylate.....	Free			25%
2916.14.20	Other.....	3.7%	Free (A*,CA,E,IL, J,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2916.14.00 India" and inserting "2916.14.20 India" in numerical sequence in lieu thereof.

Section A. (continued)

(96)(a). Subheading 2916.20.00 is superseded by:

	[Unsaturated acyclic monocarboxylic acids,...:]				
*2916.20	Cyclanic, cyclenic or cycloterpenic monocarboxylic acids, their anhydrides, halides, peroxides, peroxyacids and their derivatives:				
2916.20.10	(2,3,5,6-Tetrafluoro-4-methylphenyl)methyl-(1α-3α)-(Z)-(±)-3-(2-chloro-3,3,3-trifluoro-1-propenyl-2,2-dimethylcyclopropanecarboxylate) (Tefluthrin).....	Free			25%
2916.20.50	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%*

(b). Conforming change: General note 4(d) is modified by deleting "2916.20.00 India" and inserting "2916.20.50 India" in numerical sequence in lieu thereof.

(97)(a). Subheading 2916.31.10 is superseded by:

	[Unsaturated acyclic monocarboxylic acids,...:]				
	[Aromatic monocarboxylic acids,...:]				
	[Benzoic acid, its salts and esters:]				
	"Benzoic acid and its salts:				
2916.31.05	p-Sulfobenzoic acid, , potassium salt.....	Free			15.4¢/kg + 40%
2916.31.15	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)		15.4¢/kg + 40%*

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2916.31.10 India" and inserting "2916.31.15 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.29.15 is deleted.

(98)(a). Subheadings 2916.39.04, 2916.39.40 and 2916.39.70 are superseded and the following provisions inserted in numerical sequence:

	[Unsaturated acyclic monocarboxylic acids,...:]				
	[Aromatic monocarboxylic acids,...:]				
	[Other:]				
*2916.39.03	Benzoic anhydride; tert-Butyl peroxybenzoate; p-Nitrobenzoyl chloride; 2-Nitro-m-toluic acid; and 3-Nitro-o-toluic acid.....	[See section D to this Annex]	Free (CA,E,IL,J) 5.3% (MX)		15.4¢/kg + 40.5%
2916.39.05	m-Chloroperoxybenzoic acid.....	Free			15.4¢/kg + 40.5%

Section A. (continued)

(98)(a). (con.):

	[Unsaturated acyclic monocarboxylic acids,...:]			
	[Aromatic monocarboxylic acids,...:]			
	[Other:]			
2916.39.17	2,2-Dichlorophenylacetic acid, ethyl ester; and m-Toluic acid.....	Free		15.4¢/kg + 57%"
	[Other:]			
	[Other:]			
"2916.39.45	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J,K) 10.8% (MX)	15.4¢/kg + 57%
2916.39.75	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 2.9¢/kg + 14.3% (MX)	15.4¢/kg + 57%"

(b). Conforming change: Heading 9902.29.20 is deleted.

(99)(a). Subheading 2917.19.50 is superseded and the following provisions inserted in numerical sequence:

	[Polycarboxylic acids, their anhydrides,...:]			
	[Acyclic polycarboxylic acids, their...:]			
	[Other:]			
"2917.19.35	Malonic acid.....	Free		25%"
	[Other:]			
"2917.19.70	Other.....	4%	Free (A*,CA,E,IL, J,K,MX)	25%"

(b). Conforming change: General note 4(d) is modified by deleting "2917.19.50 India" and inserting "2917.19.70 India" in numerical sequence in lieu thereof.

(100)(a). Subheadings 2917.39.10 and 2917.39.50 are superseded and the following provisions inserted in numerical sequence:

	[Polycarboxylic acids, their anhydrides,...]			
	[Aromatic polycarboxylic acids, their...:]			
	[Other:]			
"2917.39.04	1,2,4-Benzenetricarboxylic acid, 1,2-dianhydride (Trimellitic anhydride); Phthalic acid; and 4-Sulfo-1,8-naphthalic anhydride.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)	15.4¢/kg + 37%
2917.39.08	Naphthalic anhydride.....	Free		15.4¢/kg + 37%

Section A. (continued)

(100)(a). (con.):

	[Polycarboxylic acids, their anhydrides,...]			
	[Aromatic polycarboxylic acids, their...:]			
	[Other:]			
2917.39.12	4,4'-(Hexafluoroisopropyl-idene)bis(phthalic anhydride).....	Free		15.4¢/kg + 7.5%"
	[Other:]			
	[Other:]			
"2917.39.70	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,L) 16% (MX)	15.4¢/kg + 7.5%"

(b). Conforming change: Heading 9902.30.22 is deleted.

(101)(a). Subheadings 2918.29.10, 2918.29.40 and 2918.29.80 are superseded and the following provisions inserted in numerical sequence:

	[Carboxylic acids with additional oxygen...:]			
	[Carboxylic acids with phenol...:]			
	[Other:]			
"2918.29.04	2,3-Cresotic acid; 2-Hydroxybenzoic acid, calcium salt; 1-Hydroxy-2-naphthoic acid; 2-Hydroxy-1-naphthoic acid; 1-Hydroxy-2-naphthoic acid, phenyl ester; α-Resorcylic acid; γ-Resorcylic acid; and 5-Sulfosalicylic acid.....	5.8%	Free (CA,E,IL,J) 4.6% (MX)	15.4¢/kg + 40%
2918.29.08	m-Hydroxybenzoic acid.....	Free		15.4¢/kg + 40%
2918.29.39	4,4-Bis(4-hydroxyphenyl)-pentanoic acid; and 3,5,6-Trichlorosalicylic acid.....	Free		15.4¢/kg + 57%"
	[Other:]			
"2918.29.65	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 57%
2918.29.75	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 2.9¢/kg + 14.3% (MX)	15.4¢/kg + 57%"

(b). Conforming changes:

(i) Headings 9902.29.21, 9902.29.90 and 9902.30.24 and subheading 9906.29.06 are deleted;

(ii) The article description of heading 9902.30.23 is modified by deleting "2918.29.40" and inserting "2918.29.65" in lieu thereof;

(iii) The article description of heading 9902.30.25 is modified by deleting "2918.29.80" and inserting "2918.29.75" in lieu thereof; and

Section A. (continued)

(101)(b). (con.):

(iv) The article description of heading 9906.29.07 is deleted and the article description "6-Hydroxy-2-naphthoic acid (CAS No. 16712-64-4) (provided for in subheading 2918.29.75)" inserted in lieu thereof.

(102)(a). Subheadings 2918.30.20 and 2918.30.50 are superseded and the following provisions inserted in numerical sequence:

	[Carboxylic acids with additional oxygen...:]				
	[Carboxylic acids with aldehyde or...:]				
	[Aromatic:]				
"2918.30.15	2-Chloro-4,5-difluoro-β-oxo-benzenepropanoic acid, ethyl ester; and Ethyl 2-keto-4-phenylbutanoate....	Free			15.4¢/kg + 57%"
	[Other:]				
"2918.30.25	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)		15.4¢/kg + 57%
	Other:				
2918.30.70	Dimethyl acetyl succinate; Oxalacetic acid diethyl ester sodium salt; 4,4,4-Trifluoro-3-oxobutanoic acid, ethyl ester; and 4,4,4-Trifluoro-3-oxobutanoic acid, methyl ester.....	Free			25%
2918.30.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,L,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2918.30.50 India" and inserting "2918.30.90 India" in numerical sequence in lieu thereof.

(103)(a). Subheadings 2918.90.10, 2918.90.40 and 2918.90.45 are superseded and the following provisions inserted in numerical sequence:

	[Carboxylic acids with additional oxygen...:]				
	[Other:]				
	[Aromatic:]				
"2918.90.06	1-Hydroxy-6-octadecyloxy-2-naphthalenecarboxylic acid; and 1-Hydroxy-6-docosyloxy-2-naphthalenecarboxylic acid.....	Free			15.4¢/kg + 57%
2918.90.14	2-(4-Chloro-2-methylphenoxy)-propionic acid and its salts.....	Free			15.4¢/kg + 40.5%"

Annex (con.)
-154-

Section A. (continued)

(103)(a). (con.):

	[Carboxylic acids with additional oxygen...:]			
	[Other:]			
	[Aromatic:]			
	[Other:]			
	[Pesticides:]			
"2918.90.18	4-(4-Chloro-2-methyl-phenoxy)butyric acid; p-Chlorophenoxyacetic acid; and 2-(2,4-Dichloro-phenoxy)propionic acid.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 40.5%*
	[Other:]			
"2918.90.43	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J,K) 10.8% (MX)	15.4¢/kg + 57%
2918.90.47	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 2.9¢/kg + 14.3% (MX)	15.4¢/kg + 57%*

(b). Conforming change: General note 4(d) is modified by deleting "2918.90.10 India" and inserting "2918.90.18 India" in numerical sequence in lieu thereof.

(104)(a). Subheading 2919.00.10 is superseded by:

	[Phosphoric esters and their salts,...:]			
	[Aromatic:]			
	"Plasticizers:			
2919.00.15	Triphenyl phosphate.....	Free		15.4¢/kg + 57%
2919.00.25	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 57%*

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2919.00.10 India" and inserting "2919.00.25 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.29.23 is deleted.

Section A. (continued)

(105)(a). Subheading 2920.10.20 is superseded by:

	[Esters of other inorganic acids...:]				
	[Thiophosphoric esters...:]				
	[Aromatic:]				
"2920.10.30	O,O-Diethyl-O-(4-nitrophenyl) phosphorothioate; and O,O-Dimethyl-O-(4-nitrophenyl) phosphorothioate.....	Free			15.4¢/kg + 64.5%
2920.10.40	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)		15.4¢/kg + 64.5%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2920.10.20 India" and inserting "2920.10.40 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.30.26 is deleted.

(106)(a). Subheading 2921.19.50 is superseded by:

	[Amine-function compounds:]				
	[Acyclic monoamines and their...:]				
	[Other:]				
	"Other:				
2921.19.30	3-Amino-3-methyl-1-butyne; 2-Chloro-N,N-dimethyl-ethylamine hydrochloride; 2-(Diethylamino)ethyl chloride hydrochloride; and (Dimethylamino)isopropyl chloride hydrochloride.....	Free			30.5%
2921.19.60	Other.....	[See section D to this Annex]	Free (A*,E,IL,J, K,MX) 2.3% (CA)		30.5%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2921.19.50 India" and inserting "2921.19.60 India" in numerical sequence in lieu thereof;

(ii) Heading 9902.29.24 is deleted; and

(iii) The article description of subheading 9905.29.19 is modified by deleting "2921.19.50" and inserting "2921.19.60" in lieu thereof.

Section A. (continued)

(107)(a). Subheadings 2921.30.10 and 2921.30.20 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]				
	[Cyclanic, cyclenic or...:]				
	[Derived in whole or in part...:]				
"2921.30.05	1,3-Bis(aminomethyl)cyclohexane...	Free			15.4¢/kg + 53.5%
	Other:				
2921.30.10	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 10.8% (MX)		15.4¢/kg + 53.5%
2921.30.30	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 2.9¢/kg + 13.4% (MX)		15.4¢/kg + 53.5%"

(b). Conforming change: Heading 9902.29.93 and subheading 9906.29.08 are deleted.

(108)(a). Subheadings 2921.42.20, 2921.42.25, 2921.42.30 and 2921.42.75 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]				
	[Aromatic monoamines and their...:]				
	[Aniline derivatives and...:]				
"2921.42.16	2,4,5-Trichloroaniline.....	Free			15.4¢/kg + 39.5%
2921.42.18	o-Aminobenzenesulfonic acid (Orthanilic acid); 6-Chlorometanilic acid; 2-Chloro-5-nitroaniline; 4-Chloro-3-nitroaniline; 2,3-Dichloroaniline; 2,4-Dichloroaniline; 2,5-Dichloroaniline; 3,5-Dichloroaniline; N,N-Diethylmetanilic acid; N,N-Diethylmetanilic acid, sodium salt; 2,4-Difluoroaniline; p-Fluoroaniline; N-Methylaniline; and m-Nitroaniline.....	5.8%	Free (CA,E,IL,J, L,MX)		15.4¢/kg + 39.5%

Section A. (continued)

(108)(a). (con.):

	[Amine-function compounds:]			
	[Aromatic monoamines and their...:]			
	[Aniline derivatives and...:]			
2921.42.36	4,4-Benzidine-2,2'-disulfonic acid; m-Chloroaniline; 2-Chloro-4-nitroaniline; 2,5-Dichloroaniline-4-sulfonic acid and its monosodium salt; 2,4-Dinitroaniline; 4,4'-Methylenebis(3-chloro-2,6-diethylaniline); 4,4'-Methylenebis(2,6-diisopropylaniline); o-Nitroaniline-p-sulfonic acid, sodium salt; and 2,3,4-Trifluoroaniline.....	Free		15.4¢/kg + 60%"
	[Other:]			
"2921.42.55	Fast color bases.....	[See section D to this Annex]	Free (A*,CA,E,IL,J,MX)	15.4¢/kg + 53%"
	[Other:]			
"2921.42.65	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J,K,L,MX)	15.4¢/kg + 60%
2921.42.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K,L) 1.9¢/kg + 15% (MX)	15.4¢/kg + 60%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2921.42.25 India" and inserting "2921.42.55 India" in numerical sequence in lieu thereof;

(ii) The article description of heading 9902.30.27 is modified by deleting "2921.42.20" and inserting "2921.42.18" in lieu thereof;

(iii) The article description of heading 9902.29.25 is modified by deleting "2921.42.25" and inserting "2921.42.55" in lieu thereof; and

(iv) Headings 9902.30.28, 9902.30.29, 9902.30.30 and 9902.30.31 and subheading 9906.29.09 are deleted.

Section A. (continued)

(109)(a). Subheadings 2921.43.10, 2921.43.18, 2921.43.20, the superior text immediately preceding subheading 2921.43.20, and 2921.43.60 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:] [Aromatic monoamines and their...:] [Toluidines and their...:]			
*2921.43.04	3-Chloro-o-toluidine; and 6-Chloro-o-toluidine.....	Free		15.4¢/kg + 39.5%
2921.43.08	4-Chloro-o-toluidine and hydrochloride; 5-Chloro-o-toluidine; 6-Chloro-2-toluidine-4-sulfonic acid; 4-Chloro-α,α,α-trifluoro-o-toluidine; 2,6-Dichloro-m-toluidine; N,N-Dimethyl-p-toluidine; N-Ethyl-N-benzyl-m-toluidine; and N-Ethyl-o-toluidine.....	5.8%	Free (CA,E,IL,J, L,MX)	15.4¢/kg + 39.5%
2921.43.19	α,α,α-Trifluoro-o-toluidine; and α,α,α-Trifluoro-6-chloro-m-toluidine.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,L,MX)	15.4¢/kg + 60%
2921.43.24	2-Amino-5-chloro-4-ethyl-benzenesulfonic acid; 2-Amino-5-chloro-p-toluene-sulfonic acid; p-Nitro-o-toluidine; and 3-(Trifluoromethyl)aniline (m-Aminobenzotrifluoride).....	Free		15.4¢/kg + 60%
	Other:			
2921.43.40	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J) 10.8% (MX)	15.4¢/kg + 60%
2921.43.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J) 1.9¢/kg + 15% (MX)	15.4¢/kg + 60%*

(b). Conforming changes:

(i) The article description of heading 9902.30.32 is modified by deleting "2921.43.10" and inserting "2921.43.08" in lieu thereof; and

(ii) Headings 9902.29.26 and 9902.30.33 are deleted.

Section A. (continued)

(110)(a). Subheading 2921.44.50 is superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]			
	[Aromatic monoamines and their...:]			
	[Diphenylamine and its...:]			
"2921.44.05	4,4'-Bis(α,α-dimethylbenzyl)-diphenylamine; and N-Nitrosodiphenylamine.....	Free		15.4¢/kg + 60%"
	[Other:]			
"2921.44.70	Other.....	[See section D to this Annex]	Free (CA,E,IL,J) 1.9¢/kg + 15% (MX)	15.4¢/kg + 60%"

(b). Conforming change: Heading 9902.29.91 and subheadings 9905.29.15 and 9906.29.10 are deleted.

(111)(a). Subheadings 2921.45.30 and 2921.45.50 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]			
	[Aromatic monoamines and their...:]			
	[1-Naphthylamine...:]			
"2921.45.25	Mixtures of 5- and 8-amino-2-naphthalenesulfonic acid; 2-Naphthylamine-6-sulfonic acid; and o-Naphthionic acid (1-amino-2-naphthalenesulfonic acid).....	Free		15.4¢/kg + 60%"
	[Other:]			
"2921.45.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 60%
2921.45.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 60%"

(b). Conforming changes:
(i) Heading 9902.30.38 and 9902.30.41 are deleted; and
(ii) The article descriptions of headings 9902.30.39, 9902.30.40 and 9902.30.42 are modified by deleting "2921.45.50" and inserting "2921.45.90" in lieu thereof.

Section A. (continued)

(112)(a). Subheadings 2921.49.20, 2921.49.30, 2921.49.35, 2921.49.38 and 2921.49.42 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]			
	[Aromatic monoamines and their...:]			
	[Other:]			
"2921.49.15	m-Nitro-p-toluidine.....	Free		15.4¢/kg + 53%"
	[Other:]			
"2921.49.32	Fast color bases.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 53%"
	[Drugs:]			
"2921.49.37	Antidepressants, tranquilizers and other psycho-therapeutic agents.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 149.5%
2921.49.43	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 71.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2921.49.20 India", "2921.49.30 India" and "2921.49.38 India" and inserting "2921.49.32 India" in numerical sequence.

(113)(a). Subheadings 2921.59.10 and 2921.59.50 are superseded and the following provisions inserted in numerical sequence:

	[Amine-function compounds:]			
	[Aromatic polyamines and their...:]			
	[Other:]			
"2921.59.04	1,8-Diaminonaphthalene (1,8-Naphthalenediamine).....	Free		15.4¢/kg + 39.5%
2921.59.08	5-Amino-2-(p-aminoanilino)-benzenesulfonic acid; 4,4'-Diamino-3-biphenylsulfonic acid (3-Benzidinesulfonic acid); 3,3'-Dimethylbenzidine (o-Tolidine); 3,3'-Dimethylbenzidine hydrochloride; Ethyl-(2-dimethylaminoethyl)-aniline; N-Ethyl-N,N'-dimethyl-N'-phenylethylenediamine; and 4,4'-Methylenebis(2-chloro-aniline).....	5.8%	Free (CA,E,IL,J, L,MX)	15.4¢/kg + 39.5%

Annex (con.)
-161-

Section A. (continued)

(113)(a). (con.):

	[Amine-function compounds:]				
	[Aromatic polyamines and their...:]				
	[Other:]				
2921.59.17	4,4'-Benzidine-2,2'-disulfonic acid; 1,4-Diaminobenzene-2-sulfonic acid; 4,4'-Methylenebis(2,6-diethylaniline); and m-Xylenediamine.....	Free			15.4¢/kg + 60%"
	[Other:]				
"2921.59.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L) 1.9¢/kg + 15% (MX)		15.4¢/kg + 60%"

(b). Conforming changes:

(i) The article description of heading 9902.29.31 is modified by deleting "2921.59.10" and inserting "2921.59.08" in lieu thereof; and

(ii) Headings 9902.29.92 and 9902.30.44 and subheading 9906.29.11 are deleted.

(114)(a). Subheadings 2922.19.10, 2922.19.15, 2922.19.30, 2922.19.40 and 2922.19.50 are superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]				
	[Amino-alcohols, their ethers and...:]				
	[Other:]				
	[Aromatic:]				
	[Drugs:]				
"2922.19.18	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)		15.4¢/kg + 45%"

Section A. (continued)

(114)(a). (con.):

	[Oxygen-function amino-compounds:]				
	[Amino-alcohols, their ethers and...:]				
	[Other:]				
	[Aromatic:]				
	[Other:]				
*2922.19.33	N1-(2-Hydroxyethyl)-2-nitro-1,4-phenylenediamine; N1,N4,N4-Tris(2-hydroxyethyl)-2-nitro-1,4-phenylenediamine; N1,N4-Dimethyl-N1-(2-hydroxyethyl)-3-nitro-1,4-phenylenediamine; N1,N4-Dimethyl-N1-(2,3-dihydroxypropyl)-3-nitro-1,4-phenylenediamine; and N1-(2-Hydroxyethyl)-3-nitro-1,4-phenylenediamine.....	Free			15.4¢/kg + 50%*
	[Other:]				
*2922.19.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free	(CA,E,IL,J, K,MX)	15.4¢/kg + 50%
2922.19.70	Other.....	[See section D to this Annex]	Free	(CA,E,IL,J, K,MX)	15.4¢/kg + 50%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2922.19.50 India" and inserting "2922.19.95 India" in numerical sequence in lieu thereof;

(ii) Subheading 2922.19.50 is renumbered as 2922.19.95;

(iii) Headings 9902.29.32, 9902.29.58, 9902.29.95, 9902.29.96 and 9902.30.45 are deleted; and

(iv) The article description of heading 9902.30.21 is modified by deleting "2922.19.50" and inserting "2922.19.95" in lieu thereof.

Annex (con.)
-163-

Section A. (continued)

(115)(a). Subheading 2922.21.20 is superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]			
	[Amino-naphthols and other...:]			
	[Aminohydroxynaphthalenesulfonic...:]			
"2922.21.25	1-Amino-8-hydroxy-4,6-naphthalenedisulfonic acid, monosodium salt.....	Free		15.4¢/kg + 50%"
	[Other:]			
"2922.21.40	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, L,MX)	15.4¢/kg + 50%"

(b). Conforming change: Heading 9902.30.46 is deleted.

(116)(a). Subheadings 2922.29.25, 2922.29.35 and 2922.29.50 are superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]			
	[Amino-naphthols and other...:]			
	[Other:]			
	"m-Nitro-p-anisidine; and m-Nitro-o-anisidine:			
2922.29.06	Fast color bases.....	Free		15.4¢/kg + 54.5%
2922.29.08	Other.....	Free		15.4¢/kg + 50%
2922.29.13	o-Aminophenol; and 2,2-Bis-[4-(4-aminophenoxy)-phenyl]propane.....	Free		15.4¢/kg + 50%"
	[Other:]			
"2922.29.26	Fast color bases.....	[See section D to this Annex]	Free (A*,CA,E,IL J,L,MX)	15.4¢/kg + 54.5%"
	[Other:]			
"2922.29.60	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J,K) 10.8% (MX)	15.4¢/kg + 50%
2922.29.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 50%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2922.29.25 India" and inserting "2922.29.26 India" in numerical sequence in lieu thereof;

(ii) Headings 9902.29.36 and 9902.29.37 are deleted;

Annex (con.)
-164-

Section A. (continued)

(116)(b). (con.):

(iii) The article description of heading 9902.29.39 is modified by deleting "2922.29.25 or 2922.29.50" and inserting "2922.29.26 or 2922.29.80" in lieu thereof; and

(iv) The article description of heading 9902.30.51 is modified by deleting "2922.29.50" and inserting "2922.29.80" in lieu thereof.

(117)(a). Subheadings 2922.30.18 and 2922.30.35 are superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]				
	[Amino-aldehydes, amino-ketones...:]				
	[Aromatic:]				
"2922.30.05	1-Amino-2,4-dibromoanthra-quinone; and 2-Amino-5-chlorobenzophenone.....	Free		15.4¢/kg + 50%
2922.30.17	1-Aminoanthraquinone.....	[See section D to this Annex]	Free (A*,CA,E,IL, J) 2.9¢/kg + 12.4% (MX)	15.4¢/kg + 50%"
	[Other:]			
"2922.30.45	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L) 2.9¢/kg + 12.4% (MX)	15.4¢/kg + 50%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2922.30.18 India" and inserting "2922.30.17 India" in numerical sequence;

(ii) Headings 9902.29.43 and 9902.29.44 are deleted;

(iii) The article description of heading 9902.30.52 is modified by deleting "2922.30.35" and inserting "2922.30.45" in lieu thereof; and

(iv) The article description of heading 9906.29.12 is modified by deleting the article description and inserting "1,4-Diamino-2,3-dihydroanthraquinone (CAS No. 81-63-0) (provided for in subheading 2922.30.45)" in lieu thereof.

(118)(a). Subheadings 2922.49.15, 2922.49.25, 2922.49.35 and 2922.49.50 are superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]			
	[Amino-acids and their esters, other...:]			
	[Other:]			
	[Aromatic:]			
"2922.49.05	(R)-α-Aminobenzeneacetic acid.....	Free		15.4¢/kg + 50%"
	[Other:]			
"2922.49.27	Drugs.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 5.6% (MX)	15.4¢/kg + 45%"

Section A. (continued)

(118)(a). (con.):

	[Oxygen-function amino-compounds:]			
	[Amino-acids and their esters, other...:]			
	[Other:]			
	[Aromatic:]			
	[Other:]			
	[Other:]			
"2922.49.37	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 50%"
	[Other:]			
	"Other:			
2922.49.60	3-Aminocrotonic acid, methyl ester; and (R)-α-Amino-1,4-cyclo-hexadiene-1-acetic acid.....	Free		25%
2922.49.80	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2922.49.15 India" and "2922.49.50 India" and inserting "2922.49.80 India" in numerical sequence; and

(ii) Heading 9902.30.49 is deleted.

(119)(a). Subheadings 2922.50.05, 2922.50.16 and 2922.50.30 are superseded and the following provisions inserted in numerical sequence:

	[Oxygen-function amino-compounds:]			
	[Amino-alcohol-phenols,...:]			
	[Aromatic:]			
"2922.50.07	3,4-Diaminophenetole dihydrogen sulfate; 2-Nitro-5-[(2,3-dihydroxy)-propoxy]-N-methylaniline; 2-Nitro-5-(2-hydroxyethoxy)-N-methylaniline; 4-(2-Hydroethoxy)-1-3-phenylenediamine dihydrochloride; 3-Methoxy-4-[(2-hydroxyethyl)-amino]nitrobenzene; 4-[(2-Hydroxyethyl)amino]-3-nitrophenol; 2-(N-Benzyl-N-tert-butylamino)-4'-hydroxy-3'-hydromethyl-acetophenone hydrochloride; and (R)-α-Amino-4-hydroxybenzene-acetic acid.....	Free		15.4¢/kg + 50%"

Section A. (continued)

(119)(a). (con.):

	[Oxygen-function amino-compounds:]			
	[Amino-alcohol-phenols,...:]			
	[Aromatic:]			
	[Other:]			
	[Drugs:]			
	[Other:]			
*2922.50.14	Cardiovascular drugs.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 65%*
	[Other:]			
*2922.50.35	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 10.8% (MX)	15.4¢/kg + 50%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2922.50.05 India"; and

(ii) Headings 9902.29.45 and 9902.29.46 and subheading 9906.29.13 are deleted.

(120)(a). Subheading 2923.20.00 is superseded by:

	[Quaternary ammonium salts and hydroxides;...:]			
*2923.20	Lecithins and other phosphoaminolipids:			
2923.20.10	Purified egg phospholipids, pharmaceutical grade meeting requirements of the U.S. Food and Drug Administration, for use in intravenous fat emulsion.....	Free		16.5¢/kg + 30%
2923.20.20	Other.....	5%	Free (A*,E,IL,J, K,MX) 1.5% (CA)	33.4%*

(b). Conforming change: General note 4(d) is modified by deleting "2923.20.00 India" and inserting "2923.20.20 India" in numerical sequence in lieu thereof.

(121). Subheading 2924.10.50 is superseded by:

	[Carboxyamide-function compounds;...:]			
	[Acyclic amides (including acyclic...:]			
	"Other:			
2924.10.40	2,2-Dibromonitrilopropionamide....	Free		30.5%
2924.10.80	Other.....	[See section D to this Annex]	Free (E,IL,J,K) 2.3% (CA) 4.7% (MX)	30.5%*

Section A. (continued)

(122)(a). Subheadings 2924.21.10 and 2924.21.15 are superseded by:

	[Carboxyamide-function compounds;...:]			
	[Cyclic amides (including cyclic...:]			
	[Ureines and their derivatives;...:]			
	[Aromatic:]			
	[Pesticides:]			
"2924.21.04	3-(p-Chlorophenyl)-1,1-dimethylurea (Monuron).....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 40.5%
2924.21.08	1,1-Dimethyl-3-(α,α,α-tri-fluoro-m-tolyl)urea (Fluometuron).....	Free		15.4¢/kg + 40.5%
2924.21.12	1-(2-methylcyclo-hexyl)-3-phenylurea.....	Free		15.4¢/kg + 48.5%
2924.21.16	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 48.5%"

(b). Conforming change: General note 4(d) is modified by deleting "2924.21.10 India" and "2924.21.15 India" and by inserting "2924.21.04 India" and "2924.21.16 India" in numerical sequence in lieu thereof.

Section A. (continued)

(123)(a). Subheadings 2924.29.02, 2924.29.04, 2924.29.07, 2924.29.09, 2924.29.13, 2924.29.14, 2924.29.19, 2924.29.25, 2924.29.39, 2924.29.44, 2924.29.46 and 2924.29.50 are superseded and the following provisions inserted in numerical sequence:

	[Carboxyamide-function compounds;...:] [Cyclic amides (including cyclic...:] [Other:] [Aromatic:]			
"2924.29.01	p-Acetanisidide; p-Acetoacetotoluidide; 4'-Amino-N-methyl-acetanilide; 2,5-Dimethoxyacetanilide; and N-(7-Hydroxy-1-naphthyl)-acetamide.....	Free		15.4¢/kg + 39.5%
2924.29.03	3,5-Dinitro-o-toluamide.....	Free		15.4¢/kg + 47.5%
2924.29.10	Acetanilide; N-Acetylsulfanilyl chloride; Aspartame; and 2-Methoxy-5-acetamino-N,N-bis(2-acetoxyethyl)-aniline.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 58%
2924.29.23	4-Aminoacetanilide; 2,2'-Oxamidobis[ethyl-3-(3,5-di-tert-butyl-4-hydroxyphenyl)propionate]; Acetoacetsulfanilic acid, potassium salt; and N-(2,3-Dihydroxypropyl)-5-[N-(2,3-di-hydroxypropyl)-acetamido-N'-(2-hydroxy-ethyl)-2,4,6-triiodoiso-phthalamide.....	Free		15.4¢/kg + 58%
2924.29.26	3-Aminomethoxybenzanilide....	Free		15.4¢/kg + 54.5%
2924.29.28	N-[[(4-chlorophenyl)amino]-carbonyl]-2,6-difluoro-benzamide; and 3,5-Dichloro-N-(1,1-di-methyl-2-propynyl)benz-amide (Pronamide).....	Free		15.4¢/kg + 64.5%

Section A. (continued)

(123)(a). (con.):

	[Carboxyamide-function compounds;...:]				
	[Cyclic amides (including cyclic...:]				
	[Other:]				
	[Aromatic:]				
2924.29.31	4-Acetamido-2-aminophenol; p-Acetaminobenzaldehyde; Acetoacetbenzylamide; Acetoacet-5-chloro-2-toluidide; p-Acetoacetophenetidide; N-Acetyl-2,6-xylidine (N-Acetyl-2,6-dimethylaniline); p-Aminobenzoic acid isooctylamide; p-Aminobenzoylamino-naphthalenesulfonic acid; 3-Amino-4-chlorobenzamide; 2-Amino-4-chlorobenzamide; 4-Aminohippuric acid; p-Aminophenylurethane; 1-Benzamido-4-chloroanthraquinone; 1-Benzamido-5-chloroanthraquinone; Benzanilide; 4'-Chloroacetoacetanilide; 3-(N,N-Dihydroxyethylamino)benzanilide; 2,5-Dihydroxy-N-(2-hydroxyethyl)benzamide; Gentisamide; N,N'-Hexamethylenebis-(3,5-di-tert-butyl-4-hydroxyhydrocinnamamide); 2-(m-Hydroxyanilino)acetamide; Nitra acid amide (1-Amino-9,10-dihydro-N-(3-methoxypropyl)-4-nitro-9,10-dioxo-2-anthramide); Phenacetin, technical; and β-Resorcylamide.....	5.8%	Free (CA,E,IL,J, MX)	15.4¢/kg + 39.5%

Annex (con.)
-170-

Section A. (continued)

(123)(a). (con.):

	[Carboxyamide-function compounds;...:]			
	[Cyclic amides (including cyclic...:]			
	[Other:]			
	[Aromatic:]			
	Naphthol AS and derivatives:			
2924.29.33	3-Hydroxy-2-naphthanilide; 3-Hydroxy-2-naphtho-o-toluidide; 3-Hydroxy-2-naphtho-o-anisidine; 3-Hydroxy-2-naphtho-o-phenetidide; 3-Hydroxy-2-naphtho-4-chloro-2,5-dimethoxyanilide; 3-Hydroxy-3'-nitro-2-naphthanilide; and N,N'-Bis(acetoacetyl-o-toluidine).....	Free		15.4¢/kg + 60%
2924.29.36	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 60%*
	[Other:]			
	[Pesticides:]			
*2924.29.47	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 64.5%
2924.29.52	Fast color bases.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,L,MX)	15.4¢/kg + 54.5%*
	[Drugs:]			
*2924.29.62	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 47.5%*
	[Other:]			
	[Other:]			
*2924.29.70	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K, L) 8.1% (MX)	15.4¢/kg + 58%
2924.29.75	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K, L) 2.9¢/kg + 14.4% (MX)	15.4¢/kg + 58%

Annex (con.)
-171-

Section A. (continued)

(123)(a). (con.):

	[Carboxyamide-function compounds;...:]			
	[Cyclic amides (including cyclic...:]			
	[Other:]			
	[Aromatic:]			
	[Other:]			
	Other:			
2924.29.80	2,2-Dimethylcyclopropyl-carboxamide.....	Free		30.5%
2924.29.90	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	30.5%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2924.29.02 India", "2924.29.04 India", "2924.29.07 India", "2924.29.13 India", "2924.29.14 India", "2924.29.15 India", "2924.29.19 India", "2924.29.25 India", "2924.29.35 India", "2924.29.39 India", "2924.29.42 India" and "2924.29.50 India" and inserting "2924.29.10 India", "2924.29.36 India", "2924.29.41 India", "2924.29.46 India", "2924.29.52 India", "2924.29.62 India", "2924.29.65 India" and "2924.29.90 India" in numerical sequence;

(ii) Subheadings 2924.29.11, 2924.29.15, 2924.29.35 and 2924.29.42 are renumbered as 2924.29.20, 2924.29.41, 2924.29.57 and 2924.29.65, respectively; and

(iii) Headings 9902.29.51, 9902.29.52, 9902.29.53, 9902.29.54, 9902.29.97, 9902.30.59, 9902.30.60, 9902.30.62, 9902.30.63, 9902.30.64, 9902.30.65, 9902.30.66, 9902.30.67 and 9902.30.68 and subheadings 9906.29.15 and 9906.29.16 are deleted.

Annex (con.)
-172-

Section A. (continued)

(124)(a). Subheadings 2925.19.20 and 2925.19.50 are superseded and the following provisions inserted in numerical sequence:

	[Carboxyimide-function compounds...:]				
	[Imides and their derivatives;...:]				
	[Other:]				
	[Aromatic:]				
"2925.19.30	Bis(o-tolyl)carbodiimide; and 2,2',6,6'-Tetraisopropyl-diphenylcarbodiimide.....	Free		15.4¢/kg + 61%	
2925.19.40	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L) 12% (MX)	15.4¢/kg + 61%	
	Other:				
2925.19.70	N-Chlorosuccinimide; and N,N'-Ethylenebis(5,6-di-bromo-2,3-norbornane-dicarboximide.....	Free		25%	
2925.19.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,L,MX)	25%*	

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2925.19.50 India" and inserting "2925.19.90 India" in numerical sequence in lieu thereof; and

(ii) The article description of heading 9902.29.73 is modified by deleting "2925.19.20" and inserting "2925.19.40" in lieu thereof.

(125)(a). Subheadings 2925.20.15, 2925.20.40 and 2925.20.50 are superseded and the following provisions inserted in numerical sequence:

	[Carboxyimide-function compounds...:]				
	[Imines and their derivatives;...:]				
	[Aromatic:]				
"2925.20.18	N,N'-Diphenylguanidine; 3-Dimethylaminomethylene-iminophenol hydrochloride; 1,3-Di-o-tolyguanidine; N,N-Dimethyl-N'-[3-[[(methyl-amino)carbonyl]oxy]phenyl] methanimidamide monohydro-chloride.....	Free		15.4¢/kg + 61%*	
	[Other:]				
"2925.20.60	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 61%	
	Other:				
2925.20.70	Tetramethylguanidine.....	Free		25%	
2925.20.90	Other.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%*	

Annex (con.)
-173-

Section A. (continued)

(125)(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2925.20.15 India" and "2925.20.50 India" and inserting "2925.20.90 India" in numerical sequence; and
(ii) Heading 9902.29.56 is deleted.

(126)(a). Subheadings 2926.90.04, 2926.90.27 and 2926.90.48 are superseded and the following provisions inserted in numerical sequence:

	[Nitrile-function compounds:]			
	[Other:]			
	[Aromatic:]			
*2926.90.01	2-Cyano-4-nitroaniline.....	Free		15.4¢/kg + 41%
2926.90.05	2-Amino-4-chlorobenzonitrile (5-Chloro-2-cyanoaniline); 2-Amino-5-chlorobenzonitrile; 4-Amino-2-chlorobenzonitrile; (Cyanoethyl)(hydroxyethyl)-m-toluidine; p-Cyanophenyl acetate; Phthalonitrile; and Tetrachloro-3-cyanobenzoic acid, methyl ester.....	[See section D to this Annex]	Free (CA,E,IL,J) 4% (MX)	15.4¢/kg + 41%
	Dichlorobenzonitriles:			
2926.90.11	2,6-Dichlorobenzonitrile.....	Free		15.4¢/kg + 41%
2926.90.12	Other.....	[See section D to this Annex]	Free (CA,E,IL,J) 4% (MX)	15.4¢/kg + 41%
2926.90.16	[1α(S*),3α(Z)]-(±)-Cyano(3-phenoxyphenyl)methyl 3-(2-chloro-3,3,3-trifluoro-1-propenyl)-2,2-dimethylcyclopropanecarboxylate.....	Free		15.4¢/kg + 64.5%
2926.90.19	N,N-Bis(2-cyanoethyl)aniline; and 2,6-Difluorobenzonitrile.....	Free		15.4¢/kg + 65.5%*
	[Other:]			
	[Pesticides:]			
*2926.90.30	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL,J,MX)	15.4¢/kg + 64.5%*
	[Other:]			
*2926.90.47	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K,L,MX)	15.4¢/kg + 65.5%*

Annex (con.)
-174-

Section A. (continued)

(126)(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2926.90.27 India" and inserting "2926.90.30 India" in numerical sequence in lieu thereof; and
(ii) Headings 9902.29.57 and 9902.30.69 and subheading 9906.29.17 are deleted.

(127)(a). Subheadings 2927.00.10 and 2927.00.20 are superseded and the following provisions inserted in numerical sequence:

	[Diazo-, azo- or azoxy-compounds:]			
"2927.00.03	4-Aminoazobenzenedisulfonic acid, monosodium salt.....	Free		15.4¢/kg + 40.5%
2927.00.06	p-Aminoazobenzenedisulfonic acid; and Diazoaminobenzene (1,3-Diphenyltriazene)....	5.8%	Free (CA,E,IL,J, L,MX)	15.4¢/kg + 40.5%
2927.00.18	1-Naphthalenesulfonic acid, 6-diazo-5,6-dihydro-5-oxo-,ester with phenyl(2,3,4-trihydroxyphenyl)methanone; 1-Naphthalenesulfonic acid, 3-diazo-3,4-dihydro-4-oxo-,ar'-(1-methylethyl)-[1,1'-biphenyl]-4-yl ester; 1-Naphthalenesulfonic acid, 6-diazo-5,6-dihydro-5-oxo-,(octahydro-4,7-methano-1H-indene-2,5-diyl)bis(methylene) ester; and 1-Naphthalenesulfonic acid, 6-diazo-5,6-dihydro-5-oxo-,4-benzoyl-1,2,3-benzene-triyl ester.....	Free		15.4¢/kg + 50%"
	[Other:]			
"2927.00.25	Photographic chemicals.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 50%"

(b). Conforming change: General note 4(d) is modified by deleting "2927.00.20 India" and inserting "2927.00.25 India" in numerical sequence in lieu thereof.

(128). Subheading 2928.00.20 is superseded and the following provisions inserted in numerical sequence:

	[Organic derivatives of hydrazine or...:]			
"2928.00.15	Phenylhydrazine.....	Free		15.4¢/kg + 43.5%"
	[Other:]			
"2928.00.25	Aromatic.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 43.5%"

Section A. (continued)

(129)(a). Subheadings 2929.10.40 and 2929.10.60 are superseded and the following provisions inserted in numerical sequence:

	[Compounds with other nitrogen function:]			
	[Isocyanates:]			
*2929.10.27	N-Butylisocyanate (NBI); Cyclohexyl isocyanate; 1-Isocyanato-3-(trifluoromethyl)-benzene; 1,5-Naphthalene diisocyanate; and Octadecyl isocyanate.....	Free		15.4¢/kg + 52%
2929.10.35	1,6-Hexamethylene diisocyanate.....	[See section D to this Annex]	Free (CA,E,IL,J) 4.7% (MX)	15.4¢/kg + 52%"
	[Other:]			
*2929.10.55	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)	15.4¢/kg + 52%
2929.10.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J) 1.7¢/kg + 9.7% (MX)	15.4¢/kg + 52%"

(b). Conforming changes:

(i) The article description of heading 9902.29.59 is modified by deleting "2929.10.40" and inserting "2929.10.55" in lieu thereof; and

(ii) Headings 9902.30.07, 9902.30.70 and 9902.30.71 and subheading 9906.29.18 are deleted.

(130)(a). Subheading 2929.90.10, the superior text immediately preceding subheading 2929.90.10 and subheadings 2929.90.20 and 2929.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Compounds with other nitrogen function:]			
	[Other:]			
*2929.90.05	2,2'-Bis(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane; 2,2-Bis(4-cyanatophenyl)propane; 1,1-Ethylidenebis(phenyl-4-cyanate); 4,4'-Methylenebis(2,6-dimethyl-phenylcyanate); and 1,3-Phenylenebis(1-methylethyl-idenebis)cyanic acid,1,4-phenylene ester.....	Free		15.4¢/kg + 52%

Section A. (continued)

(130)(a). (con.):

	[Compounds with other nitrogen function:]				
	[Other:]				
	Other:				
	Aromatic:				
2929.90.15	Products described in additional U.S. note 3 to section VI	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 52%	
2929.90.20	Other	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 52%	
2929.90.50	Other	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	30.5%*	

(b). Conforming change: Headings 9902.30.72 and 9902.30.73 are deleted.

(131)(a). Subheading 2930.20.50 is superseded by:

	[Organo-sulfur compounds:]				
	[Thiocarbamates and dithiocarbamates:]				
	*Other:				
2930.20.70	S-(2,3,3'-trichloroallyl)-diisopropylthiocarbamate	Free			25%
2930.20.90	Other	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%*

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2930.20.50 India" and inserting "2930.20.90 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.29.60 is deleted.

(132)(a). Subheading 2930.30.00 is superseded by:

	[Organo-sulfur compounds:]				
*2930.30	Thiuram mono-, di- or tetrasulfides:				
2930.30.30	Tetramethylthiuram monosulfide	Free			25%
2930.30.60	Other	3.7%	Free (A*,CA,E,IL, J,K,MX)		25%*

(b). Conforming change: General note 4(d) is modified by deleting "2930.30.00 India" and inserting "2930.30.60 India" in numerical sequence in lieu thereof.

Section A. (continued)

(133)(a). Subheadings 2930.90.28, 2930.90.40 and 2930.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Organo-sulfur compounds:]			
	[Other:]			
	[Aromatic:]			
	[Other:]			
"2930.90.26	3-(4'-Aminobenzamido)-phenyl-β-hydroxyethyl-sulfone; 2-[(4-Aminophenyl)-sulfonyl]ethanol, hydrogen sulfate ester; Diphenylthiourea; N,N'-(Dithiodi-2,1-phenylene)bisbenzamide; Pentachlorothiophenol; and 4,4'-Thiodiphenyl cyanate....	Free		15.4¢/kg + 40.5%
2930.90.29	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 40.5%"
	[Other:]			
	[Pesticides:]			
	"Other:			
2930.90.42	O,O-Dimethyl-S-methyl-carbamoylmethyl phosphorodithioate; and Malathion.....	Free		30.5%
2930.90.44	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	30.5%"
	[Other:]			
	"Other:			
2930.90.70	Dibutylthiourea; and di-Hydroxy analog of dl-methionine.....	Free		25%
2930.90.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,L,MX)	25%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2930.90.40 India" and "2930.90.50 India" and inserting "2930.90.44 India" and "2930.90.90 India" in numerical sequence in lieu thereof; and

(ii) Headings 9902.29.61, 9902.30.74, 9902.30.75 and 9902.30.76 are deleted.

Annex (con.)
-178-

Section A. (continued)

(134)(a). Subheadings 2931.00.40 and 2931.00.50 are superseded and the following provisions inserted in numerical sequence:

	[Other organo-inorganic compounds:]			
	[Aromatic:]			
"2931.00.05	Diphenyldichlorosilane; and Phenyltrichlorosilane.....	Free		15.4¢/kg + 68.5%"
	[Other:]			
	[Other:]			
	[Other:]			
"2931.00.60	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 14.1% (MX)	15.4¢/kg + 68.5%
	Other:			
2931.00.70	N,N'-Bis(trimethylsilyl)urea; 3-(Hydroxymethylphosphinyl)-1-propanoic acid, 2-hydroxyethyl ester; and 2-Phosphonobutane-1,2,4-tri-carboxylic and its sodium salts.....	Free		25%
2931.00.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%"

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2931.00.50 India" and inserting "2931.00.90 India" in numerical sequence in lieu thereof; and
(ii) Heading 9902.30.77 and subheading 9906.29.19 are deleted.

(135)(a). Subheadings 2932.90.10, 2932.90.41, 2932.90.45 and 2932.90.50 are superseded and the following inserted in numerical sequence:

	[Heterocyclic compounds with oxygen...:]			
	[Other:]			
	[Aromatic:]			
	[Pesticides:]			
"2932.90.04	2,2-Dimethyl-1,3-benzo-dioxol-4-yl methyl-carbamate (Bendiocarb).....	Free		15.4¢/kg + 40.5%
2932.90.08	2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranyl-methanesulfonate.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 40.5%
2932.90.55	Bis-O-[(4-methylphenyl)-methylene]-D-glucitol (Dimethylbenzylidene sorbitol); and			
	Rhodamine 2C base.....	Free		15.4¢/kg + 52%"

Section A. (continued)

(135)(a). (con.):

	[Heterocyclic compounds with oxygen...:]			
	[Other:]			
	[Aromatic:]			
	[Other:]			
"2932.90.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 52%
2932.90.70	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%
	Other:			
2932.90.80	Calcium lactobionate; and Paraldehyde, USP grade.....	Free		25%
2932.90.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2932.90.10 India" and "2932.90.50 India" and inserting "2932.90.08 India" and "2932.90.90 India" in numerical sequence in lieu thereof; and

(ii) Headings 9902.29.62, 9902.29.98, 9902.30.78, 9902.30.79 and 9902.30.83 are deleted.

(136)(a). Subheadings 2933.19.10, 2933.19.25, 2933.19.40, 2933.19.42 and 2933.19.50 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:]			
	[Compounds containing an unfused pyrazole ring...:]			
	[Other:]			
	[Aromatic or modified aromatic:]			
"2933.19.04	Aminomethylphenylpyrazole (Phenylmethylamino-pyrazole); and 3-Methyl-1-(p-tolyl)-2-pyrazolin-5-one (p-Tolylmethylpyrazolone)...	Free		15.4¢/kg + 39.5%

Annex (con.)
-180-

Section A. (continued)

(136)(a). (con.):

	[Heterocyclic compounds with nitrogen...:] [Compounds containing an unfused pyrazole ring...:] [Other:] [Aromatic or modified aromatic:]				
2933.19.08	3-(5-Amino-3-methyl-1H-pyrazol-1-yl)benzenesulfonic acid; Amino-J-pyrazolone; 3-Amino-1-(2,4,6-trichlorophenyl)-5-pyrazolone; 3-Carboxy-1,4-sulfophenylpyrazol-5-one; 4-Chloro-3-(3-methyl-5-oxo-2-pyrazolin-1-yl)benzenesulfonic acid; 1-(m-Chlorophenyl)-3-methyl-2-pyrazolin-5-one; p-Chloropyrazolone; 1-(2',5'-Dichlorophenyl)-3-methyl-2-pyrazolin-5-one; 1-(o-Ethylphenyl)-3-methyl-2-pyrazolin-5-one; 5-Imino-3-methyl-1-phenylpyrazole; 5-Imino-3-methyl-1-(m-sulfophenyl)pyrazole; 2,4-Methylcarboxypyrazolic acid; Methylphenylpyrazolone; and Sulfinpyrazone.....	5.8%	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 39.5%
2933.19.15	1,2-Dimethyl-3,5-diphenyl-1H-pyrazolium methyl sulfate (Difenzoquat methyl sulfate).....	Free		15.4/kg + 48.5%
2933.19.18	2-Chloro-5-sulfophenylmethylpyrazolone; 2,5-Dichloro-4-(3-methyl-5-oxo-2-pyrazolin-1-yl)-benzenesulfonic acid; Phenylcarbethoxypyrazolone; m-Sulfaminopyrazolone (m-Sulfamidophenylmethylpyrazolone); and 1-(p-Sulfophenyl)-3-methylpyrazolone.....	Free		15.4¢/kg + 52%*	

Section A. (continued)

(136)(a). (con.):

	[Heterocyclic compounds with nitrogen...:] [Compounds containing an unfused pyrazole ring....:] [Other:] [Aromatic or modified aromatic:] [Other:]			
"2933.19.23	Pesticides.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 48.5%"
	[Other:]			
"2933.19.37	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%
2933.19.43	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%"
	[Other:] "Other:"			
2933.19.70	3-Methyl-5-pyrazolone...	Free		30.5%
2933.19.90	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	30.5%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2933.19.25 India" and "2933.19.50 India" and inserting "2933.19.23 India" and "2933.19.90 India" in numerical sequence in lieu thereof;

(ii) Headings 9902.29.63, 9902.29.65, 9902.29.66, 9902.29.67, 9902.29.68, 9902.29.69 and 9902.30.80 are deleted; and

(iii) The article description of heading 9902.29.64 is modified by deleting "2933.19.10" and inserting "2933.19.08" in lieu thereof.

(137)(a). Subheadings 2933.29.30, 2933.29.40 and 2933.29.50 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:] [Compounds containing an unfused imidazole ring...:] [Other:] [Aromatic or modified aromatic:]			
"2933.29.05	1-[1-[(4-Chloro-2-(trifluoromethyl)phenyl)-imino)-2-propoxyethyl]-1H-imidazole (Triflumizole); and			
	Ethylene thiourea.....	Free		15.4¢/kg + 52%"

Section A. (continued)

(137)(a). (con.):

	[Heterocyclic compounds with nitrogen...:] [Compounds containing an unfused imidazole ring...:] [Other:] [Aromatic or modified aromatic:] [Other:] [Other:]				
"2933.29.35	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 10.8% (MX)	15.4¢/kg + 52%	
2933.29.43	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 52%"	
	[Other:] "Other:				
2933.29.60	Imidazole.....	Free		30.5%	
2933.29.90	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	30.5%"	

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2933.29.50 India" and inserting "2933.29.90 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.31.07 and subheading 9906.29.20 are deleted.

(138)(a). Subheadings 2933.39.15, 2933.39.34, 2933.39.42, 2933.39.47 and 2933.39.50 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:] [Compounds containing an unfused pyridine ring...:] [Other:]			
"2933.39.08	1-(3-Sulfopropyl)pryidinium hydroxide; N,N'-Bis(2,2,6,6-tetramethyl-4-piperidinyl)-1,6-hexanediamine; 3,5-Dimethyl-2-hydroxymethyl-4-methoxypyridine (pyrmethyl alcohol); Dipentamethylenethiuram tetrasulfide; 2H-Indol-2-one,1,3-dihydro-1-phenyl-3-(4-pridinylmethylene); 4-Picolyl chloride hydrochloride; and Piperidinoethyl chloride hydrochloride.....	Free		15.4¢/kg + 52%"

Annex (con.)
-183-

Section A. (continued)

(138)(a). (con.):

[Heterocyclic compounds with nitrogen...:]				
[Compounds containing an unfused pyridine ring...:]				
[Other:]				
[Other:]				
[Drugs:]				
*2933.39.41	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 4.8% (MX)	15.4¢/kg + 65%*
[Other:]				
*2933.39.60	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J, K) 8.1% (MX)	15.4¢/kg + 52%
2933.39.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 2.2¢/kg + 9.7% (MX)	15.4¢/kg + 52%*

(b).. Conforming changes:
(i) General note 4(d) is modified by deleting "2933.39.15 India" and "2933.39.34 India"; and
(ii) Headings 9902.29.74, 9902.29.75 and 9902.31.11 and subheading 9906.29.22 are deleted.

(139)(a). Subheadings 2933.40.04, 2933.40.27 and 2933.40.45 are superseded and the following provisions inserted in numerical sequence:

[Heterocyclic compounds with nitrogen...:]				
[Compounds containing a quinoline or...:]				
*2933.40.17	Ethyl-ethyl-6,7,8-trifluoro-1,4-dihydro-4-oxo-3-quinoline carboxylate.....	Free		15.4¢/kg + 52%*
[Other:]				
[Drugs:]				
*2933.40.26	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 6.4% (MX)	15.4¢/kg + 67.5%*
[Other:]				
*2933.40.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 10.8% (MX)	15.4¢/kg + 52%*

(b). Conforming change: General note 4(d) is modified by deleting "2933.40.04 India".

Section A. (continued)

(140)(a). Subheadings 2933.51.30 and 2933.51.60 are superseded by:

	[Heterocyclic compounds with nitrogen...:]			
	[Compounds containing a pyrimidine...:]			
	[Malonylurea...:]			
"2933.51.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	50%"

(b). Conforming change: General note 4(d) is modified by deleting "2933.51.30 India".

(141)(a). Subheadings 2933.59.20, 2933.59.23, 2933.59.25, 2933.59.31, 2933.59.32, 2933.59.55 and 2933.59.90 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:]			
	[Compounds containing a pyrimidine...:]			
	[Other:]			
	[Drugs:]			
	[Aromatic or...:]			
"2933.59.21	Antihistamines, including those principally used as anti-nauseants.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 5.5% (MX)	15.4¢/kg + 82%
	Anti-infective agents:			
2933.59.22	Nicarbazin; and Trimethoprim.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 4% (MX)	15.4¢/kg + 46%
2933.59.53	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 4.1% (MX)	15.4¢/kg + 45%"
	[Other:]			
	"Other:			
2933.59.85	2-Amino-4-chloro-6-methoxypyrimidine; 2-Amino-4,6-dimethoxy-pyrimidine; and 6-Methyluracil.....	Free		30.5%
2933.59.95	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	30.5%"

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "2933.59.20 India", "2933.59.23 India", "2933.59.32 India" and "2933.59.90 India" and inserting "2933.59.95 India" in numerical sequence; and
(ii) Heading 9902.30.86 is deleted.

Section A. (continued)

(142)(a). Subheading 2933.69.00 is superseded by:

	[Heterocyclic compounds with nitrogen...:]				
	[Compounds containing an unfused triazine ring...:]				
*2933.69	Other:				
2933.69.20	2,4-Diamino-6-phenyl-1,3,5-triazine.....	Free			25%
2933.69.60	Other.....	3.5%	Free (A*,CA,E,IL,J,K,L,MX)		25%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2933.69.00 India" and inserting "2933.69.60 India" in numerical sequence in lieu thereof; and

(ii) Heading 9902.30.87 is deleted.

(143)(a). Subheadings 2933.79.10, 2933.79.15 and 2933.79.50 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:]				
	[Lactams:]				
	[Other lactams:]				
	[Aromatic or modified aromatic:]				
*2933.79.04	2,5-Dihydro-3,6-diphenyl-pyrrolo-(3,4-C)pyrrole-1,4-dione.....	Free			15.4¢/kg + 52%
	Other:				
2933.79.09	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K,MX)		15.4¢/kg + 52%
2933.79.15	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K,MX)		15.4¢/kg + 52%*
	[Other:]				
*2933.79.40	12-Aminododecanoic acid lactam.....	Free			30.5%
2933.79.80	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL,J,K,L,MX)		30.5%*

(b). Conforming change: General note 4(d) is modified by deleting "2933.79.50 India" and inserting "2933.79.80 India" in numerical sequence in lieu thereof.

Annex (con.)
-186-

Section A. (continued)

(144)(a). Subheadings 2933.90.10, 2933.90.15, 2933.90.18, 2933.90.20, 2933.90.25, 2933.90.41, 2933.90.44, 2933.90.57, 2933.90.59, 2933.90.80, 2933.90.83 and 2933.90.95 are superseded and the following provisions inserted in numerical sequence:

	[Heterocyclic compounds with nitrogen...:]			
	[Other:			
	[Aromatic or modified aromatic:]			
*2933.90.01	Butyl (R)-2-[4-(5-trifluoromethyl-2-pyridinyloxy)phenoxy]-propanoate.....	Free		15.4¢/kg + 50%
2933.90.02	2-[4-[(6-Chloro-2-quinoxalinyl)-oxy]phenoxy]propionic acid, ethyl ester (Quizalofop ethyl); and O,O-Dimethyl-S-[(4-oxo-1,2,3-benzotriazin-3-(4H)-yl)methyl]-phosphorodithioate.....	Free		15.4¢/kg + 64.5%
2933.90.06	α-Butyl-α-(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitile (Myclobutanil); and α-[2-(4-Chlorophenyl)-ethyl]-α-phenyl-1H-1,2,4-triazole-1-propanenitrile (Fenbuconazole)...	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 64.5%
2933.90.08	Acetoacetyl-5-aminobenz-imidazolone; 3-(2H-Benzotriazol-2-yl)-5-(tert-buty)-4-hydroxybenzene-propanoic acid, C_7-C_9 branched or linear alkyl esters; 2-(2H-Benzotriazol-2-yl)-6-dodecyl-4-methylphenol, in liquid form, branched and linear; and 1,3,3-Trimethyl-2-methylene-indoline.....	Free		15.4¢/kg + 52%
2933.90.11	Carbazole.....	Free		15.4¢/kg + 39.5%

Section A. (continued)

(144)(a). (con.):

	[Heterocyclic compounds with nitrogen...:]			
	[Other:			
	[Aromatic or modified aromatic:]			
2933.90.13	6-Bromo-5-methyl-1H-imidazo-[4,5-b]-pyridine; 2-sec-Butyl-4-tert-butyl-6-(benzotriazol-2-yl)phenol; 2-tert-Butyl-4-methyl-6-(5-chlorobenzotriazol-2-yl)-phenol; 2,4-Di-tert-butyl-6-(benzo-triazol-2-yl)phenol; 2,4-Di-tert-butyl-6-(5-chloro-benzotriazol-2-yl)phenol; 2,3-Dichloro-6-quinoxaline-carbonyl chloride; 1-Hydroxy-2-carbazolecarboxylic acid; 2-Hydroxy-3-carbazolecarboxylic acid; 2-Hydroxy-3-carbazolecarboxylic acid, sodium salt; Iminodibenzyl(10,11-dihydro-5H-dibenz[b,f]azepine); Indoline; 3-Methylbenzo[f]quinoline; 2-Methylindoline; 2-Methylmercaptobenzimidazole; 1-Methyl-2-phenylindole; 1-Methylpryazine; 2,4-Methylpyrazolic acid; 2-Phenylbenzimidazole; 2-Phenylindole; 3-Quinuclidinol; Tetramethylpyrazine; 2,3,5-Triphenyltetrazolium chloride; dl-Tryptophan; and Vinylcarbazole, monomer.....	5.8%	Free (CA,E,IL,J,K) 4.6% (MX)	15.4¢/kg + 39.5%[n]
	[Other:]			
	[Pesticides:]			
[n]2933.90.14	5-Amino-4-chloro-α-phenyl-3-pyridazinone...	[See section D to this Annex]	Free (A[n],CA,E,IL, J,MX)	15.4¢/kg + 40.5%
2933.90.16	o-Diquat dibromide (1,1'-Ethylene-2,2'-dipyridilium dibromide).....	Free		15.4¢/kg + 40.5%[n]

Section A. (continued)

(144)(a). (con.):

	[Heterocyclic compounds with nitrogen...:]			
	[Other:			
	[Aromatic or modified aromatic:]			
	[Other:]			
	[Pesticides:]			
	[Other:]			
"2933.90.17	Insecticides.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 64.5%
2933.90.22	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,L,MX)	15.4¢/kg + 64.5%
2933.90.24	Photographic chemicals.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 50%"
	[Drugs:]			
	[Anti-infective agents:]			
"2933.90.42	Acriflavine; Acriflavine hydrochloride; Carbadox; and Pyrazinamide.....	Free		15.4¢/kg + 46%"
	[Antidepressants, tranquilizers and other psychotherapeutic agents:]			
"2933.90.58	Clozapine; Droperidol; and Imipramine hydrochloride.....	Free		15.4¢/kg + 45.5%"
	[Other:]			
"2933.90.79	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%
2933.90.82	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%"
	[Other:]			
"2933.90.89	Hexamethylenimine.....	Free		30.5%"
	[Other:]			
"2933.90.97	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,L,MX)	30.5%"

Section A. (continued)

(144)(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2933.90.15 India", "2933.90.18 India", "2933.90.20 India", "2933.90.25 India", "2933.90.44 India", "2933.90.59 India" and "2933.90.95 India" and inserting "2933.90.06 India", "2933.90.14 India", "2933.90.17 India", "2933.90.22 India", "2933.90.24 India" and "2933.90.97 India" in numerical sequence; and

(ii) Headings 9902.29.72, 9902.30.53, 9902.30.58, 9902.30.89, 9902.30.90 and 9902.31.09 are deleted.

(145)(a). Subheading 2934.10.50 is superseded by:

	[Other heterocyclic compounds:]				
	[Compounds containing an unfused thiazole ring...:]				
	"Other:				
2934.10.70	4,5-Dichloro-2-n-octyl-4-isothiazolin-3-one; Ethyl 2-(2-aminothiazol-4-yl)-2-hydroxyiminoacetate; Ethyl 2-(2-aminothiazol-4-yl)-2-methoxyiminoacetate; 2-n-Octyl-4-isothiazolin-3-one; and Thiothiamine hydrochloride.....	Free			30.5%
2934.10.90	Other.....	[See section D to this Annex]	Free	(A*,CA,E,IL, J,K,L,MX)	30.5%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2934.10.50 India" and inserting "2934.10.90 India" in numerical sequence in lieu thereof; and

(ii) Headings 9902.30.91, 9902.30.92 and 9902.30.93 are deleted.

(146). Subheading 2934.20.60 is superseded and the following provisions inserted in numerical sequence:

	[Other heterocyclic compounds:]				
	[Compounds containing a benzothiazole...:]				
"2934.20.25	2-Amino-5,6-dichlorobenzothiazole; 2-(4-Aminophenyl)-6-methylbenzothiazole-7-sulfonic acid; 2-Amino-6-nitrobenzothiazole; and N,N-Dicyclohexyl-2-benzothiazolesulfenamide.....	Free			15.4¢/kg + 52%"
	[Other:]				
	[Other:]				
"2934.20.80	Other.....	[See section D to this Annex]	Free	(CA,E,IL,J, K,L,MX)	15.4¢/kg + 52%"

Section A. (continued)

(147). Subheadings 2934.30.04, 2934.30.08, 2934.30.15 and 2934.30.40 are superseded and the following provisions inserted in numerical sequence:

	[Other heterocyclic compounds:]			
	[Compounds containing a phenothiazine...:]			
"2934.30.12	2-(Trifluoromethyl)phenothiazine.....	[See section D to this Annex]	Free (CA,E,IL,J) 5.2% (MX)	15.4¢/kg + 45%
2934.30.18	Ethyl (1H-phenothiazin-2,4-1)-carbamate.....	Free		15.4¢/kg + 52%"
	[Other:]			
	[Drugs:]			
"2934.30.23	Antidepressants, tranquilizers and other psychotherapeutic agents.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 13.2% (MX)	15.4¢/kg + 149.5%
2934.30.27	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 6.5% (MX)	15.4¢/kg + 45%"
	[Other:]			
"2934.30.43	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K) 10.8% (MX)	15.4¢/kg + 52%"

(148)(a). Subheadings 2934.90.10, 2934.90.14, 2934.90.25, 2934.90.40 and 2934.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Other heterocyclic compounds:]			
	[Other:]			
	[Aromatic or modified aromatic:]			
"2934.90.01	Mycophenolate mofetil.....	Free		15.4¢/kg + 45%
2934.90.03	2-Acetylbenzo(b)thiophene; 3-Methylene-7-(2-phenoxyacetamido)cephan-4-carboxylic acid, p-nitrobenzyl ester, 1-oxide; and Naphth[1,2-d]-[1,2,3]-oxadiazole-5-sulfonic and its sodium salt.....	Free		15.4¢/kg + 52%
2934.90.07	Ethyl 2-[4-[(6-chloro-2-benzoxazolyl)-oxy]phenoxy]propanoate (Fenoxaprop ethyl).....	Free		15.4¢/kg + 48.5%
2934.90.09	1,2-Benzisothiazolin-3-one.....	Free		15.4¢/kg + 40.5%"

Section A. (continued)

(148)(a). (con.):

	[Other heterocyclic compounds:]			
	[Other:]			
	[Aromatic or modified aromatic:]			
	[Other:]			
	[Pesticides:]			
*2934.90.11	2-tert-Butyl-4-(2,4-dichloro-5-iso-propoxyphenyl)-Δ^2-1,3,4-oxadiazolin-5-one; 3-Isopropyl-1H-2,1,3-benzothiadiazin-4(3H)-one-2,2-dioxide (Bentazon); and O,O-Diethyl-S-[(6-chloro-2-oxo-benzoxazolin-3-yl)-methyl]phosphorodi-thioate (Phosalone)....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 40.5%*
	[Other:]			
*2934.90.15	Herbicides.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 48.5%
2934.90.30	Drugs.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 45%*
	[Other:]			
*2934.90.39	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K, L) 10.8% (MX)	15.4¢/kg + 52%*
	[Other:]			
	*Other:			
2934.90.70	2-Methyl-4-isothiazoline-3-one; Morpholinoethyl chloride hydrochloride; 2-Methyl-2,5-dioxo-1-oxa-2-phospholan; and (6R-trans)-7-Amino-3-methyl-8-oxo-5-thia-1-azabicyclo[4.2.0]-oct-2-ene-2-carboxylic acid.....	Free		30.5%
2934.90.90	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	30.5%*

Section A. (continued)

(148)(b). Conforming changes:
(i) General note 4(d) is modified by:
(1) deleting:
2934.90.10 India
2934.90.14 Brazil;
India
2934.90.25 India
2934.90.50 India
(2) and inserting:
2934.90.11 India
2934.90.15 Brazil;
India
2934.90.30 India
2934.90.90 India in numerical sequence in lieu thereof; and
(ii) The article description of headings 9902.30.50, 9902.30.61 and 9902.30.95 is modified by deleting "2934.90.25" and inserting "2934.90.30" in lieu thereof; and
(iii) The article description of subheading 9906.29.25 is modified by deleting "2934.90.40" and inserting "2934.90.39" in lieu thereof.

(149)(a). Subheadings 2935.00.31, 2935.00.35, 2935.00.37, 2935.00.39, 2935.00.43, 2935.00.44, 2935.00.53, 2935.00.57, 2935.00.70 and 2935.00.90 are superseded and the following provisions inserted in numerical sequence:

	[Sulfonamides:]			
"2935.00.13	(5-[2-Chloro-4(trifluoromethyl)phenoxy]-N-(methylsulfonyl)-2-nitrobenzamide) (Fomesafen); N-(2,6-Dichloro-3-methylphenyl)-5-amino-1,3,4-triazole-2-sulfonamide; 2,4-Dichloro-5-sulfamoylbenzoic acid; N-Ethyl-o-toluenesulfonamide; N-Ethyl-p-toluenesulfonamide; 7-(Hexadecylsulfonylamino)-1H-indole; Methyl 5-[[(4,6-dimethoxy-2-pyrimidinyl)-amino]carbonylaminosulfonyl)-3-chloro-1-methyl-1H-pyrazole-4-carboxylate (Halosulfuron methyl); and Mixtures of ortho- and para-toluene sulfonamides.....	Free		15.4¢/kg + 57.5%"
	[Other:]			
	[Drugs:]			
	[Anti-infective agents:]			
"2935.00.29	Acetylsulfaguanidine.....	Free		15.4¢/kg + 96%
2935.00.32	Acetylsulfisoxazole; Sulfacetamide, sodium; and Sulfamethazine, sodium.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 96%

Annex (con.)
-193-

Section A. (continued)

(149)(a). (con.):

	[Sulfonamides:]			
	[Other:]			
	[Drugs:]			
	[Anti-infective agents:]			
2935.00.42	Salicylazosulfapyridine (Sulfasalazine); Sulfadiazine; Sulfaguanidine; Sulfamerazine; and Sulfapyridine.....	Free		15.4¢/kg + 128.5%
2935.00.48	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 8.6% (MX)	15.4¢/kg + 96%
2935.00.60	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 5.5% (MX)	15.4¢/kg + 45%*
	[Other:]			
*2935.00.75	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K, L) 10.8% (MX)	15.4¢/kg + 57.5%
2935.00.95	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 2.9¢/kg + 14.4% (MX)	15.4¢/kg + 57.5%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2935.00.31 India", "2935.00.37 India", "2935.00.43 India", "2935.00.44 India" and "2935.00.53 India"; and

(ii) Headings 9902.29.85, 9902.29.86, 9902.29.87, 9902.30.98 and 9902.30.99 and subheadings 9906.29.28 and 9906.29.29 are deleted; and

(iii) The article description of heading 9902.30.97 and subheading 9906.29.27 is modified by deleting "2935.00.39" and inserting "2935.00.48" in lieu thereof.

(150)(a). Subheadings 2936.29.15 and 2936.29.50 are superseded and the following provisions inserted in numerical sequence:

	[Provitamins and vitamins, natural...:]			
	[Vitamins and their derivatives, unmixed:]			
	[Other vitamins and their...:]			
	[Other:]			
*2936.29.90	Other.....	Free		25%*

(b). Conforming change: General note 4(d) is modified by deleting "2936.29.15 India" and "2936.29.50 India".

Section A. (continued)

(151)(a). Subheadings 2937.92.15, 2937.92.30, 2937.92.40, 2937.92.70, 2937.92.90, 2937.99.20, 2937.99.40, 2937.99.60, 2937.99.70 and 2937.99.90 are superseded and the following provisions inserted in numerical sequence:

	[Hormones, natural or reproduced by...:]			
	[Other hormones and their...:]			
	[Estrogens and progestins:]			
	[Other:]			
"2937.92.25	Estradiol benzoate; and Estradiol cyclopentyl-propionate (Estradiol cypionate).....	Free		15.4¢/kg + 49%
2937.92.50	Other.....	Free		15.4¢/kg + 78.5%"
	[Other:]			
"2937.99.25	Desonide; Epinephrine; Epinephrine hydrochloride; Nandrolone phenpropionate; and l-Thyroxine (Levothyroxine), sodium.....	Free		15.4¢/kg + 49%
2937.99.95	Other.....	Free		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2937.92.15 India", "2937.92.40 India", "2937.92.70 India", "2937.99.40 India", "2937.99.60 India" and "2937.99.70 India".

(152)(a). Subheadings 2939.40.10 and 2939.40.50 are superseded by:

	[Vegetable alkaloids, natural or...:]			
"2939.40.00	Ephedrines and their salts.....	Free		15.4¢/kg + 59%"

(b). Conforming change: General note 4(d) is modified by deleting "2939.40.10 India" and "2939.40.50 India".

(153)(a). Heading 2940.00.00 is superseded by:

"2940.00	Sugars, chemically pure, other than sucrose, lactose, maltose, glucose and fructose; sugar ethers and sugar esters, and their salts, other than products of heading 2937, 2938 or 2939:			
2940.00.20	D-Arabinose.....	Free		50%
2940.00.60	Other.....	5.8%	Free (A*,CA,E,IL, J,K,MX)	50%"

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "2940.00.00 India" and inserting "2940.00.60 India" in numerical sequence in lieu thereof; and

(ii) Headings 9902.30.03 and 9902.31.06 are deleted.

Section A. (continued)

(154)(a). Subheading 2941.20.00 is superseded by:

	[Antibiotics:]			
"2941.20	Streptomycins and their derivatives; salts thereof:			
2941.20.10	Dihydrostreptomycin and its derivatives; salts thereof.....	3.5%	Free (A*,CA,E,IL, J,MX)	25%
2941.20.50	Other.....	Free		25%"

(b). Conforming change: General note 4(d) is modified by deleting "2941.20.00 India" and inserting "2941.20.10 India" in numerical sequence in lieu thereof.

(155). Subheadings 2942.00.05, 2942.00.10 and 2942.00.20 and the superior text to subheading 2942.00.10 are superseded and the following provisions inserted in numerical sequence:

	[Other organic compounds:]			
	[Aromatic or modified aromatic:]			
"2942.00.03	[2,2'-Thiobis(4-(1,1,3,3-tetramethyl-n-butyl)phenolato)(2,1)]-O,O',S-(1-butanamine), nickel II.....	Free		15.4¢/kg + 46.5%
	Other:			
2942.00.05	Drugs.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 46%
	Other:			
2942.00.10	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 46.5%
2942.00.35	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,MX)	15.4¢/kg + 46.5%"

(156)(a). Subheadings 3004.90.30 and 3004.90.60 are superseded by:

	[Medicaments (excluding goods of heading...:]			
	[Other:]			
"3004.90.90	Other.....	Free		30%"

(b). Conforming change: General note 4(d) is modified by deleting "3004.90.30 India" and "3004.90.60 India".

Annex (con.)
-196-

Section A: (continued)

(157)(a). Subheading 3203.00.50 is superseded by:

	[Coloring matter of vegetable or animal...:]				
"3203.00.30	Mixtures of 3,4-dihydroxyphenyl-2,4,6-trihydroxyphenylmethanone and 2-(2,4-dihydroxyphenyl)-3,5,7-trihydroxy-4H-1-benzopyran-4-one.....	Free			15%
3203.00.80	Other.....	3.1%	Free (A*,CA,E,IL, J,K,MX)		15%*

(b). Conforming change: General note 4(d) is modified by deleting "3203.00.50 India" and inserting "3203.00.80 India" in numerical sequence in lieu thereof.

(158). Subheading 3204.11.20 is superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]				
	[Synthetic organic coloring matter...:]				
	[Disperse dyes and...:]				
"3204.11.18	N-[2-[(2,6-Dicyano-4-methyl-phenylazo]-5-(diethylamino)-phenyl]methanesulfonamide; and N-[2-[(2,6-Dicyano-4-methyl-phenylazo]-5-(di-1-propylamino)-phenyl]methanesulfonamide.....	Free			63.5%*
	[Other:]				
"3204.11.35	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J) 12% (MX)		63.5%*

(159)(a). Subheadings 3204.12.10 and 3204.12.40 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]				
	[Synthetic organic coloring matter...:]				
	[Acid dyes, whether or not...:]				
"3204.12.05	Acid black 210 powder and presscake.....	Free			72%
3204.12.13	Acid violet 19.....	Free			51%

Annex (con.)
-197-

Section A. (continued)

(159)(a). (con.):

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic coloring matter...:]			
	[Acid dyes, whether or not...:]			
3204.12.17	Acid black 31, 50, 94, 129; Acid blue 54, 127, 129, 143; Acid brown 44, 46, 48, 58, 188, 189; Acid green 40; Acid red 130, 145, 174, 211; Acid violet 31, 41, 48; Acid yellow 2, 75; Mordant black 8; Mordant green 47; and Mordant red 17, 27.....	[See section D to this Annex]	Free (CA,E,IL,J) 11.3% (MX)	51%*
	[Other:]			
*3204.12.45	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J) 12% (MX)	72%*

(b). Conforming change: Heading 9902.32.06 and subheading 9906.32.01 are deleted.

(160)(a). Subheadings 3204.13.30 and 3204.13.50 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic coloring matter...:]			
	[Basic dyes and preparations...:]			
*3204.13.45	3,7-Bis(dimethylamino)phenazathionium chloride (Methylene blue); and Basic blue 147.....	Free		71.7%*
	[Other:]			
*3204.13.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 12% (MX)	71.7%
3204.13.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,K) 16% (MX)	71.7%*

(b). Conforming change: Heading 9902.32.04 and subheading 9906.32.02 are deleted.

Section A. (continued)

(161). Subheading 3204.15.50 is superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic coloring matter...:]			
	[Vat dyes (including those...:]			
"3204.15.25	Vat red 1.....	Free		75.3%"
	[Other:]			
"3204.15.80	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)	75.3%"

(162)(a). Subheadings 3204.17.10, 3204.17.30 and 3204.17.50 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic coloring matter...:]			
	[Pigments and preparations based thereon:]			
"3204.17.04	Pigment black 1; Pigment blue 16, 18; Pigment brown 22, 23, 25, 32; Pigment green 8; Pigment orange 31, 34, 36, 51; Pigment red 9, 14, 34, 48:3, 52, 68, 112, 139, 144, 146, 151, 166, 169, 170, 171, 175, 176, 177, 180, 185, 188, 192, 199, 208, 209, 216, 220, 221; Pigment violet 32; and Pigment yellow 16, 24, 49, 62:1, 81, 93, 95, 97, 108, 109, 110, 113, 117, 127, 153.....	[See section D to this Annex]	Free (CA,E,IL,J) 6.6% (MX)	46.8%
3204.17.08	Pigment red 178; Pigment yellow 101, 138.....	Free		46.8%
3204.17.40	Isoindolenine red pigment; Pigment red 214, 242, 254; Pigment red 149 dry and pigment red 149 presscake; and Pigment yellow 155, 183.....	Free		72%"
	[Other:]			
"3204.17.60	Products described in additional U.S. note 3 to section VI.....	[See section D to this Annex]	Free (CA,E,IL,J) 12% (MX)	72%
3204.17.90	Other.....	[See section D to this Annex]	Free (CA,E,IL,J,L) 16% (MX)	72%"

(b). Conforming change: Headings 9902.32.07, 9902.32.08 and 9902.32.30 and subheadings 9906.32.03, 9906.32.04 and 9906.32.05 are deleted.

Section A. (continued)

(163)(a). Subheadings 3204.19.15 and 3204.19.19 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic coloring matter...:]			
	[Other, including mixtures of...:]			
	[Solvent dyes and...:]			
"3204.19.06	Solvent yellow 43, 44, 85, 172.....	Free		64.1%"
	[Other:]			
"3204.19.20	Products described in additional U.S. note 3 to section VI....	[See section D to this Annex]	Free (CA,E,IL,J) 12% (MX)	64.1%
3204.19.25	Other.....	[See section D to this Annex]	Free (CA,E,IL,J) 16% (MX)	64.1%"

(b). Conforming change: Headings 9902.32.09 and 9902.32.10 and subheadings 9906.32.06 and 9906.32.07 are deleted.

(164)(a). Subheading 3204.20.50 is superseded by:

	[Synthetic organic coloring matter,...:]			
	[Synthetic organic products of a...:]			
"3204.20.40	Benzoxazol.....	Free		44.1%
3204.20.80	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J) 6.4% (MX)	44.1%"

(b). Conforming change: General note 4(d) is modified by deleting "3204.20.50 India" and inserting "3204.20.80 India" in numerical sequence in lieu thereof.

(165)(a). Subheading 3205.00.20 is superseded by:

	[Color lakes; preparations as specified...:]			
	"Carmine:			
3205.00.05	Food coloring solutions, containing cochineal carmine lake and paprika oleo resins, but not including any synthetic organic coloring matter.....	Free		72%
3205.00.15	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	72%"

(b). Conforming change: General note 4(d) is modified by deleting "3205.00.20 India" and inserting "3205.00.15 India" in numerical sequence in lieu thereof.

Section A. (continued)

(166)(a). Subheading 3402.11.10 is superseded by:

	[Organic surface-active agents (other...:]				
	[Organic surface-active agents,...:]				
	[Anionic:]				
	"Aromatic or modified aromatic:				
3402.11.20	Linear alkylbenzene sulfonates.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 52.5%	
3402.11.40	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 52.5%"	

(b). Conforming change: General note 4(d) is modified by deleting "3402.11.10 India" and inserting "3402.11.20 India" and "3402.11.40 India" in numerical sequence in lieu thereof.

(167). Subheadings 3502.90.10 and 3502.90.50 are superseded by:

	[Albumins (including concentrates...:]				
"3502.90.00	Other.....	Free			Free"

(168)(a). Subheading 3507.90.00 is superseded by:

	[Enzymes; prepared enzymes not elsewhere...:]				
"3507.90	Other:				
3507.90.20	Penicillin G amidase.....	Free			25%
3507.90.70	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,K,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "3507.90.00 India" and inserting "3507.90.70 India" in numerical sequence in lieu thereof.

(169)(a). Subheading 3606.90.60 is superseded by:

	[Ferrocerium and other pyrophoric alloys...:]				
	[Other:]				
"3606.90.40	Metaldehyde.....	Free			25%
3606.90.80	Other.....	5%	Free (A*,CA,E,IL, J,MX)		25%"

(b). Conforming change: General note 4(d) is modified by deleting "3606.90.60 India" and inserting "3606.90.80 India" in numerical sequence in lieu thereof.

Section A. (continued)

(170)(a). Subheading 3707.90.30 is superseded by:

	[Chemical preparations for photographic...:]			
	[Other:]			
	"Chemical preparations for photographic uses:			
3707.90.31	Acid violet 19.....	Free		15.4¢/kg + 50%
3707.90.32	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 50%"

(b). Conforming change: General note 4(d) is modified by deleting "3707.90.30 India" and inserting "3707.90.32 India" in numerical sequence in lieu thereof.

(171)(a). Subheading 3808.10.20 is superseded by:

	[Insecticides, rodenticides,...:]			
	[Insecticides:]			
	[Other:]			
	"Containing any aromatic or modified aromatic insecticide:			
3808.10.15	Mixtures of N-[[(4-chloro-phenyl)amino]carbonyl]-2,6-difluorobenzamide and inert substances.....	Free		15.4¢/kg + 31%
3808.10.25	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 31%"

(b). Conforming change: General note 4(d) is modified by deleting "3808.10.20 India" and inserting "3808.10.25 India" in numerical sequence in lieu thereof.

(172)(a). Subheadings 3808.20.10 and 3808.20.20 are superseded by:

	[Insecticides, rodenticides,...:]			
	[Fungicides:			
	"Containing any aromatic or modified aromatic fungicide:			
3808.20.05	Mixtures of dinocap and application adjuvants.....	Free		15.4¢/kg + 31%
3808.20.15	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 31%"

Section A. (continued)

(172)(a). (con.):

	[Insecticides, rodenticides,...:]			
	[Fungicides:			
	[Other:]			
	"Containing any fungicide which is a thioamide, thiocarbamate, dithiocarbamate, thiuram or isothiocyanate:			
3808.20.24	Maneb; Zineb; Mancozeb; and Metiram.....	Free		25%
3808.20.28	Other.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%*

(b). Conforming changes:

(i) General note 4(d) is modified by deleting "3808.20.10 India" and "3808.20.20 India" and inserting "3808.20.15 India" and "3808.20.28 India" in numerical sequence in lieu thereof; and

(ii) Headings 9902.38.06 and 9902.38.08 are deleted.

(173)(a). Subheading 3808.30.10 is superseded by:

	[Insecticides, rodenticides,...:]			
	[Herbicides, antisprouting...:]			
	"Containing any aromatic or modified aromatic herbicide, antisprouting agent or plant-growth regulator:			
3808.30.05	Mixtures of 2,6-dichlorobenzonitrile and inerts; Mixtures of 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-benzamide (Pronamide) and application adjuvants; Mixtures of 2-[(1-ethoxyimino)-butyl]-5-[2-ethylthiopropyl]-3-hydroxy-2-cyclohexen-1-one (Sethoxydim) and application adjuvants; Mixtures of ethyl 2-[4-[(6-chloro-2-benzoxazolyl)oxy]-phenoxy]propanoate (Fenoxapropethyl) and isooctyl 2,4-dichlorophenoxy-acetate; Isooctyl 2-methyl-4-chloro-phenoxyacetate and application adjuvants.....	Free		15.4¢/kg + 31%
3808.30.15	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 31%*

Section A. (continued)

(173)(b). Conforming changes:
(i) General note 4(d) is modified by deleting "3808.30.10 India" and inserting "3808.30.15 India" in numerical sequence in lieu thereof; and
(ii) Headings 9902.38.09 and 9902.38.14 are deleted.

(174)(a). Subheadings 3808.90.10, 3808.90.20 and 3808.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Insecticides, rodenticides,...:]			
	[Other:]			
	"Containing any aromatic or modified aromatic pesticide:			
3808.90.04	Mixtures of 1,1-bis(4-chloro-phenyl)-2,2,2-trichloroethanol (Dicofol) and application adjuvants	Free		15.4¢/kg + 31%
3808.90.08	Other	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	15.4¢/kg + 31%"
	[Other:]			
"3808.90.30	Formulated biocides based on 2-methyl-4-isothiazolin-3-one, or 2-n-octyl-4-isothiazolin-3-one, or 4,5-dichloro-2-n-octyl-4-isothiazolin-3-one, or mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one and 2-methyl-4-isothiazolin-3-one; and			
	Metaldehyde	Free		25%
	Other:			
3808.90.70	Containing an inorganic substance	5%	Free (A*,CA,E,IL, J,MX)	25%
3808.90.95	Other	5%	Free (CA,E,IL,J) 4% (MX)	25%"

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "3808.90.10 India" and "3808.90.20 India" and inserting "3808.90.08 India" and "3808.90.70 India" in numerical sequence in lieu thereof;
(ii) The article description for heading 9902.38.07 is modified by deleting "3808.90.10" and inserting "3808.90.08" in lieu thereof; and
(iii) Headings 9902.38.10 and 9902.38.11 and subheading 9906.38.01 are deleted.

Annex (con.)
-204-

Section A. (continued)

(175)(a). Subheadings 3812.30.40 and 3812.30.50 are superseded by:

	[Prepared rubber accelerators; compound...:] [Antioxidizing preparations and other...:] [Containing any aromatic or...:]			
"3812.30.30	Master batches of poly[nitrilo-methanetetraarylnitrilo[2,4,6-tris(1-methylethyl)-1,3-phenylene]]-[2,6-bis(1-methyl-ethyl)phenyl]-ω-[[[[2,6-bis(1-methylethyl)phenyl]amino]-methylene]amino]carbodiimide or 2,4-diisocyanate-1,3,5-tris)1-methylethyl)benzene homopolymer with polyethylene, polyethylene terephthalate, or thermoplastic polyurethanes; Master batches of 3-(2H-benzotriazol-2-yl)-5-(tert-butyl)-4-hydroxybenzenepropanoic acid, C_7-C_9 branched or linear alkyl esters; and Master batches of α-[3-[3-(2H-benzotriazol-2-yl)-5-(1,1-dimethylethyl)-4-hydroxy-phenyl]-1-oxopropyl]-ω-[3-[3-(2H-benzotriazol-2-yl)-5-(1,1-dimethylethyl)-4-hydroxyphenyl]-1-oxopropyl]-poly(oxyethylene).....	Free		3.7¢/kg + 60%
3812.30.60	Other.....	[See section D to this Annex]	Free (A*,CA,E,IL, J) 2.9¢/kg + 10.8% (MX)	3.7¢/kg + 60%
	Other:			
3812.30.70	Bis(1,2,2,6,6-pentamethyl-4-piperidinyl) sebacate.....	Free		25%
3812.30.90	Other.....	5%	Free (CA,E,IL,J, MX)	25%"

(b). Conforming change: General note 4(d) is modified by deleting "3812.30.40 India" and inserting "3812.30.60 India" in numerical sequence in lieu thereof.

Section A. (continued)

(176)(a). Subheadings 3823.90.27 and 3823.90.50 are superseded by:

	[Prepared binders for foundry molds or...:] [Other:] [Other:] [Mixtures containing 5 percent or more by weight...:]			
"3823.90.26	Benzene, 2,4-diisocyanate-1,3,5-tris-(1-methylethyl) homopolymer; 5-Fluoro-2-methyl-1-[[4-(methylsulfinyl)phenyl]-methylene]-1H-indene; Mixtures of dimethyl phthalate, t-butanol, hydrogen peroxide, and sodium salicylate; and Mixtures containing derivatives of N-[4-(2-hydroxy-3-phenoxypro-poxy)phenyl]acetamide.....	Free		3.7¢/kg + 60%
3823.90.28	Other.....	[See section D to this Annex]	Free (CA,E,IL,J, K,L) 2.9¢/kg + 10.8% (MX)	3.7¢/kg + 60%"
	[Other:] "Other:			
3823.90.70	Mixtures of dibromo-neopentyl glycol; Polydibromophenylene oxide; Tetrabromobis-phenonal-A-carbonate oligomers; and Electroplating chemical and electroless plating solutions and other materials for printed circuit boards, plastics and metal finishings.....	Free		25%
3823.90.90	Other.....	5%	Free (CA,E,IL,J, K) 4% (MX)	25%"

(b). Conforming change: Heading 9902.38.25 and subheading 9906.38.02 are deleted.

Section A. (continued)

(177). Subheading 3901.30.00 is superseded by:

	[Polymers of ethylene, in primary forms:]				
*3901.30	Ethylene-vinyl acetate copolymers:				
3901.30.20	Vinyl acetate-vinyl chloride-ethylene terpolymers, containing by weight less than 50 percent derivatives of vinyl acetate, except those polymerized from aromatic or modified aromatic monomers.....	Free			43.5%
3901.30.60	Other.....	5.3%	Free (A,CA,E,IL, J,MX)		43.5%*

(178). Subheading 3904.30.00 is superseded by:

	[Polymers of vinyl chloride or of...:]				
*3904.30	Vinyl chloride-vinyl acetate copolymers:				
3904.30.20	Vinyl acetate-vinyl chloride-ethylene terpolymers, containing by weight less than 50 percent derivatives of vinyl acetate, except those polymerized from aromatic or modified aromatic monomers.....	Free			43.5%
3904.30.60	Other.....	5.3%	Free (A,CA,E,IL, J,MX)		43.5%*

(179). Subheading 3905.90.50 is superseded by:

	[Polymers of vinyl acetate or of...:]				
	[Other:]				
	*Other:				
3905.90.30	Polyvinyl carbazole (including adjuvants).....	Free			43.5%
3905.90.80	Other.....	5.3%	Free (A,CA,E,IL, J,K,MX)		43.5%*

(180)(a). Subheading 3907.91.10 is superseded by:

	[Polyacetals, other polyethers and...:]				
	[Other polyesters:]				
	[Unsaturated:]				
	*Allyl resins:				
3907.91.20	Allyl resins, uncompounded...	Free			15.4¢/kg + 45%
3907.91.40	Other.....	5.8%	Free (A,CA,E,IL, J,MX)		15.4¢/kg + 45%*

(b). Conforming change: Heading 9902.39.07 is deleted.

Section A. (continued)

(181). Subheading 3908.90.00 is superseded by:

	[Polyamides in primary forms:]			
"3908.90	Other:			
3908.90.20	Bis(4-amino-3-methylcyclohexyl)-methaneisophthalic acid-laurolactam copolymer.....	Free		2.2¢/kg + 33.5%
3908.90.70	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	2.2¢/kg + 33.5%"

(182)(a). Subheadings 3911.90.20, 3911.90.30 and 3911.90.50 are superseded by:

	[Petroleum resins, coumarone-indene...:]			
	[Other:]			
	[Other:]			
	[Containing monomer units...:]			
	"Thermoplastic:			
3911.90.15	Poly[nitrilomethane-tetraaryinitrilo-[2,4,6-tris-(1-methyl-ethyl)-1,3-phenylene]]-2,6-bis-(1-methylethyl)-phenyl]-ω-[[[2,6-bis(1-methylethyl)-phenyl]amino]-methylene]amino carbodiimide or 2,4-diisocyanate-1,3,5-tris(1-methyl-ethyl)homopolymer with polyethylene.....	Free		15.4¢/kg + 49%
3911.90.25	Other.....	6.1%	Free (A,CA,E,IL, J,K,MX)	15.4¢/kg + 49%
	Thermosetting:			
3911.90.35	1,1'-Bis(methylenedi-4,1-phenylene)-1H-pyrrole-2,5-dione, copolymer with 4,4'-methylenebis (Benzenamine); and Hydrocarbon novolac cyanate ester.....	Free		15.4¢/kg + 45%
3911.90.45	Other.....	5.8%	Free (A,CA,E,IL, J,K,MX)	15.4¢/kg + 45%
	Other:			
3911.90.70	Chlorinated synthetic rubber.....	Free		2.2¢/kg + 33.5%
3911.90.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,K,MX)	2.2¢/kg + 33.5%"

Section A. (continued)

(182)(b). Conforming changes:
(i) The article description for heading 9902.39.08 is modified by deleting "3911.90.30" and inserting "3911.90.45" in lieu thereof;
(ii) Heading 9902.39.11 is deleted;
(iii) The article description for heading 9902.39.10 is modified by deleting "3911.90.50" and inserting "3911.90.90" in lieu thereof.

(183). Subheading 3912.31.00 is superseded by:

	[Cellulose and its chemical derivatives,...]				
	[Cellulose ethers:]				
"3912.31	Carboxymethylcellulose and its salts:				
3912.31.20	Sodium carboxymethylcellulose, technical grade (65 percent to 85 percent pure).....	Free			65%
3912.31.60	Other.....	6.4%	Free (A,CA,E,IL, J,K,MX)		65%"

(184)(a). Heading 3914.00.00 is superseded by:

"3914.00	Ion-exchangers based on polymers of headings 3901 to 3913, in primary forms:				
3914.00.20	Cross-linked polyvinylbenzyltrimethyl-ammonium chloride (Cholestyramine resin USP).....	Free			35%
3914.00.60	Other.....	3.9%	Free (A,CA,E,IL, J,K,MX)		35%"

(b). Conforming change: Heading 9902.39.14 is deleted.

(185). Subheading 3917.10.50 is superseded by:

	[Tubes, pipes and hoses and fittings...:]				
	[Artificial guts (sausage casings)...:]				
	"Other:				
3917.10.60	Of collagen.....	Free			40%
3917.10.90	Other.....	4.2%	Free (A,CA,E,IL, J,MX)		40%"

Annex (con.)
-209-

Section A. (continued)

(186). Subheading 3917.32.00 is superseded by:

	[Tubes, pipes and hoses and fittings...:]				
	[Other tubes, pipes and hoses:]				
"3917.32	Other, not reinforced or otherwise combined with other materials, without fittings:				
3917.32.20	Casing for bicycle derailleur cables; and Casing for cable or inner wire for caliper and cantilever brakes, whether or not cut to length.....	Free			25%
3917.32.60	Other.....	3.1%	Free (A,B,E,IL, J,MX) 0.9% (CA)		25%"

(187). Subheading 3920.59.50 is superseded by:

	[Other plates, sheets, film, foil and...:]				
	[Of acrylic polymers:]				
	[Other:]				
	"Other:				
3920.59.40	Transparent sheeting containing 30 percent or more by weight of lead.....	Free			51.7%
3920.59.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 2.6% (CA)		51.7%"

(188). Subheading 3926.20.50 is superseded by:

	[Other articles of plastics and...:]				
	[Articles of apparel and clothing...:]				
	"Other:				
3926.20.60	Plastic rainwear, including jackets, coats, ponchos, parkas and slickers, featuring an outer shell of polyvinyl chloride plastic with or without attached hoods, valued not over $10 per unit.....	Free			25%
3926.20.90	Other.....	5%	Free (A,E,IL,J, MX) 1.5% (CA)		25%"

Section A. (continued)

(189)(a). Subheading 3926.90.95 is superseded by:

	[Other articles of plastics and...:]			
	[Other:]			
"3926.90.94	Cards, not punched, suitable for use as, or in making, jacquard cards; Jacquard cards and jacquard heads for power-driven weaving machines, and parts thereof; and Transparent sheeting of plastics containing 30 percent or more by weight of lead.....	Free		80%
3926.90.98	Other.....	5.3%	Free (A,B,C,E, IL,J,MX) 1.5% (CA)	80%"

(b). Conforming changes:
(i) Heading 9902.39.26 is deleted.
(ii) The article description for subheading 9905.39.10 and 9905.39.27 is modified by deleting "3926.90.95" and inserting "3926.90.98" in lieu thereof.

(190)(a). Subheadings 4011.10.00, 4011.20.00 and 4011.99.50 are superseded by:

	[New pneumatic tires, of rubber:]			
"4011.10	Of a kind used on motor cars (including station wagons and racing cars):			
4011.10.10	Radial.....	4%	Free (A*,E,IL,J, MX) 1.2% (CA)	10%
4011.10.50	Other.....	[See section D to this Annex]	Free (A*,E,IL,J, MX) 1.2% (CA)	10%
4011.20	Of a kind used on buses or trucks:			
4011.20.10	Radial.....	4%	Free (A*,E,IL,J, MX) 1.2% (CA)	10%
4011.20.50	Other.....	[See section D to this Annex]	Free (A*,E,IL,J, MX) 1.2% (CA)	10%"
	[Other:]			
	[Other:]			
	"Other:			
4011.99.40	Radial.....	4%	Free (A,E,IL,J,MX) 1.2% (CA)	10%
4011.99.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.2% (CA)	10%"

(b). Conforming change: General note 4(d) is modified by deleting "4011.10.00 Brazil" and "4011.20.00 Brazil" and inserting "4011.10.10 Brazil", "4011.10.50 Brazil", "4011.20.10 Brazil" and "4011.20.50 Brazil" in numerical sequence in lieu thereof.

Section A. (continued)

(191). Subheading 4012.10.50 is superseded by:

	[Retreaded or used pneumatic tires...:]				
	[Retreaded tires:]				
	"Other:				
4012.10.40	Radial.....	4%	Free (A,E,IL,J,MX) 1.2% (CA)	10%	
4012.10.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.2% (CA)	10%"	

(192). Subheadings 4012.90.20 and 4012.90.50 are superseded by:

	[Retreaded or used pneumatic tires...:]				
	[Other:]				
	[Other:]				
	"Of natural rubber:				
4012.90.30	Bicycle rim strips.....	Free		35%	
4012.90.45	Other.....	4.2%	Free (A,E,IL,J,MX) 1.2% (CA)	35%	
	Other:				
4012.90.70	Bicycle rim strips.....	Free		80%	
4012.90.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.5% (CA)	80%"	

(b). Conforming change: The article description for subheading 9905.40.18 is modified by deleting "4012.90.50" and inserting "4012.90.90" in lieu thereof.

(193)(a). Subheading 4421.90.95 is superseded by:

	[Other articles of wood:]			
	[Other:]			
	"Other:			
4421.90.94	Manmade or recomposed wood veneer not exceeding 6 mm in thickness, sliced from a block composed of wood veneer sheets produced from logs and flitches; and Theatrical, ballet, and operatic scenery and properties, including sets.....	Free		33 1/3%
4421.90.98	Other.....	[See section D to this Annex]	Free (A,B,E,IL,J, MX) 1.5% (CA)	33 1/3%"

(b). Conforming changes:
(i) Heading 9902.44.21 is deleted.
(ii) The article description for subheading 9905.44.15 is modified by deleting "4421.90.95" and inserting "4421.90.98" in lieu thereof.

Annex (con.)
-212-

Section A. (continued)

(194). Subheadings 4504.90.20 and 4504.90.40 are superseded by:

	[Agglomerated cork (with or without...:]			
"4504.90.00	Other.....	Free		45%"

(195)(a). Subheadings 4602.10.11, 4602.10.13, 4602.10.19, 4602.10.40 and 4602.10.50 are superseded and the following provisions inserted in numerical sequence:

	[Basketwork, wickerwork and other...:]			
	[Of vegetable materials:]			
	[Other baskets and bags,...:]			
	"Of bamboo:			
4602.10.07	Wickerwork.....	Free		50%
4602.10.09	Other.....	10%	Free (A,CA,E,IL,J, MX)	50%
	Of rattan or of palm leaf:			
4602.10.14	Wickerwork.....	Free		50%
4602.10.16	Other.....	[See section D to this Annex]	Free (A,CA,E,IL,J, MX)	50%
	Other:			
4602.10.17	Wickerwork.....	Free		50%
4602.10.18	Other.....	4.5%	Free (A,CA,E,IL,J, MX)	50%"
	[Other:]			
	"Of one or more of the materials bamboo, rattan, willow or wood:			
4602.10.35	Wickerwork.....	Free		45%
4602.10.45	Other.....	6.6%	Free (A,CA,E,IL,J, MX)	45%
	Other:			
4602.10.60	Wickerwork.....	Free		25%
4602.10.80	Other.....	2.3%	Free (A,CA,E,IL,J, MX)	25%"

(b). Conforming change: Heading 9902.46.02 is deleted.

(196). Additional U.S. note 3(d)(ii) to section XI is modified by deleting "6109.90.00" and inserting "6109.90" in lieu thereof.

Section A. (continued)

(197). The notes to chapter 52 are modified by: inserting the following additional U.S. notes in numerical sequence; subdivision (a) of additional U.S. notes 5 and 9 and the parenthetical phrase "(beginning with September 20, 1995)" wherever it appears in such notes (as added herein) are deleted and the remaining subdivision redesignated accordingly on September 20, 1995; subdivision (a) of additional U.S. note 6, 7 and 8 and the parenthetical phrase "(beginning with August 1, 1995)" wherever it appears in such notes (as added herein) are deleted and the remaining subdivision redesignated accordingly on August 1, 1995; and subdivision (a) of additional U.S. note 10 and the parenthetical phrase "(beginning with September 11)" wherever it appears in such note (as added herein) are deleted and the remaining subdivisions redesignated accordingly on September 11, 1995:

"5. (a) Except as provided in this subdivision, the aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length under 28.575 mm (1-1/8 inches) (except harsh or rough cotton, having a staple length under 19.05 mm (3/4 inch)) entered under subheading 5201.00.14 during the period from January 1 to September 19, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount specified below in this subdivision applicable to such goods during the quota period that began on September 20, 1994; and at the close of September 19, 1995, such quota period shall be considered terminated.

	Quantity (kg)
Argentina	2,360
Brazil	280,648
British East Africa	1,016
British West Africa (except Nigeria and Ghana)	7,259
British West Indies (except Barbados, Bermuda, Jamaica, Trinidad, Tobago)	9,671
China	621,780
Colombia	56
Ecuador	4,233
Egypt and Sudan (aggregate)	355,532
Haiti	107
Honduras	341
India and Pakistan (aggregate)	908,764
Indonesia & Netherlands New Guinea (aggregate)	32,381
Iraq	88
Nigeria	2,438
Paraguay	395
Peru	112,469
Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan (aggregate)	215,512
Other, including the United States	None

(b) The aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length under 28.575 mm (1-1/8 inches) (except harsh or rough cotton, having a staple length under 19.05 mm (3/4 inch)), entered under subheading 5201.00.14 during the 12-month period beginning September 20 in any year (beginning with September 20, 1995) shall not exceed 8,495.05 metric tons (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Section A. (continued)

(197). (con.):

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Argentina	2,360
Brazil	280,648
British East Africa	1,016
British West Africa (except Nigeria and Ghana)	7,259
British West Indies (except Barbados, Bermuda, Jamaica, Trinidad, Tobago)	9,671
China	621,780
Colombia	56
Ecuador	4,233
Egypt & Sudan (aggregate)	355,532
Haiti	107
Honduras	341
India & Pakistan (aggregate)	908,764
Indonesia & Netherlands New Guinea (aggregate)	32,381
Iraq	88
Nigeria	2,438
Paraguay	395
Peru	112,469
Armenia, Azerbaijan, Belarus, Estonia, Georgia, Kazakhstan, Kyrgyzstan, Latvia Lithuania, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan (aggregate)	215,512

Other than as provided for in the country allocations above, imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.

6. (a) Except as provided in this subdivision, the aggregate quantity of harsh or rough cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 29.36875 mm (1-5/32 inches) or more but under 34.925 mm (1-3/8 inches) and white in color (except cotton of perished staple, grabbots and cotton pickings), entered under subheading 5201.00.24 during the period from January 1 to July 31, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 680,388 kilograms (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such goods during the quota period that began on August 1, 1994; and at the close of July 31, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of harsh or rough cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 29.36875 mm (1-5/32 inches) or more but under 34.925 mm (1-3/8 inches) and white in color (except cotton of perished staple, grabbots and cotton pickings), entered under subheading 5201.00.24 during the 12-month period beginning August 1 in any year (beginning with August 1, 1995) shall not exceed 900.0 metric tons (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.

Section A. (continued)

(197). (con.):

7. (a) Except as provided in this subdivision, the aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 28.575 mm (1-1/8 inches) or more but under 34.925 mm (1-3/8 inches) (except harsh or rough cotton, not carded or combed, having a staple length of 29.36875 mm (1-5/32 inches) or more and white in color) but including cotton of perished staple, grabbots and cotton pickings, entered under subheading 5201.00.34 during the period from January 1 to July 31, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 2,070,940 kilograms (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such goods during the quota period that began on August 1, 1994; and at the close of July 31, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 28.575 mm (1-1/8 inches) or more but under 34.925 mm (1-3/8 inches) (except harsh or rough cotton, not carded or combed, having a staple length of 29.36875 mm (1-5/32 inches) or more and white in color) but including cotton of perished staple, grabbots and cotton pickings, entered under subheading 5201.00.34 during the 12-month period beginning August 1 in any year (beginning with August 1, 1995) shall not exceed 5,200.0 metric tons (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.

8. (a) Except as provided in this subdivision, the aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 34.925 mm (1-3/8 inches) or more, entered under subheading 5201.00.60 during the period from January 1 to July 31, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 17,958,074 kilograms (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such goods during the quota period that began on August 1, 1994; and at the close of July 31, 1995, such quota period shall be considered terminated.

(b) The aggregate quantity of cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 34.925 mm (1-3/8 inches) or more, entered under subheading 5201.00.60 during the 12-month period beginning August 1 in any year (beginning with August 1, 1995) shall not exceed 25,500.0 metric tons (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.

9. (a) Except as provided in this subdivision, the aggregate quantity of card strips made from cotton having a staple length under 30.1625 mm (1-3/16 inches), and lap waste, sliver waste and roving waste of cotton, all the foregoing the product of any country or area including the United States, entered under subheading 5202.99.10 during the period from January 1 to September 19, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount specified below in this subdivision applicable to such goods during the quota period that began on September 20, 1994; and at the close of September 19, 1995, such quota period shall be considered terminated.

Section A. (continued)

(197). (con.):

	Quantity (kg)
Belgium	5,830
Canada	108,721
China	7,857
Cuba	2,968
Egypt	3,689
France	34,385
Germany	11,540
Italy	3,215
India & Pakistan (aggregate)	31,582
Japan	154,917
Netherlands	10,317
Switzerland	6,711
United Kingdom	653,695
Other, including the United States	None

(b) The aggregate quantity of card strips made from cotton having a staple length under 30.1625 mm (1-3/16 inches), and lap waste, sliver waste and roving waste of cotton, all the foregoing the product of any country or area including the United States, entered under subheading 5202.99.10 during the 12-month period beginning September 20 in any year (beginning with September 20, 1995) shall not exceed 1,835,427 kilograms (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Of the quantitative limitations provided for in this note, the countries listed below shall have access to not less than the quantities specified below:

	Quantity (kg)
Belgium	5,830
Canada	108,721
China	7,857
Cuba	2,968
Egypt	3,689
France	34,385
Germany	11,540
Italy	3,215
India & Pakistan (aggregate)	31,582
Japan	154,917
Netherlands	10,317
Switzerland	6,711
United Kingdom	653,695

Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.

10. (a) Except as provided in this subdivision, the aggregate quantity of fibers of cotton processed but not spun, entered under subheading 5203.00.10 during the period from January 1 to September 10, 1995, inclusive, shall not exceed the remaining quantity available, if any, from the quota amount of 453 kilograms (except that imports from Mexico shall not be permitted or included under the aforementioned quantitative limitation) applicable to such goods during the quota period that began on September 11, 1994; and at the close of September 10, 1995, such quota period shall be considered terminated.

Section A. (continued)

(197). (con.):

(b) The aggregate quantity of fibers of cotton processed but not spun, entered under subheading 5203.00.10 during the 12-month period beginning September 11 in any year (beginning with September 11, 1995) shall not exceed 1,000 kilograms (imports from Mexico shall not be permitted or included in the aforementioned quantitative limitation and no such articles shall be classifiable therein).

Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note."

(198)(a). Subheadings 5201.00.10, 5201.00.20 and 5201.00.50 are superseded and following provisions inserted in numerical sequence:

	[Cotton, not carded or combed:]			
	"Having a staple length under 28.575 mm (1-1/8 inches):			
5201.00.05	Harsh or rough, having a staple length under 19.05 mm (3/4 inch).....	Free		Free
	Other:			
5201.00.12	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	Free		Free
5201.00.14	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	Free		Free
5201.00.18	Other.....	[See section D to this Annex]	See 9906.52.01, 9906.52.05-9906.52.07 (MX)	36.9¢/kg
	Having a staple length of 28.575 mm (1-1/8 inches) or more but under 34.925 mm (1-3/8 inches):			
5201.00.22	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	4.4¢/kg	Free (E,IL,J,MX) 1.3¢/kg (CA)	15.4¢/kg
	Other, harsh or rough, having a staple length of 29.36875 mm (1-5/32 inches) or more and white in color (except cotton of perished staple, grabbots and cotton pickings):			
5201.00.24	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions.....	4.4¢/kg	Free (E,IL,J) 1.3¢/kg (CA)	15.4¢/kg
5201.00.28	Other.....	[See section D to this Annex]	See 9906.52.05-9906.52.07 (MX)	36.9¢/kg

Section A. (continued)

(198)(a). (con.):

	[Cotton, not carded or combed:] Having a staple length of 28.575 mm (1-1/8 inches) or more but under 34.925 mm (1-3/8 inches) (con.): Other:			
5201.00.34	Described in additional U.S. note 7 to this chapter and entered pursuant to its provisions	4.4¢/kg	Free (E,IL,J) 1.3¢/kg (CA)	15.4¢/kg
5201.00.38	Other	[See section D to this Annex]	See 9906.52.01, 9906.52.05-9906.52.07 (MX)	36.9¢/kg
	Having a staple length of 34.925 mm (1-3/8 inches) or more:			
5201.00.55	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	1.5¢/kg	Free (E,IL,J,MX) 0.4¢/kg (CA)	15.4¢/kg
5201.00.60	Described in additional U.S. note 8 to this chapter and entered pursuant to its provisions	1.5¢/kg	Free (E,IL,J) 0.4¢/kg (CA)	15.4¢/kg
5201.00.80	Other	[See section D to this Annex]	See 9906.52.05-9906.52.07 (MX)	36.9¢/kg"

(b). Conforming change: The U.S. notes to subchapter VI of chapter 99 are modified by deleted U.S. note 24 and inserting a new note 24 in lieu thereof as follows:

"24. Subheading 9906.52.01 covers only cotton, not carded or combed, harsh or rough, of perished staple, grabbots and cotton pickings, having a staple length of 29.36875 mm (1-5/32 inches) or more but under 34.925 mm (1-3/8 inches) and white in color (provided for in subheading 5201.00.38)."

(199)(a). Subheading 5202.99.00 is superseded by:

	[Cotton waste (including yarn waste...:] [Other:]			
"5202.99	Other: Card strips made from cotton having a staple length under 30.1625 mm (1-3/16 inches) and lap waste, sliver waste and roving waste:			
5202.99.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions...	Free		Free

Section A. (continued)

(199)(a). (con.):

	[Cotton waste (including yarn waste...:]				
	[Other:]				
5202.99 (con.)	Other (con.):				
	Card strips made from cotton having a staple length under 30.1625 mm (1-3/16 inches) and lap waste, sliver waste and roving waste (con.):				
5202.99.10	Described in additional U.S. note 9 to this chapter and entered pursuant to its provisions...	Free		Free	
5202.99.30	Other.....	[See section D to this Annex]	See 9906.52.02-9906.52.07 (MX)	9.2¢/kg	
5202.99.50	Other.....	Free		Free"	

(b). Conforming change: The superior text immediately preceding subheading 9906.52.01 is modified by deleting "5202.99.00" and inserting "5202.99" in lieu thereof.

(200). Heading 5203.00.00 is superseded by:

"5203.00	Cotton, carded or combed:				
	Fibers of cotton processed but not spun:				
5203.00.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions.....	5%	Free (E,IL,J,MX) 1.5% (CA)	5%	
5203.00.10	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions.....	5%	Free (E,IL,J) 1.5% (CA)	5%	
5203.00.30	Other.....	[See section D to this Annex]	See 9906.52.05-9906.52.07 (MX)	36.9¢/kg	
5203.00.50	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.5% (CA)	5%"	

Annex (con.)
-220-

Section A. (continued)

(201)(a). Subheadings 5402.41.00 and 5402.49.00 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic filament yarn (other than...:]				
	[Other yarn, single, untwisted or...:]				
"5402.41	Of nylon or other polyamides:				
5402.41.10	Colored multifilament, untwisted or with a twist of less than 5 turns per meter, measuring not less than 22 decitex per filament, certified by the importer to be used in the manufacture of wigs for dolls.....	Free			50%
5402.41.90	Other.....	[See section D to this Annex]	Free (IL) 3% (CA) 8% (MX)		50%
5402.49	Other:				
5402.49.10	Colored multifilament, of modacrylic, untwisted or with a twist of less than 5 turns per meter, measuring not less than 22 decitex per filament, certified by the importer to be used in the manufacture of wigs for dolls.....	Free			50%
5402.49.90	Other.....	[See section D to this Annex]	Free (IL,MX) 3% (CA)		50%"

(b). Conforming changes:
(i) Heading 9902.54.02 is deleted.
(ii) The article description for subheading 9905.54.05 is modified by deleting "5402.41.00" and inserting "5402.41.90" in lieu thereof.
(iii) The article description for subheading 9905.54.10 is modified by deleting "5402.49.00" and inserting "5402.49.90" in lieu thereof.

(202). Subheadings 5503.10.00 and 5503.90.00 are superseded and the following provisions inserted in numerical sequence:

	[Synthetic staple fibers, not carded,...:]				
"5503.10	Of nylon or other polyamides:				
5503.10.10	Containing 10 percent or more by weight of nylon 12.....	Free			25%
5503.10.90	Other.....	[See section D to this Annex]	Free (CA,IL) 3.7% (MX)		25%
5503.90	Other:				
5503.90.10	Of vinyon.....	Free			25%
5503.90.90	Other.....	[See section D to this Annex]	Free (CA,IL) 3.7% (MX)		25%"

Section A. (continued)

(203). Heading 5605.00.00 is superseded by:

"5605.00	Metalized yarn, whether or not gimped, being textile yarn, or strip or the like of heading 5404 or 5405, combined with metal in the form of thread, strip or powder or covered with metal:			
5605.00.10	Metal coated or metal laminated man-made filament or strip or the like, ungimped, and untwisted or with twist of less than 5 turns per meter.....	[See section D to this Annex]	Free (CA,E,IL,J) 10.2% (MX)	81%
5605.00.90	Other.....	[See section D to this Annex]	Free (CA,E*,IL,J*) 10.2% (MX)	81%"

(204). Subheading 5701.10.20 is superseded by:

	[Carpets and other textile floor...:] [Of wool or fine animal hair:] "Other:			
5701.10.40	Hand-hooked, that is, in which the tufts were inserted by hand or by means of a hand tool.....	[See section D to this Annex]	Free (IL) 1.5% (CA) 4% (MX)	45%
5701.10.90	Other.....	[See section D to this Annex]	Free (IL) 1.5% (CA) 4% (MX)	45%"

(205). The additional U.S. notes to chapter 58 are modified as follows:

(a). in additional U.S. note 1 by deleting "subheadings 5810.91.00 and 5810.99.00" and inserting "subheading 5810.91.00" in lieu thereof; and

(b). by deleting additional U.S. note 2 and inserting the following new additional U.S. notes:

"2. The rates of duty applicable to subheading 5810.92.10 are:

column 1 (general)-	[See section D to this Annex]
column 1 (special)-	[See section F to this Annex] [See section G to this Annex]
column 2-	90%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered.

3. The rates of duty applicable to subheading 5810.92.90 are:

column 1 (general)-	[See section D to this Annex]
column 1 (special)-	[See section F to this Annex] [See section G to this Annex]
column 2-	90%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered.

Section A. (continued)

(205). (con.):

4. The rates of duty applicable to subheading 5810.99.10 are:

column 1 (general)- [See section D to this Annex]
column 1 (special)- [See section F to this Annex]
[See section G to this Annex]
column 2- 90%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered.

5. The rates of duty applicable to subheadings 5810.99.90 are:

column 1 (general)- [See section D to this Annex]
column 1 (special)- [See section F to this Annex]
[See section G to this Annex]
column 2- 90%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered."

(206). Subheading 5801.22.00 is superseded by:

	[Woven pile fabrics and chenille fabrics,...:]			
	[Of cotton:]			
"5801.22	Cut corduroy:			
5801.22.10	Greater than 7.5 wales per cm.....	[See section D to this Annex]	Free (CA,IL) 14.1% (MX)	50%
5801.22.90	Other.....	[See section D to this Annex]	Free (CA,IL) 14.1% (MX)	50%"

(207). Subheadings 5804.10.00 and 5804.29.00 are superseded and the following provisions inserted in numerical sequence:

	[Tulles and other net fabrics, not...:]			
"5804.10	Tulles and other net fabrics:			
5804.10.10	Of cotton or man-made fibers.....	[See section D to this Annex]	Free (IL,MX) 3.6% (CA)	90%
5804.10.90	Other.....	[See section D to this Annex]	Free (E*,IL,J*,MX) 3.6% (CA)	90%"
	[Mechanically made lace:]			
"5804.29	Of other textile materials:			
5804.29.10	Of cotton.....	[See section D to this Annex]	Free (IL,MX) 3% (CA)	90%
5804.29.90	Other.....	[See section D to this Annex]	Free (E*,IL,J*,MX) 3% (CA)	90%"

Annex (con.)
-223-

Section A. (continued)

(208)(a). Subheading 5806.10.20 is superseded by:

	[Narrow woven fabrics, other than goods...:]				
	[Woven pile fabrics (including...:]				
	"Of man-made fibers:				
5806.10.24	Fastener fabric tapes.....	7%	Free (IL) 2.8% (CA) 5.2% (MX)		68.5%
5806.10.28	Other.....	[See section D to this Annex]	Free (IL) 2.8% (CA) 6.8% (MX)		68.5%"

(b). Conforming change: Heading 9902.58.06 and subheading 9906.58.01 are deleted.

(209). Subheadings 5807.10.10 and 5807.90.10 are superseded and the following provisions inserted in numerical sequence:

	[Labels, badges and similar articles of...:]				
	[Woven:]				
	"Labels:				
5807.10.05	Of cotton or man-made fibers.....	[See section D to this Annex]	Free (IL) 2.7% (CA) 6.5% (MX)		71.5%
5807.10.15	Other.....	[See section D to this Annex]	Free (E*,IL,J*) 2.7% (CA) 6.5% (MX)		71.5%"
	[Other:]				
	"Labels:				
5807.90.05	Of cotton or man-made fibers.....	[See section D to this Annex]	Free (IL) 2.7% (CA) 6.5% (MX)		71.5%
5807.90.15	Other.....	[See section D to this Annex]	Free (E*,IL,J*) 2.7% (CA) 6.5% (MX)		71.5%"

(210)(a). Subheadings 5808.10.20 and 5808.10.30 are superseded and the following provisions inserted in numerical sequence:

	[Braids in the piece; ornamental trimmings...:]				
	[Braids, in the piece:]				
	[Suitable for making or ornamenting headwear:]				
"5808.10.40	Of cotton or man-made fibers.....	[See section D to this Annex]	Free (IL,MX) 1% (CA)		90%
5808.10.50	Of other textile materials.....	[See section D to this Annex]	Free (E*,IL,J*,MX) 1% (CA)		90%

Section A. (continued)

(210)(a). (con.):

	[Braids in the piece; ornamental trimmings...:]			
	[Braids, in the piece:]			
	Other:			
5808.10.70	Of cotton or man-made fibers.....	[See section D to this Annex]	Free (IL) 2.5% (CA) 6.1% (MX)	90%
5808.10.90	Other.....	[See section D to this Annex]	Free (E*,IL,J*) 2.5% (CA) 6.1% (MX)	90%*

(b). Conforming change: The article descriptions for subheadings 9905.39.02 and 9905.58.15 are modified by deleting "5808.10.30" and inserting "5808.10.90" in lieu thereof.

(211). Subheadings 5810.92.00 and 5810.99.00 are superseded and the following provisions inserted in numerical sequence:

	[Embroidery in the piece, in strips or in...:]				
	[Other embroidery:]				
"5810.92	Of man-made fibers:				
5810.92.10	Badges, emblems and motifs.....	See additional U.S. note 2	Free (E*,IL,J*) See additional U.S. note 2 (CA,MX)	See additional U.S. note 2
5810.92.90	Other.....	See additional U.S. note 3	Free (IL) See additional U.S. note 3 (CA,MX)	See additional U.S. note 3
5810.99	Of other textile materials:				
5810.99.10	Of wool or fine animal hair.....	See additional U.S. note 4	Free (IL) See additional U.S. note 4 (CA,MX)	See additional U.S. note 4
5810.99.90	Other.....	See additional U.S. note 5	Free (E*,IL,J*) See additional U.S. note 5 (CA,MX)	See additional U.S. note 5*

(212)(a). Subheadings 5907.00.20 and 5907.00.40 are superseded by:

	[Textile fabrics otherwise impregnated,...:]			
	[Laminated fabrics; fabrics specified in note 9 to...:]			
	"Of man-made fibers:			
5907.00.05	Theatrical, ballet, and operatic scenery and properties, including sets.....	Free		83.5%
5907.00.15	Other.....	[See section D to this Annex]	Free (IL) 4.8% (CA) 10.7% (MX)	83.5%

Section A. (continued)

(212)(a). (con.):

	[Textile fabrics otherwise impregnated,...:] [Laminated fabrics; fabrics specified in note 9 to...:] Other:			
5907.00.25	Theatrical, ballet, and operatic scenery and properties, including sets.....	Free		83.5%
5907.00.35	Other.....	[See section D to this Annex]	Free (IL) 4.8% (CA) 10.7% (MX)	83.5%*

(b). Conforming change: Subheading 9906.59.01 is deleted.

(213). Subheading 6001.99.00 is superseded by:

	[Pile fabrics, including "long pile"...:] [Other:]			
*6001.99	Of other textile materials:			
6001.99.10	Containing 85 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 2.4% (CA) 5.8% (MX)	61.5%
6001.99.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.4% (CA) 5.8% (MX)	61.5%*

(214). Subheading 6002.99.00 is superseded by:

	[Other knitted or crocheted fabrics...:] [Other:]			
*6002.99	Other:			
6002.99.10	Containing 85 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 4.2% (CA) 9.6% (MX)	45%
6002.99.90	Other.....	[See section D to this Annex]	Free (E*,IL) 4.2% (CA) 9.6% (MX)	45%*

(215). Subheading 6101.90.00 is superseded by:

	[Men's or boys' overcoats, carcoats,...:]			
*6101.90	Of other textile materials:			
6101.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 1.8% (CA) 4.5% (MX)	45%
6101.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	45%*

Section A. (continued)

(216). Subheading 6102.90.00 is superseded by:

	[Women's or girls' overcoats, carcoats,...:]			
"6102.90	Of other textile materials:			
6102.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 1.8% (CA) 4.5% (MX)	45%
6102.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	45%*

(217). Subheading 6103.19.40 is superseded by:

	[Men's or boys' suits, ensembles,...:]			
	[Suits:]			
	[Of other textile materials:]			
"6103.19.60	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 1.8% (CA) 4.5% (MX)	45%
6103.19.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	45%*

(218)(a). Subheading 6103.39.20 is superseded by:

	[Men's or boys' suits, ensembles,...:]			
	[Suit-type jackets and blazers:]			
	[Of other textile materials:]			
"6103.39.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6103.39.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%*

(b). Conforming change: The article description for subheading 9906.61.01 is modified by deleting "6103.39.20,".

(219). Subheading 6103.49.30 is superseded by:

	[Men's or boys' suits, ensembles,...:]			
	[Trousers, bib and brace overalls,...:]			
	[Of other textile materials:]			
"6103.49.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	35%
6103.49.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	35%*

Section A. (continued)

(220)(a). Subheading 6104.19.20 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Suits:]			
	[Of other textile materials:]			
"6104.19.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6104.19.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%"

(b). Conforming change: Subheading 9906.61.03 is deleted.

(221)(a). Subheading 6104.49.00 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Dresses:]			
"6104.49	Of other textile materials:			
6104.49.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6104.49.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%"

(b). Conforming change: Subheading 9906.61.04 is deleted.

(222)(a). Subheading 6104.59.20 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Skirts and divided skirts:]			
	[Of other textile materials:]			
"6104.59.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	45%
6104.59.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	45%"

(b). Conforming change: The article description for subheading 9906.61.05 is modified by deleting "6104.59.20 or".

Section A. (continued)

(223). Subheading 6104.69.30 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Trousers, bib and brace overalls,...:]			
	[Of other textile materials:			
"6104.69.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6104.69.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%*

(224)(a). Subheading 6105.90.30 is superseded by:

	[Men's or boys' shirts, knitted or...:]			
	[Of other textile materials:]			
"6105.90.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6105.90.80	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%*

(b). Conforming change: Subheading 9906.61.06 is deleted.

(225)(a). Subheading 6106.90.20 is superseded by:

	[Women's or girls' blouses and shirts,...:]			
	[Of other textile materials:]			
	"Of silk or silk waste:			
6106.90.15	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6106.90.25	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%*

(b). Conforming change: Subheading 9906.61.07 is deleted.

Section A. (continued)

(226). Subheading 6107.19.00 is superseded by:

	[Men's or boys' underpants, briefs,...:]				
	[Underpants and briefs:]				
"6107.19	Of other textile materials:				
6107.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)		55.5%
6107.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 1.8% (CA)		55.5%"

(227). Subheading 6107.29.40 is superseded by:

	[Men's or boys' underpants, briefs,...:]				
	[Nightshirts and pajamas:]				
	[Of other textile materials:]				
"6107.29.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)		60%
6107.29.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)		60%"

(228). Subheading 6107.99.40 is superseded by:

	[Men's or boys' underpants, briefs,...:]				
	[Other:]				
	[Of other textile materials:]				
"6107.99.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.5% (CA)		60%
6107.99.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.5% (CA) 3.8% (MX)		60%"

(229). Subheading 6108.19.00 is superseded by:

	[Women's or girls' slips, petticoats,...:]				
	[Slips and petticoats:]				
"6108.19	Of other textile materials:				
6108.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.1% (CA)		60%
6108.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 2.1% (CA)		60%"

Annex (con.)
-230-

Section A. (continued)

(230). Subheadings 6108.22.00 and 6108.29.00 are superseded by:

	[Women's or girls' slips, petticoats,...:]				
	[Briefs and panties:]				
"6108.22	Of man-made fibers:				
6108.22.10	Disposable briefs and panties designed for one-time use.....	[See section D to this Annex]	Free (E,IL,J,MX) 4.9% (CA)	90%	
6108.22.90	Other.....	[See section D to this Annex]	Free (IL,MX) 4.9% (CA)	90%	
6108.29	Of other textile materials:				
6108.29.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 4.2% (CA)	90%	
6108.29.90	Other.....	[See section D to this Annex]	Free (E,IL,MX) 4.2% (CA)	90%"	

(231). Subheading 6108.39.20 is superseded by:

	[Women's or girls' slips, petticoats,...:]				
	[Nightdresses and pajamas:				
	[Of other textile materials:]				
"6108.39.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.2% (CA)	60%	
6108.39.80	Other.....	[See section D to this Annex]	Free (E,IL,MX) 1.2% (CA)	60%"	

(232). Subheading 6108.99.40 is superseded by:

	[Women's or girls' slips, petticoats,...:]				
	[Other:]				
	[Of other textile materials:]				
"6108.99.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.2% (CA)	60%	
6108.99.90	Other.....	[See section D to this Annex]	Free (E,IL,MX) 1.2% (CA)	60%"	

Section A. (continued)

(233)(a). Subheading 6109.90.20 is superseded by:

	[T-shirts, singlets, tank tops and...:]			
	[Of other textile materials:			
"6109.90.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 5.1% (CA)	90%
6109.90.80	Other.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	90%"

(b). Conforming change: Subheading 9906.61.10 is deleted.

(234)(a). Subheading 6110.90.00 is superseded by:

	[Sweaters, pullovers, sweatshirts,...:]			
"6110.90	Of other textile materials:			
6110.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	60%
6110.90.90	Other.....	6%	Free (E*,IL) 1.8% (CA) See 9906.61.16-9906.61.18 (MX)	60%"

(b). Conforming change: Subheadings 9906.61.15 through 9906.61.18, and any superior text to such subheadings, are all deleted and the following provisions are inserted in numerical sequence in lieu thereof:

	[Goods of Mexico,...:]	
	[Sweaters, pullovers, sweatshirts,...:]	
	"Of other textile materials (provided for in subheading 6110.90.90):	
9906.61.16	Sweaters; vests other than sweater vests.....	4.8% (MX)
	Other:	
9906.61.17	Subject to cotton restraints.....	Free (MX)
9906.61.18	Other.....	4.8% (MX)"

(235). Subheading 6111.90.60 is superseded by:

	[Babies' garments and clothing...:]			
	[Of other textile materials:]			
"6111.90.70	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 1.8% (CA) 4.5% (MX)	60%
6111.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%"

Section A. (continued)

(236)(a). Subheading 6112.19.20 is superseded by:

	[Track suits, ski-suits and...:]			
	[Track suits:]			
	[Of other textile materials:]			
"6112.19.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 6.9% (CA)	90%
6112.19.80	Other.....	[See section D to this Annex]	Free (E*,IL) 6.9% (CA) 14.1% (MX)	90%*

(b). Conforming change: Subheading 9906.61.20 is deleted.

(237)(a). Heading 6113.00.00 is superseded by:

"6113.00	Garments, made up of knitted or crocheted fabrics of heading 5903, 5906 or 5907:			
6113.00.10	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (E,IL,J) 2.2% (CA) 5.6% (MX)	65%
6113.00.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.6% (MX)	65%*

(b). Conforming change: The article descriptions for subheadings 9905.61.05 and 9906.61.21 are modified by deleting "6113.00.00" and inserting "6113.00" in lieu thereof.

(238)(a). Subheading 6114.90.00 is superseded by:

	[Other garments, knitted or crocheted:]			
"6114.90	Of other textile materials:			
6114.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 1.8% (CA) 4.5% (MX)	60%
6114.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.8% (CA) 4.5% (MX)	60%*

(b). Conforming change: The article description for subheading 9906.61.26 is modified by deleting "6114.90.00" and inserting "6114.90.10" in lieu thereof.

Annex (con.)
-233-

Section A. (continued)

(239). Subheading 6115.19.00 is superseded by:

	[Panty hose, tights, stockings, socks...:]			
	[Panty hose and tights:]			
"6115.19	Of other textile materials:			
6115.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 5.1% (CA) 11.2% (MX)	90%
6115.19.90	Other.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	90%"

(240). Subheading 6115.20.00 is superseded by:

	[Panty hose, tights, stockings, socks...:]			
"6115.20	Women's full-length or knee-length hosiery, measuring per single yarn less than 67 decitex:			
6115.20.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 5.4% (CA) 11.9% (MX)	90%
6115.20.90	Other.....	[See section D to this Annex]	Free (E*,IL) 5.4% (CA) 11.9% (MX)	90%"

(241). Subheading 6115.99.20 is superseded by:

	[Panty hose, tights, stockings, socks...:]			
	[Other:]			
	[Of other textile materials:]			
"6115.99.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 3.1% (CA) 7.5% (MX)	90%
6115.99.80	Other.....	[See section D to this Annex]	Free (E*,IL) 3.1% (CA) 7.5% (MX)	90%"

Section A. (continued)

(242). Subheadings 6116.10.45, 6116.10.70 and 6116.10.90 are superseded and the following provisions inserted in numerical sequence:

	[Gloves, mittens and mitts, knitted or...:]			
	[Gloves, mittens and mitts, impregnated, coated or...]			
	[Other:]			
	[Without fourchettes:]			
	[Cut and sewn from pre-existing machine-knit fabric that is impregnated, coated or covered with plastics or rubber:]			
	"Other:			
6116.10.44	Containing over 50 percent by weight of plastics or rubber.....	[See section D to this Annex]	Free (IL) 5.9% (CA) 11.1% (E,J) 12.7% (MX)	90%
6116.10.48	Other.....	[See section D to this Annex]	Free (IL) 5.9% (CA) 12.7% (MX) 17% (E,J)	90%
	Other:			
6116.10.55	Containing 50 percent or more by weight of cotton, man-made fibers or other textile fibers, or any combination thereof.....	[See section D to this Annex]	Free (IL) 4.2% (CA) 9.6% (MX) 11.4% (E,J)	75%
6116.10.65	Other.....	[See section D to this Annex]	Free (IL) 4.2% (CA) 7.6% (E,J) 9.6% (MX)	75%
	With fourchettes:			
6116.10.75	Containing 50 percent or more by weight of cotton, man-made fibers or other textile fibers, or any combination thereof.....	[See section D to this Annex]	Free (E*,IL) 4.2% (CA) 9.6% (MX)	25%
6116.10.95	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.2% (CA) 9.6% (MX)	25%"

Section A. (continued)

(243)(a). Subheading 6116.99.80 is superseded by:

	[Gloves, mittens and mitts, knitted or...:]			
	[Other:]			
	[Of other textile materials:]			
"6116.99.75	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.2% (CA)	40%
6116.99.95	Other.....	[See section D to this Annex]	Free (E*,IL) 1.2% (CA) 3% (MX)	40%*

(b). Conforming change: The article description for subheading 9906.61.27 is modified by deleting "6116.99.80" and inserting "6116.99.95" in lieu thereof.

(244). Subheadings 6117.20.00, 6117.80.00 and 6117.90.00 are superseded by:

	[Other made up clothing accessories,...:]			
"6117.20	Ties, bow ties and cravats:			
6117.20.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 2.4% (CA) 6% (MX)	71.5%
6117.20.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.4% (CA) 6% (MX)	71.5%
6117.80	Other accessories:			
6117.80.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 4.6% (CA) 10.4% (MX)	90%
6117.80.90	Other.....	[See section D to this Annex]	Free (E*,IL) 4.6% (CA) 10.4% (MX)	90%
6117.90	Parts:			
6117.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 4.6% (CA) 10.4% (MX)	90%
6117.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 4.6% (CA) 10.4% (MX)	90%*

(245). Additional U.S. note 2 to chapter 62 is modified by deleting "For the purposes of subheadings 6201.92.15, 6201.93.30, 6202.92.15, 6202.93.45, 6203.43.15, 6203.43.35, 6204.63.12, 6204.63.30 and 6211.20.15," and inserting "For the purposes of subheadings 6201.92.15, 6201.93.30, 6202.92.15, 6202.93.45, 6203.41.05, 6203.43.15, 6203.43.35, 6204.61.10, 6204.63.12, 6204.63.30 and 6211.20.15," in lieu thereof.

Section A. (continued)

(246). Subheading 6201.19.00 is superseded by:

	[Men's or boys' overcoats, carcoats,...:]			
	[Overcoats, carcoats, capes, cloaks...:]			
"6201.19	Of other textile materials:			
6201.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 0.9% (CA)	35%
6201.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 0.9% (CA)	35%"

(247). Subheading 6201.99.00 is superseded by:

	[Men's or boys' overcoats, carcoats,...:]			
	[Anoraks (including ski-jackets),...:]			
"6201.99	Of other textile materials:			
6201.99.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.3% (CA)	35%
6201.99.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 1.3% (CA)	35%"

(248). Subheading 6202.19.00 is superseded by:

	[Women's or girls' overcoats, carcoats,...:]			
	[Overcoats, carcoats, capes, cloaks...:]			
"6202.19	Of other textile materials:			
6202.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 0.9% (CA)	35%
6202.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 0.9% (CA)	35%"

(249). Subheading 6202.99.00 is superseded by:

	[Women's or girls' overcoats, carcoats,...:]			
	[Anoraks (including ski-jackets),...:]			
"6202.99	Of other textile materials:			
6202.99.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 0.9% (CA)	35%
6202.99.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 0.9% (CA)	35%"

Annex (con.)
-237-

Section A. (continued)

(250). Subheading 6203.19.40 is superseded by:

	[Men's or boys' suits, ensembles,...:]				
	[Suits:]				
	[Of other textile materials:]				
"6203.19.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)	35%	
6203.19.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)	35%"	

(251)(a). Subheading 6203.39.40 is superseded by:

	[Men's or boys' suits, ensembles,...:]				
	[Suit-type jackets and blazers:]				
	[Of other textile materials:]				
"6203.39.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2% (CA)	35%	
6203.39.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2% (CA) 5.1% (MX)	35%"	

(b). Conforming change: The article description for subheading 9906.61.01 is modified by deleting ", 6104.39.20 or 6203.39.40" and inserting "or 6104.39.20" in lieu thereof.

(252). Subheading 6203.41.10 is superseded by:

	[Men's or boys' suits, ensembles,...:]				
	[Trousers, bib and brace overalls,...:]				
	[Of wool or fine animal hair:]				
	"Trousers, breeches and shorts:				
6203.41.05	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 9 kg per dozen.....	7.6%	Free (IL) 2.2% (CA) 5.6% (MX)	52.9¢/kg + 58.5%	
6203.41.15	Other.....	[See section D to this Annex]	Free (IL) 15.8¢/kg + 6.3% (CA) 13.9% (MX)	52.9¢/kg + 58.5%"	

Section A. (continued)

(253). Subheading 6203.49.30 is superseded by:

	[Men's or boys' suits, ensembles,...:]			
	[Trousers, bib and brace overalls,...:]			
	[Of other textile materials:]			
"6203.49.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 0.9% (CA)	35%
6203.49.80	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 0.9% (CA)	35%*

(254). Subheading 6204.19.30 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Suits:]			
	[Of other textile materials:]			
"6204.19.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2% (CA)	65%
6204.19.80	Other.....	[See section D to this Annex]	Free (E*,IL) 2% (CA) 5.1% (MX)	65%*

(255). Subheading 6204.61.00 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Trousers, bib and brace overalls,...:]			
"6204.61	Of wool or fine animal hair:			
6204.61.10	Trousers and breeches, containing elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per dozen.....	7.6%	Free (IL) 2.2% (CA) 6% (MX)	58.5%
6204.61.90	Other.....	[See section D to this Annex]	Free (IL) 5.1% (CA) 13.6% (MX)	58.5%*

Section A. (continued)

(256). Subheading 6204.69.30 is superseded by:

	[Women's or girls' suits, ensembles,...:]			
	[Trousers, bib and brace overalls,...:]			
	[Of other textile materials:]			
	"Of silk or silk waste:			
6204.69.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)	65%
6204.69.60	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)	65%"

(257)(a). Subheading 6205.90.20 is superseded by:

	[Men's or boys' shirts:]			
	[Of other textile materials:]			
	"Of silk or silk waste:			
6205.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)	65%
6205.90.30	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)	65%"

(b). Conforming change: The article description for subheading 9906.62.03 is modified by deleting ", or containing 70 percent or more by weight of silk or silk waste" and by deleting "6205.90.20" and inserting "6205.90.30" in lieu thereof.

(258). Subheading 6207.19.00 is superseded by:

	[Men's or boys' singlets and other...:]			
	[Underpants and briefs:]			
"6207.19	Of other textile materials:			
6207.19.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 3.3% (CA)	90%
6207.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 3.3% (CA)	90%"

Section A. (continued)

(259). Subheading 6207.29.00 is superseded by:

	[Men's or boys' singlets and other...:]				
	[Nightshirts and pajamas:]				
"6207.29	Of other textile materials:				
6207.29.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)		65%
6207.29.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)		65%"

(260). Subheading 6207.99.60 is superseded by:

	[Men's or boys' singlets and other...:]				
	[Other:]				
	[Of other textile materials:]				
"6207.99.70	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)		65%
6207.99.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)		65%"

(261). Subheading 6208.19.40 is superseded by:

	[Women's or girls' singlets and other...:]				
	[Slips and petticoats:]				
	[Of other textile materials:]				
"6208.19.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.7% (CA)		90%
6208.19.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 2.7% (CA)		90%"

(262). Subheading 6208.29.00 is superseded by:

	[Women's or girls' singlets and other...:]				
	[Nightdresses and pajamas:]				
"6208.29	Of other textile materials:				
6208.29.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)		65%
6208.29.90	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)		65%"

Section A. (continued)

(263). Subheading 6208.99.60 is superseded by:

	[Women's or girls' singlets and other...:]			
	[Other:]			
	[Of other textile materials:]			
	"Of silk or silk waste:			
6208.99.30	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.2% (CA)	65%
6208.99.50	Other.....	[See section D to this Annex]	Free (E*,IL) 2.2% (CA) 5.5% (MX)	65%"

(264). Subheading 6209.90.40 is superseded by:

	[Babies' garments and clothing accessories:]			
	[Of other textile materials:]			
"6209.90.50	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 0.9% (CA) 2.3% (MX)	35%
6209.90.90	Other.....	[See section D to this Annex]	Free (E,IL) 0.9% (CA) 2.3% (MX)	35%"

(265)(a). Subheading 6210.10.40 is superseded by:

	[Garments, made up of fabrics of heading...:]			
	[Of fabrics of heading 5602 or 5603:]			
	"Other:			
6210.10.50	Nonwoven disposable apparel designed for use in hospitals, clinics, laboratories or contaminated areas.....	[See section D to this Annex]	Free (CA,E,IL,J) 4.2% (MX)	76%
	Other:			
6210.10.70	Disposable briefs and panties designed for one-time use.....	[See section D to this Annex]	Free (E,IL,J) 5.1% (CA) 11.2% (MX)	76%
6210.10.90	Other.....	[See section D to this Annex]	Free (E*,IL,J*) 5.1% (CA) 11.2% (MX)	76%"

(b). Conforming change: Subheading 9906.62.09 is deleted.

Section A. (continued)

(266). Subheadings 6210.20.10 and 6210.20.20 are superseded by:

	[Garments, made up of fabrics of heading...:]				
	[Other garments, of the type described in subheadings 6201.11 to 6201.19:]				
	"Of man-made fibers:				
6210.20.30	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)		65%
6210.20.50	Other.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)		65%
	Other:				
6210.20.70	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (E,IL,J) 1.9% (CA) 4.9% (MX)		37.5%
6210.20.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.9% (CA) 4.9% (MX)		37.5%"

(267). Subheadings 6210.30.10 and 6210.30.20 are superseded by:

	[Garments, made up of fabrics of heading...:]				
	[Other garments, of the type described in subheadings 6202.11 to 6202.19:				
	"Of man-made fibers:				
6210.30.30	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)		65%
6210.30.50	Other.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)		65%

Annex (con.)
-243-

Section A. (continued)

(267). (con.):

	[Garments, made up of fabrics of heading...:] [Other garments, of the type described in subheadings 6202.11 to 6202.19: Other:			
6210.30.70	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (E,IL,J) 1.9% (CA) 4.9% (MX)	37.5%
6210.30.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.9% (CA) 4.9% (MX)	37.5%*

(268)(a). Subheadings 6210.40.10 and 6210.40.20 are superseded by:

	[Garments, made up of fabrics of heading...:] [Other men's or boys' garments:] "Of man-made fibers:			
6210.40.30	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	65%
6210.40.50	Other.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	65%
	Other:			
6210.40.70	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (E,IL,J) 1.9% (CA) 4.9% (MX)	37.5%
6210.40.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.9% (CA) 4.9% (MX)	37.5%*

(b). Conforming change: The article description for subheadings 9905.61.05 and 9906.61.21 is modified by deleting "6210.40.10, 6210.40.20" and inserting "6210.40.30, 6210.40.50, 6210.40.70, 6210.40.90" in lieu thereof.

Annex (con.)
-244-

Section A. (continued)

(269)(a). Subheadings 6210.50.10 and 6210.50.20 are superseded by:

	[Garments, made up of fabrics of heading...:]			
	[Other women's or girls' garments:]			
	"Of man-made fibers:			
6210.50.30	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	65%
6210.50.50	Other.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	65%
	Other:			
6210.50.70	Having an outer surface impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric.....	[See section D to this Annex]	Free (E,IL,J) 1.9% (CA) 4.9% (MX)	37.5%
6210.50.90	Other.....	[See section D to this Annex]	Free (E*,IL) 1.9% (CA) 4.9% (MX)	37.5%*

(b). Conforming change: The article description for subheadings 9905.61.05 and 9906.61.21 is modified by deleting "6210.50.10, 6210.50.20" and inserting "6210.50.30, 6210.50.50, 6210.50.70, 6210.50.90" in lieu thereof.

(270). Subheadings 6211.11.20 and 6211.12.30 are superseded and the following provisions inserted in numerical sequence:

	[Track suits, ski-suits and swimwear;...:]			
	[Swimwear:]			
	[Men's or boys':]			
"6211.11.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.4% (CA)	37.5%
6211.11.80	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 2.4% (CA)	37.5%*
	[Women's or girls':]			
"6211.12.40	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 2.4% (CA)	37.5%
6211.12.80	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 2.4% (CA)	37.5%*

Section A. (continued)

(271). Subheadings 6211.20.10, 6211.20.20, 6211.20.30, 6211.20.40, 6211.20.50, 6211.20.60 and 6211.20.70 are superseded and the following provisions inserted in numerical sequence:

	[Track suits, ski-suits and swimwear;...:]			
	[Ski-suits:]			
	"Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down:			
6211.20.04	Anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets) imported as parts of ski-suits.....	[See section D to this Annex]	Free (E*,IL,MX) 1.4% (CA)	60%
6211.20.08	Other.....	[See section D to this Annex]	Free (E*,IL,J*,MX) 1.4% (CA)	60%"
	[Other:]			
	[Other:]			
	[Men's or boys':]			
	"Anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets) imported as parts of ski-suits:			
6211.20.24	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL,MX) 8.8% (CA)	90%
6211.20.28	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 8.8% (CA)	90%
	Trousers and breeches imported as parts of ski-suits:			
6211.20.34	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL,MX) 8.9% (CA)	90%
6211.20.38	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 8.9% (CA)	90%

Section A. (continued)

(271). (con.)

	[Track suits, ski-suits and swimwear;...:]			
	[Ski-suits:]			
	[Other:]			
	[Other:]			
	[Men's or boys':]			
	Other:			
6211.20.44	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	76%
6211.20.48	Other.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	76%*
	[Women's or girls':]			
	"Anoraks (including ski-jackets), windbreakers and similar articles (including padded, sleeveless jackets) imported as parts of ski-suits:			
6211.20.54	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL,MX) 8.9% (CA)	90%
6211.20.58	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 8.9% (CA)	90%
	Trousers and breeches imported as parts of ski-suits:			
6211.20.64	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL,MX) 9.1% (CA)	90%
6211.20.68	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 9.1% (CA)	90%
	Other:			
6211.20.74	Of wool or fine animal hair.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	76%
6211.20.78	Other.....	[See section D to this Annex]	Free (E*,IL) 5.1% (CA) 11.2% (MX)	76%*

Section A. (continued)

(272)(a). Subheadings 6211.39.00 and 6211.49.00 are superseded and the following provisions inserted in numerical sequence:

	[Track suits, ski-suits and swimwear;...:]			
	[Other garments, men's or boys':]			
"6211.39	Of other textile materials:			
6211.39.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 0.9% (CA)	35%
6211.39.90	Other.....	[See section D to this Annex]	Free (E*,IL) 0.9% (CA) 2.3% (MX)	35%*
	[Other garments, women's or girls':]			
"6211.49	Of other textile materials:			
6211.49.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 2.3% (CA) 5.7% (MX)	35%
6211.49.90	Other.....	[See section D to this Annex]	Free (E,IL,J) 2.3% (CA) 5.7% (MX)	35%*

(b). Conforming change: Subheading 9906.62.11 is deleted.

(273). Subheadings 6212.10.10 and 6212.10.20 are superseded by:

	[Brassieres, girdles, corsets, braces,...:]			
	[Brassieres:]			
	"Containing lace, net or embroidery:			
6212.10.30	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 9.6% (CA)	90%
6212.10.50	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 9.6% (CA)	90%
	Other:			
6212.10.70	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J,MX) 5.4% (CA)	75%
6212.10.90	Other.....	[See section D to this Annex]	Free (E*,IL,MX) 5.4% (CA)	75%*

Section A. (continued)

(274). Subheadings 6216.00.18, 6216.00.28 and 6216.00.32 are superseded by:

	[Gloves, mittens and mitts:]			
	[Impregnated, coated or covered with...:]			
	[Other:			
	[Without fourchettes:]			
	[Cut and sewn from pre-existing machine-woven fabric that is impregnated, coated or covered with plastics or rubber:]			
	"Other:			
6216.00.19	Containing over 50 percent by weight of plastics or rubber.....	[See section D to this Annex]	Free (IL) 6.6¢/kg + 3.3% (CA) 13.3¢/kg + 5.8% (E,J) 10.5% (MX)	99.2¢/kg + 65%
6216.00.21	Other.....	[See section D to this Annex]	Free (IL) 6.6¢/kg + 3.3% (CA) 20.9¢/kg + 8.7% (E,J) 10.5% (MX)	99.2¢/kg + 65%
	Other:			
6216.00.24	Containing 50 percent or more by weight of cotton, man-made fibers or any combination thereof.....	[See section D to this Annex]	Free (IL) 4.2% (CA) 9.6% (MX) 11.4% (E,J)	75%
6216.00.26	Other.....	[See section D to this Annex]	Free (IL) 4.2% (CA) 7.6% (E,J) 9.6% (MX)	75%
	With fourchettes:			
6216.00.29	Containing 50 percent or more by weight of cotton, man-made fibers or any combination thereof.....	[See section D to this Annex]	Free (E*,IL) 4.2% (CA) 9.6% (MX)	25%
6216.00.31	Other.....	[See section D to this Annex]	Free (E,IL,J) 4.2% (CA) 9.6% (MX)	25%*

Section A. (continued)

(275)(a). Subheadings 6217.10.00 and 6217.90.00 are superseded by:

	[Other made up clothing accessories; parts...:]			
"6217.10	Accessories:			
6217.10.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 4.6% (CA) 10.4% (MX)	90%
6217.10.90	Other.....	[See section D to this Annex]	Free (E*,IL) 4.6% (CA) 10.4% (MX)	90%
6217.90	Parts:			
6217.90.10	Containing 70 percent or more by weight of silk or silk waste.....	[See section D to this Annex]	Free (E,IL,J) 4.6% (CA) 10.4% (MX)	90%
6217.90.90	Other.....	[See section D to this Annex]	Free (E*,IL) 4.6% (CA) 10.4% (MX)	90%"

(b). Conforming change: The article description for heading 9902.62.04 and subheadings 9905.62.10 and 9906.62.02 is modified by deleting "6217.10.00" and inserting "6217.10" in lieu thereof.

(276). Subheadings 6302.21.10 and 6302.21.20 are superseded by:

	[Bed linen, table linen, toilet linen...:]			
	[Other bed linen, printed:]			
	[Of cotton:]			
	"Containing any embroidery, lace, braid, edging, trimming, piping or applique work:			
6302.21.30	Napped.....	[See section D to this Annex]	Free (IL) 7.1% (CA) 14.5% (MX)	90%
6302.21.50	Not napped.....	[See section D to this Annex]	Free (IL) 7.1% (CA) 14.5% (MX)	90%
	Other:			
6302.21.70	Napped.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	25%
6302.21.90	Not napped.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	25%"

Section A. (continued)

(277). Subheadings 6302.31.10 and 6302.31.20 are superseded by:

	[Bed linen, table linen, toilet linen...:]			
	[Other bed linen:]			
	[Of cotton:]			
	"Containing any embroidery, lace, braid, edging, trimming, piping or applique work:			
6302.31.30	Napped.....	[See section D to this Annex]	Free (IL) 7.1% (CA) 14.5% (MX)	90%
6302.31.50	Not napped.....	[See section D to this Annex]	Free (IL) 7.1% (CA) 14.5% (MX)	90%
	Other:			
6302.31.70	Napped.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	25%
6302.31.90	Not napped.....	[See section D to this Annex]	Free (IL) 2.2% (CA) 5.6% (MX)	25%"

(278)(a). Subheading 6307.90.70 is superseded by:

	[Other made up articles, including...:]			
	[Other:]			
	[Surgical drapes:]			
	"Other:			
6307.90.68	Spunlaced or bonded fiber fabric disposable surgical drapes of man-made fibers....	[See section D to this Annex]	Free (E*,IL,J*) 2.7% (CA) 4.2% (MX)	78.5%
6307.90.72	Other.....	[See section D to this Annex]	Free (E*,IL,J*) 2.7% (CA) 6.5% (MX)	78.5%"

(b). Conforming change: Subheading 9906.63.01 is deleted.

Section A. (continued)

(279)(a). Subheading 6402.19.10 is superseded by:

	[Other footwear with outer soles and...:] [Sports footwear:] [Other:] "Having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements such as those mentioned in note 4(a) to this chapter) is rubber or plastics (except footwear having foxing or a foxing-like band applied or molded at the sole and overlapping the upper and except footwear designed to be worn over, or in lieu of other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather):			
6402.19.05	Golf shoes.....	6%	Free (IL) 1.8% (CA) 4.8% (MX)	35%
6402.19.15	Other.....	[See section D to this Annex]	Free (IL) 1.8% (CA) 3.6% (MX)	35%"

(b). Conforming changes:

(i) The article description for subheading 9902.64.02 is modified by deleting "6402.19.10" and inserting "6402.19.15" in lieu thereof;

(ii) Subheadings 9906.64.01, 9906.64.02 and 9906.64.03 and the superior text which reads "Other footwear with outer soles and uppers of rubber or plastics:" and "Provided for in subheading 6402.19.10:" preceding such subheadings are deleted; and

(iii) Subheading 9906.64.01 is inserted in numerical sequence as follows:

	[Goods of Mexico,...:]	
"9906.64.01	Skating boots for use in the manufacture of in-line roller skates (provided for in subheading 6402.19.15).....	Free (MX)"

Section A. (continued)

(280)(a). Subheading 6402.99.15 is superseded by:

	[Other footwear with outer soles and...:]				
	[Other footwear:]				
	[Other:]				
	[Having uppers of which over 90 percent...]				
	"Other:				
6402.99.14	Sandals and similar footwear of plastics, produced in one piece by molding.....	[See section D to this Annex]	Free (IL,MX) 1.8% (CA)	35%	
6402.99.18	Other.....	6%	Free (IL) 1.8% (CA) 4.8% (MX)	35%"	

(b). Conforming change: Subheading 9906.64.04 is deleted.

(281)(a). Subheadings 6403.19.15, 6403.19.45 and 6403.19.60 are superseded by:

	[Footwear with outer soles of rubber,...:]				
	[Sports footwear:]				
	[Other:]				
	[For men, youths and boys:]				
	"Welt footwear:				
6403.19.10	Golf shoes.....	5%	Free (IL) 1.5% (CA) 4% (MX)	20%	
6403.19.20	Other.....	[See section D to this Annex]	Free (IL,MX) 1.5% (CA)	20%	
	Other:				
6403.19.30	Golf shoes.....	8.5%	Free (IL) 2.5% (CA) 6.8% (MX)	20%	
6403.19.40	Other.....	[See section D to this Annex]	Free (IL,MX) 2.5% (CA)	20%	
	For other persons:				
6403.19.50	Golf shoes.....	10%	Free (IL) 3% (CA) 8% (MX)	20%	
6403.19.70	Other.....	[See section D to this Annex]	Free (IL,MX) 3% (CA)	20%"	

(b). Conforming change: Subheading 9906.64.05 is deleted.

Section A. (continued)

(282). Subheading 6603.10.00 is superseded by:

	[Parts, trimmings and accessories of...:]			
"6603.10	Handles and knobs:			
6603.10.40	Umbrella handles and knobs.....	Free		45%
6603.10.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	45%"

(283). Subheading 6603.90.00 is superseded by:

	[Parts, trimmings and accessories of...:]			
"6603.90	Other:			
6603.90.40	Umbrella tips and caps.....	Free		45%
6603.90.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	45%"

(284). The article description for subheading 6810.19.12 is modified by deleting such article description and inserting "Of stone agglomerated with binders other than cement" in lieu thereof.

(285). Additional U.S. note 6(b) to chapter 69 is modified by deleting "6911.10.39," and inserting "6911.10.37, 6911.10.38" in lieu thereof.

(286). Subheadings 6911.10.20, 6911.10.39 and 6911.10.49 are superseded and the following provisions inserted in numerical sequence:

	[Tableware, kitchenware, other household...:]			
	[Tableware and kitchenware:]			
	[Other:]			
	"Of bone chinaware:			
6911.10.15	Valued not over $31.50 per dozen pieces.....	8%	Free (A,CA,E,IL, J,MX)	75%
6911.10.25	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	75%"
	[Other:]			
	[Available in specified sets:]			
	"In any pattern for which the aggregate value of the articles listed in additional U.S. note 6(b) of this chapter is over $56:			
6911.10.37	Aggregate value not over $200.....	8%	Free (A,CA,E,IL, J,MX)	75%
6911.10.38	Aggregate value over $200.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	75%"

Section A. (continued)

(286). (con.):

	[Tableware, kitchenware, other household...:]			
	[Tableware and kitchenware:]			
	[Other:]			
	[Other:]			
	[Other:]			
"6911.10.52	Cups valued over $8 but not over $29 per dozen; saucers valued over $5.25 but not over $18.75 per dozen; soups, oatmeals and cereals valued over $9.30 but not over $33 per dozen; plates not over 22.9 cm in maximum diameter and valued over $8.50 but not over $31 per dozen; plates over 22.9 but not over 27.9 cm in maximum diameter and valued over $11.50 but not over $41 per dozen; platters or chop dishes valued over $40 but not over $143 per dozen; sugars valued over $23 but not over $85 per dozen; creamers valued over $20 but not over $75 per dozen; and beverage servers valued over $50 but not over $180 per dozen.....	8%	Free (CA,E,IL,J, MX)	75%

Annex (con.)
-255-

Section A. (continued)

(286). (con.):

	[Tableware, kitchenware, other household...:]			
	[Tableware and kitchenware:]			
	[Other:]			
	[Other:]			
	[Other:]			
6911.10.58	Cups valued over $29 per dozen; saucers valued over $18.75 per dozen; soups, oatmeals and cereals valued over $33 per dozen; plates not over 22.9 cm in maximum diameter and valued over $31 per dozen; plates over 22.9 but not over 27.9 cm in maximum diameter and valued over $41 per dozen; platters or chop dishes valued over $143 per dozen; sugars valued over $85 per dozen; creamers valued over $75 per dozen; and beverage servers valued over $180 per dozen.....	[See section D to this Annex]	Free (CA,E,IL,J, MX)	75%"

(287). Subheadings 6914.10.00 and 6914.90.00 are superseded by:

	[Other ceramic articles:]			
"6914.10	Of porcelain or china:			
6914.10.40	Ceramic ferrules of porcelain or china, not exceeding 3 mm in diameter or 25 mm in length, having a fiber channel opening and/or ceramic mating sleeves of alumina or zirconia.....	Free		60%
6914.10.80	Other.....	9%	Free (A,E,IL,J, MX) 2.7% (CA)	60%
6914.90	Other:			
6914.90.40	Ceramic ferrules of alumina or zirconia, not exceeding 3 mm in diameter or 25 mm in length, having a fiber channel opening and/or ceramic mating sleeves of alumina or zirconia.....	Free		45%
6914.90.80	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 2.4% (CA)	45%"

Annex (con.)
-256-

Section A. (continued)

(288). Subheading 7005.10.00 is superseded by:

	[Float glass and surface ground or...:]			
"7005.10	Nonwired glass, having an absorbent or reflecting layer:			
7005.10.40	Suitable for use in liquid crystal displays, measuring not over 1.2 mm in thickness and not over 0.8 m^2 in area.....	Free		60%
7005.10.80	Other.....	[See section D to this Annex]	Free (A,B,CA,E,IL, J,MX)	60%"

(289). Subheadings 7005.29.05 and 7005.29.15 are superseded by:

	[Float glass and surface ground or...:]			
	[Other nonwired glass:]			
	[Other:]			
	[Measuring less than 10 mm in thickness:]			
	"Measuring not over 0.65 m^2 in area:			
7005.29.04	Suitable for use in liquid crystal displays.....	Free		$1.35/m^2
7005.29.08	Other.....	[See section D to this Annex]	Free (B,CA,E,IL,J) 16.6¢/m^2 (MX)	$1.35/$m^2$
	Measuring over 0.65 m^2 in area:			
7005.29.14	Suitable for use in liquid crystal displays, measuring not over 0.8 m^2 in area.....	Free		$2.13/$m^2$
7005.29.18	Other.....	[See section D to this Annex]	Free (B,CA,E,IL,J) 12.8¢/m^2 (MX)	$2.13/$m^2$"

Section A. (continued)

(290)(a). Subheading 7011.20.50 is superseded by:

	[Glass envelopes (including bulbs and...:]				
	[For cathode-ray tubes:]				
	"Other:				
7011.20.40	Monochrome glass envelopes with both (1) gray, tinted, skirted faceplates, and (2) either a video display diagonal of not more than 35.6 cm or a transmission level of 37 percent or less, all of said envelopes certified by the importer as being for actual use in computer data and graphic display cathode ray tubes.....	Free			55%
7011.20.80	Other.....	[See section D to this Annex]	Free	(A,CA,E,IL, J,MX)	55%"

(b). Conforming change: Heading 9902.70.11 is deleted.

(291). Subheading 7017.90.00 is superseded by:

	[Laboratory, hygienic or pharmaceutical glassware...:]				
"7017.90	Other:				
7017.90.10	Microscope slides and micro cover glasses.....	[See section D to this Annex]	Free 2.5%	(A,E,IL,J, MX) (CA)	85%
7017.90.50	Other.....	[See section D to this Annex]	Free 2.5%	(A,E,IL,J, MX) (CA)	85%"

Annex (con.)
-258-

Section A. (continued)

(292)(a). Subheadings 7019.10.10, 7019.10.20, 7019.10.60, 7019.20.10, 7019.20.20 and 7019.20.50 are superseded and the following provisions inserted in numerical sequence:

	[Glass fibers (including glass wool) and...:]			
	[Slivers, rovings, yarn and chopped strands:]			
	[Yarns:]			
	"Not colored:			
7019.10.05	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.10.15	Other.....	[See section D to this Annex]	Free (CA,IL) 5.4% (MX)	50%
	Colored:			
7019.10.24	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		60%
7019.10.28	Other.....	[See section D to this Annex]	Free (CA,IL) 6.9% (MX)	60%"
	[Chopped strands]			
	[Rovings]			
	"Other:			
7019.10.70	Fiberglass rubber reinforcing cord, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.10.90	Other.....	4.2%	Free (CA,E*,IL,J*) 3.6% (MX)	50%"

Section A. (continued)

(292)(a). (con.):

	[Glass fibers (including glass wool) and...:]			
	[Woven fabrics, including narrow fabrics:]			
	"Narrow fabrics:			
7019.20.05	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.20.15	Other.....	6%	Free (IL) 1.8% (CA) 4.5% (MX)	50%"
	[Other:]			
	"Not colored:			
7019.20.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		50%
7019.20.40	Other.....	[See section D to this Annex]	Free (IL) 2.4% (CA) 6% (MX)	50%
	Colored:			
7019.20.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free		60%
7019.20.90	Other.....	[See section D to this Annex]	Free (IL) 3.3% (CA) 7.8% (MX)	60%"

(b). Conforming change: Headings 9902.70.19 and 9902.70.20 and subheadings 9906.70.05 and 9906.70.06 are deleted.

Annex (con.)
-260-

Section A. (continued)

(293)(a). Subheadings 7116.20.10 and 7116.20.20 are superseded and the following provisions inserted in numerical sequence:

	[Articles of natural or cultured pearls,...:]			
	[Of precious or semiprecious stones...:]			
	"Articles of jewelry:			
7116.20.05	Valued not over $40 per piece.....	[See section D to this Annex]	Free (A*,CA,E,IL, J,MX)	80%
7116.20.15	Other.....	6.5%	Free (A*,CA,E,IL, J,MX)	80%"
	[Other:]			
	"Of semiprecious stones (except rock crystal):			
7116.20.30	Graded semiprecious stones strung temporarily for convenience of transport.....	2.1%	Free (A,CA,E,IL, J,MX)	50%
7116.20.35	Figurines of semiprecious stone.....	4.5%	Free (A,CA,E,IL, J,MX)	50%
7116.20.40	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	50%"

(b). Conforming changes:
(i) General note 4(d) is modified by deleting "7116.20.10 Thailand" and inserting "7116.20.05 Thailand" and "7116.20.15 Thailand" in numerical sequence; and
(ii) Heading 9902.71.16 is deleted.

(294). Subheadings 7117.19.10 and 7117.19.50 are superseded and the following provisions inserted in numerical sequence:

	[Imitation jewelry:]			
	[Of base metal, whether or not plated...:]			
	[Other:]			
	[Rope, curb, cable, chain...:]			
	"Valued not over 33 cents per meter:			
7117.19.05	Toy jewelry valued not over 8 cents per piece.....	Free		80%
7117.19.15	Other.....	8%	Free (A,E,IL,J, MX) 2.4% (CA)	80%"
	[Religious articles...:]			
	"Other:			
7117.19.60	Toy jewelry valued not over 8 cents per piece.....	Free		110%
7117.19.90	Other.....	11%	Free (A,E,IL,J,MX) 3.3% (CA)	110%"

Annex (con.)
-261-

Section A. (continued)

(295). Subheadings 7117.90.40 and 7117.90.50 are superseded and the following provisions inserted in numerical sequence:

	[Imitation jewelry:]			
	[Other:]			
	[Other:]			
	"Valued not over 20 cents per dozen pieces or parts:			
7117.90.45	Toy jewelry (except parts)...	Free		45%
7117.90.55	Other.....	7.2%	Free (A,E,IL,J, MX) 2.1% (CA)	45%
	Valued over 20 cents per dozen pieces or parts:			
7117.90.60	Toy jewelry (except parts) valued not over 8 cents per piece.....	Free		110%
	Other:			
7117.90.75	Of plastics.....	Free		110%
7117.90.90	Other.....	11%	Free (A,E,IL,J, MX) 3.3% (CA)	110%"

(296)(a). Subheading 7326.90.90 is superseded and the following provisions inserted in numerical sequence:

	[Other articles of iron or steel:]			
	[Other:]			
	[Other:]			
"7326.90.25	Cable or inner wire for caliper and cantilever brakes and casing therefor, whether or not cut to length.....	Free		45%"
	[Other:]			
"7326.90.85	Other.....	[See section D to this Annex]	Free (A,B,E,IL,J, MX) 1.7% (CA)	45%"

(b). Conforming change: The article description for subheadings 9905.73.11, 9905.73.20 and 9905.73.25 is modified by deleting "7326.90.90" and inserting "7326.90.85" in lieu thereof.

Annex (con.)
-262-

Section A. (continued)

(297)(a). Subheading 7616.90.00 is superseded by:

	[Other articles of aluminum:]			
"7616.90	Other:			
7616.90.10	Luggage frames.....	Free		45%
7616.90.50	Other.....	[See section D to this Annex]	Free (A,B,E,IL,J, MX) 1.7% (CA)	45%"

(b). Conforming changes:
(i) Heading 9902.76.16 is deleted;
(ii) The article description for subheading 9905.76.30 is modified by deleting "7616.90.00" and inserting "7616.90.50" in lieu thereof.

(298). Subheading 8407.33.20 is superseded by:

	[Spark-ignition reciprocating or rotary...:] [Reciprocating piston engines of...:] [Of a cylinder capacity exceeding 250 cc but not exceeding 1,000 cc:] "To be installed in vehicles of subheading 8701.20, or heading 8702, 8703 or 8704:			
8407.33.30	To be installed in vehicles specially designed for traveling on snow, golf carts, non-amphibious all-terrain vehicles and burden carriers.....	Free		35%
8407.33.60	Other.....	[See section D to this Annex]	Free (A,B,E,IL,J, MX) 0.9% (CA)	35%"

(299). Subheadings 8419.50.00 and 8419.60.00 are superseded by:

	[Machinery, plant or laboratory equipment, whether or not electrically heated, for...:]			
"8419.50	Heat exchange units:			
8419.50.10	Brazed aluminum plate-fin heat exchangers.....	4.2%	Free (A,C,CA,E,IL, J,MX)	35%
8419.50.50	Other.....	[See section D to this Annex]	Free (A,C,CA,E,IL, J,MX)	35%
8419.60	Machinery for liquefying air or other gases:			
8419.60.10	Machinery containing brazed aluminum plate-fin heat exchangers.....	4.2%	Free (A,CA,E,IL, J,MX)	35%
8419.60.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

Section A. (continued)

(300). Subheading 8419.89.50 is superseded by:

	[Machinery, plant or laboratory equipment, whether or not electrically heated, for...:] [Other machinery, plant or equipment:] [Other:] "Other:				
8419.89.60	Molten-salt-cooled acrylic acid reactors	Free			35%
8419.89.90	Other	4.2%	Free (A,CA,E,IL, J,MX)		35%"

(301). Subheading 8419.90.90 is superseded by:

	[Machinery, plant or laboratory equipment, whether or not electrically heated, for...:] [Parts:] "Other:				
8419.90.50	Of molten-salt-cooled acrylic acid reactors; of medical, surgical or laboratory sterilizers	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)		35%
8419.90.80	Other	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)		35%"

(302). Subheading 8424.89.00 is superseded by:

	[Mechanical appliances (whether or not hand operated) for projecting, dispersing or...:] [Other appliances:]				
"8424.89	Other:				
8424.89.30	Machinery for use in the manufacture of video laser discs; spraying appliances designed for etching, stripping or cleaning semiconductor wafers	Free			35%
8424.89.90	Other	[See section D to this Annex]	Free (A,B,CA,E,IL, J,MX)		35%"

(303)(a). Subheadings 8443.11.00 and 8443.19.90 are superseded and the following provisions inserted in numerical sequence:

	[Printing machinery; machines for uses...:] [Offset printing machinery:]				
"8443.11	Reel-fed:				
8443.11.10	Double-width newspaper printing presses	3.3%	Free (A,CA,E,IL, J,MX)		25%
8443.11.50	Other	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)		25%"

Section A. (continued)

(303)(a). (con.):

	[Printing machinery; machines for uses...:]			
	[Offset printing machinery:]			
	[Other:]			
	"Weighing 1,600 kg or more:			
8443.19.60	Sheet-fed.....	Free		25%
8443.19.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	25%"

(b). Conforming change: Heading 9902.84.43 is deleted.

(304). Subheadings 8446.21.00 and 8446.30.00 are superseded and the following provisions inserted in numerical sequence:

	[Weaving machines (looms):]			
	[For weaving fabrics of a width exceeding 30 cm, shuttle type:]			
"8446.21	Power looms:			
8446.21.10	For weaving fabrics of a width exceeding 4.9 m.....	Free		40%
8446.21.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	40%
8446.30	For weaving fabrics of a width exceeding 30 cm, shuttleless type:			
8446.30.10	Power looms for weaving fabrics of a width exceeding 4.9 m.....	Free		40%
8446.30.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	40%"

(305). Subheading 8447.20.10 is superseded by:

	[Knitting machines, stitch-bonding...:]			
	[Flat knitting machines;...:]			
	"V-bed flat knitting machines:			
8447.20.20	Power driven flat knitting machines over 50.8 cm in width....	Free		40%
8447.20.30	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	40%"

Annex (con.)
-265-

Section A. (continued)

(306). Subheadings 8456.90.10 and 8456.90.50 are superseded by:

	[Machine tools for working any material by...:]			
	[Other:]			
	"For working metal:			
8456.90.20	Focused ion beam milling machines designed to produce or repair masks and reticles of semiconductor device designs.....	Free		30%
8456.90.40	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	30%
	Other:			
8456.90.60	Dry etching (including plasma) machines designed to process semiconductor wafers.....	Free		35%
8456.90.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(307). Subheadings 8464.20.00 and 8464.90.00 are superseded and the following provisions inserted in numerical sequence:

	[Machine tools for working stone, ceramics,...:]			
"8464.20	Grinding or polishing machines:			
8464.20.10	Machines designed to process semiconductor wafers.....	Free		35%
8464.20.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%
8464.90	Other:			
8464.90.10	Machines designed to scribe or score semiconductor wafers into finished chips or die; wet chemical etching machines designed to process semiconductor wafers.....	Free		35%
8464.90.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

Section A. (continued)

(308). Subheading 8471.91.00 is superseded by:

	[Automatic data processing machines and...:]			
	[Other:]			
"8471.91	Digital processing units, whether or not entered with the rest of a system, which may contain in the same housing one or two of the following types of units: storage units, input units, output units:			
8471.91.40	Digital processing units for automatic data processing machines, unhoused, consisting of a printed circuit (single or multiple) with one or more electronic integrated circuits or other semiconductor devices mounted directly thereon, certified as units designed for use other than in an automatic data processing machines of subheading 8471.20....	Free		35%
8471.91.80	Other.....	[See section D to this Annex]	Free (A,C,CA,E,IL, J,MX)	35%"

(309). Subheading 8472.90.80 is superseded by:

	[Other office machines (for example, hectograph or stencil duplicating...:]			
	[Other:]			
"8472.90.70	Accessory and auxiliary machines which are intended for attachment to an electrostatic photocopier and which do not operate independently of such photocopier.....	Free		35%
8472.90.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(310). Subheading 8473.40.40 is superseded by:

	[Parts and accessories (other than covers, carrying cases and...:]			
	[Parts and accessories of the machines of heading 8472:]			
"8473.40.60	Parts and accessories of the goods of subheading 8472.90.70.....	Free		35%
8473.40.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

Section A. (continued)

(311). Subheading 8477.10.60 is superseded by:

	[Machinery for working rubber or plastics...:]			
	[Injection-molding machines:]			
"8477.10.40	For manufacturing video laser discs.....	Free		35%
8477.10.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(312)(a). Subheading 8479.89.90 is superseded by:

	[Machines and mechanical appliances having individual functions, not specified or...:]			
	[Other machines and mechanical appliances:]			
	[Other:]			
	"Other:			
8479.89.85	Machines for processing of semiconductor materials; machines for production and assembly of diodes, transistors and similar semiconductor devices and electronic integrated circuits.....	Free		35%
8479.89.95	Other.....	[See section D to this Annex]	Free (A,B,C,CA,E, IL,J,MX)	35%"

(b). Conforming change: Additional U.S. note 1 to chapter 84 is modified by deleting "8479.89.90" and inserting "8479.89.95" in lieu thereof.

(313)(a). Subheadings 8503.00.55 and 8503.00.85 are superseded and the following provisions inserted in numerical sequence:

	[Parts suitable for use solely or principally with the machines of heading 8501 or 8502:]			
	[Stators and rotors for the goods of heading 8501:]			
"8503.00.45	For generators suitable for use on aircraft.....	Free		35%
8503.00.65	Other.....	3%	Free (A,B,CA,E, IL,J,MX)	35%"
	[Other:]			
"8503.00.90	For generators suitable for use on aircraft.....	Free		35%
8503.00.95	Other.....	3%	Free (A,B,CA,E, IL,J,MX)	35%"

(b). Conforming change: Heading 9902.85.03 is deleted.

Annex (con.)
-268-

Section A. (continued)

(314). Subheading 8514.30.00 is superseded by:

	[Industrial or laboratory electric (including induction or dielectric) furnaces and...:]			
"8514.30	Other furnaces and ovens:			
8514.30.20	For diffusion, oxidation or annealing of semiconductor wafers.....	Free		35%
8514.30.40	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(315)(a). Subheading 8519.91.00 is superseded by:

	[Turntables, record players, cassette players and other sound...:]			
	[Other sound reproducing apparatus:]			
"8519.91	Cassette type:			
8519.91.10	Designed exclusively for motor-vehicle installation.....	3.7%	Free (A,B,CA,E, IL,J,MX)	35%
8519.91.50	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 1.1% (CA)	35%"

(b). Conforming change: The article description for subheading 9905.00.00 is modified by deleting "8519.91".

(316). Subheading 8525.20.20 is superseded by:

	[Transmission apparatus for radiotelephony, radiotelegraphy, radiobroadcasting or...:]			
	[Transmission apparatus incorporating reception apparatus:]			
	[Transceivers:]			
	"Low-power radiotelephonic transceivers operating on frequencies from 49.82 to 49.90 MHz:			
8525.20.24	Infant nursery intercommunication systems, each consisting in the same package of a pair of transceivers operating on frequencies from 49.82 to 49.90 MHz and an electrical adapter....	Free		35%
8525.20.28	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

Section A. (continued)

(317). Subheading 8527.19.00 is superseded by:

	[Reception apparatus for radiotelephony, radiotelegraphy or radiobroadcasting,...:] [Radiobroadcast receivers capable of operating without an external source...:]			
"8527.19	Other:			
8527.19.10	Valued not over $40 each, incorporating a clock or clock-timer, not in combination with any other article, and not designed for motor vehicle installation.....	Free		35%
8527.19.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(318). Subheading 8527.32.00 is superseded by:

	[Reception apparatus for radiotelephony, radiotelegraphy or radiobroadcasting,...:] [Other radiobroadcast receivers,...:]			
"8527.32	Not combined with sound recording or reproducing apparatus but combined with a clock:			
8527.32.10	Valued not over $40 each.....	Free		35%
8527.32.50	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

(319). Subheading 8527.90.80 is superseded by:

	[Reception apparatus for radiotelephony, radiotelegraphy or radiobroadcasting,...:] [Other apparatus:]			
	"Other:			
8527.90.50	Infant nursery monitor systems, each consisting in the same package of a radio transmitter, an electrical adapter, and a radio receiver.....	Free		35%
8527.90.90	Other.....	6%	Free (A,B,C,CA,E, IL,J,MX)	35%"

Annex (con.)
-270-

Section A. (continued)

(320). Subheadings 8528.10.14 and 8528.10.18 are superseded by:

	[Television receivers (including video monitors and video projectors),...:]			
	[Color:]			
	[Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm:]			
	"Incorporating video recording or reproducing apparatus:			
8528.10.11	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.1% (CA)	25%
8528.10.13	Other.....	3.9%	Free (A,E,IL,J,MX) 1.1% (CA)	25%
	Other:			
8528.10.17	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (B,E,IL,J,MX) 1.5% (CA)	35%
8528.10.19	Other.....	5%	Free (B,E,IL,J,MX) 1.5% (CA)	35%"

(321). Subheadings 8528.10.64 and 8528.10.68 are superseded by:

	[Television receivers (including video monitors and video projectors),...:]			
	[Color:]			
	[With a flat panel screen:]			
	"Incorporating video recording or reproducing apparatus:			
8528.10.61	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.1% (CA)	25%
8528.10.63	Other.....	3.9%	Free (A,E,IL,J,MX) 1.1% (CA)	25%
	Other:			
8528.10.67	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (B,E,IL,J,MX) 1.5% (CA)	35%
8528.10.69	Other.....	5%	Free (B,E,IL,J,MX) 1.5% (CA)	35%"

Section A. (continued)

(322)(a). Subheadings 8528.10.74 and 8528.10.78 are superseded by:

	[Television receivers (including video monitors and video projectors),...:]			
	[Color:]			
	[Other:]			
	"Incorporating video recording or reproducing apparatus:			
8528.10.71	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (A,E,IL,J,MX) 1.1% (CA)	25%
8528.10.73	Other.....	3.9%	Free (A,E,IL,J,MX) 1.1% (CA)	25%
	Other:			
8528.10.77	With a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (B,E,IL,J,MX) 1.5% (CA)	35%
8528.10.79	Other.....	5%	Free (B,E,IL,J,MX) 1.5% (CA)	35%"

(b). Conforming change: The article description for subheadings 9903.41.40 and 9903.41.45 is modified by deleting "or 8528.10.78" and inserting ", 8528.10.77 or 8528.10.79" in lieu thereof.

(323). Subheading 8529.90.79 is superseded by:

	[Parts suitable for use solely or principally with the apparatus of headings 8525 to 8528:]			
	[Other:]			
	[Other parts of articles of headings 8525 and 8527, except parts of...:]			
	[Of television apparatus:]			
	"For television cameras:			
8529.90.78	Mounted lenses suitable for use in, and entered separately from, closed-circuit television cameras, with or without attached electrical or non-electrical closed-circuit television camera connectors, and with or without attached motors.....	Free		35%
8529.90.81	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"

Section A. (continued)

(324). Subheading 8540.11.20 is superseded by:

	[Thermionic, cold cathode or photocathode tubes (for example, vacuum or...:]				
	[Cathode-ray television picture tubes,...:]				
	[Color:]				
	"Non-high definition, non-projection, having a video display diagonal not exceeding 35.56 cm:				
8540.11.24	Having a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (B,CA,E,IL, J,MX)	60%	
8540.11.28	Other.....	15%	Free (B,CA,E,IL, J,MX)	60%"	

(325). Subheading 8540.11.40 is superseded by:

	[Thermionic, cold cathode or photocathode tubes (for example, vacuum or...:]				
	[Cathode-ray television picture tubes,...:]				
	[Color:]				
	"High definition, having a video display diagonal not exceeding 35.56 cm:				
8540.11.44	Having a video display diagonal not exceeding 33.02 cm.....	[See section D to this Annex]	Free (B,CA,E,IL, J,MX)	60%	
8540.11.48	Other.....	15%	Free (B,CA,E,IL, J,MX)	60%"	

(326). Subheading 8543.10.00 is superseded by:

	[Electrical machines and apparatus, having individual functions, not specified or...:]				
"8543.10	Particle accelerators:				
8543.10.40	Ion implanters designed for doping semiconductor wafers.....	Free		35%	
8543.10.80	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%"	

Section A. (continued)

(327)(a). Subheading 8543.80.95 is superseded by:

	[Electrical machines and apparatus, having individual functions, not specified or...:] [Other machines and apparatus:] [Other:] "Other:			
8543.80.94	For electrical nerve stimulation.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%
8543.80.98	Other.....	[See section D to this Annex]	Free (A,B,CA,E,IL, J,MX)	35%"

(b). Conforming change: U.S. note 2(u) to subchapter XVII of chapter 98 is modified by deleting "8543.80.95" and inserting "8543.80.94, 8543.80.98" in lieu thereof.

(328). Subheading 8712.00.40 is superseded by:

	[Bicycles and other cycles (including...:]			
"8712.00.44	Bicycles having a front wheel exceeding 55 cm but not exceeding 63.5 cm in diameter and a rear wheel exceeding 63.5 cm in diameter, weighing less than 16.3 kg complete without accessories and not designed for use with tires having a cross-sectional diameter exceeding 4.13 cm, and valued $200 or more each.....	5.5%	Free (E,IL,J) 1.6% (CA) 4.4% (MX)	30%
8712.00.48	Other bicycles.....	[See section D to this Annex]	Free (E,IL,J) 4.5% (CA) 12% (MX)	30%"

(329). Subheadings 8714.93.10, 8714.93.20, 8714.93.30, 8714.93.60 and 8714.93.80 and the superior text immediately preceding subheading 8714.93.60 are superseded by:

	[Parts and accessories of vehicles of headings 8711 to 8713:] [Other:] [Hubs, other than coaster braking hubs and hub brakes, and...:] [Hubs:]			
"8714.93.05	Aluminum alloy hubs with a hollow axle and lever-operated quick release mechanism.....	Free		30%

Section A. (continued)

(329). (con.):

	[Parts and accessories of vehicles of headings 8711 to 8713:]			
	[Other:]			
	[Hubs, other than coaster braking hubs and hub brakes, and...:]			
	[Hubs:]			
	Other:			
8714.93.15	Three speed.....	Free		30%
	Variable speed (except three speed) with internal gear changing mechanisms:			
8714.93.24	Two speed.....	Free		30%
8714.93.28	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 1.8% (CA)	30%
8714.93.35	Other.....	10%	Free (E,IL,J) 3% (CA) 8% (MX)	30%
8714.93.70	Free-wheel sprocket-wheels.....	Free		30%"

(330)(a). Subheadings 8714.94.10, 8714.94.15, 8714.94.25, 8714.94.40 and 8714.94.60 are superseded by:

	[Parts and accessories of vehicles of headings 8711 to 8713:]			
	[Other:]			
	[Brakes, including coaster...:]			
"8714.94.30	Drum brakes, caliper and cantilever bicycle brakes, and coaster brakes; parts thereof (including cable or inner wire therefor, fitted with fittings).....	Free		30%
8714.94.90	Other.....	10%	Free (E,IL,J) 3% (CA) 8% (MX)	30%"

(b). Conforming change: Subheading 9906.87.06 is deleted.

Section A. (continued)

(331). Subheading 8714.99.90 is superseded by:

	[Parts and accessories of vehicles of headings 8711 to 8713:]				
	[Other:]				
	[Other:]				
"8714.99.60	Trigger and twist grip controls for three speed hubs, and parts thereof; bicycle handlebar stems wholly of aluminum alloy (including their hardware of any material), valued over $2.15 each; and, bicycle handlebar stem rotor assemblies.....	Free		30%
8714.99.80	Other.....	10%	Free (E,IL,J) 3% (CA) 8% (MX)	30%"

(332). Additional U.S. note 5 to chapter 90 is modified by deleting "9009.90.40" and inserting "9009.90.10 and 9009.90.30" in lieu thereof.

(333). Subheadings 9002.11.80 and 9002.90.90 are superseded and the following provisions inserted in numerical sequence:

	[Lenses, prisms, mirrors and other optical elements, of any material, mounted,...:]			
	[Objective lenses and parts and...:]			
	[For cameras, projectors or...:]			
	"Other:			
9002.11.60	Mounted lenses suitable for use in, and entered separately from, closed-circuit television cameras, with or without attached electrical or non-electrical closed-circuit television camera connectors, and with or without attached motors.....	Free		45%
9002.11.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	45%"

Section A. (continued)

(333). (con.):

	[Lenses, prisms, mirrors and other optical elements, of any material, mounted,...:]			
	[Other:]			
	[Other:]			
*9002.90.85	Mounted lenses suitable for use in, and entered separately from, closed-circuit television cameras, with or without attached electrical or non-electrical closed-circuit television camera connectors, and with or without attached motors.....	Free		65%
9002.90.95	Other.....	[See section D to this Annex]	Free (A,C,E,IL,J, MX) 2.5% (CA)	65%*

(334). Subheadings 9009.90.40 and 9009.90.80 are superseded by:

	[Photocopying apparatus incorporating an optical system or of the contact type and...:]			
	[Parts and accessories:]			
	*Parts of photocopying apparatus of subheading 9009.12 specified in additional U.S. note 5 to this chapter:			
9009.90.10	Parts other than photoreceptors or assemblies containing photoreceptors.....	Free		35%
9009.90.30	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%
	Other:			
9009.90.50	Parts and accessories, other than photoreceptors or assemblies containing photoreceptors, of electrostatic copying machines of subheading 9009.12.....	Free		35%
9009.90.70	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	35%*

Section A. (continued)

(335). Subheading 9017.20.80 is superseded by:

	[Drawing, marking-out or mathematical calculating instruments...:]			
	[Other drawing, marking-out or...:]			
"9017.20.50	Pattern generating apparatus designed to produce masks and reticles from photoresist coated substrates (such as optical, E-beam, focused ion beam, X-ray or laser beam apparatus except those of subheading 8456.90.20).....	Free		45%
9017.20.90	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 1.7% (CA)	45%"

(336). Subheadings 9030.81.00 and 9030.89.00 are superseded by:

	[Oscilloscopes, spectrum analyzers and other instruments and apparatus for measuring or...:]			
	[Other instruments and apparatus:]			
"9030.81	With a recording device:			
9030.81.40	Instruments and apparatus designed to measure and check semiconductor wafers and devices (such as probe testers, resistivity checkers, logic analyzers, automatic integrated circuit testers).....	Free		40%
9030.81.80	Other.....	[See section D to this Annex]	Free (A,B,C,E,IL, J,MX) 1.4% (CA)	40%
9030.89	Other:			
9030.89.40	Instruments and apparatus designed to measure and check semiconductor wafers and devices (such as probe testers, resistivity checkers, logic analyzers, automatic integrated circuit testers).....	Free		40%
9030.89.80	Other.....	[See section D to this Annex]	Free (A,B,C,E,IL, J,MX) 1.4% (CA)	40%"

Section A. (continued)

(337). Subheading 9031.40.80 is superseded by:

	[Measuring or checking instruments, appliances and machines, not specified or included...:] [Other optical instruments and appliances:] "Other:			
9031.40.60	For inspecting photomasks used to manufacture semiconductor devices; for inspecting semiconductor wafers and devices.....	Free		50%
9031.40.90	Other.....	[See section D to this Annex]	Free (A,CA,E,IL, J,MX)	50%"

(338)(a). Subheadings 9106.90.70 and 9106.90.95 are superseded by:

	[Time of day recording apparatus and apparatus for measuring, recording or otherwise...:] [Other:] [Other:]			
	Apparatus for measuring, recording or otherwise indicating intervals of time, with clock or watch movements, battery powered:			
9106.90.55	With opto-electronic display only.....	3.9% on the apparatus + 5.3% on the battery	Free (A,E,IL,J, MX) 1.1% on the apparatus + 1.5% on the battery (CA)	$4.50 each + 65% + 25¢/jewel
9106.90.65	Other.....	[See section D to this Annex]	Free (A,E,IL,J, MX) 13.5¢ each + 2.1% + 0.7¢/jewel (CA)	$4.50 each + 65% + 25¢/jewel
	Other:			
9106.90.75	Apparatus for measuring, recording or otherwise indicating intervals of time, with clock or watch movements, AC powered and with opto-electronic display only.....	3.9% on the apparatus + 5.3% on the battery	Free (E,IL,J,MX) 1.1% on the apparatus + 1.5% on the battery (CA)	$4.50 each + 65% + 25¢/jewel
9106.90.85	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 13.5¢ each + 2.1% + 0.7¢/jewel (CA)	$4.50 each + 65% + 25¢/jewel"

Section A. (continued)

(338)(b). Conforming changes:
(i) Heading 9902.91.06 is deleted; and
(ii) The article description for subheading 9905.91.10 is modified by deleting "9106.90.95" and inserting "9106.90.75 or 9106.90.85" in lieu thereof.

(339). Subheading 9404.90.90 is superseded by:

	[Mattress supports; articles of bedding and similar furnishings...:]			
	[Other:]			
	[Other:]			
	"Other:			
9404.90.85	Quilts, eiderdowns, comforters and similar articles.....	[See section D to this Annex]	Free (E*,IL,J*) 4.3% (CA) 9.9% (MX)	90%
9404.90.95	Other.....	[See section D to this Annex]	Free (E*,IL) 4.3% (CA) 9.9% (MX)	90%"

(340). Subheadings 9502.10, 9502.10.20, 9502.10.40, 9502.10.60, 9502.10.80, 9502.99, 9502.99.10, 9502.99.20 and 9502.99.30, the superior text immediately preceding subheading 9502.10.40 and the superior text immediately preceding subheading 9502.10.60 are superseded and the following provisions inserted:

	[Dolls representing only...:]			
"9502.10.00	Dolls, whether or not dressed.....	Free		70%"
	[Parts and accessories:]			
"9502.99.00	Other.....	Free		70%"

(341). Subheadings 9503.30, 9503.30.40, 9503.30.80, 9503.41, 9503.41.10, 9503.41.20, 9503.41.30, 9503.70, 9503.70.40, 9503.70.60, 9503.70.80, 9503.80, 9503.80.20, 9503.80.40, 9503.80.60, 9503.80.80, 9503.90, 9503.90.20, 9503.90.50, 9503.90.60 and 9503.90.70, the superior text immediately preceding subheading 9503.41.20, the superior text immediately preceding subheading 9503.70.60, the superior text immediately preceding subheading 9503.80.20, and the superior text immediately preceding subheading 9503.90.50 are superseded and the following provisions inserted:

	[Other toys; reduced-size...:]			
"9503.30.00	Other construction sets and constructional toys, and parts and accessories thereof.....	Free		70%"
	[Toys representing animals or non-human creatures (for example, robots and monsters) and parts and accessories thereof:]			
"9503.41.00	Stuffed toys and parts and accessories thereof.....	Free		70%

Section A. (continued)

(341). (con.):

	[Other toys; reduced-size...:]			
9503.70.00	Other toys, put up in sets or outfits, and parts and accessories thereof.....	Free		70%
9503.80.00	Other toys and models, incorporating a motor, and parts and accessories thereof....	Free		70%
9503.90.00	Other.....	Free		70%"

(342)(a). Subheadings 9603.10.10, 9603.10.25 and 9603.10.30 are superseded by:

	[Brooms, brushes (including brushes constituting parts of machines,...:] [Brooms and brushes, consisting of twigs or other vegetable materials bound...:] [Whiskbrooms, wholly or in part of broom corn:]			
9603.10.05	"Valued not over 96¢ each: In any calendar year prior to the entry, or withdrawal from warehouse for consumption, of 61,655 dozen whiskbrooms classifiable under subheadings 9603.10.05 to 9603.10.35, inclusive.....	8%	Free (E,IL,J,MX) 2.4% (CA)	20%
9603.10.15	Other.....	[See section D to this Annex]	Free (E,IL,J,MX) 3.6¢ each (CA)	12¢ each
9603.10.35	Valued over 96¢ each.....	[See section D to this Annex]	Free (E,IL,J,MX) 9.6% (CA)	32%"

(b). Conforming change: The article description for subheading 9905.96.03 is modified by deleting "9603.10.25, 9603.10.30" and inserting "9603.10.05, 9603.10.15, 9603.10.35" in lieu thereof.

(343). U.S. note 1(c) to subchapter XIII of chapter 98 is deleted and the following new note 1(c) inserted:

"(c) For purposes of this subchapter, if an article imported into the United States under heading 9813.00.05 is withdrawn for exportation to the territory of Canada or of Mexico, the duty assessed shall be waived or reduced in an amount that does not exceed the lesser of the total amount of duty payable on the article that would have been payable on importation under chapters 1 through 97, inclusive, of the Harmonized Tariff Schedule of the United States or the total amount of customs duties paid to Canada or Mexico. The amount of duties or refunds calculated on such articles pursuant to this note shall be adjusted to take into account any subsequent claim for preferential tariff treatment made to another NAFTA country. This note shall apply to shipments to Canada on or after January 1, 1996, and to Mexico on or after January 1, 2001."

(344). Heading 9813.00.65 is deleted.

Section A. (continued)

(345). The U.S. notes to subchapter XVII of chapter 98 are modified by inserting the following new note:

"5. For purposes of subheading 9817.57.01, the term "mass-produced kits" includes only those which are designed to be sold in the customs territory of the United States exclusively in kit form."

(346). Subchapter XVII of chapter 98 is modified by inserting, in numerical sequence, the following provisions:

"9817.00.98	Theatrical scenery, properties and apparel brought into the United States by proprietors or managers of theatrical, ballet, opera or similar productions or exhibitions arriving from abroad for temporary use by them in such productions or exhibitions.....	Free	The rate applicable in the absence of this heading
9817.29.01	Cyclic organic chemical products in any physical form having an aromatic or modified aromatic structure, however provided for in chapter 29 (but excluding 2,3-dihydroxynaphthalene-6-sulfonic acid, sodium salt), to be used in the manufacture of photographic color couplers; photographic color couplers (but excluding 2,3-dihydroxynaphthalene-6-sulfonic acid, sodium salt) (all the foregoing goods however provided for in chapter 29 or in subheading 3707.90.31, 3701.90.32 or 3707.90.60).....	Free	The rate applicable in the absence of this heading
9817.29.02	Methanol (Methyl alcohol) produced from natural gas aboard a vessel on the high seas or in foreign waters.....	Free	46%
9817.57.01	Needle-craft display models, primarily hand stitched, of completed mass-produced kits (provided for in subheading 5701.10.40, 5701.10.90, 5701.90.20, 5805.00.25, 5805.00.40, 6302.91, 6302.92, 6302.93.10, 6302.93.20, 6302.99.20, 6303.19, 6303.92.10, 6303.92.20, 6303.99, 6304.92, 6304.93, 6304.99.15, 6304.99.35, 6304.99.60, 6307.90.85 or 6307.90.99).....	Free	The rate applicable in the absence of this heading

Section A. (continued)

(346). (con.):

9817.61.01	Articles of ski racing apparel which, because of their padding, construction, or other special features, are specially designed to protect against injuries from the sport of ski racing, such as blows caused by slalom gates or falls (provided for in subheading 6101.30.20, 6105.20.20, 6110.10.20, 6110.20.20, 6110.30.30, 6112.20.10, 6114.30.30, 6203.43.15 or 6203.43.35).....	5.5%	The rate applicable in the absence of this heading (A,CA,E,IL, J,MX)	The rate applicable in the absence of this heading
9817.82.01	Mounted tool and drill bit blanks of polycrystalline diamond (provided for in subheadings 8207.12.60, 8207.50.40 or 8207.50.80) and mounted tool blanks of polycrystalline diamond (provided for in subheadings 8207.70.60, 8207.80.60, 8207.90.45 or 8207.90.75.....	Free		The rate applicable in the absence of this heading
9817.84.01	Wheelbuilding, wheel-truing, rimpunching, tire fitting and similar machines (provided for in subheading 8462.21, 8462.29, 8462.41, 8462.49, 8479.89.95 or 9031.80), all the foregoing suitable for use in the manufacture of wheels for bicycles.....	Free		The rate applicable in the absence of this heading"

Annex (con.)
-283-

Section A. (continued)

(347). The following new subchapter XVIII is added at the end of chapter 98:

"SUBCHAPTER XVIII

VESSEL PARTS AND REPAIRS

U.S. Note

1. The provisions of this subchapter pertain to vessels documented under the laws of the United States to engage in the foreign or coasting trade, or vessels intended to be employed in such trade, for which any entry is required under the customs laws of the United States.

	Equipments, or any part thereof, including boats, purchased for, or the repair parts or materials to be used, or the expenses of repairs made in a foreign country upon, a vessel described in U.S. note 1 to this subchapter:		
9818.00.01	Any equipment, or any part of equipment, purchased for, or the repair parts or materials employed in, or the expense of repairs made in a foreign country with respect to, a LASH (Lighter Aboard Ship) barge utilized as a cargo container, upon first arrival of such barge in any port of the United States.....	Free	50 percent of the cost of such goods or repairs
9818.00.03	Spare repair parts or materials (other than nets or nettings) which the owner or master of a vessel certifies are intended for use aboard a cargo vessel, for installation or use on such vessel, as needed, in the United States, at sea, or in a foreign country, but only if duty is or has been paid under this schedule upon first entry into the United States of each such spare part or material purchased in, or imported from, a foreign country.....	Free	50 percent of the cost of such parts or materials

Section A. (continued)

(347). (con.):

	Equipments, or any part thereof, including boats, purchased for, or the repair parts or materials to be used, or the expenses of repairs made in a foreign country upon, a vessel described in U.S. note 1 to this subchapter (con.):			
9818.00.05	Spare parts necessarily installed before first entry into the United States, upon first entry into the United States of each such spare part purchased in, or imported from, a foreign country.....	The rate applicable in the absence of this subheading on the cost of such parts	Free (C,E,IL,J) The lower of 15 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts (CA) The lower of 30 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts (MX)	50 percent of the cost of such parts
9818.00.07	Other, upon first arrival in any port of the United States of any vessel described in U.S. note 1 to this subchapter.....	50 percent of the cost of such goods or repairs	Free (C,E,IL,J) 15 percent of the cost of such goods or repairs (CA) 30 percent of the cost of such goods or repairs (MX)	50 percent of the cost of such goods or repairs"

(348). Headings 9901.00.50 and 9901.00.52 are modified by inserting in the Rates of Duty 1-Special subcolumn the symbol ",J" in the parentheses following the phrase "No change" in such subcolumn.

(349). U.S. notes 3, 5, 6, 9 and 11 to subchapter II of chapter 99 are deleted.

(350). U.S. note 4 to subchapter II of chapter 9 is modified by deleting "subheadings 9902.57.01 and 9902.57.02" and inserting "subheading 9902.57.02" in lieu thereof.

Section A. (continued)

(351). Headings 9902.07.04, 9902.08.11, 9902.16.02, 9902.25.04, 9902.25.29, 9902.26.14, 9902.26.20, 9902.26.22, 9902.29.01, 9902.29.02, 9902.29.04, 9902.29.07, 9902.29.08, 9902.29.16, 9902.29.17, 9902.29.18, 9902.29.19, 9902.29.34, 9902.29.55, 9902.29.76, 9902.29.82, 9902.29.88, 9902.30.01, 9902.30.02, 9902.30.04, 9902.30.06, 9902.30.17, 9902.30.56, 9902.30.84, 9902.30.96, 9902.31.00, 9902.31.01, 9902.31.02, 9902.31.03, 9902.31.04, 9902.34.07, 9902.36.06, 9902.37.07, 9902.39.01, 9902.39.27, 9902.40.08, 9902.40.11, 9902.44.22, 9902.48.18, 9902.48.19, 9902.48.23, 9902.50.05, 9902.51.01, 9902.56.03, 9902.57.01, 9902.62.10, 9902.66.01, 9902.66.03, 9902.71.04, 9902.71.13, 9902.73.12, 9902.73.15, 9902.79.02, 9902.84.07, 9902.84.19, 9902.84.42, 9902.84.44, 9902.84.45, 9902.84.46, 9902.84.48, 9902.84.49, 9902.84.50, 9902.84.51, 9902.84.65, 9902.84.79, 9902.85.12, 9902.85.24, 9902.85.25, 9902.85.26, 9902.85.27, 9902.85.33, 9902.87.14, 9902.87.15, 9902.87.16, 9902.90.06, 9902.90.90, 9902.94.01, 9902.95.01, 9902.95.02, 9902.95.04 and 9902.95.05 are deleted.

(352). The article description of heading 9902.29.33 is modified by deleting "1-Amino-8-hydroxy-3,6-naphthalenedisulfonic acid; and" from such description.

(353). The article description for heading 9902.30.61 is modified by deleting ", 3003.90.00, or 3004.90.60".

(354). The article description for heading 9902.31.05 is modified by deleting "and 3004.90.60".

(355). The article description for heading 9902.84.47 is modified by deleting "8447.20.60,".

(356). U.S. notes 2 and 4 to subchapter III of chapter 99 are deleted.

(357). Headings 9903.10.01, 9903.10.02, 9903.10.03, 9903.10.04, 9903.10.05, 9903.10.06 and 9903.10.07, subheading 9903.10.08, the superior text to subheading 9903.10.08, subheading 9903.10.09, headings 9903.10.10, 9903.10.11, 9903.10.12, 9903.10.13, 9903.10.14, 9903.10.15, 9903.10.16, 9903.10.17, 9903.10.18, 9903.10.19 and 9903.10.20, subheading 9903.10.21, the superior text to subheading 9903.10.21, subheading 9903.10.22, headings 9903.10.23, 9903.10.24, 9903.10.25 and 9903.10.26, subheading 9903.10.27, the superior text to subheading 9903.10.27, subheadings 9903.10.28, 9903.10.29, 9903.10.30, 9903.10.31 and 9903.10.32, headings 9903.10.33, 9903.10.34, 9903.10.35, 9903.10.36, 9903.10.37, 9903.10.38, 9903.10.39, 9903.10.40, 9903.10.41 and 9903.10.42, all the foregoing are deleted.

(358). The superior text immediately preceding subheading 9903.23.00 is deleted and the following superior text "Articles the product of the European Community (Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom):" inserted in lieu thereof.

Section A. (continued)

(359). Subheadings 9903.28.05 through 9903.28.25, inclusive, and any superior text to such subheadings, all the foregoing are deleted.

(360). Heading 9903.87.00 is deleted.

(361). Subchapter IV of chapter 99 is deleted (except subheadings 9904.70.10 through 9904.70.16, inclusive, any superior text to such subheadings and the column designations for such subheadings all of which shall be deleted on September 12, 1995 (the phrase "(except wheat)" in the last sentence of U.S. note 1 to this subchapter as added herein shall also be deleted on September 12, 1995)) and the following new subchapter IV is inserted in lieu thereof, with the tariff provisions established herein set forth in columns titled "Heading/Subheading", "Article Description" and "Additional Duties".

"SUBCHAPTER IV

SAFEGUARD MEASURES PURSUANT TO THE AGREEMENT ON AGRICULTURE AND ADDITIONAL IMPORT RESTRICTIONS ESTABLISHED PURSUANT TO SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED

U.S. Notes

1. This subchapter contains safeguard measures established pursuant to Article 5 of the Agreement on Agriculture (as approved by section 101 of the Uruguay Round Agreements Act), which allows the imposition of additional duties based upon either the value or the quantity of goods imported into the United States for certain agricultural products. In addition, the subchapter contains provisions which may be proclaimed pursuant to section 22 of the Agricultural Adjustment Act, as amended (7 U.S.C. 624). All of the duties provided for in this subchapter are cumulative duties which apply in addition to the duties, if any, otherwise imposed in the tariff schedule on the goods described herein. Unless otherwise stated, the duties or limitations provided for in this subchapter apply until suspended or terminated. Goods of Canada (except wheat) or Mexico imported into the United States shall not be subject to any of the provisions, duties or limitations of this subchapter.

2. The provisions imposing safeguard duties based upon value set forth in this subchapter shall apply to all goods described herein (other than sheep meat, which is not subject to safeguard duties based upon value) except during periods announced in the Federal Register by the Secretary of Agriculture in consultation with the United States Trade Representative as the effective periods of the provisions imposing safeguard duties based upon quantity with respect to such goods, during which period the safeguard duties based upon value shall be deemed suspended and only the safeguard duties based upon quantity shall apply to such goods. Unless the Secretary of Agriculture invokes safeguard duties based upon quantity for specified goods and so announces in the Federal Register (as provided in the first sentence of this note), the tariff provisions providing for such duties shall be deemed suspended and shall not apply to the goods described herein. No safeguard duties based upon quantity shall apply to goods en route on the basis of a contract settled before the effective date of such measures specified in a notice issued by the Secretary of Agriculture.

3. For the purposes of this subchapter, imports of peanuts in the shell shall be charged against the quantities in this note on the basis of 75 kilograms for each 100 kilograms of peanuts in the shell.

Section A. (continued)

(361). (con.):

	Beef, provided for in subheadings 0201.10.50, 0201.20.80, 0201.30.80, 0202.10.50, 0202.20.80 or 0202.30.80: If entered during the effective period of safeguards based upon value: Carcasses and half-carcasses and other cuts with bone in: Fresh or chilled, provided for in subheadings 0201.10.50 or 0201.20.80:	
9904.02.01	Valued less than 25¢/kg.....	66.6¢/kg
9904.02.02	Valued 25¢/kg or more but less than 45¢/kg.....	49¢/kg
9904.02.03	Valued 45¢/kg or more but less than 65¢/kg.....	35¢/kg
9904.02.04	Valued 65¢/kg or more but less than 85¢/kg.....	24.3¢/kg
9904.02.05	Valued 85¢/kg or more but less than $1.05/kg.....	14.8¢/kg
9904.02.06	Valued $1.05/kg or more but less than $1.25/kg.....	8.8¢/kg
9904.02.07	Valued $1.25/kg or more but less than $1.45/kg.....	2.8¢/kg
9904.02.08	Valued $1.45/kg or more.....	No additional duty
	Frozen, provided for in subheadings 0202.10.50 or 0202.20.80:	
9904.02.09	Valued less than 15¢/kg.....	80.7¢/kg
9904.02.10	Valued 15¢/kg or more but less than 35¢/kg.....	62.7¢/kg
9904.02.11	Valued 35¢/kg or more but less than 55¢/kg.....	46.6¢/kg
9904.02.12	Valued 55¢/kg or more but less than 75¢/kg.....	33.1¢/kg
9904.02.13	Valued 75¢/kg or more but less than 95¢/kg.....	23.1¢/kg
9904.02.14	Valued 95¢/kg or more but less than $1.15/kg.....	14.4¢/kg
9904.02.15	Valued $1.15/kg or more but less than $1.35/kg.....	8.4¢/kg
9904.02.16	Valued $1.35/kg or more but less than $1.55/kg.....	2.4¢/kg
9904.02.17	Valued $1.55/kg or more.....	No additional duty

Section A. (continued)

(361). (con.):

	Beef, provided for in subheadings 0201.10.50, 0201.20.80, 0201.30.80, 0202.10.50, 0202.20.80 or 0202.30.80 (con.): If entered during the effective period of safeguards based upon value (con.): Boneless, provided for in subheadings 0201.30.80 or 0202.30.80: Other than processed and the product of the European Community (Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom):	
9904.02.18	Valued less than 30¢/kg.....	75.3¢/kg + 100%
9904.02.19	Valued 30¢/kg or more but less than 50¢/kg.....	57.5¢/kg + 100%
9904.02.20	Valued 50¢/kg or more but less than 70¢/kg.....	43.5¢/kg + 100%
9904.02.21	Valued 70¢/kg or more but less than 90¢/kg.....	31.7¢/kg + 100%
9904.02.22	Valued 90¢/kg or more but less than $1.10/kg.....	21.7¢/kg + 100%
9904.02.23	Valued $1.10/kg or more but less than $1.30/kg.....	14.1¢/kg + 100%
9904.02.24	Valued $1.30/kg or more but less than $1.50/kg.....	8.1¢/kg + 100%
9904.02.25	Valued $1.50/kg or more but less than $1.70/kg.....	2.1¢/kg + 100%
9904.02.26	Valued $1.70/kg or more.....	100%
	Other:	
9904.02.27	Valued less than 30¢/kg.....	75.3¢/kg
9904.02.28	Valued 30¢/kg or more but less than 50¢/kg.....	57.5¢/kg
9904.02.29	Valued 50¢/kg or more but less than 70¢/kg.....	43.5¢/kg
9904.02.30	Valued 70¢/kg or more but less than 90¢/kg.....	31.7¢/kg
9904.02.31	Valued 90¢/kg or more but less than $1.10/kg.....	21.7¢/kg
9904.02.32	Valued $1.10/kg or more but less than $1.30/kg.....	14.1¢/kg
9904.02.33	Valued $1.30/kg or more but less than $1.50/kg.....	8.1¢/kg

Section A. (continued)

(361). (con.):

	Beef, provided for in subheadings 0201.10.50, 0201.20.80, 0201.30.80, 0202.10.50, 0202.20.80 or 0202.30.80 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Boneless, provided for in subheadings 0201.30.80 or 0202.30.80 (con.):	
	Other (con.):	
9904.02.34	Valued $1.50/kg or more but less than $1.70/kg.....	2.1¢/kg
9904.02.35	Valued $1.70/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.02.36	Boneless (other than processed), provided for in subheadings 0201.30.80 or 0202.30.80, the product of the European Community (Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom).....	[See section D to this Annex]
9904.02.37	Other.....	[See section D to this Annex]
9904.02.60	Sheep meat, provided for in subheadings 0204.21.00, 0204.22.40, 0204.23.40, 0204.41.00, 0204.42.40 or 0204.43.40, if entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture.....	[See section D to this Annex]
	Milk and cream, fluid or frozen, fresh or sour, containing over 6 percent but not over 45 percent by weight of butterfat, provided for in subheadings 0401.30.25 or 0403.90.16:	
	If entered during the effective period of safeguards based upon value:	
9904.04.01	Valued less than 20¢/liter.....	55.2¢/liter
9904.04.02	Valued 20¢/liter or more but less than 40¢/liter.....	38.4¢/liter
9904.04.03	Valued 40¢/liter or more but less than 60¢/liter.....	25.1¢/liter
9904.04.04	Valued 60¢/liter or more but less than 80¢/liter.....	15.1¢/liter
9904.04.05	Valued 80¢/liter or more but less than $1/liter.....	8.3¢/liter
9904.04.06	Valued $1/liter or more but less than $1.20/liter.....	2.3¢/liter
9904.04.07	Valued $1.20/liter or more.....	No additional duty

Section A. (continued)

(361). (con.):

	Milk and cream, fluid or frozen, fresh or sour, containing over 6 percent but not over 45 percent by weight of butterfat, provided for in subheadings 0401.30.25 or 0403.90.16 (con.):	
9904.04.08	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Butter, and fresh or sour cream containing over 45 percent by weight of butterfat, provided for in subheadings 0401.30.75, 0403.90.78 or 0405.00.40:	
	If entered during the effective period of safeguards based upon value:	
9904.04.09	Valued less than 60¢/kg.....	90.5¢/kg
9904.04.10	Valued 60¢/kg or more but less than 80¢/kg.....	74.6¢/kg
9904.04.11	Valued 80¢/kg or more but less than $1/kg.....	60.6¢/kg
9904.04.12	Valued $1/kg or more but less than $1.20/kg.....	48.4¢/kg
9904.04.13	Valued $1.20/kg or more but less than $1.40/kg.....	38.4¢/kg
9904.04.14	Valued $1.40/kg or more but less than $1.60/kg.....	28.4¢/kg
9904.04.15	Valued $1.60/kg or more but less than $1.80/kg.....	21¢/kg
9904.04.16	Valued $1.80/kg or more but less than $2/kg.....	15¢/kg
9904.04.17	Valued $2/kg or more but less than $2.20/kg.....	9¢/kg
9904.04.18	Valued $2.20/kg or more but less than $2.40/kg.....	3¢/kg
9904.04.19	Valued $2.40/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.04.20	Provided for in subheadings 0401.30.75 or 0403.90.78.....	[See section D to this Annex]
9904.04.21	Provided for in subheading 0405.00.40.....	[See section D to this Annex]

Annex (con.)
-291-

Section A. (continued)

(361). (con.):

	Dried milk, whether or not containing added sugar or other sweetening matter, provided for in subheadings 0402.10.50 or 0402.21.25:	
	If entered during the effective period of safeguards based upon value:	
9904.04.22	Valued less than 20¢/kg	35¢/kg
9904.04.23	Valued 20¢/kg or more but less than 30¢/kg	26.9¢/kg
9904.04.24	Valued 30¢/kg or more but less than 40¢/kg	19.8¢/kg
9904.04.25	Valued 40¢/kg or more but less than 50¢/kg	14.8¢/kg
9904.04.26	Valued 50¢/kg or more but less than 60¢/kg	9.5¢/kg
9904.04.27	Valued 60¢/kg or more but less than 70¢/kg	6.5¢/kg
9904.04.28	Valued 70¢/kg or more but less than 80¢/kg	3.5¢/kg
9904.04.29	Valued 80¢/kg or more	No additional duty
9904.04.30	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Dried milk and dried cream, whether or not containing added sugar or other sweetening matter, provided for in subheadings 0402.21.50 or 0403.90.55:	
	If entered during the effective period of safeguards based upon value:	
9904.04.31	Valued less than 15¢/kg	35.6¢/kg
9904.04.32	Valued 15¢/kg or more but less than 25¢/kg	26.9¢/kg
9904.04.33	Valued 25¢/kg or more but less than 35¢/kg	19.9¢/kg
9904.04.34	Valued 35¢/kg or more but less than 45¢/kg	14.4¢/kg
9904.04.35	Valued 45¢/kg or more but less than 55¢/kg	9.4¢/kg
9904.04.36	Valued 55¢/kg or more but less than 65¢/kg	6¢/kg
9904.04.37	Valued 65¢/kg or more but less than 75¢/kg	3¢/kg
9904.04.38	Valued 75¢/kg or more	No additional duty
9904.04.39	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Annex (con.)
-292-

Section A. (continued)

(361). (con.):

	Dried milk and dried cream, whether or not containing added sugar or other sweetening matter, provided for in subheadings 0402.21.90 or 0403.90.65:	
	If entered during the effective period of safeguards based upon value:	
9904.04.40	Valued less than 60¢/kg.....	69.1¢/kg
9904.04.41	Valued 60¢/kg or more but less than 80¢/kg.....	55.1¢/kg
9904.04.42	Valued 80¢/kg or more but less than $1/kg.....	42.2¢/kg
9904.04.43	Valued $1/kg or more but less than $1.20/kg.....	32.2¢/kg
9904.04.44	Valued $1.20/kg or more but less than $1.40/kg.....	22.2¢/kg
9904.04.45	Valued $1.40/kg or more but less than $1.60/kg.....	15.8¢/kg
9904.04.46	Valued $1.60/kg or more but less than $1.80/kg.....	9.8¢/kg
9904.04.47	Valued $1.80/kg or more but less than $2/kg.....	3.8¢/kg
9904.04.48	Valued $2/kg or more.....	No additional duty
9904.04.49	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Dairy products described in additional U.S. note 1 to chapter 4, provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 0404.10.15, 0404.90.50, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.10.40, 1901.10.85, 1901.20.15, 1901.20.50, 1901.90.43, 1901.90.47, 2105.00.40, 2106.90.09, 2106.90.66, 2106.90.87 or 2202.90.28:	
	If entered during the effective period of safeguards based upon value:	
	Provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 1901.10.40, 1901.10.85, or 2202.90.28:	
9904.04.50	Valued less than 65¢/kg.....	78.4¢/kg
9904.04.51	Valued 65¢/kg or more but less than 95¢/kg.....	57.2¢/kg
9904.04.52	Valued 95¢/kg or more but less than $1.25/kg.....	40.2¢/kg
9904.04.53	Valued $1.25/kg or more but less than $1.55/kg.....	25.2¢/kg

Section A. (continued)

(361). (con.):

	Dairy products described in additional U.S. note 1 to chapter 4, provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 0404.10.15, 0404.90.50, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.10.40, 1901.10.85, 1901.20.15, 1901.20.50, 1901.90.43, 1901.90.47, 2105.00.40, 2106.90.09, 2106.90.66, 2106.90.87 or 2202.90.28 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 1901.10.40, 1901.10.85, or 2202.90.28 (con.):	
9904.04.54	Valued $1.55/kg or more but less than $1.85/kg.....	15.6¢/kg
9904.04.55	Valued $1.85/kg or more but less than $2.05/kg.....	9.6¢/kg
9904.04.56	Valued $2.05/kg or more but less than $2.25/kg.....	3.6¢/kg
9904.04.58	Valued $2.25/kg or more.....	No additional duty
	Provided for in subheadings 0404.10.15, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.20.15, 1901.20.50, 2106.90.66 or 2106.90.97:	
9904.04.59	Valued less than 30¢/kg.....	65.5¢/kg
9904.04.60	Valued 30¢/kg or more but less than 50¢/kg.....	48.6¢/kg
9904.04.61	Valued 50¢/kg or more but less than 70¢/kg.....	34.6¢/kg
9904.04.62	Valued 70¢/kg or more but less than 90¢/kg.....	24.4¢/kg
9904.04.63	Valued 90¢/kg or more but less than $1.10/kg.....	15¢/kg
9904.04.64	Valued $1.10/kg or more but less than $1.30/kg.....	9¢/kg
9904.04.65	Valued $1.30/kg or more but less than $1.50/kg.....	3¢/kg
9904.04.66	Valued $1.50/kg or more.....	No additional duty
	Provided for in subheadings 0404.90.50, 1901.90.43, 1901.90.47, or 2105.00.40:	
9904.04.67	Valued less than 30¢/kg.....	66.7¢/kg
9904.04.68	Valued 30¢/kg or more but less than 50¢/kg.....	49.7¢/kg

Section A. (continued)

(361). (con.):

	Dairy products described in additional U.S. note 1 to chapter 4, provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 0404.10.15, 0404.90.50, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.10.40, 1901.10.85, 1901.20.15, 1901.20.50, 1901.90.43, 1901.90.47, 2105.00.40, 2106.90.09, 2106.90.66, 2106.90.87 or 2202.90.28 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Provided for in subheadings 0404.90.50, 1901.90.43, 1901.90.47, or 2105.00.40 (con.):	
9904.04.69	Valued 50¢/kg or more but less than 70¢/kg	35.2¢/kg
9904.04.70	Valued 70¢/kg or more but less than 90¢/kg	25.3¢/kg
9904.04.71	Valued 90¢/kg or more but less than $1.10/kg	15.6¢/kg
9904.04.72	Valued $1.10/kg or more but less than $1.30/kg	9.6¢/kg
9904.04.73	Valued $1.30/kg or more but less than $1.50/kg	3.6¢/kg
9904.04.74	Valued $1.50/kg or more	No additional duty
	Provided for in subheading 2106.90.09:	
9904.04.75	Valued less than 90¢/kg	74.1¢/kg
9904.04.76	Valued 90¢/kg or more but less than $1.20/kg	53.8¢/kg
9904.04.77	Valued $1.20/kg or more but less than $1.50/kg	38.8¢/kg
9904.04.78	Valued $1.50/kg or more but less than $1.80/kg	24.8¢/kg
9904.04.79	Valued $1.80/kg or more but less than $2.10/kg	15.8¢/kg
9904.04.80	Valued $2.10/kg or more but less than $2.30/kg	9.8¢/kg
9904.04.81	Valued $2.30/kg or more but less than $2.50/kg	3.8¢/kg
9904.04.82	Valued $2.50/kg or more	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.04.83	Provided for in subheading 0402.29.50	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Dairy products described in additional U.S. note 1 to chapter 4, provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 0404.10.15, 0404.90.50, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.10.40, 1901.10.85, 1901.20.15, 1901.20.50, 1901.90.43, 1901.90.47, 2105.00.40, 2106.90.09, 2106.90.66, 2106.90.87 or 2202.90.28 (con.):	
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture (con.):	
9904.04.84	Provided for in subheading 0402.99.90.....	[See section D to this Annex]
9904.04.85	Provided for in subheadings 0403.10.50 or 0403.90.95.....	[See section D to this Annex]
9904.04.86	Provided for in subheading 0404.10.15.....	[See section D to this Annex]
9904.04.87	Provided for in subheading 0404.90.50.....	[See section D to this Annex]
9904.04.88	Provided for in subheading 1517.90.60.....	[See section D to this Annex]
9904.04.89	Provided for in subheading 1704.90.58.....	[See section D to this Annex]
9904.04.90	Provided for in subheading 1806.20.82.....	[See section D to this Annex]
9904.04.91	Provided for in subheading 1806.20.83.....	[See section D to this Annex]
9904.04.92	Provided for in subheadings 1806.32.70 or 1806.90.08.....	[See section D to this Annex]
9904.04.93	Provided for in subheadings 1806.32.80 or 1806.90.10.....	[See section D to this Annex]
9904.04.94	Provided for in subheadings 1901.10.40 or 1901.10.85.....	[See section D to this Annex]
9904.04.95	Provided for in subheadings 1901.20.15 or 1901.20.50.....	[See section D to this Annex]
9904.04.96	Provided for in subheadings 1901.90.43 or 1904.90.47.....	[See section D to this Annex]
9904.04.97	Provided for in subheading 2105.00.40.....	[See section D to this Annex]
9904.04.98	Provided for in subheading 2106.90.09.....	[See section D to this Annex]
9904.04.99	Provided for in subheading 2106.90.66.....	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Dairy products described in additional U.S. note 1 to chapter 4, provided for in subheadings 0402.29.50, 0402.99.90, 0403.10.50, 0403.90.95, 0404.10.15, 0404.90.50, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.10.40, 1901.10.85, 1901.20.15, 1901.20.50, 1901.90.43, 1901.90.47, 2105.00.40, 2106.90.09, 2106.90.66, 2106.90.87 or 2202.90.28 (con.):	
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture (con.):	
9904.05.00	Provided for in subheading 2106.90.87.....	[See section D to this Annex]
9904.05.01	Provided for in subheading 2202.90.28.....	[See section D to this Annex]
	Milk and cream, condensed or evaporated, provided for in subheadings 0402.91.70, 0402.91.90, 0402.99.45 or 0402.99.55:	
	If entered during the effective period of safeguards based upon value:	
	Provided for in subheadings 0402.91.70 or 0402.91.90:	
9904.05.02	Valued less than 15¢/kg.....	23.6¢/kg
9904.05.03	Valued 15¢/kg or more but less than 20¢/kg.....	19.5¢/kg
9904.05.04	Valued 20¢/kg or more but less than 25¢/kg.....	16¢/kg
9904.05.05	Valued 25¢/kg or more but less than 30¢/kg.....	12.8¢/kg
9904.05.06	Valued 30¢/kg or more but less than 40¢/kg.....	7.8¢/kg
9904.05.07	Valued 40¢/kg or more but less than 50¢/kg.....	4.2¢/kg
9904.05.08	Valued 50¢/kg or more.....	No additional duty
	Provided for in subheadings 0402.99.45 or 0402.99.55:	
9904.05.09	Valued less than 30¢/kg.....	39¢/kg
9904.05.10	Valued 30¢/kg or more but less than 40¢/kg.....	31.6¢/kg
9904.05.11	Valued 40¢/kg or more but less than 50¢/kg.....	24.6¢/kg
9904.05.12	Valued 50¢/kg or more but less than 60¢/kg.....	19.5¢/kg
9904.05.13	Valued 60¢/kg or more but less than 70¢/kg.....	14.5¢/kg

Section A. (continued)

(361). (con.):

	Milk and cream, condensed or evaporated, provided for in subheadings 0402.91.70, 0402.91.90, 0402.99.45 or 0402.99.55 (con.):	
	If entered during the effective period of safeguards based upon value:	
	Provided for in subheadings 0402.99.45 or 0402.99.55 (con.):	
9904.05.14	Valued 70¢/kg or more but less than 80¢/kg.....	10.3¢/kg
9904.05.15	Valued 80¢/kg or more but less than 90¢/kg.....	7.3¢/kg
9904.05.16	Valued 90¢/kg or more but less than $1/kg.....	4.3¢/kg
9904.05.17	Valued $1/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.05.18	Provided for in subheadings 0402.91.70 or 0402.91.90.....	[See section D to this Annex]
9904.05.19	Provided for in subheadings 0402.99.45 or 0402.99.55.....	[See section D to this Annex]
	Dried milk, dried cream or dried whey, whether or not containing added sugar or other sweetening matter, provided for in subheadings 0403.90.45 or 0404.10.90:	
	If entered during the effective period of safeguards based upon value:	
	Dried milk and dried cream, whether or not containing added sugar or other sweetening matter, provided for in subheading 0403.90.45:	
9904.05.20	Valued less than 20¢/kg.....	29.6¢/kg
9904.05.21	Valued 20¢/kg or more but less than 30¢/kg.....	22.1¢/kg
9904.05.22	Valued 30¢/kg or more but less than 40¢/kg.....	15.7¢/kg
9904.05.23	Valued 40¢/kg or more but less than 50¢/kg.....	11.1¢/kg
9904.05.24	Valued 50¢/kg or more but less than 60¢/kg.....	8.2¢/kg
9904.05.25	Valued 60¢/kg or more but less than 70¢/kg.....	3.7¢/kg
9904.05.26	Valued 70¢/kg or more.....	No additional duty

Section A. (continued)

(361). (con.):

	Dried milk, dried cream or dried whey, whether or not containing added sugar or other sweetening matter, provided for in subheadings 0403.90.45 or 0404.10.90 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Dried whey, whether or not containing added sugar or other sweetening matter, provided for in subheading 0404.10.90:	
9904.05.28	Valued less than 7¢/kg.....	17.7¢/kg
9904.05.29	Valued 7¢/kg or more but less than 10¢/kg.....	15¢/kg
9904.05.30	Valued 10¢/kg or more but less than 15¢/kg.....	11.2¢/kg
9904.05.31	Valued 15¢/kg or more but less than 20¢/kg.....	8¢/kg
9904.05.32	Valued 20¢/kg or more but less than 25¢/kg.....	5.5¢/kg
9904.05.33	Valued 25¢/kg or more but less than 30¢/kg.....	3.5¢/kg
9904.05.34	Valued 30¢/kg or more but less than 35¢/kg.....	2¢/kg
9904.05.35	Valued 35¢/kg or more.....	No additional duty
9904.05.36	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Butter substitutes containing over 45 percent by weight of butterfat, provided for in subheadings 0405.00.90, 2106.90.26 or 2106.90.36:	
	If entered during the effective period of safeguards based upon value:	
9904.05.37	Valued less than 60¢/kg.....	67.5¢/kg
9904.05.38	Valued 60¢/kg or more but less than 80¢/kg.....	53.5¢/kg
9904.05.39	Valued 80¢/kg or more but less than $1/kg.....	40.9¢/kg
9904.05.40	Valued $1/kg or more but less than $1.20/kg.....	30.9¢/kg
9904.05.41	Valued $1.20/kg or more but less than $1.40/kg.....	21¢/kg
9904.05.42	Valued $1.40/kg or more but less than $1.60/kg.....	14.9¢/kg
9904.05.43	Valued $1.60/kg or more but less than $1.80/kg.....	8.9¢/kg

Section A. (continued)

(361). (con.):

	Butter substitutes containing over 45 percent by weight of butterfat, provided for in subheadings 0405.00.90, 2106.90.26 or 2106.90.36 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.05.44	Valued $1.80/kg or more but less than $2/kg	2.9¢/kg
9904.05.45	Valued $2/kg or more	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.05.46	Provided for in subheading 0405.00.90	[See section D to this Annex]
9904.05.47	Provided for in subheadings 2106.90.26 or 2106.90.36	[See section D to this Annex]
	Blue-mold cheese (except Stilton produced in the United Kingdom) and cheese and substitutes for cheese containing, or processed from, blue-mold cheese, provided for in subheadings 0406.10.18, 0406.20.28, 0406.20.63, 0406.30.18, 0406.30.63, 0406.40.70 or 0406.90.74:	
	If entered during the effective period of safeguards based upon value:	
9904.05.48	Valued less than $1.20/kg	$1.062/kg
9904.05.49	Valued $1.20/kg or more but less than $1.50/kg	85.2¢/kg
9904.05.50	Valued $1.50/kg or more but less than $1.80/kg	67.8¢/kg
9904.05.51	Valued $1.80/kg or more but less than $2.10/kg	52.8¢/kg
9904.05.52	Valued $2.10/kg or more but less than $2.40/kg	37.3¢/kg
9904.05.53	Valued $2.40/kg or more but less than $2.70/kg	28.3¢/kg
9904.05.54	Valued $2.70/kg or more but less than $3/kg	19.3¢/kg
9904.05.55	Valued $3/kg or more but less than $3.30/kg	10.3¢/kg
9904.05.56	Valued $3.30/kg or more but less than $3.50/kg	4.3¢/kg
9904.05.57	Valued $3.50/kg or more	No additional duty
9904.05.58	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Cheddar cheese and cheese and substitutes for cheese containing, or processed from, Cheddar cheese, provided for in subheadings 0406.10.28, 0406.20.33, 0406.20.67, 0406.30.28, 0406.30.67, 0406.90.12 or 0406.90.78:	
	If entered during the effective period of safeguards based upon value:	
9904.05.59	Valued less than 65¢/kg.....	57.2¢/kg
9904.05.60	Valued 65¢/kg or more but less than 75¢/kg.....	50.2¢/kg
9904.05.61	Valued 75¢/kg or more but less than 85¢/kg.....	43.2¢/kg
9904.05.62	Valued 85¢/kg or more but less than 95¢/kg.....	37.7¢/kg
9904.05.63	Valued 95¢/kg or more but less than $1.05/kg.....	32.7¢/kg
9904.05.64	Valued $1.05/kg or more but less than $1.15/kg.....	27.7¢/kg
9904.05.65	Valued $1.15/kg or more but less than $1.25/kg.....	22.7¢/kg
9904.05.66	Valued $1.25/kg or more but less than $1.35/kg.....	18.5¢/kg
9904.05.67	Valued $1.35/kg or more but less than $1.45/kg.....	15.5¢/kg
9904.05.68	Valued $1.45/kg or more but less than $1.55/kg.....	12.5¢/kg
9904.05.69	Valued $1.55/kg or more but less than $1.65/kg.....	9.5¢/kg
9904.05.70	Valued $1.65/kg or more but less than $1.75/kg.....	6.5¢/kg
9904.05.71	Valued $1.75/kg or more but less than $1.85/kg.....	3.5¢/kg
9904.05.72	Valued $1.85/kg or more.....	No additional duty
9904.05.73	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	American-type cheese, including Colby, washed curd and granular cheese (but not including Cheddar cheese), and cheese and substitutes for cheese containing, or processed from, such American-type cheese, provided for in subheadings 0406.10.38, 0406.20.39, 0406.20.71, 0406.30.38, 0406.30.71, 0406.90.54 or 0406.90.84:	
	If entered during the effective period of safeguards based upon value:	
9904.05.74	Valued less than 50¢/kg.....	53.6¢/kg
9904.05.75	Valued 50¢/kg or more but less than 70¢/kg.....	39.6¢/kg
9904.05.76	Valued 70¢/kg or more but less than 90¢/kg.....	28.5¢/kg
9904.05.77	Valued 90¢/kg or more but less than $1.10/kg.....	18.5¢/kg
9904.05.78	Valued $1.10/kg or more but less than $1.20/kg.....	14.9¢/kg
9904.05.79	Valued $1.20/kg or more but less than $1.40/kg.....	8.9¢/kg
9904.05.80	Valued $1.40/kg or more but less than $1.60/kg.....	2.9¢/kg
9904.05.81	Valued $1.60/kg or more.....	No additional duty
9904.05.82	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Edam and Gouda cheeses and cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese, provided for in subheadings 0406.10.48, 0406.20.48, 0406.20.75, 0406.30.48, 0406.30.75, 0406.90.18 or 0406.90.88:	
	If entered during the effective period of safeguards based upon value:	
9904.05.83	Valued less than $1.05/kg.....	77¢/kg
9904.05.84	Valued $1.05/kg or more but less than $1.25/kg.....	63¢/kg
9904.05.85	Valued $1.25/kg or more but less than $1.45/kg.....	52.4¢/kg
9904.05.86	Valued $1.45/kg or more but less than $1.65/kg.....	42.4¢/kg
9904.05.87	Valued $1.65/kg or more but less than $1.85/kg.....	32.4¢/kg
9904.05.88	Valued $1.85/kg or more but less than $2.05/kg.....	25¢/kg

Section A. (continued)

(361). (con.):

	Edam and Gouda cheeses and cheese and substitutes for cheese containing, or processed from, Edam and Gouda cheese, provided for in subheadings 0406.10.48, 0406.20.48, 0406.20.75, 0406.30.48, 0406.30.75, 0406.90.18 or 0406.90.88 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.05.89	Valued $2.05/kg or more but less than $2.25/kg	19¢/kg
9904.05.90	Valued $2.25/kg or more but less than $2.45/kg	13¢/kg
9904.05.91	Valued $2.45/kg or more but less than $2.65/kg	7¢/kg
9904.05.92	Valued $2.65/kg or more but less than $2.75/kg	4¢/kg
9904.05.93	Valued $2.75/kg or more	No additional duty
9904.05.94	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture	[See section D to this Annex]
	Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti and Sbrinz), and Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves, provided for in subheadings 0406.10.58, 0406.20.53, 0406.20.79, 0406.30.79, 0406.90.32, 0406.90.37, 0406.90.42 or 0406.90.68:	
	If entered during the effective period of safeguards based upon value:	
9904.05.95	Valued less than $1.15/kg	98.9¢/kg
9904.05.96	Valued $1.15/kg or more but less than $1.45/kg	77.9¢/kg
9904.05.97	Valued $1.45/kg or more but less than $1.75/kg	61.4¢/kg
9904.05.98	Valued $1.75/kg or more but less than $2.05/kg	46.4¢/kg
9904.05.99	Valued $2.05/kg or more but less than $2.35/kg	32.6¢/kg
9904.06.00	Valued $2.35/kg or more but less than $2.65/kg	23.6¢/kg
9904.06.01	Valued $2.65/kg or more but less than $2.95/kg	14.6¢/kg

Section A. (continued)

(361). (con.):

	Italian-type cheeses, made from cow's milk, in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti and Sbrinz), and Italian-type cheeses, made from cow's milk, not in original loaves (Romano made from cow's milk, Reggiano, Parmesan, Provolone, Provoletti, Sbrinz and Goya) and cheese and substitutes for cheese containing, or processed from, such Italian-type cheeses, whether or not in original loaves, provided for in subheadings 0406.10.58, 0406.20.53, 0406.20.79, 0406.30.79, 0406.90.32, 0406.90.37, 0406.90.42 or 0406.90.68 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.06.02	Valued $2.95/kg or more but less than $3.15/kg	8.6¢/kg
9904.06.03	Valued $3.15/kg or more but less than $3.35/kg	2.6¢/kg
9904.06.04	Valued $3.35/kg or more	No additional duty
9904.06.05	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Swiss or Emmentaler cheese with eye formation provided for in under subheading 0406.90.48:	
	If entered during the effective period of safeguards based upon value:	
9904.06.06	Valued less than 90¢/kg	94¢/kg
9904.06.07	Valued 90¢/kg or more but less than $1.10/kg	80¢/kg
9904.06.08	Valued $1.10/kg or more but less than $1.30/kg	66¢/kg
9904.06.09	Valued $1.30/kg or more but less than $1.50/kg	55.3¢/kg
9904.06.10	Valued $1.50/kg or more but less than $1.70/kg	45.3¢/kg
9904.06.11	Valued $1.70/kg or more but less than $1.90/kg	35.3¢/kg
9904.06.12	Valued $1.90/kg or more but less than $2.10/kg	27.2¢/kg
9904.06.13	Valued $2.10/kg or more but less than $2.30/kg	21.2¢/kg
9904.06.14	Valued $2.30/kg or more but less than $2.50/kg	15.2¢/kg
9904.06.15	Valued $2.50/kg or more but less than $2.70/kg	9.2¢/kg

Section A. (continued)

(361). (con.):

	Swiss or Emmentaler cheese with eye formation provided for in under subheading 0406.90.48 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.06.16	Valued $2.70/kg or more but less than $2.90/kg	3.2¢/kg
9904.06.17	Valued $2.90/kg or more	No additional duty
9904.06.18	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Swiss or Emmentaler cheese other than with eye formation, Gruyere-process cheese and cheese and substitutes for cheese containing, or processed from, such cheeses, provided for in subheadings 0406.10.68, 0406.20.83, 0406.30.53, 0406.30.83 or 0406.90.92:	
	If entered during the effective period of safeguards based upon value:	
9904.06.19	Valued less than 70¢/kg	66.8¢/kg
9904.06.20	Valued 70¢/kg or more but less than 90¢/kg	52.8¢/kg
9904.06.21	Valued 90¢/kg or more but less than $1.10/kg	41.1¢/kg
9904.06.22	Valued $1.10/kg or more but less than $1.30/kg	31.1¢/kg
9904.06.23	Valued $1.30/kg or more but less than $1.50/kg	21.5¢/kg
9904.06.24	Valued $1.50/kg or more but less than $1.70/kg	15.5¢/kg
9904.06.25	Valued $1.70/kg or more but less than $1.90/kg	9.5¢/kg
9904.06.26	Valued $1.90/kg or more but less than $2.10/kg	3.5¢/kg
9904.06.27	Valued $2.10/kg or more	No additional duty
9904.06.28	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Cheese, and substitutes for cheese, containing 0.5 percent or less by weight of butterfat (except cheeses of the type described in additional U.S. notes 16 through 22, inclusive, or additional U.S. notes 24 and 25, to chapter 4) or margarine cheese, provided for in subheadings 0406.10.78, 0406.20.87, 0406.30.87, 0406.90.94 or 1901.90.36:	
	If entered during the effective period of safeguards based upon value:	
9904.06.29	Valued less than 50¢/kg.....	59.1¢/kg
9904.06.30	Valued 50¢/kg or more but less than 70¢/kg.....	45.1¢/kg
9904.06.31	Valued 70¢/kg or more but less than 90¢/kg.....	33¢/kg
9904.06.32	Valued 90¢/kg or more but less than $1.10/kg.....	23¢/kg
9904.06.33	Valued $1.10/kg or more but less than $1.30/kg.....	15¢/kg
9904.06.34	Valued $1.30/kg or more but less than $1.50/kg.....	9¢/kg
9904.06.35	Valued $1.50/kg or more but less than $1.70/kg.....	3¢/kg
9904.06.36	Valued $1.70/kg or more.....	No additional duty
9904.06.37	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Cheeses and substitutes for cheese (except (i) cheese not containing cow's milk, (ii) soft ripened cow's milk cheese, (iii) cheese (except cottage cheese) containing 0.5 percent or less by weight of butterfat, and (iv) cheese of the type described in additional U.S. notes 17 through 25, inclusive, to chapter 4), provided for in subheadings 0406.10.08, 0406.10.88, 0406.20.91, 0406.30.91 or 0406.90.97:	
	If entered during the effective period of safeguards based upon value:	
9904.06.38	Valued less than 50¢/kg.....	94.3¢/kg
9904.06.39	Valued 50¢/kg or more but less than 70¢/kg.....	76.9¢/kg
9904.06.40	Valued 70¢/kg or more but less than 90¢/kg.....	62.9¢/kg
9904.06.41	Valued 90¢/kg or more but less than $1.10/kg.....	49.5¢/kg

Section A. (continued)

(361). (con.):

	Cheeses and substitutes for cheese (except (i) cheese not containing cow's milk, (ii) soft ripened cow's milk cheese, (iii) cheese (except cottage cheese) containing 0.5 percent or less by weight of butterfat, and (iv) cheese of the type described in additional U.S. notes 17 through 25, inclusive, to chapter 4), provided for in subheadings 0406.10.08, 0406.10.88, 0406.20.91, 0406.30.91 or 0406.90.97 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.06.42	Valued $1.10/kg or more but less than $1.30/kg	39.5¢/kg
9904.06.43	Valued $1.30/kg or more but less than $1.50/kg	29.5¢/kg
9904.06.44	Valued $1.50/kg or more but less than $1.70/kg	21.3¢/kg
9904.06.45	Valued $1.70/kg or more but less than $1.90/kg	15.3¢/kg
9904.06.46	Valued $1.90/kg or more but less than $2.10/kg	9.3¢/kg
9904.06.47	Valued $2.10/kg or more but less than $2.30/kg	3.3¢/kg
9904.06.48	Valued $2.30/kg or more	No additional duty
9904.06.49	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	(See section D to this Annex)
	Peanuts, provided for in subheadings 1202.10.80, 1202.20.80, 2008.11.35 or 2008.11.60:	
	If entered during the effective period of safeguards based upon value:	
	In shell, provided for in subheading 1202.10.80:	
9904.12.01	Valued less than 5¢/kg	13.3¢/kg
9904.12.02	Valued 5¢/kg or more but less than 10¢/kg	9.1¢/kg
9904.12.03	Valued 10¢/kg or more but less than 15¢/kg	5.8¢/kg
9904.12.04	Valued 15¢/kg or more but less than 20¢/kg	3.3¢/kg
9904.12.05	Valued 20¢/kg or more but less than 25¢/kg	1.7¢/kg
9904.12.06	Valued 25¢/kg or more	No additional duty

Section A. (continued)

(361). (con.):

	Peanuts, provided for in subheadings 1202.10.80, 1202.20.80, 2008.11.35 or 2008.11.60 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Other, provided for in subheadings 1202.20.80, 2008.11.35 or 2008.11.60:	
9904.12.07	Valued less than 10¢/kg.....	55.4¢/kg
9904.12.08	Valued 10¢/kg or more but less than 20¢/kg.....	46.4¢/kg
9904.12.09	Valued 20¢/kg or more but less than 30¢/kg.....	37.4¢/kg
9904.12.10	Valued 30¢/kg or more but less than 40¢/kg.....	30.2¢/kg
9904.12.11	Valued 40¢/kg or more but less than 50¢/kg.....	23.3¢/kg
9904.12.12	Valued 50¢/kg or more but less than 60¢/kg.....	18.3¢/kg
9904.12.13	Valued 60¢/kg or more but less than 70¢/kg.....	13.3¢/kg
9904.12.14	Valued 70¢/kg or more but less than 80¢/kg.....	9.4¢/kg
9904.12.15	Valued 80¢/kg or more but less than 90¢/kg.....	6.4¢/kg
9904.12.16	Valued 90¢/kg or more but less than $1/kg.....	3.4¢/kg
9904.12.17	Valued $1/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.12.18	In shell, provided for in subheading 1202.10.80.....	[See section D to this Annex]
9904.12.19	Other, provided for in subheadings 1202.20.80, 2008.11.35 or 2008.11.60.....	[See section D to this Annex]

Annex (con.)
-308-

Section A. (continued)

(361). (con.):

	Sugars, syrups and molasses, provided for in subheading 1701.11.50:	
	If entered during the effective period of safeguards based upon value:	
9904.17.01	Valued less than 5¢/kg.....	12.9¢/kg
9904.17.02	Valued 5¢/kg or more but less than 10¢/kg.....	8.7¢/kg
9904.17.03	Valued 10¢/kg or more but less than 15¢/kg.....	5.5¢/kg
9904.17.04	Valued 15¢/kg or more but less than 20¢/kg.....	3¢/kg
9904.17.05	Valued 20¢/kg or more but less than 25¢/kg.....	1.5¢/kg
9904.17.06	Valued 25¢/kg or more.....	No additional duty
9904.17.07	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Sugars, syrups and molasses, provided for in subheadings 1701.12.50, 1701.91.30, 1701.99.50, 1702.90.20 or 2106.90.46:	
	If entered during the effective period of safeguards based upon value:	
9904.17.08	Valued less than 5¢/kg.....	21.6¢/kg
9904.17.09	Valued 5¢/kg or more but less than 10¢/kg.....	17.1¢/kg
9904.17.10	Valued 10¢/kg or more but less than 15¢/kg.....	13.1¢/kg
9904.17.11	Valued 15¢/kg or more but less than 20¢/kg.....	9.6¢/kg
9904.17.12	Valued 20¢/kg or more but less than 25¢/kg.....	7.1¢/kg
9904.17.13	Valued 25¢/kg or more but less than 30¢/kg.....	4.6¢/kg
9904.17.14	Valued 30¢/kg or more but less than 35¢/kg.....	3.1¢/kg
9904.17.15	Valued 35¢/kg or more.....	No additional duty
9904.17.16	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Annex (con.)
-309-

Section A. (continued)

(361). (con.):

	Articles containing over 65 percent by dry weight of sugars described in additional U.S. note 2 to chapter 17, provided for in subheadings 1701.91.48, 1702.90.68, 1704.90.68, 1806.10.28, 1806.10.55, 1806.20.73, 1806.90.49, 1901.20.25, 1901.20.60, 1901.90.54, 2101.10.48, 2101.20.48, 2106.90.76 or 2106.90.94:	
	If entered during the effective period of safeguards based upon value:	
	Cocoa powder provided for in subheadings 1806.10.28 or 1806.10.55:	
9904.17.17	Valued less than 5¢/kg.....	25.7¢/kg
9904.17.18	Valued 5¢/kg or more but less than 15¢/kg.....	16.8¢/kg
9904.17.19	Valued 15¢/kg or more but less than 25¢/kg.....	10.1¢/kg
9904.17.20	Valued 25¢/kg or more but less than 35¢/kg.....	5.2¢/kg
9904.17.21	Valued 35¢/kg or more but less than 45¢/kg.....	2.2¢/kg
9904.17.22	Valued 45¢/kg or more.....	No additional duty
	Mixes and doughs provided for in subheadings 1901.20.25 or 1901.20.60:	
9904.17.23	Valued less than 10¢/kg.....	36.6¢/kg
9904.17.24	Valued 10¢/kg or more but less than 20¢/kg.....	27.6¢/kg
9904.17.25	Valued 20¢/kg or more but less than 30¢/kg.....	20.2¢/kg
9904.17.26	Valued 30¢/kg or more but less than 40¢/kg.....	14.2¢/kg
9904.17.27	Valued 40¢/kg or more but less than 50¢/kg.....	9.2¢/kg
9904.17.28	Valued 50¢/kg or more but less than 60¢/kg.....	5.7¢/kg
9904.17.29	Valued 60¢/kg or more but less than 70¢/kg.....	2.7¢/kg
9904.17.30	Valued 70¢/kg or more.....	No additional duty
	Other, provided for in subheadings 1701.91.48, 1702.90.68, 1704.90.68, 1806.20.73, 1806.90.49, 1901.90.54, 2101.10.48, 2101.20.48, 2106.90.76 or 2106.90.94:	
9904.17.31	Valued less than 5¢/kg.....	20.7¢/kg
9904.17.32	Valued 5¢/kg or more but less than 10¢/kg.....	16.2¢/kg

Section A. (continued)

(361). (con.):

	Articles containing over 65 percent by dry weight of sugars described in additional U.S. note 2 to chapter 17, provided for in subheadings 1701.91.48, 1702.90.68, 1704.90.68, 1806.10.28, 1806.10.55, 1806.20.73, 1806.90.49, 1901.20.25, 1901.20.60, 1901.90.54, 2101.10.48, 2101.20.48, 2106.90.76 or 2106.90.94 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
	Other, provided for in subheadings 1701.91.48, 1702.90.68, 1704.90.68, 1806.20.73, 1806.90.49, 1901.90.54, 2101.10.48, 2101.20.48, 2106.90.76 or 2106.90.94 (con.):	
9904.17.33	Valued 10¢/kg or more but less than 15¢/kg	12.2¢/kg
9904.17.34	Valued 15¢/kg or more but less than 20¢/kg	8.9¢/kg
9904.17.35	Valued 20¢/kg or more but less than 25¢/kg	6.4¢/kg
9904.17.36	Valued 25¢/kg or more but less than 30¢/kg	4.1¢/kg
9904.17.37	Valued 30¢/kg or more but less than 35¢/kg	2.6¢/kg
9904.17.38	Valued 35¢/kg or more	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.17.39	Provided for in subheadings 1701.91.48 or 1702.90.68	[See section D to this Annex]
9904.17.40	Provided for in subheading 1704.90.68	[See section D to this Annex]
9904.17.41	Provided for in subheadings 1806.10.28 or 1806.10.55	[See section D to this Annex]
9904.17.42	Provided for in subheading 1806.20.73	[See section D to this Annex]
9904.17.43	Provided for in subheading 1806.90.49	[See section D to this Annex]
9904.17.44	Provided for in subheadings 1901.20.25 or 1902.20.60	[See section D to this Annex]
9904.17.45	Provided for in subheading 1901.90.54	[See section D to this Annex]
9904.17.46	Provided for in subheadings 2101.10.48 or 2101.20.48	[See section D to this Annex]
9904.17.47	Provided for in subheading 2106.90.76	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Articles containing over 65 percent by dry weight of sugars described in additional U.S. note 2 to chapter 17, provided for in subheadings 1701.91.48, 1702.90.68, 1704.90.68, 1806.10.28, 1806.10.55, 1806.20.73, 1806.90.49, 1901.20.25, 1901.20.60, 1901.90.54, 2101.10.48, 2101.20.48, 2106.90.76 or 2106.90.94 (con.):	
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture (con.):	
9904.17.48	Provided for in subheading 2106.90.94.....	[See section D to this Annex]
	Articles containing over 10 percent by dry weight of sugars described in additional U.S. note 3 to chapter 17, provided for in subheadings 1701.91.58, 1704.90.78, 1806.20.77, 1806.20.98, 1806.90.59, 1901.90.58, 2101.10.58, 2101.20.58, 2106.90.80 or 2106.90.97:	
	If entered during the effective period of safeguards based upon value:	
9904.17.49	Valued less than 5¢/kg.....	20.7¢/kg
9904.17.50	Valued 5¢/kg or more but less than 10¢/kg.....	16.2¢/kg
9904.17.51	Valued 10¢/kg or more but less than 15¢/kg.....	12.2¢/kg
9904.17.52	Valued 15¢/kg or more but less than 20¢/kg.....	8.9¢/kg
9904.17.53	Valued 20¢/kg or more but less than 25¢/kg.....	6.4¢/kg
9904.17.54	Valued 25¢/kg or more but less than 30¢/kg.....	4.1¢/kg
9904.17.55	Valued 30¢/kg or more but less than 35¢/kg.....	2.6¢/kg
9904.17.56	Valued 35¢/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.17.57	Provided for in subheading 1701.91.58.....	[See section D to this Annex]
9904.17.58	Provided for in subheading 1704.90.78.....	[See section D to this Annex]
9904.17.59	Provided for in subheadings 1806.20.77, 2101.10.58 or 2101.20.58...	[See section D to this Annex]
9904.17.60	Provided for in subheading 1806.20.98.....	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Articles containing over 10 percent by dry weight of sugars described in additional U.S. note 3 to chapter 17, provided for in subheadings 1701.91.58, 1704.90.78, 1806.20.77, 1806.20.98, 1806.90.59, 1901.90.58, 2101.10.58, 2101.20.58, 2106.90.80 or 2106.90.97 (con.):	
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture (con.):	
9904.17.62	Provided for in subheading 1806.90.59.....	[See section D to this Annex]
9904.17.63	Provided for in subheading 1901.90.58.....	[See section D to this Annex]
9904.17.64	Provided for in subheading 2106.90.80.....	[See section D to this Annex]
9904.17.65	Provided for in subheading 2106.90.97.....	[See section D to this Annex]
	Blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, provided for in subheadings 1702.20.28, 1702.30.28, 1702.40.28, 1702.60.28, 1702.90.58, 1806.20.94, 1806.90.39, 2101.10.38, 2101.20.38, 2106.90.72 or 2106.90.91:	
	If entered during the effective period of safeguards based upon value:	
9904.17.66	Valued less than 5¢/kg.....	18.1¢/kg
9904.17.67	Valued 5¢/kg or more but less than 10¢/kg.....	13.6¢/kg
9904.17.68	Valued 10¢/kg or more but less than 15¢/kg.....	9.9¢/kg
9904.17.69	Valued 15¢/kg or more but less than 20¢/kg.....	7¢/kg
9904.17.70	Valued 20¢/kg or more but less than 25¢/kg.....	4.5¢/kg
9904.17.71	Valued 25¢/kg or more but less than 30¢/kg.....	2.7¢/kg
9904.17.72	Valued 30¢/kg or more.....	No additional duty

Section A. (continued)

(361). (con.):

	Blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, provided for in subheadings 1702.20.28, 1702.30.28, 1702.40.28, 1702.60.28, 1702.90.58, 1806.20.94, 1806.90.39, 2101.10.38, 2101.20.38, 2106.90.72 or 2106.90.91 (con.):	
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.17.73	Provided for in subheading 1702.20.28.....	[See section D to this Annex]
9904.17.74	Provided for in subheading 1702.30.28.....	[See section D to this Annex]
9904.17.75	Provided for in subheading 1702.40.28.....	[See section D to this Annex]
9904.17.76	Provided for in subheading 1702.60.28.....	[See section D to this Annex]
9904.17.77	Provided for in subheading 1702.90.58.....	[See section D to this Annex]
9904.17.78	Provided for in subheading 1806.20.94.....	[See section D to this Annex]
9904.17.80	Provided for in subheading 1806.90.39.....	[See section D to this Annex]
9904.17.81	Provided for in subheading 2101.10.38.....	[See section D to this Annex]
9904.17.82	Provided for in subheading 2101.20.38.....	[See section D to this Annex]
9904.17.83	Provided for in subheading 2106.90.72.....	[See section D to this Annex]
9904.17.84	Provided for in subheading 2106.90.91.....	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Cocoa powder containing over 10 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients (except (a) articles not principally of crystalline structure or not in dry amorphous form that are prepared for marketing to the ultimate consumer in the identical form and package in which imported, (b) blended syrups containing sugars derived from sugar cane or sugar beets, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported, or (c) articles containing over 65 percent by dry weight of sugars derived from sugar cane or sugar beets, whether or not mixed with other ingredients, capable of being further processed or mixed with similar or other ingredients, and not prepared for marketing to the ultimate consumer in the identical form and package in which imported), provided for in subheadings 1806.10.15, 1806.10.38 or 1806.10.75:	
	If entered during the effective period of safeguards based upon value:	
9904.18.01	Valued less than 5¢/kg.....	25.7¢/kg
9904.18.02	Valued 5¢/kg or more but less than 15¢/kg.....	16.8¢/kg
9904.18.03	Valued 15¢/kg or more but less than 25¢/kg.....	10.1¢/kg
9904.18.04	Valued 25¢/kg or more but less than 35¢/kg.....	5.2¢/kg
9904.18.05	Valued 35¢/kg or more but less than 45¢/kg.....	2.2¢/kg
9904.18.06	Valued 45¢/kg or more.....	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.18.07	Provided for in subheading 1806.10.15.....	[See section D to this Annex]
9904.18.08	Provided for in subheadings 1806.10.38 or 1806.10.75.....	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Chocolate containing over 5.5 percent by weight of butterfat (excluding articles for consumption at retail as candy or confection), provided for in subheadings 1806.20.26, 1806.20.28, 1806.32.06, 1806.32.08, 1806.90.18 or 1806.90.20:	
	If entered during the effective period of safeguards based upon value:	
9904.18.09	Valued less than 20¢/kg	46.3¢/kg
9904.18.10	Valued 20¢/kg or more but less than 40¢/kg	30.1¢/kg
9904.18.11	Valued 40¢/kg or more but less than 60¢/kg	18.2¢/kg
9904.18.12	Valued 60¢/kg or more but less than 80¢/kg	9.4¢/kg
9904.18.13	Valued 80¢/kg or more but less than $1/kg	3.4¢/kg
9904.18.14	Valued $1/kg or more	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.18.15	Provided for in subheadings 1806.20.26 or 1806.32.06	[See section D to this Annex]
9904.18.16	Provided for in subheadings 1806.20.28 or 1806.32.08	[See section D to this Annex]
9904.18.17	Provided for in subheadings 1806.90.18	[See section D to this Annex]
9904.18.18	Provided for in subheading 1806.90.20	[See section D to this Annex]
	Chocolate and low fat chocolate crumb containing 5.5 percent or less by weight of butterfat (excluding articles for consumption at retail as candy or confection), provided for in subheadings 1806.20.36, 1806.20.38, 1806.20.87, 1806.20.89, 1806.32.16, 1806.32.18, 1806.90.28 or 1806.90.30:	
	If entered during the effective period of safeguards based upon value:	
9904.18.19	Valued less than 20¢/kg	48.8¢/kg
9904.18.20	Valued 20¢/kg or more but less than 40¢/kg	32.4¢/kg
9904.18.21	Valued 40¢/kg or more but less than 60¢/kg	20.1¢/kg
9904.18.22	Valued 60¢/kg or more but less than 80¢/kg	10.7¢/kg

Section A. (continued)

(361). (con.):

	Chocolate and low fat chocolate crumb containing 5.5 percent or less by weight of butterfat (excluding articles for consumption at retail as candy or confection), provided for in subheadings 1806.20.36, 1806.20.38, 1806.20.87, 1806.20.89, 1806.32.16, 1806.32.18, 1806.90.28 or 1806.90.30 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.18.23	Valued 80¢/kg or more but less than $1/kg	4.7¢/kg
9904.18.24	Valued $1/kg or more	No additional duty
	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture:	
9904.18.25	Provided for in subheadings 1806.20.36 or 1806.32.16	[See section D to this Annex]
9904.18.26	Provided for in subheadings 1806.20.38 or 1806.32.18	[See section D to this Annex]
9904.18.27	Provided for in subheading 1806.20.87	[See section D to this Annex]
9904.18.28	Provided for in subheading 1806.20.89	[See section D to this Annex]
9904.18.29	Provided for in subheading 1806.90.28	[See section D to this Annex]
9904.18.30	Provided for in subheading 1806.90.30	[See section D to this Annex]
	Infant formula containing oligosaccharides, provided for in subheadings 1901.10.30 or 1901.10.75:	
	If entered during the effective period of safeguards based upon value:	
9904.19.01	Valued less than 65¢/kg	78.4¢/kg
9904.19.02	Valued 65¢/kg or more but less than 85¢/kg	64.2¢/kg
9904.19.03	Valued 85¢/kg or more but less than $1.05¢/kg	50.2¢/kg
9904.19.04	Valued $1.05/kg or more but less than $1.25/kg	40.2¢/kg
9904.19.05	Valued $1.25/kg or more but less than $1.55/kg	25.2¢/kg
9904.19.06	Valued $1.55/kg or more but less than $1.85/kg	15.6¢/kg
9904.19.07	Valued $1.85/kg or more but less than $2.05/kg	9.6¢/kg

Annex (con.)
-317-

Section A. (continued)

(361). (con.):

	Infant formula containing oligosaccharides, provided for in subheadings 1901.10.30 or 1901.10.75 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.19.08	Valued $2.05/kg or more but less than $2.25/kg	3.6¢/kg
9904.19.09	Valued $2.25/kg or more	No additional duty
9904.19.10	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Mixes and doughs described in additional U.S. note 1 to chapter 19, provided for in subheadings 1901.20.35 or 1901.20.70:	
	If entered during the effective period of safeguards based upon value:	
9904.19.11	Valued less than 10¢/kg	36.6¢/kg
9904.19.12	Valued 10¢/kg or more but less than 20¢/kg	27.6¢/kg
9904.19.13	Valued 20¢/kg or more but less than 30¢/kg	20.2¢/kg
9904.19.14	Valued 30¢/kg or more but less than 40¢/kg	14.2¢/kg
9904.19.15	Valued 40¢/kg or more but less than 50¢/kg	9.2¢/kg
9904.19.16	Valued 50¢/kg or more but less than 60¢/kg	5.7¢/kg
9904.19.17	Valued 60¢/kg or more but less than 70¢/kg	2.7¢/kg
9904.19.18	Valued 70¢/kg or more	No additional duty
9904.19.19	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Peanut butter and paste, provided for in subheading 2008.11.15:	
	If entered during the effective period of safeguards based upon value:	
9904.20.01	Valued less than 5¢/kg	43.4¢/kg
9904.20.02	Valued 5¢/kg or more but less than 15¢/kg	34.4¢/kg
9904.20.03	Valued 15¢/kg or more but less than 25¢/kg	25.8¢/kg
9904.20.04	Valued 25¢/kg or more but less than 35¢/kg	18.8¢/kg
9904.20.05	Valued 35¢/kg or more but less than 45¢/kg	13.4¢/kg

Section A. (continued)

(361). (con.):

	Peanut butter and paste, provided for in subheading 2008.11.15 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.20.06	Valued 45¢/kg or more but less than 55¢/kg	8.4¢/kg
9904.20.07	Valued 55¢/kg or more but less than 65¢/kg	5.4¢/kg
9904.20.08	Valued 65¢/kg or more but less than 75¢/kg	2.4¢/kg
9904.20.09	Valued 75¢/kg or more	No additional duty
9904.20.10	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture	[See section D to this Annex]
	Mixed condiments and mixed seasonings described in additional U.S. note 3 to chapter 21, provided for in subheading 2103.90.78:	
	If entered during the effective period of safeguards based upon value:	
9904.21.01	Valued less than 5¢/kg	20.7¢/kg
9904.21.02	Valued 5¢/kg or more but less than 10¢/kg	16.2¢/kg
9904.21.03	Valued 10¢/kg or more but less than 15¢/kg	12.2¢/kg
9904.21.04	Valued 15¢/kg or more but less than 20¢/kg	8.9¢/kg
9904.21.05	Valued 20¢/kg or more but less than 25¢/kg	6.4¢/kg
9904.21.06	Valued 25¢/kg or more but less than 30¢/kg	4.1¢/kg
9904.21.07	Valued 30¢/kg or more but less than 35¢/kg	2.6¢/kg
9904.21.08	Valued 35¢/kg or more	No additional duty
9904.21.09	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture	[See section D to this Annex]
	Ice cream provided for in subheading 2105.00.20:	
	If entered during the effective period of safeguards based upon value:	
9904.21.10	Valued less than 20¢/liter	32.3¢/liter
9904.21.11	Valued 20¢/liter or more but less than 30¢/liter	24.5¢/liter
9904.21.12	Valued 30¢/liter or more but less than 40¢/liter	17.8¢/liter

Section A. (continued)

(361). (con.):

	Ice cream provided for in subheading 2105.00.20 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.21.13	Valued 40¢/liter or more but less than 50¢/liter	12.8¢/liter
9904.21.14	Valued 50¢/liter or more but less than 60¢/liter	8.2¢/liter
9904.21.15	Valued 60¢/liter or more but less than 70¢/liter	5.2¢/liter
9904.21.16	Valued 70¢/liter or more but less than 80¢/liter	2.2¢/liter
9904.21.17	Valued 80¢/liter or more	No additional duty
9904.21.18	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Animal feed containing milk or milk derivatives, provided for in subheadings 2309.90.28 or 2309.90.48:	
	If entered during the effective period of safeguards based upon value:	
9904.23.01	Valued less than 25¢/kg	27.8¢/kg
9904.23.02	Valued 25¢/kg or more but less than 35¢/kg	20.8¢/kg
9904.23.03	Valued 35¢/kg or more but less than 45¢/kg	15.1¢/kg
9904.23.04	Valued 45¢/kg or more but less than 55¢/kg	10.1¢/kg
9904.23.05	Valued 55¢/kg or more but less than 65¢/kg	7.8¢/kg
9904.23.06	Valued 65¢/kg or more but less than 75¢/kg	5.1¢/kg
9904.23.07	Valued 75¢/kg or more but less than 85¢/kg	2.3¢/kg
9904.23.08	Valued 85¢/kg or more	No additional duty
9904.23.09	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Cotton, not carded or combed, the product of any country or area including the United States, having a staple length under 28.575 mm (1-1/8 inches) (except harsh or rough cotton, having a staple length under 19.05 mm (3/4 inch)), provided for in subheading 5201.00.18:	
	If entered during the effective period of safeguards based upon value:	
9904.52.01	Valued less than 35¢/kg.....	51.5¢/kg
9904.52.02	Valued 35¢/kg or more but less than 55¢/kg.....	36.6¢/kg
9904.52.03	Valued 55¢/kg or more but less than 75¢/kg.....	24.8¢/kg
9904.52.04	Valued 75¢/kg or more but less than 95¢/kg.....	14.8¢/kg
9904.52.05	Valued 95¢/kg or more but less than $1.15/kg.....	8.6¢/kg
9904.52.06	Valued $1.15/kg or more but less than $1.25/kg.....	5.6¢/kg
9904.52.07	Valued $1.25/kg or more but less than $1.35/kg.....	2.6¢/kg
9904.52.08	Valued $1.35/kg or more.....	No additional duty
9904.52.09	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	(See section D to this Annex)
	Harsh or rough cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 29.36875 mm (1-5/32 inches) or more but under 34.925 mm (1-3/8 inches) and white in color (except cotton of perished staple, grabbots and cotton pickings), provided for in subheading 5201.00.28:	
	If entered during the effective period of safeguards based upon value:	
9904.52.10	Valued less than 10¢/kg.....	49.1¢/kg
9904.52.11	Valued 10¢/kg or more but less than 30¢/kg.....	31.5¢/kg
9904.52.12	Valued 30¢/kg or more but less than 50¢/kg.....	18.6¢/kg
9904.52.13	Valued 50¢/kg or more but less than 70¢/kg.....	9.2¢/kg
9904.52.14	Valued 70¢/kg or more but less than 90¢/kg.....	3.2¢/kg
9904.52.15	Valued 90¢/kg or more.....	No additional duty

Annex (con.)
-321-

Section A. (continued)

(361). (con.):		
	Harsh or rough cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 29.36875 mm (1-5/32 inches) or more but under 34.925 mm (1-3/8 inches) and white in color (except cotton of perished staple, grabbots and cotton pickings), provided for in subheading 5201.00.28 (con.):	
9904.52.16	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 28.575 mm (1-1/8 inches) or more but under 34.925 mm (1-3/8 inches) (except harsh or rough cotton, not carded or combed, having a staple length of 29.36875 mm (1-5/32 inches) or more and white in color) but including cotton of perished staple, grabbots and cotton pickings, provided for in subheading 5201.00.38:	
	If entered during the effective period of safeguards based upon value:	
9904.52.17	Valued less than 20¢/kg.....	44.2¢/kg
9904.52.18	Valued 20¢/kg or more but less than 40¢/kg.....	28.3¢/kg
9904.52.19	Valued 40¢/kg or more but less than 60¢/kg.....	16.7¢/kg
9904.52.20	Valued 60¢/kg or more but less than 80¢/kg.....	8.3¢/kg
9904.52.21	Valued 80¢/kg or more but less than $1/kg.....	2.3¢/kg
9904.52.22	Valued $1/kg or more.....	No additional duty
9904.52.23	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 34.925 mm (1-3/8 inches) or more, provided for in subheading 5201.00.80:	
	If entered during the effective period of safeguards based upon value:	
9904.52.24	Valued less than 50¢/kg.....	98.1¢/kg
9904.52.25	Valued 50¢/kg or more but less than 80¢/kg.....	73.3¢/kg
9904.52.26	Valued 80¢/kg or more but less than $1.10/kg.....	52.3¢/kg
9904.52.27	Valued $1.10/kg or more but less than $1.40/kg.....	37.3¢/kg

Section A. (continued)

(361). (con.):

	Cotton, not carded or combed, the product of any country or area including the United States, having a staple length of 34.925 mm (1-3/8 inches) or more, provided for in subheading 5201.00.80 (con.):	
	If entered during the effective period of safeguards based upon value (con.):	
9904.52.28	Valued $1.40/kg or more but less than $1.70/kg	23.3¢/kg
9904.52.29	Valued $1.70/kg or more but less than $2/kg	14.3¢/kg
9904.52.30	Valued $2/kg or more but less than $2.20/kg	8.3¢/kg
9904.52.31	Valued $2.20/kg or more but less than $2.30/kg	5.3¢/kg
9904.52.32	Valued $2.30/kg or more but less than $2.40/kg	2.3¢/kg
9904.52.33	Valued $2.40/kg or more	No additional duty
9904.52.34	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]
	Card strips made from cotton having a staple length under 30.1625 mm (1-3/16 inches), and lap waste, sliver waste and roving waste of cotton, all the foregoing the product of any country or area including the United States, provided for in subheading 5202.99.30:	
	If entered during the effective period of safeguards based upon value:	
9904.52.35	Valued less than $1.20/kg	$3.159/kg
9904.52.36	Valued $1.20/kg or more but less than $2.20/kg	$2.291/kg
9904.52.37	Valued $2.20/kg or more but less than $3.20/kg	$1.591/kg
9904.52.38	Valued $3.20/kg or more but less than $4.20/kg	$1.079/kg
9904.52.39	Valued $4.20/kg or more but less than $5.20/kg	64.1¢/kg
9904.52.40	Valued $5.20/kg or more but less than $6.20/kg	34.1¢/kg
9904.52.41	Valued $6.20/kg or more but less than $7.20/kg	4.1¢/kg
9904.52.42	Valued $7.20/kg or more	No additional duty
9904.52.43	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]

Section A. (continued)

(361). (con.):

	Fibers of cotton processed but not spun provided for in subheading 5203.00.30:	
	If entered during the effective period of safeguards based upon value:	
9904.52.44	Valued less than 10¢/kg.....	24.1¢/kg
9904.52.45	Valued 10¢/kg or more but less than 20¢/kg.....	15.9¢/kg
9904.52.46	Valued 20¢/kg or more but less than 30¢/kg.....	9.8¢/kg
9904.52.47	Valued 30¢/kg or more but less than 40¢/kg.....	5.2¢/kg
9904.52.48	Valued 40¢/kg or more but less than 50¢/kg.....	2.2¢/kg
9904.52.49	Valued 50¢/kg or more.....	No additional duty
9904.52.50	If entered during the effective period of safeguards based upon quantity announced by the Secretary of Agriculture...	[See section D to this Annex]"

(362). The article description for subheading 9905.00.00 is modified by deleting "7318.16".

(363). Subheadings 9905.29.09, 9905.29.37, 9905.30.00, 9905.30.01, 9905.30.02, 9905.30.03, 9905.30.05, 9905.30.06, 9905.30.07, 9905.30.10, 9905.30.15, 9905.30.20, 9905.30.25 and 9905.40.08 are deleted.

(364). The article description for subheading 9905.30.12 is modified by deleting "3004.90.60 or".

(365). Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1994, the fourth sentence of U.S. note 1 to subchapter VI of chapter 99 is modified by deleting such sentence and inserting "Furthermore, any quota quantity provided for Mexico on goods described in this subchapter (except brooms, other than whiskbrooms, wholly or in part of broomcorn) shall not be counted toward any quota or tariff-rate quota provided for such good elsewhere in the tariff schedule" in lieu thereof.

(366). U.S. note 17(a) of subchapter VI of chapter 99 is modified by deleting 9906.17.01, 9906.17.16, 9906.18.11 and 9906.21.20" and inserting "1701.11.10, 1701.12.10, 1701.91.10, 1701.99.10, 1702.90.10 and 2106.90.44" in lieu thereof.

(367). Subheadings 9906.29.01, 9906.29.02, 9906.29.30, 9906.29.31, 9906.30.01, 9906.57.01, 9906.61.02, 9906.61.08, 9906.62.01, 9906.62.06, 9906.87.05, 9906.87.06, 9906.87.07 and 9906.95.01 are deleted.

(368). The article description for subheading 9906.73.02 is modified by deleting "7312.10.50, 7312.10.60, 7312.10.70 or" and inserting "7312.10.60 or" in lieu thereof.

Section A. (continued)

(369). Chapter 99 is modified by inserting a new subchapter at the end thereof, as follow:

"SUBCHAPTER VII

TEMPORARY MODIFICATIONS ESTABLISHED PURSUANT
TO THE URUGUAY ROUND TARIFF PROTOCOL

U.S. Note

1. This subchapter contains temporary modifications of the rates of duty under the Rates of Duty 1 subcolumn for provisions of the tariff schedule established pursuant to the Uruguay Round Tariff Protocol negotiated under the auspices of the General Agreement of Tariffs and Trade (or its successor entity- the World Trade Organization). Any article described in the provisions of this subchapter is subject to duty at the rate set forth herein in lieu of the rate provided therefor in chapters 1 to 97, inclusive. Whenever the rate in the Rates of Duty 1-General subcolumn for a provision of chapters 1 through 97, inclusive, of the tariff schedule, is equal to or lower than the rate provided for a good described in a provision of this subchapter but classified in a provision of chapters 1 through 97, the provision in this subchapter shall be deleted. Unless otherwise provided, the provisions and notes of this subchapter are effective through the close of December 31, 2004, at the close of which date this subchapter shall be deleted from the tariff schedule and shall cease to apply to any goods entered after that date.

2. For the purposes of heading 9907.56.01, the term "non-woven fiber sheet" means sheet comprising a highly uniform and random array of polyester fibers 1.5 to 3.0 denier, thermally bonded and calendered into a smooth surface web having--
   (a) a thickness of 3.7 to 4.0 mils;
   (b) a basis weight of 2.5 oz. per sq. yd.;
   (c) a machine tensile strength of 30 lb per sq. in. or greater;
   (d) a low cross-direction tensile (approximately 1/3 of MD tensile strength; and
   (e) a Frazier air permeability of 1.0 to 1.5 cfm per sq. ft.

9907.29.01	Mixtures of 3-ethylbiphenyl (m-Ethylbiphenyl) and 4-ethylbiphenyl (p-Ethylbiphenyl) (provided for in subheading 2902.90.90).....	Free		No change
9907.29.02	1,2-Dibromo-4-(1,2-dibromoethyl)cyclohexane (provided for in subheading 2903.59.05).....	Free		No change
9907.29.04	S-(4-Chlorobenzyl)-N,N-diethylthiocarbamate (Benthiocarb) (provided for in subheading 2930.20.10).....	[See section D to this Annex]	No change	No change
9907.38.01	Pour point depressants and viscosity index improvers (provided for in subheading 3811.21 or 3811.29).....	6.5%	No change	No change
9907.38.02	Pentetreodide, in kits (provided for in subheading 3822.00.50).....	Free		No change
9907.40.01	Plates, sheets and strip of vulcanized rubber other than hard rubber, combined with woven fabrics of man-made fibers, for use in the manufacture of skirts for hovercraft (provided for in subheading 4008.21).....	Free		No change

Section A. (continued)

(369). (con.):

9907.48.01	Base paper to be sensitized for use in photography (provided for in subheading 4811.31.40).....	Free		No change
9907.48.02	Toilet paper, of cellulose webbing or webs of cellulose fibers, in rolls of a width exceeding 15 cm (provided for in subheading 4818.10); and Handkerchiefs, cleansing or facial tissues or towels, all the foregoing of cellulose webbing or webs of cellulose fibers, in rolls of a width exceeding 15 cm (provided for in subheading 4818.20).....	[See section D to this Annex]	No change	No change
9907.48.03	Cards, suitable for use as, or in making, jacquard cards; and jacquard cards and jacquard heads for power-driven weaving machines, and parts thereof (all the foregoing goods provided for in subheading 4823.30 or 4823.90.85).....	Free		No change
9907.50.01	Yarns, containing 85 percent or more by weight of silk waste, multiple (folded) or cabled (except unbleached or bleached) measuring more than .?,627 m/kg (provided for in heading 5005).....	Free		No change
9907.56.01	Nonwoven fiber sheet (provided for in subheading 5603.00.90).....	Free		No change
9907.59.01	Theatrical, ballet, and operatic scenery and properties, including sets (provided for in subheading 5907.00.60 or 5907.00.80).....	Free		No change
9907.66.01	Self-folding telescopic shaft collapsible umbrellas chiefly used as protection against rain (provided for in subheading 6601.91).....	Free		No change
9907.71.01	Tool blanks and drill blanks, of industrial diamonds (provided for in subheading 7116.20.50).....	Free		No change
9907.73.01	Cable or inner wire for caliper and cantilever brakes, whether or not cut to length (provided for in subheading 7312.10.10, 7312.10.30, 7312.10.60 or 7312.10.90).....	Free		No change
9907.73.02	Bicycle chains (provided for in subheading 7315.11).....	Free		No change

Section A. (continued)

(369). (con.):

9907.84.01	Spark-ignition reciprocating internal combustion piston engines, of a cylinder capacity exceeding 50 cc but not exceeding 250 cc (provided for in subheading 8407.32.20), to be installed in vehicles specially designed for traveling on snow, golf carts, non-amphibious all-terrain vehicles and burden carriers (provided for in subheading 8703.10, 8703.21 or 8704.31).....	Free	No change
9907.84.02	Parts of molten-salt-cooled acrylic acid reactors (provided for in subheading 8419.90.30 or 8419.90.50).....	Free	No change
9907.84.03	Machinery for use in the manufacture of video laser discs (provided for in subheading 8428.90).....	Free	No change
9907.84.04	Machines designed for heat-set, stretch texturing of continuous man-made fibers (provided for in heading 8444).....	Free	No change
9907.84.05	Carding machines specially designed for wool, other than machines specially designed for the manufacture of combed wool (worsted) yarns (provided for in subheading 8445.11).....	Free	No change
9907.84.06	Textile spinning machines specially designed for wool, other than machines specially designed for the manufacture of combed wool (worsted) yarns; textile spinning machines for man-made fibers, such machines having winders with variable speeds with a minimum take up speed of 6000 meters and a maximum of 8000 meters per minute (all the foregoing goods provided for in subheading 8445.20).....	Free	No change
9907.84.07	Power looms for weaving fabrics of a width not exceeding 30 cm (provided for in subheading 8446.10).....	Free	No change
9907.84.08	Single-cylinder fine-gauge circular knitting machines for knitting hosiery, with cylinder diameter exceeding 165 mm (provided for in subheading 8447.12.10).....	Free	No change
9907.84.09	Cylinder, double cylinder and dial circular knitting machines, all the foregoing designed for sweater strip or garment length knitting (provided for in subheading 8447.12.90).....	Free	No change
9907.84.10	Hosiery knitting machines; power driven flat knitting machines over 50.8 cm in width (all the foregoing goods provided for in subheading 8447.20.60).....	Free	No change
9907.84.11	Decorative lace-braiding machines using the jacquard system (provided for in subheading 8447.90.10).....	Free	No change

Annex (con.)
-327-

Section A. (continued)

(369). (con.):

9907.84.12	Jacquard heads for power-driven weaving machines, and parts thereof; auxiliary machinery for use with decorative lace-braiding machines using the jacquard system (all the foregoing goods provided for in subheading 8448.11 or 8448.19).....	Free	No change
9907.84.13	Parts of jacquard heads for power looms (provided for in subheading 8448.49).....	Free	No change
9907.84.14	Parts of decorative lace-braiding machines using the jacquard system, and of the auxiliary machinery for use therewith (provided for in subheading 8448.59.50).....	Free	No change
9907.84.15	Impact line printers using band drive mechanisms and capable of printing 1,300 lines or more per minute (provided for in subheading 8471.92.52).....	Free	No change
9907.85.01	Generator lighting sets for bicycles, and parts thereof (provided for in subheading 8512.10.20 or 8512.90.40).....	Free	No change
9907.85.02	Video tape recordings of a width exceeding 6.5 mm but not exceeding 16 mm, in cassettes of United States origin as certified by the importer, and valued at not over $7.00 per prerecorded cassette unit (provided for in subheading 8524.23.10).....	Free	No change
9907.87.01	Frame lugs and parts thereof (provided for in subheading 8714.91.90).....	Free	No change
9907.87.02	Click twist grips for three speed hubs (provided for in subheading 8714.99.10).....	Free	No change
9907.90.01	Cameras, for roll film of a width of 35 mm, incorporating 4 fixed lenses which together are capable of producing a 3-dimensional effect (provided for in subheading 9006.53).....	Free	No change
9907.95.01	Baseballs (provided for in subheading 9506.69.20).....	Free	No change"

Annex (con.)
-328-

Section A. (continued)

(370). The HTS is modified by adding, immediately after the Chemical Appendix, the following new Pharmaceutical Appendix:

"PHARMACEUTICAL APPENDIX TO THE TARIFF SCHEDULE

Table 1.

This table enumerates products described by International Non-proprietary Names (INN) which shall be entered free of duty under general note 13 to the tariff schedule. The Chemical Abstracts Service (CAS) registry numbers also set forth in this table are included to assist in the identification of the products concerned. For purposes of the tariff schedule, any references to a product enumerated in this table includes such product by whatever name known.

INN	CAS Number	INN	CAS Number
ABANECTIN	65195-55-3	ACETOPHENAZINE	2751-68-0
ABANOQUIL	90402-40-7	ACETORPHINE	25333-77-1
ABECARNIL	111841-85-1	ACETRYPTINE	3551-18-6
ABLUKAST	96566-25-5	ACETYLCHOLINE CHLORIDE	60-31-1
ABUNIDAZOLE	91017-58-2	ACETYLCYSTEINE	616-91-1
ACADESINE	2627-69-2	ACETYLDIGITOXIN	1111-39-3
ACAMPROSATE	77337-76-9	ACETYLLEUCINE	99-15-0
ACAPRAZINE	55485-20-6	ACETYLMETHADOL	509-74-0
ACARBOSE	56180-94-0	ACEVALTRATE	25161-41-5
ACEBROCHOL	514-50-1	ACEXAMIC ACID	57-08-9
ACEBURIC ACID	26976-72-7	ACICLOVIR	59277-89-3
ACEBUTOLOL	37517-30-9	ACIFRAN	72420-38-3
ACECAINIDE	32795-44-1	ACIPIMOX	51037-30-0
ACECARBROMAL	77-66-7	ACITEMATE	101197-99-3
ACECLIDINE	827-61-2	ACITRETIN	55079-83-9
ACECLOFENAC	89796-99-6	ACIVICIN	42228-92-2
ACEDAPSONE	77-46-3	ACLANTATE	39633-62-0
ACEDIASULFONE SODIUM	127-60-6	ACLARUBICIN	57576-44-0
ACEDOBEN	556-08-1	ACLATONIUM NAPADISILATE	55077-30-0
ACEFLURANOL	80595-73-9	ACODAZOLE	79152-85-5
ACEFURTIAMINE	10072-48-7	ACONIAZIDE	13410-86-1
ACEFYLLINE CLOFIBROL	70788-27-1	ACOXATRINE	748-44-7
ACEFYLLINE PIPERAZINE	18428-63-2	ACRIDOREX	47487-22-9
ACEGLATONE	642-83-1	ACRIFLAVINIUM CHLORIDE	8063-24-9
ACEGLUTAMIDE	2490-97-3	ACRIHELLIN	67696-82-6
ACEMANNAN	110042-95-0	ACRISORCIN	7527-91-5
ACEMETACIN	53164-05-9	ACRIVASTINE	87848-99-5
ACENEURAMIC ACID	131-48-6	ACROCINONIDE	28971-58-6
ACENOCOUMAROL	152-72-7	ACRONINE	7008-42-6
ACEPERONE	807-31-8	ACTAGARDIN	
ACEPROMAZINE	61-00-7	ACTAPLANIN	37305-75-2
ACEPROMETAZINE	13461-01-3	ACTARIT	18699-02-0
ACEQUINOLINE	42465-20-3	ACTINOQUINOL	15301-40-3
ACESULFAME	33665-90-6	ACTISOMIDE	96914-39-5
ACETAMINOSALOL	118-57-0	ACTODIGIN	36983-69-4
ACETARSOL	97-44-9	ADAFENOXATE	82168-26-1
ACETAZOLAMIDE	59-66-5	ADAMEXINE	54785-02-3
ACETERGAMINE	3031-48-9	ADAPALENE	106685-40-9
ACETIAMINE	299-89-8	ADAPROLOL	101479-70-3
ACETIROMATE	2260-08-4	ADEMETIONINE	17176-17-9
ACETOHEXAMIDE	968-81-0	ADENOSINE PHOSPHATE	61-19-8
ACETOHYDROXAMIC ACID	546-88-3	ADIBENDAN	100510-33-6

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ADICILLIN	525-94-0	ALINADOL	52742-60-2
ADIMOLOL	78459-19-5	ALIMEMAZINE	84-96-8
ADINAZOLAM	37115-32-5	ALINIDINE	33178-86-8
ADIPHENINE	64-95-9	ALIPAMIDE	3184-59-6
ADIPIODONE	606-17-7	ALIZAPRIDE	59338-93-1
ADITEREN	56066-19-4	ALLETORPHINE	25758-80-7
ADITOPRIME	56066-63-8	ALLOBARBITAL	52-43-7
ADOSOPINE	88124-26-9	ALLOCLAMIDE	5486-77-1
ADOZELESIN	110314-48-2	ALLOCUPREIDE SODIUM	5965-40-2
ADRAFINIL	63547-13-7	ALLOMETHADIONE	526-35-2
ADRENALONE	99-45-6	ALLOPURINOL	315-30-0
AFALANINE	2901-75-9	ALLYLESTRENOL	432-60-0
AFLOQUALONE	56287-74-2	ALLYLPRODINE	25384-17-2
AFUROLOL	65776-67-2	ALLYLTHIOUREA	109-57-9
AGANODINE	86696-87-9	ALMADRATE SULFATE	60239-66-9
AKLOMIDE	3011-89-0	ALMAGATE	66827-12-1
ALACEPRIL	74258-86-9	ALMASILATE	71205-22-6
ALAFOSFALIN	60668-24-8	ALMECILLIN	87-09-2
ALANINE	56-41-7	ALMESTRONE	10448-96-1
ALANOSINE	5854-93-3	ALMINOPROFEN	39718-89-3
ALAPROCLATE	60719-82-6	ALMITRINE	27469-53-0
ALAZANINE TRICLOFENATE	5779-59-9	ALMOKALANT	123955-10-2
ALBENDAZOLE	54965-21-8	ALMOXATONE	84145-89-1
ALBENDAZOLE OXIDE	54029-12-8	ALONACIC	105292-70-4
ALBIFYLLINE	107767-55-5	ALONIMID	2897-83-8
ALBUTOIN	830-89-7	ALORACETAM	119610-26-3
ALCLOFENAC	22131-79-9	ALOSETRON	122852-42-0
ALCLOMETASONE	67452-97-5	ALOVUDINE	25526-93-6
ALCLOXA	1317-25-5	ALOXIPRIN	9014-67-9
ALCURONIUM CHLORIDE	15180-03-7	ALOXISTATIN	88321-09-9
ALDESULFONE SODIUM	144-75-2	ALOZAFONE	65899-72-1
ALDIOXA	5579-81-7	ALPERTINE	27076-46-6
ALDOSTERONE	52-39-1	ALPHACETYLMETHADOL	17199-58-5
ALENDRONIC ACID	66376-36-1	ALPHANEPRODINE	468-51-9
ALENTEMOL	112891-97-1	ALPHAMETHADOL	17199-54-1
ALEPRIDE	66564-15-6	ALPHAPRODINE	77-20-3
ALESTRAMUSTINE	139402-18-9	ALPIDEM	82626-01-5
ALEXIDINE	22573-93-9	ALPIROPRIDE	81982-32-3
ALEXITOL SODIUM	66813-51-2	ALPRAFENONE	124316-02-5
ALFACALCIDOL	41294-56-8	ALPRAZOLAM	28981-97-7
ALFADEX	10016-20-3	ALPRENOLOL	13655-52-2
ALFADOLONE	14107-37-0	ALPROSTADIL	745-65-3
ALFAPROSTOL	74176-31-1	ALRESTATIN	51411-04-2
ALFAXALONE	23930-19-0	ALSACTIDE	34765-96-3
ALFENTANIL	71195-58-9	ALTANSERIN	76330-71-7
ALFETAMINE	4255-23-6	ALTAPIZONE	93277-96-4
ALFUZOSIN	81403-80-7	ALTECOMAZOLE	93479-96-0
ALGELDRATE	1330-44-5	ALTEPLASE	105857-23-6
ALGESTONE	595-77-7	ALTIZIDE	5588-16-9
ALGLUCERASE	143003-46-7	ALTOQUALINE	121029-11-6
ALIBENDOL	26750-81-2	ALTRENOGEST	850-52-2
ALICONAZOLE	63824-12-4	ALTRETAMINE	645-05-6
ALIFEDRINE	78756-61-3	ALTUMOMAB	156586-92-4
ALIFLURANE	56689-41-9	ALUMINIUM CLOFIBRATE	24818-79-9

Annex (con.)
-330-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ALUSULF	61115-28-4	AMINDOCATE	31386-24-0
ALVERINE	150-59-4	AMINEPTINE	57574-09-1
ALVIRCEPT SUDOTOX	137487-62-8	AMINITROZOLE	140-40-9
AMADINONE	30781-27-2	AMINOACRIDINE	90-45-9
AMAFOLONE	50588-47-1	AMINOCAPROIC ACID	60-32-2
AMANOZINE	537-17-7	AMINOETHYL NITRATE	646-02-6
AMANTADINE	768-94-5	AMINOGLUTETHIMIDE	125-84-8
AMANTANIUM BROMIDE	58158-77-3	AMINOMETRADINE	642-44-4
AMANTOCILLIN	10004-67-8	AMINOPHENAZONE	58-15-1
AMBAMUSTINE	85754-59-2	AMINOPHENAZONE CYCLAMATE	747-30-8
AMBASILIDE	83991-25-7	AMINOPHYLLINE	317-34-0
AMBAZONE	539-21-9	AMINOPROMAZINE	58-37-7
AMBENONIUM CHLORIDE	115-79-7	AMINOPTERIN SODIUM	58602-66-7
AMBENOXAN	2455-84-7	AMINOQUINOL	10023-54-8
AMBICROMIL	58805-38-2	AMINOQUINURIDE	3811-56-1
AMBOMYCIN	1402-81-9	AMINOREX	2207-50-3
AMBROXOL	18683-91-5	AMINOTHIAZOLE	96-50-4
AMBRUTICIN	58857-02-6	AMINOXYTRIPHENE	5585-64-8
AMBUCAINE	119-29-9	AMIODARONE	1951-25-3
AMBUCETAMIDE	519-88-0	AMIPERONE	1580-71-8
AMBUSIDE	3754-19-6	AMIPHENAZOLE	490-55-1
AMCINAFAL	3924-70-7	AMIPIZONE	69635-63-8
AMCINAFIDE	7332-27-6	AMIPRILOSE	56824-20-5
AMCINONIDE	51022-69-6	AMIQUINSIN	13425-92-8
AMEBUCORT	83625-35-8	AMISOMETRADINE	550-28-7
AMEDALIN	22136-26-1	AMISULPRIDE	71675-85-9
AMELTOLIDE	787-93-9	AMITEROL	54063-25-1
AMESERGIDE	121588-75-8	AMITIVIR	111393-84-1
AMETANTRONE	64862-96-0	AMITRAZ	33089-61-1
AMEZEPINE	60575-32-8	AMITRIPTYLINE	50-48-6
AMEZINIUM METILSULFATE	30578-37-1	AMITRIPTYLINOXIDE	4317-14-0
AMFEBUTAMONE	34911-55-2	AMIXETRINE	24622-72-8
AMFECLORAL	5581-35-1	AMLEXANOX	68302-57-8
AMFENAC	51579-82-9	AMLODIPINE	88150-42-9
AMFEPENTOREX	15686-27-8	AMOBARBITAL	57-43-2
AMFEPRAMONE	90-84-6	AMOCARZINE	36590-19-9
AMFETAMINE	300-62-9	AMODIAQUINE	86-42-0
AMFETAMINIL	17590-01-1	AMOGASTRIN	16870-37-4
AMFLUTIZOLE	82114-19-0	AMOLANONE	76-65-3
AMFOMYCIN	1402-82-0	AMONAFIDE	69408-81-7
AMFONELIC ACID	15180-02-6	AMOPROXAN	22661-76-3
AMICARBALIDE	3459-96-9	AMOPYROQUINE	550-81-2
AMICIBONE	23271-63-8	AMOROLFINE	78613-35-1
AMICYCLINE	5874-95-3	AMOSCANATE	26328-53-0
AMIDANTEL	49745-00-8	AMOSULALOL	85320-68-9
AMIDAPSONE	3569-77-5	AMOXAPINE	14028-44-5
AMIDEFRINE MESILATE	1421-68-7	AMOXECAINE	553-65-1
AMIFLAMINE	77518-07-1	AMOXICILLIN	26787-78-0
AMIFLOVERINE	54063-24-0	AMOXYDRAMINE CAMSILATE	15350-99-9
AMIFLOXACIN	86393-37-5	AMPEROZIDE	75558-90-6
AMIFOSTINE	20537-88-6	AMPHENIDONE	134-37-2
AMIKACIN	37517-28-5	AMPHOTALIDE	1673-06-9
AMIKHELLINE	4439-67-2	AMPHOTERICIN B	1397-89-3
AMILORIDE	2609-46-3	AMPICILLIN	69-53-4

Annex (con.)
-331-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
AMPIROXICAM	99464-64-9	APROFENE	3563-01-7
AMPROLIUM	121-25-5	APROSULATE SODIUM	123072-45-7
AMPYRIMINE	5587-93-9	APROTININ	9004-04-0
AMPYZINE	5214-29-9	APTAZAPINE	71576-40-4
AMQUINATE	17230-85-2	APTOCAINE	19281-29-9
AMRINONE	60719-84-8	ARANIDIPINE	86780-90-7
AMRUBICIN	110267-81-7	ARANOTIN	19885-51-9
AMSACRINE	51264-14-3	ARAPROFEN	15250-13-2
AMTOLMETIN GUACIL	87344-06-7	ARBAPROSTIL	55028-70-1
AMYLMETACRESOL	1300-94-3	ARBEKACIN	51025-85-5
ANAGESTONE	2740-52-5	ARBUTAMINE	128470-16-6
ANAGRELIDE	68475-42-3	ARCLOFENIN	87071-16-7
ANARITIDE	95896-08-5	ARDACIN	
ANAXIRONE	77658-97-0	ARDEPARIN SODIUM	9041-08-1
ANAZOCINE	15378-99-1	ARFALASIN	60173-73-1
ANAZOLENE SODIUM	3861-73-2	ARFENDAZAM	37669-57-1
ANCAROLOL	75748-50-4	ARGATROBAN	74863-84-6
ANCITABINE	31698-14-3	ARGIMESNA	106854-46-0
ANCROD	9046-56-4	ARGININE	74-79-3
ANDOLAST	132640-22-3	ARGIPRESSIN	113-79-1
ANDROSTANOLONE	521-18-6	ARGIPRESTOCIN	113-80-4
ANGIOTENSINAMIDE	53-73-6	ARILDONE	56219-57-9
ANGIOTENSIN II	4474-91-3	ARMOLOL	87129-71-3
ANIDOXIME	34297-34-2	AROMIXIL	86627-15-8
ANILAMATE	5591-49-1	AROTINOLOL	68377-92-4
ANILERIDINE	144-14-9	ARPRINOCID	55779-18-5
ANILOPAM	53716-46-4	ARPROMIDINE	106669-71-0
ANIPAMIL	83200-10-6	ARSANILIC ACID	98-50-0
ANIRACETAM	72432-10-1	ARSTHINOL	119-96-0
ANIROLAC	66635-85-6	ARTEMETHER	71963-77-4
ANISACRIL	5129-14-6	ARTEMISININ	63968-64-9
ANISINDIONE	117-37-3	ARTESUNATE	88495-63-0
ANISOPIROL	442-03-5	ARTICAINE	23964-58-1
ANISTREPLASE	81669-57-0	ARTILIDE	133267-19-3
ANITRAZAFEN	63119-27-7	ASCORBIC ACID	50-81-7
ANPIRTOLINE	98330-05-3	ASOBAMAST	104777-03-9
ANSOXETINE	79130-64-6	ASOCAINOL	77400-65-8
ANTAFENITE	15301-65-8	ASPARTANE	22839-47-0
ANTAZOLINE	91-75-8	ASPARTIC ACID	56-84-8
ANTAZONITE	25422-75-7	ASPARTOCIN	4117-65-1
ANTELMYCIN	1402-84-2	ASPOXICILLIN	63358-69-6
ANTHIOLIMINE	305-97-5	ASTEMIZOLE	68844-77-9
ANTIENITE	5029-05-0	ASTROMICIN	55779-06-1
ANTRAFENINE	55300-29-3	ATAMESTANE	96301-34-7
ANTRAMYCIN	4803-27-4	ATAPROST	83997-19-7
APAFANT	105219-56-5	ATENOLOL	29122-68-7
APALCILLIN	63469-19-2	ATEVIRDINE	136816-75-6
APICYCLINE	15599-51-6	ATIPAMEZOLE	104054-27-5
APOVINCAMINE	4880-92-6	ATIPROSIN	89303-63-9
APRACLONIDINE	66711-21-5	ATOLIDE	16231-75-7
APRAMYCIN	37321-09-8	ATOSIBAN	90779-69-4
APRIKALIN	92569-65-8	ATOVAQUONE	95233-18-4
APRINDINE	37640-71-4	ATRACURIUM BESILATE	64228-81-5
APROBARBITAL	77-02-1	ATRIMUSTINE	75219-46-4

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ATRINOSITOL	28841-62-5	AZOTOMYCIN	7644-67-9
ATROMEPINE	428-07-9	AZTREONAM	78110-38-0
ATROPINE METHONITRATE	52-88-0	AZUMOLENE	64748-79-4
ATROPINE OXIDE	4438-22-6	BACAMPICILLIN	50972-17-3
AURANOFIN	34031-32-8	BACITRACIN	1405-87-4
AUROTHIOGLYCANIDE	16925-51-2	BACLOFEN	1134-47-0
AVICATONIN	103451-84-9	BACMECILLINAM	50846-45-2
AVILAMYCIN	11051-71-1	BAKEPROFEN	117819-25-7
AVIZAFONE	65617-86-9	BALSALAZIDE	80573-04-2
AVOBENZONE	70356-09-1	BAMALUZOLE	87034-87-5
AVOPARCIN	37332-99-3	BAMBERMYCIN	11015-37-5
AVRIDINE	35607-20-6	BAMBUTEROL	81732-65-2
AXAMOZIDE	85076-06-8	BAMETHAN	3703-79-5
AZABON	1150-20-5	BAMIFYLLINE	2016-63-9
AZABUPERONE	2856-81-7	BAMIPINE	4945-47-5
AZACITIDINE	320-67-2	BAMNIDAZOLE	31478-45-2
AZACLORZINE	49864-70-2	BAQUILOPRIM	102280-35-3
AZACONAZOLE	60207-31-0	BARBEXACLONE	4388-82-3
AZACOSTEROL	313-05-3	BARBITAL	57-44-3
AZACYCLONOL	115-46-8	BARBITAL SODIUM	144-02-5
AZAFTOZINE	54063-26-2	BARMASTINE	99156-66-8
AZALOMYCIN	54182-65-9	BARNIDIPINE	104713-75-9
AZALOXAN	72822-56-1	BARUCAINIDE	79784-22-8
AZAMETHONIUM BROMIDE	306-53-6	BATANOPRIDE	102670-46-2
AZAMULIN	76530-44-4	BATEBULAST	81907-78-0
AZANATOR	37855-92-8	BATELAPINE	95634-82-5
AZANIDAZOLE	62973-76-6	BATILOL	544-62-7
AZAPERONE	1649-18-9	BATOPRAZINE	105685-11-8
AZAPROCIN	448-34-0	BATROXOBIN	9039-61-6
AZAPROPAZONE	13539-59-8	BAXITOZINE	84386-11-8
AZAQUINZOLE	5234-86-6	BAZINAPRINE	94011-82-2
AZARIBINE	2169-64-4	BECANTONE	15351-04-9
AZASERINE	115-02-6	BECIPARCIL	130782-54-6
AZASETRON	123040-69-7	BECLAMIDE	501-68-8
AZASPIRIUM CHLORIDE	34959-30-3	BECLICONAZOLE	112893-26-2
AZASTENE	13074-00-5	BECLOBRATE	55937-99-0
AZATADINE	3964-81-6	BECLOMETASONE	4419-39-0
AZATEPA	125-45-1	BECLOTIAMINE	13471-78-8
AZATHIOPRINE	446-86-6	BEFIPERIDE	100927-14-8
AZELAIC ACID	123-99-9	BEFLOXATONE	134564-82-2
AZELASTINE	58581-89-8	BEFUNOLOL	39552-01-7
AZELNIDIPINE	123524-52-7	BEFURALINE	41717-30-0
AZEPEXOLE	36067-73-9	BEKANAMYCIN	4696-76-8
AZEPINDOLE	26304-61-0	BELARIZINE	52395-99-0
AZETIRELIN	95729-65-0	BELFOSDIL	103486-79-9
AZIDAMFENICOL	13838-08-9	BELOXAMIDE	15256-58-3
AZIDOCILLIN	17243-38-8	BEMARINONE	92210-43-0
AZIMEXON	64118-86-1	BEMEGRIDE	64-65-3
AZINTAMIDE	1830-32-6	BEMESETRON	40796-97-2
AZIPRAMINE	58503-82-5	BEMETIZIDE	1824-52-8
AZITHROMYCIN	83905-01-5	BEMITRADINE	88133-11-3
AZLOCILLIN	37091-66-0	BEMORADAN	112018-01-6
AZOLIMINE	40828-45-3	BENACTYZINE	302-40-9
AZOSEMIDE	27589-33-9	BENAFENTRINE	35135-01-4

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
BENAPRIZINE	22487-42-9
BENAXIBINE	27661-27-4
BENAZEPRIL	86541-75-5
BENAZEPRILAT	86541-78-8
BENCIANOL	85443-48-7
BENCISTEINE	42293-72-1
BENCLOMIDINE	57647-79-7
BENCYCLANE	2179-37-5
BENDACALOL	81703-42-6
BENDAMUSTINE	16506-27-7
BENDAZAC	20187-55-7
BENDAZOL	621-72-7
BENDERIZINE	59752-23-7
BENDROFLUMETHIAZIDE	73-48-3
BENETHAMINE PENICILLIN	751-84-8
BENEXATE	78718-52-2
BENFLUOREX	23602-78-0
BENFOSFORMIN	52658-53-4
BENFOTIAMINE	22457-89-2
BENFURODIL HEMISUCCINATE	3447-95-8
BENHEPAZONE	363-13-3
BENIDIPINE	105979-17-7
BENMOXIN	7654-03-7
BENOLIZINE	61864-30-0
BENORILATE	5003-48-5
BENORTERONE	3570-10-3
BENOXAFOS	16759-59-4
BENOXAPROFEN	51234-28-7
BENPENOLISIN	61990-92-9
BENPERIDOL	2062-84-2
BENPROPERINE	2156-27-6
BENRIXATE	24671-26-9
BENSALAN	15686-76-7
BENSERAZIDE	322-35-0
BENSULDAZIC ACID	1219-77-8
BENTAZEPAM	29462-18-8
BENTEMAZOLE	63927-95-7
BENTIAMINE	299-88-7
BENTIPIMINE	17692-23-8
BENTIROMIDE	37106-97-1
BENURESTAT	38274-54-3
BENZALKONIUM CHLORIDE	8001-54-5
BENZAPRINOXIDE	52758-02-8
BENZARONE	1477-19-6
BENZATHINE BENZYLPENICILLIN	1538-09-6
BENZATROPINE	86-13-5
BENZBROMARONE	3562-84-3
BENZESTROL	85-95-0
BENZETHIDINE	3691-78-9
BENZETHONIUM CHLORIDE	121-54-0
BENZETIMIDE	119391-55-8
BENZFETAMINE	156-08-1
BENZILONIUM BROMIDE	1050-48-2
BENZIMDOPYRINE	16571-59-8
BENZIODARONE	68-90-6
BENZMALECENE	148-07-2
BENZNIDAZOLE	22994-85-0
BENZOBARBITAL	744-80-9
BENZOCAINE	94-09-7
BENZOCLIDINE	16852-81-6
BENZOCTAMINE	17243-39-9
BENZODEPA	1980-45-6
BENZODODECINIUM CHLORIDE	139-07-1
BENZONATATE	104-31-4
BENZOPYRRONIUM BROMIDE	13696-15-6
BENZOTRIPT	39544-74-6
BENZOXIQUINE	86-75-9
BENZOXONIUM CHLORIDE	19379-90-9
BENZPIPERYLONE	53-89-4
BENZPYRINIUM BROMIDE	587-46-2
BENZQUERCIN	13157-90-9
BENZQUINAMIDE	63-12-7
BENZTHIAZIDE	91-33-8
BENZYDAMINE	642-72-8
BENZYL ALCOHOL	100-51-6
BENZYLPENICILLIN	61-33-6
BENZYLSULFAMIDE	104-22-3
BEPAFANT	114776-28-2
BEPERIDIUM IODIDE	86434-57-3
BEPHENIUM HYDROXYNAPHTHOATE	3818-50-6
BEPIASTINE	10189-94-3
BEPRIDIL	64706-54-3
BERAPROST	88430-50-6
BEREFRINE	105567-83-7
BERLAFENONE	18965-97-4
BERMOPROFEN	72619-34-2
BERTOSAMIL	126825-36-3
BERYTHROMYCIN	527-75-3
BESIGOMSIN	58546-54-6
BESULPAMIDE	90992-25-9
BESUNIDE	36148-38-6
BETACAROTENE	7235-40-7
BETACETYLMETHADOL	17199-59-6
BETADEX	7585-39-9
BETANISTINE	5638-76-6
BETAMEPRODINE	468-50-8
BETAMETHADOL	17199-55-2
BETAMETHASONE	378-44-9
BETAMETHASONE ACIBUTATE	5534-05-4
BETAMICIN	36889-15-3
BETAMIPRON	3440-28-6
BETANIDINE	55-73-2
BETAPRODINE	468-59-7
BETAXOLOL	63659-18-7
BETAZOLE	105-20-4
BETIATIDE	103725-47-9
BETOXYCAINE	3818-62-0
BEVANTOLOL	59170-23-9

Annex (con.)
-334-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
BEVONIUM METILSULFATE	5205-82-3	BLUENSOMYCIN	11011-72-6
BEZAFIBRATE	41859-67-0	BOFUMUSTINE	55102-44-8
BEZITRAMIDE	15301-48-1	BOLAMDIOL	19793-20-5
BIALAMICOL	493-75-4	BOLASTERONE	1605-89-6
BIAPENEM	120410-24-4	BOLAZINE	4267-81-6
BIBENZONIUM BROMIDE	15585-70-3	BOLDENONE	846-48-0
BIBROCATHOL	6915-57-7	BOLENOL	16915-78-9
BICIFADINE	71195-57-8	BOLMANTALATE	1491-81-2
BICIROMAB		BOMETOLOL	65008-93-7
BICLODIL	85125-49-1	BOPINDOLOL	62658-63-3
BICLOFIBRATE	54063-27-3	BORNAPRINE	20448-86-6
BICLOTYMOL	15686-33-6	BORNAPROLOL	66451-06-7
BICOZAMYCIN	38129-37-2	BORNELONE	2226-11-1
BIDINAZIUM IODIDE	21817-73-2	BOTIACRINE	4774-53-2
BIDISOMIDE	116078-65-0	BOXIDINE	10355-14-3
BIETAMIVERINE	479-81-2	BRALLOBARBITAL	561-86-4
BIETASERPINE	53-18-9	BRAZERGOLINE	60019-20-7
BIFEMELANE	90293-01-9	BREFONALOL	104051-20-9
BIFEPRAMIDE	70976-76-0	BREMAZOCINE	71990-00-6
BIFEPROFEN	108210-73-7	BREQUINAR	96187-53-0
BIFLURANOL	34633-34-6	BRETAZENIL	84379-13-5
BIFONAZOLE	60628-96-8	BRETYLIUM TOSILATE	61-75-6
BIMAKALIM	117545-11-6	BRIFENTANIL	101345-71-5
BINDARIT	130641-38-2	BRIMONIDINE	59803-98-4
BINEDALINE	60662-16-0	BRINASE	9000-99-1
BINFLOXACIN	108437-28-1	BRINAZARONE	89622-90-2
BINIFIBRATE	69047-39-8	BRINDOXIME	55837-17-7
BINIRAMYCIN	11056-11-4	BRIVUDINE	69304-47-8
BINIZOLAST	86662-54-6	BROBACTAN	26631-90-3
BINOSPIRONE	102908-59-8	BROCLEPRIDE	71195-56-7
BIORESMETHRIN	28434-01-7	BROCRESINE	555-65-7
BIOTIN	58-85-5	BROCRINAT	72481-99-3
BIPENAMOL	79467-22-4	BRODIMOPRIN	56518-41-3
BIPERIDEN	514-65-8	BROFAROMINE	63638-91-5
BIPHASIC INSULIN INJECTION	8063-29-4	BROFEZIL	17969-45-8
BIRIPERONE	41510-23-0	BROFOXINE	21440-97-1
BISACODYL	603-50-9	BROLACONAZOLE	108894-40-2
BISANTRENE	78186-34-2	BROLAMFETAMINE	64638-07-9
BISARAMIL	89194-77-4	BROMACRYLIDE	4213-51-8
BISBENDAZOLE	32195-33-8	BROMADOLINE	67579-24-2
BISBENTIAMINE	2667-89-2	BROMAMIDE	332-69-4
BISFENAZONE	55837-24-6	BROMAZEPAM	1812-30-2
BISFENTIDINE	96153-56-9	BROMAZINE	118-23-0
BISOBRIN	22407-74-5	BROMCHLORENONE	5579-85-1
BISOPROLOL	66722-44-9	BROMEBRIC ACID	5711-40-0
BISORCIC	39825-23-5	BROMELAINS	9001-00-7
BISOXATIN	17692-24-9	BROMERGURIDE	83455-48-5
BITHIONOL	97-18-7	BROMETENAMINE	15585-71-4
BITHIONOLOXIDE	844-26-8	BROMFENAC	91714-94-2
BITIPAZONE	13456-08-1	BROMHEXINE	3572-43-8
BITOLTEROL	30392-40-6	BROMINDIONE	1146-98-1
BITOSCANATE	4044-65-9	BROMISOVAL	496-67-3
BIZELESIN	129655-21-6	BROMOCRIPTINE	25614-03-3
BLEOMYCIN	11056-06-7	BROMOCYCLEN	1715-40-8

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
BROMOFENOFOS	21466-07-9
BROMOFOS	2104-96-3
BROMOPRIDE	4093-35-0
BROMOXANIDE	41113-86-4
BROMPERIDOL	10457-90-6
BROMPHENIRAMINE	86-22-6
BRONOPOL	52-51-7
BROPARESTROL	479-68-5
BROPERAMOLE	33144-79-5
BROPIRIMINE	56741-95-8
BROQUINALDOL	15599-52-7
BROSOTAMIDE	40912-73-0
BROSUXIMIDE	22855-57-8
BROTIANIDE	23233-88-7
BROTIZOLAM	57801-81-7
BROVAMEXINE	54340-61-3
BROVINCAMINE	57475-17-9
BROXALDINE	3684-46-6
BROXATEROL	76596-57-1
BROXITALAMIC ACID	86216-41-3
BROXURIDINE	59-14-3
BROXYQUINOLINE	521-74-4
BUCAINIDE	51481-62-0
BUCETIN	1083-57-4
BUCICLOVIR	86304-28-1
BUCILLAMINE	65002-17-7
BUCINDOLOL	71119-11-4
BUCLADESINE	362-74-3
BUCLIZINE	82-95-1
BUCLOSAMIDE	575-74-6
BUCLOXIC ACID	32808-51-8
BUCOLOME	841-73-6
BUCRICAINE	316-15-4
BUCRILATE	1069-55-2
BUCROMARONE	78371-66-1
BUCUMOLOL	58409-59-9
BUDESONIDE	51333-22-3
BUDIPINE	57982-78-2
BUDOTITANE	85969-07-9
BUDRALAZINE	36798-79-5
BUFENADRINE	604-74-0
BUFENIODE	22103-14-6
BUFETOLOL	53684-49-4
BUFEXAMAC	2438-72-4
BUFEZOLAC	50270-32-1
BUFLOMEDIL	55837-25-7
BUFOGENIN	465-39-4
BUFORMIN	692-13-7
BUFROLIN	54867-56-0
BUFURALOL	54340-62-4
BUMADIZONE	3583-64-0
BUMECAINE	30103-44-7
BUMEPIDIL	62052-97-5
BUMETANIDE	28395-03-1
BUMETRIZOLE	3896-11-5
BUNAFTINE	32421-46-8
BUNAMIDINE	3748-77-4
BUNAMIODYL	1233-53-0
BUNAPROLAST	99107-52-5
BUNAZOSIN	80755-51-7
BUNITROLOL	34915-68-9
BUNOLOL	27591-01-1
BUPARVAQUONE	88426-33-9
BUPHENINE	447-41-6
BUPICOMIDE	22632-06-0
BUPIVACAINE	2180-92-9
BUPRANOLOL	14556-46-8
BUPRENORPHINE	52485-79-7
BUQUINERAN	59184-78-0
BUQUINOLATE	5486-03-3
BUQUITERINE	76536-74-8
BURAMATE	4663-83-6
BURODILINE	36121-13-8
BUSERELIN	57982-77-1
BUSPIRONE	36505-84-7
BUSULFAN	55-98-1
BUTACAINE	149-16-6
BUTACLAMOL	51152-91-1
BUTADIAZAMIDE	7007-88-7
BUTAFOSFAN	17316-67-5
BUTALAMINE	22131-35-7
BUTALBITAL	77-26-9
BUTAMIRATE	18109-80-3
BUTAMISOLE	54400-59-8
BUTAMOXANE	4442-60-8
BUTANILICAINE	3785-21-5
BUTANIXIN	55285-35-3
BUTANSERIN	87051-46-5
BUTANTRONE	75464-11-8
BUTAPERAZINE	653-03-2
BUTAPROST	69648-38-0
BUTAVERINE	55837-14-4
BUTAXAMINE	2922-20-5
BUTEDRONIC ACID	51395-42-7
BUTENAFINE	101828-21-1
BUTERIZINE	68741-18-4
BUTETAMATE	14007-64-8
BUTHALITAL SODIUM	510-90-7
BUTIBUFEN	55837-18-8
BUTIDRINE	7433-10-5
BUTIKACIN	59733-86-7
BUTILFENIN	66292-52-2
BUTINAZOCINE	93821-75-1
BUTINOLINE	968-63-8
BUTIROSIN	12772-35-9
BUTIXIRATE	19992-80-4
BUTIXOCORT	120815-74-9
BUTIZIDE	2043-38-1

Annex (con.)
-336-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
BUTOBENDINE	55769-65-8	CAMPHOTAMIDE	4876-45-3
BUTOCONAZOLE	64872-76-0	CAMYLOFIN	54-30-8
BUTOCROLOL	55165-22-5	CANBISOL	56689-43-1
BUTOCTAMIDE	32838-26-9	CANDICIDIN	1403-17-4
BUTOFILOLOL	64552-17-6	CANDOXATRIL	123122-55-4
BUTONATE	126-22-7	CANDOXATRILAT	123122-54-3
BUTOPAMINE	66734-12-1	CANNABINOL	521-35-7
BUTOPIPRINE	55837-15-5	CANRENOIC ACID	4138-96-9
BUTOPROZINE	62228-20-0	CANRENONE	976-71-6
BUTOPYRAMMONIUM IODIDE	7077-30-7	CAPOBENIC ACID	21434-91-3
BUTORPHANOL	42408-82-2	CAPREOMYCIN	11003-38-6
BUTOXYLATE	15302-05-3	CAPROXAMINE	53078-44-7
BUTRIPTYLINE	35941-65-2	CAPTAMINE	108-02-1
BUTROPIUM BROMIDE	29025-14-7	CAPTODIAME	486-17-9
BUTYNAMINE	3735-65-7	CAPTOPRIL	62571-86-2
BUZEPIDE METIODIDE	15351-05-0	CAPURIDE	5579-13-5
CABASTINE	79449-98-2	CARACEMIDE	81424-67-1
CABERGOLINE	81409-90-7	CARAMIPHEN	77-22-5
CACTINOMYCIN	8052-16-2	CARAZOLOL	57775-29-8
CADRALAZINE	64241-34-5	CARBACHOL	51-83-2
CAFAMINOL	30924-31-3	CARBADOX	6804-07-5
CAFEDRINE	58166-83-9	CARBALDRATE	41342-54-5
CALCIFEDIOL	19356-17-3	CARBAMAZEPINE	298-46-4
CALCIPOTRIOL	112828-00-9	CARBANTEL	22790-84-7
CALCITONIN	9007-12-9	CARBARIL	63-25-2
CALCITONIN, BOVINE	26112-29-8	CARBARSONE	121-59-5
CALCITONIN, CHICKEN	100016-62-4	CARBASALATE CALCIUM	5749-67-7
CALCITONIN, EEL	57014-02-5	CARBAZERAN	70724-25-3
CALCITONIN, HUMAN	21215-62-3	CARBAZOCHROME	69-81-8
CALCITONIN, PORCINE	12321-44-7	CARBAZOCHROME SALICYLATE	13051-01-9
CALCITONIN, RAT	11118-25-5	CARBAZOCHROME SODIUM SULPHONATE	51460-26-5
CALCITONIN, SALMON	47931-85-1	CARBAZOCINE	15686-38-1
CALCITRIOL	32222-06-3	CARBENICILLIN	4697-36-3
CALCIUM BENZAMIDOSALICYLATE	528-96-1	CARBENOXOLONE	5697-56-3
CALCIUM CARBIMIDE	156-62-7	CARBENZIDE	3240-20-8
CALCIUM CLOFIBRATE	39087-48-4	CARBETIMER	82230-03-3
CALCIUM DOBESILATE	20123-80-2	CARBETOCIN	37025-55-1
CALCIUM FOLINATE	1492-18-8	CARBIDOPA	28860-95-9
CALCIUM GLUBIONATE	12569-38-9	CARBIFENE	15687-16-8
CALCIUM GLUCOHEPTONATE	17140-60-2	CARBIMAZOLE	22232-54-8
CALCIUM LEVOFOLINATE	80433-71-2	CARBINOXAMINE	486-16-8
CALCIUM PANTOTHENATE	137-08-6	CARBOCISTEINE	638-23-3
CALCIUM SACCHARATE	5793-88-4	CARBOCLORAL	541-79-7
CALCIUM SODIUM FERRICLATE	34150-62-4	CARBOCROMEN	804-10-4
CALCIUM TRISODIUM PENTETATE	12111-24-9	CARBOFENOTION	786-19-6
CALDIAMIDE	128326-81-8	CARBOMER	54182-57-9
CALTERIDOL	132722-73-7	CARBOMYCIN	4564-87-8
CALUSTERONE	17021-26-0	CARBOPLATIN	41575-94-4
CAMAZEPAM	36104-80-0	CARBOPROST	35700-23-3
CAMBENDAZOLE	26097-80-3	CARBOQUONE	24279-91-2
CAMIGLIBOSE	127214-23-7	CARBROMAL	77-65-6
CAMIVERINE	54063-28-4	CARBUBARB	960-05-4
CAMONAGREL	105920-77-2	CARBURAZEPAM	59009-93-7
CAMOSTAT	59721-28-7	CARBUTAMIDE	339-43-5

Annex (con.)
-337-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
CARBUTEROL	34866-47-2	CEFAPAROLE	51627-20-4
CARCAINIUM CHLORIDE	1042-42-8	CEFAPIRIN	21593-23-7
CAREBASTINE	90729-42-3	CEFATRIZINE	51627-14-6
CARFECILLIN	27025-49-6	CEFAZAFLUR	58665-96-6
CARFENAZINE	2622-30-2	CEFAZEDONE	56187-47-4
CARFENTANIL	59708-52-0	CEFAZOLIN	25953-19-9
CARFIMATE	3567-38-2	CEFBUPERAZONE	76610-84-9
CARGUTOCIN	33605-67-3	CEFCANEL	41952-52-7
CARINDACILLIN	35531-88-5	CEFCANEL DALOXATE	97275-40-6
CARISOPRODOL	78-44-4	CEFCAPENE	135889-00-8
CARMANTADINE	38081-67-3	CEFCLIDIN	105239-91-6
CARMELLOSE	9000-11-7	CEFDALOXIME	80195-36-4
CARMETIZIDE	42583-55-1	CEFDINIR	91832-40-5
CARMOFUR	61422-45-5	CEFDITOREN	104145-95-1
CARMOXIROLE	98323-83-2	CEFEDROLOR	57847-69-5
CARMUSTINE	154-93-8	CEFEMPIDONE	103238-57-9
CARNIDAZOLE	42116-76-7	CEFEPIME	88040-23-7
CARNITINE	461-06-3	CEFETAMET	65052-63-3
CAROCAINIDE	66203-00-7	CEFETECOL	117211-03-7
CAROVERINE	23465-76-1	CEFETRIZOLE	65307-12-2
CAROXAZONE	18464-39-6	CEFIVITRIL	66474-36-0
CARPERIDINE	7528-13-4	CEFIXIME	79350-37-1
CARPERITIDE	89213-87-6	CEFMENOXIME	65085-01-0
CARPERONE	20977-50-8	CEFMEPIDIUM CHLORIDE	107452-79-9
CARPINDOLOL	39731-05-0	CEFMETAZOLE	56796-20-4
CARPIPRAMINE	5942-95-0	CEFMINOX	75481-73-1
CARPRAZIDIL	68020-77-9	CEFODIZIME	69739-16-8
CARPROFEN	53716-49-7	CEFONICID	61270-58-4
CARPRONIUM CHLORIDE	13254-33-6	CEFOPERAZONE	62893-19-0
CARSALAM	2037-95-8	CEFORANIDE	60925-61-3
CARSATRIN	125363-87-3	CEFOTAXIME	63527-52-6
CARTAZOLATE	34966-41-1	CEFOTETAN	69712-56-7
CARTEOLOL	51781-06-7	CEFOTIAM	61622-34-2
CARUBICIN	50935-04-1	CEFOXAZOLE	36920-48-6
CARUMONAM	87638-04-8	CEFOXITIN	35607-66-0
CARVEDILOL	72956-09-3	CEFOZOPRAN	113359-04-9
CARVOTROLIME	107266-08-0	CEFPIMIZOLE	84880-03-5
CARZELESIN	119813-10-4	CEFPIRAMIDE	70797-11-4
CARZENIDE	138-41-0	CEFPIROME	84957-29-9
CASOKEFAMIDE	98815-38-4	CEFPODOXIME	80210-62-4
CATHINE	492-39-7	CEFPROZIL	92665-29-7
CATHINONE	71031-15-7	CEFQUINOME	84957-30-2
CEBARACETAM	113957-09-8	CEFRADINE	38821-53-3
CEDEFINGOL	35301-24-7	CEFROTIL	52231-20-6
CEFACETRILE	10206-21-0	CEFROXADINE	51762-05-1
CEFACLOR	53994-73-3	CEFSULODIN	62587-73-9
CEFADROXIL	50370-12-2	CEFSUMIDE	54818-11-0
CEFALEXIN	15686-71-2	CEFTAZIDIME	72558-82-8
CEFALOGLYCIN	3577-01-3	CEFTERAM	82547-58-8
CEFALONIUM	5575-21-3	CEFTEZOLE	26973-24-0
CEFALORAM	859-07-4	CEFTIBUTEN	97519-39-6
CEFALORIDINE	50-59-9	CEFTIOFUR	80370-57-6
CEFALOTIN	153-61-7	CEFTIOLENE	77360-52-2
CEFAMANDOLE	34444-01-4	CEFTIOXIDE	71048-88-9

Annex (con.)
-338-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
CEFTIZOXIME	68401-81-0	CHLORNAPHAZINE	494-03-1
CEFTRIAXONE	73384-59-5	CHLOROBUTANOL	57-15-8
CEFURACETIME	39685-31-9	CHLOROCRESOL	59-50-7
CEFUROXINE	55268-75-2	CHLOROPREDNISONE	52080-57-6
CEFUZONAM	82219-78-1	CHLOROPROCAINE	133-16-4
CELIPROLOL	56980-93-9	CHLOROPYRAMINE	59-32-5
CELLABURATE	9004-36-8	CHLOROPYRILENE	148-65-2
CELLACEFATE	9004-38-0	CHLOROQUINE	54-05-7
CELUCLORAL		CHLOROSERPIDINE	7008-24-4
CERICLAMINE	112922-55-1	CHLOROTHIAZIDE	58-94-6
CERONAPRIL	111223-26-8	CHLOROTRIANISENE	569-57-3
CERULETIDE	17650-98-5	CHLOROXYLENOL	88-04-0
CESIUM (131 CS) CHLORIDE	15690-63-8	CHLORPHENAMINE	132-22-9
CETABEN	55986-43-1	CHLORPHENESIN	104-29-0
CETALKONIUM CHLORIDE	122-18-9	CHLORPHENOCTIUM AMSONATE	7168-18-5
CETAMOLOL	34919-98-7	CHLORPHENOXAMINE	77-38-3
CETEFLOXACIN	141725-88-4	CHLORPHENTERMINE	461-78-9
CETHEXONIUM CHLORIDE	58703-78-9	CHLORPROETHAZINE	84-01-5
CETIEDIL	14176-10-4	CHLORPROGUANIL	537-21-3
CETIRIZINE	83881-51-0	CHLORPROMAZINE	50-53-3
CETOCYCLINE	53228-00-5	CHLORPROPAMIDE	94-20-2
CETOFENICOL	735-52-4	CHLORPROTHIXENE	113-59-7
CETOHEXAZINE	7007-92-3	CHLOROQUINALDOL	72-80-0
CETOMACROGOL 1000	9004-95-9	CHLORTALIDONE	77-36-1
CETOTIAMINE	137-76-8	CHLORTETRACYCLINE	57-62-5
CETOXIME	25394-78-9	CHLORTHENOXAZINE	132-89-8
CETRAXATE	34675-84-8	CHLORZOXAZONE	95-25-0
CETRIMIDE	505-86-2	CHOLINE ALFOSCERATE	28319-77-9
CETRIMONIUM BROMIDE	57-09-0	CHOLINE CHLORIDE	67-48-1
CETRORELIX	120287-85-6	CHOLINE GLUCONATE	507-30-2
CETYLPYRIDINIUM CHLORIDE	123-03-5	CHOLINE SALICYLATE	2016-36-6
CHAULMOSULFONE	473-32-5	CHOLINE THEOPHYLLINATE	4499-40-5
CHENODEOXYCHOLIC ACID	474-25-9	CHORIONIC GONADOTROPHIN	9002-61-3
CHINIOFON	8002-90-2	CHROMOCARB	4960-39-0
CHLORACYZINE	800-22-6	CHYMOPAPAIN	9001-09-6
CHLORALODOL	3563-58-4	CHYMOTRYPSIN	9004-07-3
CHLORALOSE	15879-93-3	CIADOX	65884-46-0
CHLORAMBUCIL	305-03-3	CIAMEXON	75985-31-8
CHLORAMPHENICOL	56-75-7	CIAMERGOLINE	74627-35-3
CHLORAZANIL	500-42-5	CIANIDANOL	154-23-4
CHLORAZODIN	502-98-7	CIANOPRAMINE	66834-24-0
CHLORBENZOXAMINE	522-18-9	CIAPILOME	53131-74-1
CHLORBETAMIDE	97-27-8	CIBENZOLINE	53267-01-9
CHLORCYCLIZINE	82-93-9	CICAPROST	95722-07-9
CHLORDIAZEPOXIDE	58-25-3	CICARPERONE	54063-29-5
CHLORDIMORINE	494-14-4	CICLACILLIN	3485-14-1
CHLORHEXIDINE	55-56-1	CICLACTATE	15145-14-9
CHLORISONDAMINE CHLORIDE	69-27-2	CICLAFRINE	55694-98-9
CHLORMADINONE	1961-77-9	CICLAZINDOL	37751-39-6
CHLORMERODRIN	62-37-3	CICLESONIDE	126544-47-6
CHLORMERODRIN (197 HG)	10375-56-1	CICLETANINE	89943-82-8
CHLORMETHINE	51-75-2	CICLINDOLE	32211-97-5
CHLORMEZANONE	80-77-3	CICLIOMENOL	10572-34-6
CHLORMIDAZOLE	3689-76-7	CICLOBENDAZOLE	31431-43-3

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
CICLOFENAZINE	17692-26-1	CINGESTOL	16915-71-2
CICLOHEXIMIDE	66-81-9	CINITAPRIDE	66564-14-5
CICLONICATE	53449-58-4	CINMETACIN	20168-99-4
CICLONIUM BROMIDE	29546-59-6	CINNAMAVERINE	1679-75-0
CICLOPIROX	29342-05-0	CINNAMEDRINE	90-86-8
CICLOPRAMINE	33545-56-1	CINNARIZINE	298-57-7
CICLOPROFEN	36950-96-6	CINNARIZINE CLOFIBRATE	60763-49-7
CICLOPROLOL	63659-12-1	CINNOFURADIONE	477-80-5
CICLOSIDOMINE	66564-16-7	CINNOPENTAZONE	2056-56-6
CICLOSPORIN	59865-13-3	CINOCTRAMIDE	28598-08-5
CICLOTIZOLAM	58765-21-2	CINOLAZEPAM	75696-02-5
CICLOTROPIUM BROMIDE	85166-20-7	CINOQUIDOX	64557-97-7
CICLOXILIC ACID	57808-63-6	CINOXACIN	28657-80-9
CICLOXOLONE	52247-86-6	CINOXATE	104-28-9
CICORTONIDE	19705-61-4	CINOXOLONE	31581-02-9
CICROTOIC ACID	25229-42-9	CINOXOPAZIDE	88053-05-8
CIDEFERRON	64440-87-5	CINPERENE	14796-24-8
CIDOXEPIN	3607-18-9	CINPRAZOLE	51493-19-7
CIFOSTODINE	633-90-9	CINPROPAZIDE	23887-47-0
CIGLITAZONE	74772-77-3	CINROMIDE	58473-74-8
CINEPTOLANE	34753-46-3	CINTRAMIDE	5588-21-6
CILADOPA	80109-27-9	CINUPERONE	82117-51-9
CILANSETRON	120635-74-7	CIOTERONEL	89672-11-7
CILASTATIN	82009-34-5	CIPRAFAMIDE	35452-73-4
CILAZAPRIL	88768-40-5	CIPRAZAFONE	75616-03-4
CILAZAPRILAT	90139-06-3	CIPREFADOL	59889-36-0
CILNIDIPINE	132203-70-4	CIPROCINONIDE	58524-83-7
CILOBAMINE	69429-84-1	CIPROFIBRATE	52214-84-3
CILOBRADINE	109859-50-9	CIPROFLOXACIN	85721-33-1
CILOFUNGIN	79404-91-4	CIPROKIREN	143631-62-3
CILOSTAMIDE	68550-75-4	CIPROPRIDE	68475-40-1
CILOSTAZOL	73963-72-1	CIPROQUAZONE	33453-23-5
CILTOPRAZINE	54063-30-8	CIPROQUINATE	19485-08-6
CILUTAZOLINE	104902-08-1	CIPROSTENE	81845-44-5
CIMATEROL	54239-37-1	CIPROXIMIDE	15518-76-0
CIMEMOXIN	3788-16-7	CIRAMADOL	63269-31-8
CIMEPANOL	29474-12-2	CIRAZOLINE	59939-16-1
CIMETIDINE	51481-61-9	CIROLEMYCIN	11056-12-5
CIMETROPIUM BROMIDE	51598-60-8	CISAPRIDE	81098-60-4
CINOXATONE	73815-11-9	CISCONAZOLE	104456-79-3
CINAMETIC ACID	35703-32-3	CISMADINONE	54063-31-9
CINAMOLOL	39099-98-4	CISPLATIN	15663-27-1
CINANSERIN	1166-34-3	CISTINEXINE	86042-50-4
CINAPROXEN	89163-44-0	CITALOPRAM	59729-33-8
CINCHOCAINE	85-79-0	CITATEPINE	65509-66-2
CINCHOPHEN	132-60-5	CITENAMIDE	10423-37-7
CINECROMEN	62380-23-8	CITENAZOME	21512-15-2
CINEPAXADIL	69118-25-8	CITICOLINE	987-78-0
CINEPAZET	23887-41-4	CITIOLONE	1195-16-0
CINEPAZIC ACID	54063-23-9	CLADRIBINE	4291-63-8
CINEPAZIDE	23887-46-9	CLAMIDOXIC ACID	6170-69-0
CINFENINE	54141-87-6	CLANOXYQUINE	2545-39-3
CINFENOAC	66984-59-6	CLANFENUR	51213-99-1
CINFLUMIDE	64379-93-7	CLANOBUTIN	30544-61-7

Annex (con.)
-340-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
CLANTIFEN	16562-98-4	CLOFEDANOL	791-35-5
CLARITHROMYCIN	81103-11-9	CLOFENAMIC ACID	4295-55-0
CLAVULANIC ACID	58001-44-8	CLOFENAMIDE	671-95-4
CLAZOLAM	10171-69-4	CLOFENCICLAN	5632-52-0
CLAZOLIMINE	40828-44-2	CLOFENETAMINE	511-46-6
CLAZURIL	101831-36-1	CLOFENOTANE	50-29-3
CLEBOPRIDE	55905-53-8	CLOFENOXYDE	3030-53-3
CLEFAMIDE	3576-64-5	CLOFENVINFOS	470-90-6
CLEMASTINE	15686-51-8	CLOFEVERINE	54340-63-5
CLEMEPROL	71827-56-0	CLOFEXAMIDE	1223-36-5
CLEMIZOLE	442-52-4	CLOFEZONE	60104-29-2
CLEMIZOLE PENICILLIN	6011-39-8	CLOFIBRATE	637-07-0
CLENBUTEROL	37148-27-9	CLOFIBRIC ACID	882-09-7
CLENPIRIN	27050-41-5	CLOFIBRIDE	26717-47-5
CLENTIAZEM	96125-53-0	CLOFILIUM PHOSPHATE	68379-03-3
CLETOQUINE	4298-15-1	CLOFLUPEROL	10457-91-7
CLIBUCAINE	15302-10-0	CLOFOCTOL	37693-01-9
CLIDAFIDINE	33588-20-4	CLOFOREX	14261-75-7
CLIDANAC	34148-01-1	CLOFURAC	60986-89-2
CLIDINIUM BROMIDE	3485-62-9	CLOGESTONE	20047-75-0
CLINAZOLAM	59467-77-5	CLOGUANAMIL	21702-93-2
CLINBAZOLE	38083-17-9	CLONACRAN	5310-55-4
CLINIQUALINE	55150-67-9	CLOMEGESTONE	5367-84-0
CLINAFLOXACIN	105956-97-6	CLOMETACIN	25803-14-9
CLINDANYCIN	18323-44-9	CLOMETERONE	5591-27-5
CLINOFIBRATE	30299-08-2	CLOMETHIAZOLE	533-45-9
CLINOLAMIDE	3207-50-9	CLOMETOCILLIN	1926-49-4
CLINPROST	88931-51-5	CLONIFENE	911-45-5
CLIOQUINOL	130-26-7	CLONIFENOXIDE	97642-74-5
CLIOXANIDE	14437-41-3	CLONINOREX	3876-10-6
CLIPROFEN	51022-75-4	CLONIPRAMINE	303-49-1
CLIROPAMINE	109525-44-2	CLONOCYCLINE	1181-54-0
CLOBAZAM	22316-47-8	CLONOXIR	88431-47-4
CLOBENOSIDE	29899-95-4	CLONAZEPAM	1622-61-3
CLOBENZEPAM	1159-93-9	CLONAZOLINE	17692-28-3
CLOBENZOREX	13364-32-4	CLONIDINE	4205-90-7
CLOBENZTROPINE	5627-46-3	CLONITAZENE	3861-76-5
CLOBETASOL	25122-41-2	CLONITRATE	2612-33-1
CLOBETASONE	54063-32-0	CLONIXERIL	21829-22-1
CLOBUTINOL	14860-49-2	CLONIXIN	17737-65-4
CLOBUZARIT	22494-47-9	CLOPANIDE	636-54-4
CLOCANFAMIDE	18966-32-0	CLOPENTHIXOL	982-24-1
CLOCAPRAMINE	47739-98-0	CLOPERASTINE	3703-76-2
CLOCIGUANIL	3378-93-6	CLOPERIDONE	4052-13-5
CLOCINIZINE	298-55-5	CLOPIDOGREL	113665-84-2
CLOCORTOLONE	4828-27-7	CLOPIDOL	2971-90-6
CLOCOUMAROL	35838-63-2	CLOPIMOZIDE	53179-12-7
CLODACAINE	5626-25-5	CLOPIPAZAN	60085-78-1
CLODANOLENE	14796-28-2	CLOPIRAC	42779-82-8
CLODANTOIN	5588-20-5	CLOPONONE	15301-50-5
CLODAZON	4755-59-3	CLOPREDNOL	5251-34-3
CLODOXOPONE	71923-34-7	CLOPROSTENOL	40665-92-7
CLODRONIC ACID	10596-23-3	CLOPROTHIAZOLE	6469-36-9
CLOFAZIMINE	2030-63-9	CLOQUINATE	7270-12-4

Annex (con.)
-341-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
CLOQUINOZINE	5220-68-8
CLORACETADOL	15687-05-5
CLORAL BETAINE	2218-68-0
CLORAMFENICOL PANTOTENATE COMPLEX	31342-36-6
CLORANOLOL	39563-28-5
CLORETATE	5634-37-7
CLOREXOLONE	2127-01-7
CLORGILINE	17780-72-2
CLORICROMEN	68206-94-0
CLORIDAROL	3611-72-1
CLORINDANIC ACID	153-43-5
CLORINDANOL	145-94-8
CLORINDIONE	1146-99-2
CLORMECAINE	13930-34-2
CLOROFENE	120-32-1
CLOROPERONE	61764-61-2
CLOROQUALONE	25509-07-3
CLOROTEPINE	13448-22-1
CLORPRENALINE	3811-25-4
CLORSULON	60200-06-8
CLORTERMINE	10389-73-8
CLOSANTEL	57808-65-8
CLOSIRAMINE	47135-88-6
CLOSTEBOL	1093-58-9
CLOTIAPINE	2058-52-8
CLOTIAZEPAM	33671-46-4
CLOTICASONE	87556-66-9
CLOTIOXONE	1856-34-4
CLOTIXAMIDE	4177-58-6
CLOTRIMAZOLE	23593-75-1
CLOVOXAMINE	54739-19-4
CLOXACEPRIDE	65569-29-1
CLOXACILLIN	61-72-3
CLOXAZOLAM	24166-13-0
CLOXESTRADIOL	54063-33-1
CLOXIMATE	58832-68-1
CLOXIQUINE	130-16-5
CLOXOTESTOSTERONE	53608-96-1
CLOXYPENDYL	15311-77-0
CLOZAPINE	5786-21-0
COBAMAMIDE	13870-90-1
COCARBOXYLASE	154-87-0
CODACTIDE	22572-04-9
CODOXIME	7125-76-0
COFISATIN	54063-34-2
COGAZOCINE	57653-29-9
COLECALCIFEROL	67-97-0
COLESTIPOL	50925-79-6
COLESTOLONE	50673-97-7
COLESTYRAMINE	11041-12-6
COLEXTRAN	9015-73-0
COLFENAMATE	30531-86-3
COLFORSIN	66575-29-9
COLFOSCERIL PALMITATE	63-89-8
COLIMECYCLINE	58298-92-3
COLISTIMETHATE SODIUM	30387-39-4
COLISTIN	1066-17-7
COLTEROL	18866-78-9
COMPOUND INSULIN ZINC SUSPENSION	8049-62-5
COMPOUND SOLUTION OF SODIUM CHLORIDE	8026-10-6
COMPOUND SOLUTION OF SODIUM LACTATE	8026-79-7
CONESSINE	546-06-5
CONORFONE	72060-05-0
CORBADRINE	829-74-3
CORMETASONE	35135-68-3
CORTICORELIN	
CORTICOTROPIN	9002-60-2
CORTICOTROPIN-ZINC HYDROXIDE	8049-55-6
CORTISONE	53-06-5
CORTISUZOL	50801-44-0
CORTIVAZOL	1110-40-3
CORTODOXONE	152-58-9
COTININE	486-56-6
COTRIPTYLINE	34662-67-4
COUMAFOS	56-72-4
COUMANYCIN	4434-05-3
COUMAZOLINE	37681-00-8
COUMETAROL	4366-18-1
CREATINOLFOSFATE	6903-79-3
CRESOTAMIDE	14008-60-7
CRILVASTATIN	120551-59-9
CRISNATOL	96389-68-3
CROCONAZOLE	77175-51-0
CROMAKALIM	94470-67-4
CROMITRILE	53736-51-9
CROMOGLICIC ACID	16110-51-3
CRONIDIPINE	113759-50-5
CROPROPAMIDE	633-47-6
CROSCARMELLOSE	9000-11-7
CROTAMITON	483-63-6
CROTETAMIDE	6168-76-9
CROTONIAZIDE	7007-96-7
CRUFOMATE	299-86-5
CRYOFLUORANE	76-14-2
CUPRIMYXIN	28069-65-0
CUPROXOLINE	13007-93-7
CYACETACIDE	140-87-4
CYAMEMAZINE	3546-03-0
CYANOCOBALAMIN	68-19-9
CYANOCOBALAMIN (57 CO)	13115-03-2
CYANOCOBALAMIN (58 CO)	18195-32-9
CYANOCOBALAMIN (60 CO)	13422-53-2
CYCLANDELATE	456-59-7
CYCLARBAMATE	5779-54-4
CYCLAZOCINE	3572-80-3
CYCLAZODONE	14461-91-7

Annex (con.)
-342-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
CYCLEXANONE	15301-52-7	DANITRACEN	31232-26-5
CYCLIRAMINE	47128-12-1	DANOFLOXACIN	112398-08-0
CYCLIZINE	82-92-8	DANOSTEINE	4938-00-5
CYCLOBARBITAL	52-31-3	DANTROLENE	7261-97-4
CYCLOBENZAPRINE	303-53-7	DANTRON	117-10-2
CYCLOBUTOIC ACID	17692-20-5	DAPIPRAZOLE	72822-12-9
CYCLOBUTYROL	512-16-3	DAPOXETINE	119356-77-3
CYCLOFENIL	2624-43-3	DAPSONE	80-08-0
CYCLOGUANIL EMBONATE	609-78-9	DAPTOMYCIN	103060-53-3
CYCLOMENOL	5591-47-9	DARENZEPINE	84629-61-8
CYCLOMETHYCAINE	139-62-8	DARGLITAZONE	141200-24-0
CYCLOPENTAMINE	102-45-4	DARODIPINE	72803-02-2
CYCLOPENTHIAZIDE	742-20-1	DATELLIPTIUM CHLORIDE	105118-14-7
CYCLOPENTOLATE	512-15-2	DAUNORUBICIN	20830-81-3
CYCLOPHOSPHAMIDE	50-18-0	DAZADROL	47029-84-5
CYCLOPREGNOL	465-53-2	DAZEPINIL	75991-50-3
CYCLOPROPANE	75-19-4	DAZIDAMINE	75522-73-5
CYCLOPYRRONIUM BROMIDE	15599-22-1	DAZMEGREL	76894-77-4
CYCLOSERINE	68-41-7	DAZOLICINE	61477-97-2
CYCLOTHIAZIDE	2259-96-3	DAZOPRIDE	70181-03-2
CYCLOVALONE	579-23-7	DAZOQUINAST	76002-75-0
CYCOTIAMINE	6092-18-8	DAZOXIBEN	78218-09-4
CYCRIMINE	77-39-4	DEANOL ACEGLUMATE	3342-61-8
CYHEPTAMIDE	7199-29-3	DEBOXAMET	34024-41-4
CYHEPTROPINE	602-40-4	DEBRISOQUINE	1131-64-2
CYNARINE	1884-24-8	DEBROPOL	24403-04-1
CYPENAMINE	15301-54-9	DECAMETHONIUM BROMIDE	541-22-0
CYPRAZEPAM	15687-07-7	DECIMEMIDE	14817-09-5
CYPRENORPHINE	4406-22-8	DECITABINE	2353-33-5
CYPRODENATE	15585-86-1	DECITROPINE	1242-69-9
CYPROHEPTADINE	129-03-3	DECLENPERONE	63388-37-4
CYPROLIDOL	4904-00-1	DECLOXIZINE	3733-63-9
CYPROTERONE	2098-66-0	DECOMINOL	60812-35-3
CYROMAZINE	66215-27-8	DECOQUINATE	18507-89-6
CYSTEINE	52-90-4	DECTAFLUR	36505-83-6
CYTARABINE	147-94-4	DEDITONIUM BROMIDE	2401-56-1
DACARBAZINE	4342-03-4	DEFERIPRONE	30652-11-0
DACEMAZINE	518-61-6	DEFEROXAMINE	70-51-9
DACISTEINE	18725-37-6	DEFIBROTIDE	83712-60-1
DACOPAFANT	125372-33-0	DEFLAZACORT	14484-47-0
DACTINOMYCIN	50-76-0	DEFOSFAMIDE	3733-81-1
DACURONIUM BROMIDE	27115-86-2	DENYDROCHOLIC ACID	81-23-2
DAGAPAMIL	85247-76-3	DENYDROEMETINE	4914-30-1
DALANATED INSULIN	9004-12-0	DELANTERONE	63014-96-0
DALBRAMINOL	81528-80-5	DELAPRIL	83435-66-9
DALEDALIN	22136-27-2	DELERGOTRILE	59091-65-5
DALFOPRISTIN	112362-50-2	DELFANTRINE	3436-11-1
DALTEPARIN SODIUM	9041-08-1	DELFAPRAZINE	117827-81-3
DALTROBAN	79094-20-5	DELMADINONE	15262-77-8
DALVASTATIN	132100-55-1	DELMETACIN	16401-80-2
DAMETRALAST	71680-63-2	DELMOPINOL	79874-76-3
DAMOTEPINE	1469-07-4	DELORAZEPAM	2894-67-9
DANAZOL	17230-88-5	DELOXOLONE	68635-50-7
DANIQUIDONE	67199-66-0	DELPROSTENATE	62524-99-6

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
DEMBREXINE	83200-09-3	DEXAMETHASONE ACEFURATE	83880-70-0
DEMECARIUM BROMIDE	56-94-0	DEXAMFETAMINE	51-64-9
DEMECLOCYCLINE	127-33-3	DEXAMISOLE	14769-74-5
DEMECOLCINE	477-30-5	DEXBROMPHENIRAMINE	132-21-8
DEMECYCLINE	987-02-0	DEXCHLORPHENIRAMINE	25523-97-1
DEMEGESTONE	10116-22-0	DEXCLAMOL	52340-25-7
DEMELVERINE	13977-33-8	DEXETIMIDE	21888-98-2
DEMEXIPTILINE	24701-51-7	DEXETOZOLINE	77519-25-6
DEMOCONAZOLE	70161-09-0	DEXFENFLURAMINE	3239-44-9
DEMOXEPAM	963-39-3	DEXFOSFOSERINE	407-41-0
DEMOXYTOCIN	113-78-0	DEXIBUPROFEN	51146-56-6
DENATONIUM BENZOATE	3734-33-6	DEXIMAFEN	60719-87-1
DENAVERINE	3579-62-2	DEXINDOPROFEN	53086-13-8
DENBUFYLLINE	57076-71-8	DEXIVACAINE	24358-84-7
DENIPRIDE	106972-33-2	DEXLOFEXIDINE	81447-79-2
DENOPAMINE	71771-90-9	DEXLOXIGLUMIDE	119817-90-2
DENPIDAZONE	42438-73-3	DEXMEDETOMIDINE	113775-47-6
DENZIMOL	73931-96-1	DEXNAFENODONE	92629-87-3
DEPRAMINE	303-54-8	DEXNIGULDIPINE	120054-86-6
DEPRODONE	20423-99-8	DEXORMAPLATIN	96392-96-0
DEPROSTIL	33813-84-2	DEXOXADROL	4741-41-7
DEPTROPINE	604-51-3	DEXPANTHENOL	81-13-0
DEQUALINIUM CHLORIDE	522-51-0	DEXPROPRANOLOL	5051-22-9
DERAMCICLANE	120444-71-5	DEXPROXIBUTENE	47419-52-3
DERIGLIDOLE	122830-14-2	DEXRAZOXANE	24584-09-6
DERPANICATE	99518-29-3	DEXSECOVERINE	90237-04-0
DESASPIDIN	114-43-2	DEXTILIDINE	32447-90-8
DESCICLOVIR	84408-37-7	DEXTRAN	9004-54-0
DESCINOLONE	595-52-8	DEXTRANOMER	56087-11-7
DESERPIDINE	131-01-1	DEXTRIFERRON	8063-26-1
DESFLURANE	57041-67-5	DEXTROFEMINE	15687-08-8
DESGLUGASTRIN	51987-65-6	DEXTROMETHORPHAN	125-71-3
DESIPRAMINE	50-47-5	DEXTROMORAMIDE	357-56-2
DESLANOSIDE	17598-65-1	DEXTROPROPOXYPNEME	469-62-5
DESLORELIN	57773-65-6	DEXTRORPHAN	125-73-5
DESMETHYLMORAMIDE	1767-88-0	DEXTROTHYROXINE SODIUM	137-53-1
DESMOPRESSIN	16679-58-6	DEXVERAPAMIL	38321-02-7
DESOCRIPTINE	66759-48-6	DEZAGUANINE	41729-52-6
DESOGESTREL	54024-22-5	DEZINAMIDE	91077-32-6
DESOMORPHINE	427-00-9	DEZOCINE	53648-55-8
DESONIDE	638-94-8	DIACEREIN	13739-02-1
DESOXIMETASONE	382-67-2	DIACETAMATE	2623-33-8
DESOXYCORTONE	64-85-7	DIACETOLOL	28197-69-5
DETAJMIUM BITARTRATE	53862-81-0	DIAMFENETIDE	36141-82-9
DETANOSAL	23573-66-2	DIAMOCAINE	27112-37-4
DETERENOL	3506-31-8	DIAMPROMIDE	552-25-0
DETIRELIX	89662-30-6	DIARBARONE	1233-70-1
DETOMIDINE	76631-46-4	DIATHYMOSULFONE	5964-62-5
DETORUBICIN	66211-92-5	DIAVERIDINE	5355-16-8
DETRALFATE	37209-31-7	DIAZEPAM	439-14-5
DETROTHYRONINE	5714-08-9	DIAZIQUONE	57998-68-2
DEVAPAMIL	92302-55-1	DIAZOXIDE	364-98-7
DEVAZEPIDE	103420-77-5	DIBEKACIN	34493-98-6
DEXAMETHASONE	50-02-2	DIBEMETHINE	102-05-6

Annex (con.)
-344-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
DIBENZEPIN	4498-32-2
DIBROMPROPAMIDINE	496-00-4
DIBROMSALAN	87-12-7
DIBROSPIDIUM CHLORIDE	86641-76-1
DIBUPROL	2216-77-5
DIBUPYRONE	1046-17-9
DIBUSADOL	24353-45-5
DICARBINE	17411-19-7
DICARFEN	15585-88-3
DICHLORISONE	7008-26-6
DICHLORMEZANONE	5571-97-1
DICHLOROPHEN	97-23-4
DICHLOROPHENARSINE	455-83-4
DICHLOROXYLENOL	133-53-9
DICHLORVOS	62-73-7
DICIFERRON	65606-61-3
DICIRENONE	41020-79-5
DICLAZURIL	101831-37-2
DICLOFENAC	15307-86-5
DICLOFENAMIDE	120-97-8
DICLOFENSINE	67165-56-4
DICLOFURINE	64743-08-4
DICLOMETIDE	17243-49-1
DICLONIXIN	17737-68-7
DICLORALUREA	116-52-9
DICLOXACILLIN	3116-76-5
DICOBALT EDETATE	36499-65-7
DICOLINIUM IODIDE	382-82-1
DICOUMAROL	66-76-2
DICRESULENE	78480-14-5
DICYCLOVERINE	77-19-0
DIDANOSINE	69655-05-6
DIDROVALTRATE	18296-43-2
DIELDRIN	60-57-1
DIENESTROL	84-17-3
DIENOGEST	65928-58-7
DIETHADIONE	702-54-5
DIETHAZINE	60-91-3
DIETHYLCARBAMAZINE	90-89-1
DIETHYLSTILBESTROL	56-53-1
DIETHYLTHIAMBUTENE	86-14-6
DIETHYLTOLUAMIDE	134-62-3
DIETIFEN	3686-78-0
DIFEBARBAMATE	15687-09-9
DIFEMERINE	80387-96-8
DIFEMETOREX	13862-07-2
DIFENAMIZOLE	20170-20-1
DIFENCLOXAZINE	5617-26-5
DIFENIDOL	972-02-1
DIFENOXIMIDE	47806-92-8
DIFENOXIN	28782-42-5
DIFETARSONE	3639-19-8
DIFETEROL	14587-50-9
DIFLORASONE	2557-49-5
DIFLOXACIN	98106-17-3
DIFLUANAZINE	5522-39-4
DIFLUCORTOLONE	2607-06-9
DIFLUNIDONE	22736-85-2
DIFLUNISAL	22494-42-4
DIFLUPREDNATE	23674-86-4
DIFTALONE	21626-89-1
DIGITOXIN	71-63-6
DIGOXIN	20830-75-5
DINEXYVERINE	561-77-3
DINYDRALAZINE	484-23-1
DINYDROCODEINE	125-28-0
DINYDROERGOTAMINE	511-12-6
DINYDROTACHYSTEROL	67-96-9
DIIODOHYDROXYQUINOLINE	83-73-8
DIISOPROMINE	5966-41-6
DILAZEP	35898-87-4
DILEVALOL	75659-07-3
DILMEFONE	37398-31-5
DILOXANIDE	579-38-4
DILTIAZEM	42399-41-7
DIMABEFYLLINE	1703-48-6
DIMANTINE	124-28-7
DIMAZOLE	95-27-2
DIMECAMINE	3570-07-8
DIMECOLONIUM IODIDE	3425-97-6
DIMECROTIC ACID	7706-67-4
DIMEFADANE	5581-40-8
DIMEFLINE	1165-48-6
DIMELAZINE	15302-12-2
DIMEMORFAN	36309-01-0
DIMENHYDRINATE	523-87-5
DIMENOXADOL	509-78-4
DIMEPHEPTANOL	545-90-4
DIMEPRANOL	53657-16-2
DIMEPREGNEN	21208-26-4
DIMEPROZAN	6538-22-3
DIMERCAPROL	59-52-9
DIMESNA	16208-51-8
DIMESONE	25092-07-3
DIMETACRINE	4757-55-5
DIMETAMFETAMINE	17279-39-9
DIMETHADIONE	695-53-4
DIMETHAZAN	519-30-2
DIMETHICODAL SODIUM	124-88-9
DIMETHISTERONE	79-64-1
DIMETHOLIZINE	7008-00-6
DIMETHOXANATE	477-93-0
DIMETHYL SULFOXIDE	67-68-5
DIMETHYLTHIAMBUTENE	524-84-5
DIMETHYLTUBOCURARINIUM CHLORIDE	33335-58-9
DIMETICONE	9006-65-9
DIMETINDENE	5636-83-9
DIMETIPIRIUM BROMIDE	51047-24-6

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
DIMETOFRINE	22950-29-4	DISOBUTAMIDE	68284-69-5
DIMETOTIAZINE	7456-24-8	DISOFENIN	65717-97-7
DIMETRIDAZOLE	551-92-8	DISOGLUSIDE	14144-06-0
DIMEVAMIDE	60-46-8	DISOPYRAMIDE	3737-09-5
DININAZENE	536-71-0	DISOXARIL	87495-31-6
DIMIRACETAM	126100-97-8	DISTIGMINE BROMIDE	15876-67-2
DIMOXAPROST	90243-98-4	DISULERGINE	59032-40-5
DIMOXYLINE	147-27-3	DISULFAMIDE	671-88-5
DIMPYLATE	333-41-5	DISULFIRAM	97-77-8
DINALIN	58338-59-3	DISUPRAZOLE	99499-40-8
DINAZAFONE	71119-12-5	DITAZOLE	18471-20-0
DINIPROFYLLINE	17692-30-7	DITEKIREN	103336-05-6
DINITOLMIDE	148-01-6	DITERCALINIUM CHLORIDE	74517-42-3
DINOPROST	551-11-1	DITHIAZANINE IODIDE	514-73-8
DINOPROSTONE	363-24-6	DITHRANOL	480-22-8
DINSED	96-62-8	DITIOCARB SODIUM	148-18-5
DIODONE	300-37-8	DITIOMUSTINE	82599-22-2
DIOSMIN	520-27-4	DITOLAMIDE	723-42-2
DIOXADILOL	80743-08-4	DITOPHAL	584-69-0
DIOXADROL	6495-46-1	DIVABUTEROL	54592-27-7
DIOXAMATE	3567-40-6	DIVAPLON	90808-12-1
DIOXAPHETYL BUTYRATE	467-86-7	DIXANTHOGEN	502-55-6
DIOXATION	78-34-2	DIZATRIFONE	92257-40-4
DIOXETHEDRIN	497-75-6	DIZOCILPINE	77086-21-6
DIOXIFEDRINE	10329-60-9	DOBUPRIDE	106707-51-1
DIOXYBENZONE	131-53-3	DOBUTAMINE	34368-04-2
DIPERODON	101-08-6	DOCARPAMINE	74639-40-0
DIPHEMANIL METILSULFATE	62-97-5	DOCEBENONE	80809-81-0
DIPHENADIONE	82-66-6	DOCETAXEL	114977-28-5
DIPHENAN	101-71-3	DOCONAZOLE	59831-63-9
DIPHENHYDRAMINE	58-73-1	DOCONEXENT	6217-54-5
DIPHENOXYLATE	915-30-0	DOCUSATE SODIUM	577-11-7
DIPHENYLPYRALINE	147-20-6	DODECLONIUM BROMIDE	15687-13-5
DIPHOXAZIDE	511-41-1	DOFAMIUM CHLORIDE	54063-35-3
DIPIPANONE	467-83-4	DOFETILIDE	115256-11-6
DIPIPROVERINE	117-30-6	DOLASETRON	115956-12-2
DIPIVEFRINE	52365-63-6	DOLIRACETAM	84901-45-1
DIPONIUM BROMIDE	2001-81-2	DOMAZOLINE	6043-01-2
DIPOTASSIUM CLORAZEPATE	57109-90-7	DOMIODOL	61869-07-6
DIPRAFENONE	81447-80-5	DOMIPHEN BROMIDE	538-71-6
DIPREMORPHINE	14357-78-9	DOMIPIZONE	95355-10-5
DIPROBUTINE	61822-36-4	DOMOPREDNATE	66877-67-6
DIPROFENE	5835-72-3	DOMOXIN	61-74-5
DIPROGULIC ACID	18467-77-1	DOMPERIDONE	57808-66-9
DIPROLEANDOMYCIN	14289-25-9	DONETIDINE	99248-32-5
DIPROPHYLLINE	479-18-5	DOPAMANTINE	39907-68-1
DIPROQUALONE	36518-02-2	DOPAMINE	51-61-6
DIPROTEVERINE	69373-95-1	DOPEXAMINE	86197-47-9
DIPROXADOL	52042-24-7	DOPROPIDIL	79700-61-1
DIPYRIDAMOLE	58-32-2	DOQUALAST	64019-03-0
DIPYRITHIONE	3696-28-4	DORAMECTIN	117704-25-3
DIPYROCETYL	486-79-3	DORASTINE	21228-13-7
DIRITHROMYCIN	62013-04-1	DOREPTIDE	90104-48-6
DISIQUONIUM CHLORIDE	68959-20-6	DORETINEL	104561-36-6

Annex (con.)
-346-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
DORLIMOMAB ARITOX	
DORZOLAMIDE	120279-96-1
DOSERGOSIDE	87178-42-5
DOSMALFATE	122312-55-4
DOSULEPIN	113-53-1
DOTARIZINE	84625-59-2
DOTEFONIUM BROMIDE	26058-50-4
DOXACURIUM CHLORIDE	106819-53-8
DOXAMINOL	55286-56-1
DOXAPRAM	309-29-5
DOXAPROST	51953-95-8
DOXAZOSIN	74191-85-8
DOXEFAZEPAM	40762-15-0
DOXENITOIN	3254-93-1
DOXEPIN	1668-19-5
DOXIBETASOL	1879-77-2
DOXIFLURIDINE	3094-09-5
DOXOFYLLINE	69975-86-6
DOXORUBICIN	23214-92-8
DOXPICOMINE	62904-71-6
DOXYCYCLINE	564-25-0
DOXYLAMINE	469-21-6
DRAFLAZINE	120770-34-5
DRAMEDILOL	76953-65-6
DRAQUINOLOL	67793-71-9
DRAZIDOX	27314-77-8
DRIBENDAZOLE	63667-16-3
DRINIDENE	53394-92-6
DROBULINE	58473-73-7
DROCINONIDE	2355-59-1
DROCLIDINIUM BROMIDE	29125-56-2
DROFENINE	1679-76-1
DROLOXIFENE	82413-20-5
DROMETRIZOLE	2440-22-4
DRONABINOL	1972-08-3
DROPEMPINE	34703-49-6
DROPERIDOL	548-73-2
DROPRENILAMINE	57653-27-7
DROPROPIZINE	17692-31-8
DROSPIRENONE	67392-87-4
DROSTANOLONE	58-19-5
DROTAVERINE	14009-24-6
DROTEBANOL	3176-03-2
DROXACIN	35067-47-1
DROXICAINIDE	78421-12-2
DROXICAM	90101-16-9
DROXIDOPA	23651-95-8
DROXYPROPINE	15599-26-5
DUAZOMYCIN	1403-47-0
DULOFIBRATE	61887-16-9
DULOXETINE	116539-59-4
DULOZAFONE	75616-02-3
DUMORELIN	105953-59-1
DUOMETACIN	25771-23-7

INN	CAS Number
DUOPERONE	62030-88-0
DUPRACETAM	59776-90-8
DUTEPLASE	120608-46-0
DYCLONINE	586-60-7
DYDROGESTERONE	152-62-5
EBASTINE	90729-43-4
EBERCONAZOLE	128326-82-9
EBIRATIDE	105250-86-0
EBROTIDINE	100981-43-9
EBSELEN	60940-34-3
ECABAPIDE	104775-36-2
ECABET	33159-27-2
ECADOTRIL	112573-73-6
ECASTOLOL	77695-52-4
ECIPRAMIDIL	64552-16-5
ECLANAMINE	71027-13-9
ECLAZOLAST	80263-73-6
ECOMUSTINE	98383-18-7
ECONAZOLE	27220-47-9
ECOTHIOPATE IODIDE	513-10-0
ECTYLUREA	95-04-5
EDATREXATE	80576-83-6
EDELFOSINE	70641-51-9
EDETIC ACID	60-00-4
EDETOL	102-60-3
EDIFOLONE	90733-40-7
EDOBACOMAB	141410-98-2
EDOGESTRONE	809-01-8
EDOXUDINE	15176-29-1
EDROPHONIUM CHLORIDE	116-38-1
EFAROXAN	89197-32-0
EFETOZOLE	99500-54-6
EFLORNITHINE	67037-37-0
EFLOXATE	119-41-5
EFLUMAST	70977-46-7
EFONIDIPINE	111011-63-3
EFROTOMYCIN	56592-32-6
EGTAZIC ACID	67-42-5
EGUALEN	99287-30-6
ELANTRINE	1232-85-5
ELANZEPINE	6196-08-3
ELBANIZINE	110629-41-9
ELCATONIN	60731-46-6
ELEDOISIN	69-25-0
ELFAZEPAM	52042-01-0
ELGODIPINE	119413-55-7
ELIPRODIL	119431-25-3
ELLAGIC ACID	476-66-4
ELLIPTINIUM ACETATE	58337-35-2
ELMUSTINE	60784-46-5
ELNADIPINE	103946-15-2
ELSAMITRUCIN	97068-30-9
ELTANOLONE	128-20-1
ELTENAC	72895-88-6

Annex (con.)
-347-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ELTOPRAZINE	98224-03-4	ENROFLOXACIN	93106-60-6
ELUCAINE	25314-87-8	ENTACAPONE	130929-57-6
ELZIVERINE	95520-81-3	ENTSUFON	55837-16-6
EMAKALIM	129729-66-4	ENVIOMYCIN	33103-22-9
EMBRAMINE	3565-72-8	ENVIRADENE	80883-55-2
EMBUTRAMIDE	15687-14-6	ENVIROXIME	72301-79-2
EMEDASTINE	87233-61-2	EPALRESTAT	82159-09-9
EMEPRONIUM BROMIDE	3614-30-0	EPANOLOL	86880-51-5
EMIGLITATE	80879-63-6	EPERISONE	64840-90-0
EMILIUM TOSILATE	30716-01-9	EPERVUDINE	60136-25-6
EMITEFUR	110690-43-2	EPICAINIDE	66304-03-8
EMOPAMIL	78370-13-5	EPICILLIN	26774-90-3
ENORFAZONE	38957-41-4	EPICRIPTINE	88660-47-3
ENYLCAMATE	78-28-4	EPIESTRIOL	547-81-9
ENADOLINE	124378-77-4	EPIMESTROL	7004-98-0
ENALAPRIL	75847-73-3	EPINASTINE	80012-43-7
ENALAPRILAT	76420-72-9	EPINEPHRINE	51-43-4
ENALKIREN	113082-98-7	EPIPROPIDINE	5696-17-3
ENAZADREM	107361-33-1	EPIRIZOLE	18694-40-1
ENBUCRILATE	6606-65-1	EPIROPRIM	73090-70-7
ENCAINIDE	37612-13-8	EPIRUBICIN	56420-45-2
ENCIPRAZINE	68576-86-3	EPITIOSTANOL	2363-58-8
ENCLOMIFENE	15690-57-0	EPITIZIDE	1764-85-8
ENCYPRATE	2521-01-9	EPOPROSTENOL	35121-78-9
ENDIXAPRINE	93181-85-2	EPOSTANE	80471-63-2
ENDOMIDE	4582-18-7	EPRAZINONE	10402-90-1
ENDOMYCIN	1391-41-9	EPRISTERIDE	119169-78-7
ENDRALAZINE	39715-02-1	EPROBEMIDE	87940-60-1
ENDRISONE	35100-44-8	EPROVAFEN	101335-99-3
ENEFEXINE	67765-04-2	EPROXINDINE	83200-08-2
ENESTEBOL	2320-86-7	EPROZINOL	32665-36-4
ENFENAMIC ACID	23049-93-6	EPSIPRANTEL	98123-83-2
ENFLURANE	13838-16-9	EPTALOPROST	90693-76-8
ENGLITAZONE	109229-58-5	EPTASTIGMINE	101246-68-8
ENICLOBRATE	60662-18-2	EPTAZOCINE	72522-13-5
ENILCONAZOLE	73790-28-0	ERDOSTEINE	84611-23-4
ENILOSPIRONE	59798-73-1	ERGOCALCIFEROL	50-14-6
ENISOPROST	81026-63-3	ERGOMETRINE	60-79-7
ENLOPLATIN	111523-41-2	ERGOTAMINE	113-15-5
ENOCITABINE	55726-47-1	ERICOLOL	85320-67-8
ENOFELAST	127035-60-3	ERITRITYL TETRANITRATE	7297-25-8
ENOLICAM	59755-82-7	ERIZEPINE	96645-87-3
ENOXACIN	74011-58-8	EROCAINIDE	85750-38-5
ENOXAMAST	74604-76-5	ERSOFERMIN	111212-85-2
ENOXAPARIN SODIUM	9041-08-1	ERYTHROMYCIN	114-07-8
ENOXIMONE	77671-31-9	ERYTHROMYCIN ACISTRATE	96128-89-1
ENOXOLONE	471-53-4	ERYTHROMYCIN STINOPRATE	84252-03-9
ENPIRAZOLE	31729-24-5	ESAFLOXACIN	79286-77-4
ENPIROLINE	66364-73-6	ESAPRAZOLE	64204-55-3
ENPRAZEPINE	47206-15-5	ESCULAMINE	2908-75-0
ENPROFYLLINE	41078-02-8	ESERIDINE	25573-43-7
ENPROMATE	10087-89-5	ESFLURBIPROFEN	51543-39-6
ENPROSTIL	73121-56-9	ESMOLOL	103598-03-4
ENRAMYCIN	11115-82-5	ESORUBICIN	63521-85-7

Annex (con.)
-348-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
ESPATROPATE	132829-83-5
ESPROQUINE	37517-33-2
ESTAZOLAM	29975-16-4
ESTRADIOL	50-28-2
ESTRADIOL BENZOATE	50-50-0
ESTRADIOL UNDECYLATE	3571-53-7
ESTRADIOL VALERATE	979-32-8
ESTRAMUSTINE	2998-57-4
ESTRAPRONICATE	4140-20-9
ESTRAZINOL	5941-36-6
ESTRIOL SUCCINATE	514-68-1
ESTROFURATE	10322-73-3
ESTRONE	53-16-7
ESUPRONE	91406-11-0
ETABENZARONE	15686-63-2
ETACEPRIDE	68788-56-7
ETACRYNIC ACID	58-54-8
ETAFEDRINE	7681-79-0
ETAFENONE	90-54-0
ETAMINILE	15599-27-6
ETAMIPHYLLIN	314-35-2
ETANIVAN	304-84-7
ETANOCYCLINE	15590-00-8
ETANSYLATE	2624-44-4
ETANIDAZOLE	22668-01-5
ETANTEROL	93047-39-3
ETAQUALONE	7432-25-9
ETAROTENE	87719-32-2
ETASULINE	16781-39-8
ETAZEPINE	88124-27-0
ETAZOLATE	51022-77-6
ETEBENECID	1213-06-5
ETEROBARB	27511-99-5
ETERSALATE	62992-61-4
ETHACRIDINE	442-16-0
ETHAMBUTOL	74-55-5
ETHAVERINE	486-47-5
ETHCHLORVYNOL	113-18-8
ETHENZAMIDE	938-73-8
ETHIAZIDE	1824-58-4
ETHINAMATE	126-52-3
ETHINYLESTRADIOL	57-63-6
ETHIODIZED OIL (131 I)	8016-07-7
ETHIONAMIDE	536-33-4
ETHISTERONE	434-03-7
ETHOHEPTAZINE	77-15-6
ETHOMOXANE	16509-23-2
ETHOSUXIMIDE	77-67-8
ETHOTOIN	86-35-1
ETHOXAZORUTOSIDE	30851-76-4
ETHYL BISCOUMACETATE	548-00-5
ETHYL CARFLUZEPATE	65400-85-3
ETHYL CARTRIZOATE	5714-09-0
ETHYL DIBUNATE	5560-69-0
ETHYL DIRAZEPATE	23980-14-5
ETHYLESTRENOL	965-90-2
ETHYL LOFLAZEPATE	29177-84-2
ETHYLMETHYLTHIAMBUTENE	441-61-2
ETHYNERONE	3124-93-4
ETHYPICONE	467-90-3
ETIBENDAZOLE	64420-40-2
ETICLOPRIDE	84226-12-0
ETICYCLIDINE	2201-15-2
ETIDOCAINE	36637-18-0
ETIDRONIC ACID	2809-21-4
ETIFELMINE	341-00-4
ETIFENIN	63245-28-3
ETIFOXINE	21715-46-8
ETILAMFETAMINE	457-87-4
ETILEFRINE	709-55-7
ETILEFRINE PIVALATE	85750-39-6
ETINTIDINE	69539-53-3
ETIPIRIUM IODIDE	3478-15-7
ETIPROSTON	59619-81-7
ETIRACETAM	33996-58-6
ETIROXATE	17565-01-4
ETISAZOLE	7716-60-1
ETISOMICIN	70639-48-4
ETISULERGINE	64795-23-9
ETIZOLAM	40054-69-1
ETOCARLIDE	1234-30-6
ETOCRILENE	5232-99-5
ETODOLAC	41340-25-4
ETODROXIZINE	17692-34-1
ETOFAMIDE	25287-60-9
ETOFENAMATE	30544-47-9
ETOFENPROX	80844-07-1
ETOFIBRATE	31637-97-5
ETOFORMIN	45086-03-1
ETOFURADINE	17692-35-2
ETOFYLLINE	519-37-9
ETOFYLLINE CLOFIBRATE	54504-70-0
ETOGLUCID	1954-28-5
ETOLOREX	54063-36-4
ETOLOTIFEN	82140-22-5
ETOLOXAMINE	1157-87-5
ETOMIDATE	33125-97-2
ETOMIDOLINE	21590-92-1
ETOMOXIR	124083-20-1
ETONAM	15037-44-2
ETONITAZENE	911-65-9
ETONOGESTREL	54048-10-1
ETOPERIDONE	52942-31-1
ETOPOSIDE	33419-42-0
ETOPRINDOLE	54063-37-5
ETORPHINE	14521-96-1
ETOSALAMIDE	15302-15-5
ETOXADROL	28189-85-7

Annex (con.)
-349-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ETOXAZENE	94-10-0	FENALAMIDE	4551-59-1
ETOXERIDINE	469-82-9	FENALCOMINE	34616-39-2
ETOZOLIN	73-09-6	FENAMIFURIL	735-64-8
ETRABAMINE	70590-58-8	FENAMISAL	133-11-9
ETRETINATE	54350-48-0	FENAMOLE	5467-78-7
ETRYPTAMINE	2235-90-7	FENAPERONE	54063-38-6
ETYBENZATROPINE	524-83-4	FENBENDAZOLE	43210-67-9
ETYMENAZINE	523-54-6	FENBENICILLIN	1926-48-3
ETYNODIOL	1231-93-2	FENBUFEN	36330-85-5
EUCATROPINE	100-91-4	FENBUTRAZATE	4378-36-3
EUPROCIN	1301-42-4	FENCAMFAMIN	1209-98-9
EVANDAMINE	100035-75-4	FENCARBAMIDE	3735-90-8
EXALAMIDE	53370-90-4	FENCIBUTIROL	5977-10-6
EXAMETAZINE	105613-48-7	FENCLEXONIUM METILSULFATE	30817-43-7
EXAPROLOL	55837-19-9	FENCLOFENAC	34645-84-6
EXEMESTANE	107868-30-4	FENCLOFOS	299-84-3
EXEPANOL	77416-65-0	FENCLONINE	7424-00-2
EXIFONE	52479-85-3	FENCLORAC	36616-52-1
EXIPROBEN	26281-69-6	FENCLOZIC ACID	17969-20-9
FADROZOLE	102676-47-1	FENDILINE	13042-18-7
FALINTOLOL	90581-63-8	FENDOSAL	53597-27-6
FALIPAMIL	77862-92-1	FENERITROL	15301-67-4
FAMCICLOVIR	104227-87-4	FENESTREL	7698-97-7
FAMIRAPRINIUM CHLORIDE	108894-41-3	FENETHAZINE	522-24-7
FAMOTIDINE	76824-35-6	FENETRADIL	54063-39-7
FAMOTINE	18429-78-2	FENETYLLINE	3736-08-1
FAMPROFAZONE	22881-35-2	FENFLUMIZOL	73445-46-2
FANANSERIN	127625-29-0	FENFLURAMINE	458-24-2
FANETIZOLE	79069-94-6	FENFLUTHRIN	75867-00-4
FANTOFARONE	114432-13-2	FENGABINE	80018-06-0
FANTRIDONE	17692-37-4	FENHARMANE	15301-68-5
FASIPLON	106100-65-6	FENIMIDE	60-45-7
FASUDIL	103745-39-7	FENIODIUM CHLORIDE	34106-48-4
FAZADINIUM BROMIDE	49564-56-9	FENIPENTOL	583-03-9
FAZARABINE	65886-71-7	FENIROFIBRATE	54419-31-7
FEBANTEL	58306-30-2	FENISOREX	34887-52-0
FEBARBAMATE	13246-02-1	FENMETOZOLE	41473-09-0
FEBUPROL	3102-00-9	FENMETRAMIDE	5588-29-4
FEBUVERINE	7077-33-0	FENOBAM	57653-26-6
FECLEMINE	3590-16-7	FENOCINOL	3671-05-4
FECLOBUZONE	23111-34-4	FENOCTIMINE	69365-65-7
FEDOTOZINE	123618-00-8	FENOFIBRATE	49562-28-9
FEDRILATE	23271-74-1	FENOLDOPAM	67227-56-9
FELBAMATE	25451-15-4	FENOPROFEN	31879-05-7
FELBINAC	5728-52-9	FENOTEROL	13392-18-2
FELIPYRINE	1980-49-0	FENOVERINE	37561-27-6
FELODIPINE	86189-69-7	FENOXAZOLINE	4846-91-7
FELYPRESSIN	56-59-7	FENOXEDIL	54063-40-0
FEMOXETINE	59859-58-4	FENOXYPROPAZINE	3818-37-9
FENABUTENE	5984-83-8	FENOZOLONE	15302-16-6
FENACETINOL	4665-04-7	FENPENTADIOL	15687-18-0
FENACLON	306-20-7	FENPERATE	55837-26-8
FENADIAZOLE	1008-65-7	FENPIPALONE	21820-82-6
FENAFTIC ACID	27736-80-7	FENPIPRAMIDE	77-01-0

Annex (con.)
-350-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
FENPIPRANE	3540-95-2
FENPIVERINIUM BROMIDE	125-60-0
FENPRINAST	75184-94-0
FENPROPOREX	15686-61-0
FENPROSTALENE	69381-94-8
FENQUIZONE	20287-37-0
FENRETINIDE	65646-68-6
FENSPIRIDE	5053-06-5
FENTANYL	437-38-7
FENTIAZAC	18046-21-4
FENTICLOR	97-24-5
FENTICONAZOLE	72479-26-6
FENTONIUM BROMIDE	5868-06-4
FENYRAMIDOL	553-69-5
FENYRIPOL	3607-24-7
FEPENTOLIC ACID	17243-33-3
FEPITRIZOL	53415-46-6
FEPRADINOL	63075-47-8
FEPRAZONE	30748-29-9
FEPROMIDE	54063-41-1
FEPROSIDNINE	22293-47-6
FERPIFOSATE SODIUM	138708-32-4
FERRIC (59 FE) CITRATE INJECTION	54063-42-2
FERRIC FRUCTOSE	29041-71-2
FERROCHOLINATE	1336-80-7
FERROPOLIMALER	54063-44-4
FERROTRENINE	15339-50-1
FERTIRELIN	38234-21-8
FETOXILATE	54063-45-5
FEXICAINE	54063-46-6
FEXINIDAZOLE	59729-37-2
FEZATIONE	15387-18-5
FEZOLAMINE	80410-36-2
FIACITABINE	69123-90-6
FIALURIDINE	69123-98-4
FIBRACILLIN	51154-48-4
FIBRINOGEN (125 I)	
FIBRINOLYSIN (HUMAN)	9004-09-5
FILEMADOL	78168-92-0
FILGRASTIN	121181-53-1
FILIPIN	480-49-9
FINASTERIDE	98319-26-7
FIPEXIDE	34161-24-5
FLAMENOL	2174-64-3
FLAVAMINE	15686-60-9
FLAVODIC ACID	37470-13-6
FLAVODILOL	79619-31-1
FLAVOXATE	15301-69-6
FLAZALONE	21221-18-1
FLECAINIDE	54143-55-4
FLEROBUTEROL	82101-10-8
FLEROXACIN	79660-72-3
FLESINOXAN	98205-89-1
FLESTOLOL	87721-62-8
FLETAZEPAM	34482-99-0
FLEZELASTINE	135381-77-0
FLOCALCITRIOL	83805-11-2
FLOCTAFENINE	23779-99-9
FLOMOXEF	99665-00-6
FLOPROPIONE	2295-58-1
FLORANTYRONE	519-95-9
FLORDIPINE	77590-96-6
FLOREDIL	53731-36-5
FLORFENICOL	76639-94-6
FLORIFENINE	83863-79-0
FLOSATIDIL	113593-34-3
FLOSEQUINAN	76568-02-0
FLOSULIDE	80937-31-1
FLOTRENIZINE	82190-92-9
FLOVERINE	27318-86-1
FLOXACRINE	53966-34-0
FLOXURIDINE	50-91-9
FLUACIZINE	30223-48-4
FLUALAMIDE	5107-49-3
FLUANISONE	1480-19-9
FLUAZACORT	19888-56-3
FLUAZURON	86811-58-7
FLUBANILATE	847-20-1
FLUBENDAZOLE	31430-15-6
FLUBEPRIDE	56488-61-0
FLUCARBRIL	2261-94-1
FLUCETOREX	40256-99-3
FLUCINDOLE	40594-09-0
FLUCIPRAZINE	54340-64-6
FLUCLOROLONE ACETONIDE	3693-39-8
FLUCLOXACILLIN	5250-39-5
FLUCONAZOLE	86386-73-4
FLUCRILATE	23023-91-8
FLUCYTOSINE	2022-85-7
FLUDALANINE	35523-45-6
FLUDARABINE	21679-14-1
FLUDAZONIUM CHLORIDE	53597-28-7
FLUDEOXYGLUCOSE (18 F)	105851-17-0
FLUDIAZEPAM	3900-31-0
FLUDOREX	15221-81-5
FLUDOXOPONE	71923-29-0
FLUDROCORTISONE	127-31-1
FLUDROXYCORTIDE	1524-88-5
FLUFENAMIC ACID	530-78-9
FLUFENISAL	22494-27-5
FLUFOSAL	65708-37-4
FLUFYLLINE	82190-91-8
FLUGESTONE	337-03-1
FLUINDAROL	6723-40-6
FLUINDIONE	957-56-2
FLUMAZENIL	78755-81-4
FLUMECINOL	56430-99-0
FLUMEDROXONE	15687-21-5

Annex (con.)
-351-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
FLUMEQUINE	42835-25-6	FLUROTYL	333-36-8
FLUMERIDONE	75444-64-3	FLUROXENE	406-90-6
FLUMETASONE	2135-17-3	FLUSALAN	4776-06-1
FLUMETHIAZIDE	148-56-1	FLUSOXOLOL	84057-96-5
FLUMETRAMIDE	7125-73-7	FLUSPIPERONE	54965-22-9
FLUMEXADOL	30914-89-7	FLUSPIRILENE	1841-19-6
FLUMEZAPINE	61325-80-2	FLUTAMIDE	13311-84-7
FLUMINOREX	720-76-3	FLUTAZOLAM	27060-91-9
FLUMIZOLE	36740-73-5	FLUTEMAZEPAM	52391-89-6
FLUMOXONIDE	60135-22-0	FLUTIAZIN	7220-56-6
FLUNAMINE	50366-32-0	FLUTICASONE	90566-53-3
FLUNARIZINE	52468-60-7	FLUTIZENOL	10202-40-1
FLUNIDAZOLE	4548-15-6	FLUTONIDATE	84962-75-4
FLUNISOLIDE	3385-03-3	FLUTONIDINE	28125-87-3
FLUNITRAZEPAM	1622-62-4	FLUTOPRAZEPAM	25967-29-7
FLUNIXIN	38677-85-9	FLUTRIMAZOLE	119006-77-8
FLUNOPROST	86348-98-3	FLUTROLINE	70801-02-4
FLUNOXAPROFEN	66934-18-7	FLUTROPIUM BROMIDE	63516-07-4
FLUOCINOLONE ACETONIDE	67-73-2	FLUVASTATIN	93957-54-1
FLUOCINONIDE	356-12-7	FLUVOXAMINE	54739-18-3
FLUOCORTIN	33124-50-4	FLUZINAMIDE	76263-13-3
FLUOCORTOLONE	152-97-6	FLUZOPERINE	52867-77-3
FLUORESONE	2924-67-6	FOLESCUTOL	15687-22-6
FLUORODOPA 18F	92812-82-3	FOLIC ACID	59-30-3
FLUOROMETHOLONE	426-13-1	FOMEPIZOL	7554-65-6
FLUOROURACIL	51-21-8	FOMIDACILLIN	98048-07-8
FLUOTRACEN	35764-73-9	FOMINOBEN	18053-31-1
FLUOXETINE	54910-89-3	FOMOCAINE	17692-39-6
FLUOXYMESTERONE	76-43-7	FOPIRTOLINE	22514-23-4
FLUPAROXAN	105182-45-4	FORFENIMEX	72973-11-6
FLUPENTIXOL	2709-56-0	FORMEBOLONE	2454-11-7
FLUPERAMIDE	53179-10-5	FORMESTANE	566-48-3
FLUPERLAPINE	67121-76-0	FORMETOREX	15302-18-8
FLUPEROLONE	3841-11-0	FORMINITRAZOLE	500-08-3
FLUPHENAZINE	69-23-8	FORMOCORTAL	2825-60-7
FLUPIMAZINE	47682-41-7	FORMOTEROL	73573-87-2
FLUPIRTINE	56995-20-1	FOSARILATE	73514-87-1
FLUPRANONE	21686-10-2	FOSAZEPAM	35322-07-7
FLUPRAZINE	76716-60-4	FOSCARNET SODIUM	63585-09-1
FLUPREDNIDENE	2193-87-5	FOSCOLIC ACID	2398-95-0
FLUPREDNISOLONE	53-34-9	FOSENAZIDE	16543-10-5
FLUPROFEN	17692-38-5	FOSFESTROL	522-40-7
FLUPROFYLLINE	85118-43-0	FOSFOCREATININE	5786-71-0
FLUPROQUAZONE	40507-23-1	FOSFOMYCIN	23155-02-4
FLUPROSTENOL	40666-16-8	FOSFONET SODIUM	54870-27-8
FLUQUAZONE	37554-40-8	FOSFOSAL	6064-83-1
FLURADOLINE	71316-84-2	FOSINOPRIL	98048-97-6
FLURANTEL	30533-89-2	FOSINOPRILAT	95399-71-6
FLURAZEPAM	17617-23-1	FOSMENIC ACID	13237-70-2
FLURBIPROFEN	5104-49-4	FOSMIDOMYCIN	66508-53-0
FLURETOFEN	56917-29-4	FOSOPAMINE	103878-96-2
FLURITHROMYCIN	82664-20-8	FOSPHENYTOIN	93390-81-9
FLUROCITABINE	37717-21-8	FOSPIRATE	5598-52-7
FLUROFAMIDE	70788-28-2	FOSQUIDONE	114517-02-1

Annex (con.)
-352-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
FOSTEDIL	75889-62-2	GADODIAMIDE	122795-43-1
FOSTRIECIN	87810-56-8	GADOPENAMIDE	117827-80-2
FOTEMUSTINE	92118-27-9	GADOPENTETIC ACID	80529-93-7
FOTRETAMINE	37132-72-2	GADOTERIC ACID	72573-82-1
FRABUPROFEN	86696-88-0	GADOTERIDOL	120066-54-8
FRAMYCETIN	119-04-0	GALARUSTINE	105618-02-8
FRENTIZOLE	26130-02-9	GALANTAMINE	357-70-0
FROMEPIDIL	79700-63-3	GALLAMINE TRIETHIODIDE	65-29-2
FROPENEN	106560-14-9	GALLIUM (67 GA) CITRATE	41183-64-6
FROXIPROST	62559-74-4	GALLOPAMIL	16662-47-8
FTALOFYNE	131-67-9	GALOCITABINE	124012-42-6
FTAXILIDE	19368-18-4	GALOSENIDE	52157-91-2
FTIVAZIDE	149-17-7	GALTIFENIN	106719-74-8
FTORMETAZINE	33414-30-1	GAMFEXINE	7273-99-6
FTORPROPAZINE	33414-36-7	GAMOLENIC ACID	506-26-3
FUBROGONIUM IODIDE	3690-58-2	GANCICLOVIR	82410-32-0
FUMAGILLIN	23110-15-8	GANEFROMYCIN	114451-30-8
FUMOXICILLIN	78186-33-1	GANGLEFENE	299-61-6
FUPRAZOLE	60268-23-9	GANIRELIX	124904-93-4
FURACRINIC ACID	23580-33-8	GAPICOMINE	1539-39-5
FURAFYLLINE	80288-49-9	GAPRONIDINE	106686-40-2
FURALAZINE	556-12-7	GEDOCARNIL	109623-97-4
FURALTADONE	139-91-3	GEFARNATE	51-77-4
FURAPROFEN	67700-30-5	GEMAZOCINE	54063-47-7
FURAZABOL	1239-29-8	GEMCADIOL	35449-36-6
FURAZOLIDONE	67-45-8	GEMCITABINE	95058-81-4
FURAZOLIUM CHLORIDE	5118-17-2	GEMEPROST	64318-79-2
FURBUCILLIN	54340-65-7	GEMFIBROZIL	25812-30-0
FURCLOPROFEN	58012-63-8	GENTAMICIN	1403-66-3
FUREGRELATE	85666-24-6	GENTISIC ACID	490-79-9
FURETHIDINE	2385-81-1	GEPEFRINE	18840-47-6
FURFENOREX	3776-93-0	GEPIRONE	83928-76-1
FURIDARONE	4662-17-3	GEROQUINOL	10457-66-6
FURMETHOXADONE	6281-26-1	GESTACLONE	19291-69-1
FURNIDIPINE	138661-03-7	GESTADIENOL	14340-01-3
FUROBUFEN	38873-55-1	GESTODENE	60282-87-3
FURODAZOLE	56119-96-1	GESTONORONE CAPROATE	1253-28-7
FUROFENAC	56983-13-2	GESTRINONE	16320-04-0
FURONAZINE	28532-90-3	GEVOTROLINE	107266-06-8
FUROSEMIDE	54-31-9	GIPARMEN	67268-43-3
FUROSTILBESTROL	549-40-6	GIRACODAZOLE	110883-66-0
FURSALAN	15686-77-8	GIRACTIDE	24870-04-0
FURSULTIAMINE	804-30-8	GIRISOPAN	82230-53-3
FURTERENE	7761-75-3	GITALIN, AMORPHOUS	1405-76-1
FURTRETHONIUM IODIDE	541-64-0	GITALOXIN	3261-53-8
FUSAFUNGINE	1393-87-9	GITOFORMATE	10176-39-3
FUSIDIC ACID	6990-06-3	GLAFENINE	3820-67-5
FUZLOCILLIN	66327-51-3	GLAZIOVINE	17127-48-9
FYTIC ACID	83-86-3	GLEMANSERIN	132553-86-7
GABAPENTIN	60142-96-3	GLEPTOFERRON	57680-55-4
GABEXATE	39492-01-8	GLIAMILIDE	51876-98-3
GABOXADOL	64603-91-4	GLIBENCLAMIDE	10238-21-8
GADOBENIC ACID	113662-23-0	GLIBORNURIDE	26944-48-9
GADOBUTROL	138071-82-6	GLIBUTIMINE	25859-76-1

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
GLICARAMIDE	36980-34-4	GUACETISAL	55482-89-8
GLICETANILE	24455-58-1	GUAFECAINOL	36199-78-7
GLICLAZIDE	21187-98-4	GUAIACTAMINE	15687-23-7
GLICONDAMIDE	52994-25-9	GUAIAPATE	852-42-6
GLIDAZAMIDE	3074-35-9	GUAIETOLIN	63834-83-3
GLIFLUMIDE	35273-88-2	GUAIFENESIN	93-14-1
GLINEPIRIDE	93479-97-1	GUAIFYLLINE	5634-38-8
GLIPALAMIDE	37598-94-0	GUAIMESAL	81674-79-5
GLIPENTIDE	32797-92-5	GUAISTEINE	103181-72-2
GLIPIZIDE	29094-61-9	GUAMECYCLINE	16545-11-2
GLIQUIDONE	33342-05-1	GUANABENZ	5051-62-7
GLISAMURIDE	52430-65-6	GUANACLINE	1463-28-1
GLISINDAMIDE	71010-45-2	GUANADREL	40580-59-4
GLISOLAMIDE	24477-37-0	GUANAZODINE	59252-59-4
GLISOXEPIDE	25046-79-1	GUANCIDINE	1113-10-6
GLOBIN ZINC INSULIN INJECTION	9004-21-1	GUANCLOFINE	55926-23-3
GLOKAZONE	2507-91-7	GUANETHIDINE	55-65-2
GLOKIMONAM	90850-05-8	GUANFACINE	29110-47-2
GLUCAGON	16941-32-5	GUANISOQUINE	154-73-4
GLUCALOX	12182-48-8	GUANOCLOR	5001-32-1
GLUCAMETACIN	52443-21-7	GUANOCTINE	3658-25-1
GLUCOSAMINE	3416-24-8	GUANOXABENZ	7473-70-3
GLUCOSULFAMIDE	7007-76-3	GUANOXAN	2165-19-7
GLUCOSULFONE	554-18-7	GUANOXYFEN	13050-83-4
GLUCUROLACTONE	32449-92-6	GUSPERIMUS	104317-84-2
GLUCURONAMIDE	61914-43-0	HACHIMYCIN	1394-02-1
GLUNICATE	80763-86-6	HALAZEPAM	23092-17-3
GLUSOFERRON	56959-18-3	HALAZONE	80-13-7
GLUTAMIC ACID	56-86-0	HALCINONIDE	3093-35-4
GLUTARAL	111-30-8	HALETAZOLE	15599-36-7
GLUTAURINE	56488-60-9	HALOCARBAN	369-77-7
GLUTETHIMIDE	77-21-4	HALOCORTOLONE	24320-27-2
GLYBUTHIAZOL	535-65-9	HALOFANTRINE	69756-53-2
GLYBUZOLE	1492-02-0	HALOFENATE	26718-25-2
GLYCINE	56-40-6	HALOFUGINONE	55837-20-2
GLYCLOPYRAMIDE	631-27-6	HALOMETASONE	50629-82-8
GLYCOBIARSOL	116-49-4	HALONAMINE	50583-06-7
GLYCOPYRRONIUM BROMIDE	596-51-0	HALOPENIDE	59831-65-1
GLYCYCLAMIDE	664-95-9	HALOPENIUM CHLORIDE	7008-13-1
GLYHEXAMIDE	451-71-8	HALOPERIDOL	52-86-8
GLYMIDINE SODIUM	3459-20-9	HALOPREDONE	57781-15-4
GLYOCTAMIDE	1038-59-1	HALOPROGESTERONE	3538-57-6
GLYPINAMIDE	1228-19-9	HALOPROGIN	777-11-7
GLYPROTHIAZOL	80-34-2	HALOTHANE	151-67-7
GLYSOBUZOLE	3567-08-6	HALOXAZOLAM	59128-97-1
GOLD (198 AU), COLLOIDAL	10043-49-9	HALOXON	321-55-1
GONADORELIN	33515-09-2	HAMYCIN	1403-71-0
GOSERELIN	65807-02-5	HEDAQUINIUM CHLORIDE	4310-89-8
GRAMICIDIN	1405-97-6	HELIOMYCIN	11029-70-2
GRAMICIDIN S	113-73-5	HEPARIN SODIUM	9005-49-6
GRANISETRON	109889-09-0	HEPRONICATE	7237-81-2
GREPAFLOXACIN	119914-60-2	HEPTABARB	509-86-4
GRISEOFULVIN	126-07-8	HEPTAMINOL	372-66-7
GUABENXAN	19889-45-3	HEPTAVERINE	54063-48-8

Annex (con.)
-354-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
HEPTOLAMIDE	1034-82-8
HEPZIDINE	1096-72-6
HETACILLIN	3511-16-8
HETAFLUR	3151-59-5
HETERONIUM BROMIDE	7247-57-6
HEXACHLOROPHENE	70-30-4
HEXACYPRONE	892-01-3
HEXADILINE	3626-67-3
HEXADIMETHRINE BROMIDE	9011-04-5
HEXAFLURONIUM BROMIDE	317-52-2
HEXAMETHONIUM BROMIDE	55-97-0
HEXAMIDINE	3811-75-4
HEXAPRADOL	15599-37-8
HEXAPROFEN	24645-20-3
HEXAPROPYMATE	358-52-1
HEXASONIUM IODIDE	3569-59-3
HEXCARBACHOLINE BROMIDE	306-41-2
HEXEDINE	5980-31-4
HEXESTROL	5635-50-7
HEXETIDINE	141-94-6
HEXOBARBITAL	56-29-1
HEXOBENDINE	54-03-5
HEXOCYCLIUM METILSULFATE	115-63-9
HEXOPRENALINE	3215-70-1
HEXOPYRRONIUM BROMIDE	3734-12-1
HEXYLCAINE	532-77-4
HISTAPYRRODINE	493-80-1
HISTIDINE	71-00-1
HISTRELIN	76712-82-8
HOMARYLAMINE	451-77-4
HOMATROPINE METHYLBROMIDE	80-49-9
HOMIDIUM BROMIDE	1239-45-8
HOMOCHLORCYCLIZINE	848-53-3
HOMOFENAZINE	3833-99-6
HOMOPIPRAMOL	35142-68-8
HOMOSALATE	118-56-9
HOMPRENORPHINE	16549-56-7
HOPANTENIC ACID	18679-90-8
HOQUIZIL	21560-59-8
HYALOSIDASE	37326-33-3
HYALURONIDASE	9001-54-1
HYCANTHONE	3105-97-3
HYDRACARBAZINE	3614-47-9
HYDRALAZINE	86-54-4
HYDRARGAPHEN	14235-86-0
HYDROBENTIZIDE	13957-38-5
HYDROCHLOROTHIAZIDE	58-93-5
HYDROCODONE	125-29-1
HYDROCORTAMATE	76-47-1
HYDROCORTISONE	50-23-7
HYDROCORTISONE ACEPONATE	74050-20-7
HYDROFLUMETHIAZIDE	135-09-1
HYDROMADINONE	16469-74-2
HYDROMORPHINOL	2183-56-4
HYDROMORPHONE	466-99-9
HYDROTALCITE	12304-65-3
HYDROXINDASATE	7008-14-2
HYDROXINDASOL	7008-15-3
HYDROXOCOBALAMIN	13422-51-0
HYDROXYAMFETAMINE	1518-86-1
HYDROXYCARBAMIDE	127-07-1
HYDROXYCHLOROQUINE	118-42-3
HYDROXYDIONE SODIUM SUCCINATE	53-10-1
HYDROXYPETHIDINE	468-56-4
HYDROXYPROCAINE	487-53-6
HYDROXYPROGESTERONE	68-96-2
HYDROXYPROGESTERONE CAPROATE	630-56-8
HYDROXYPYRIDINE TARTRATE	7008-17-5
HYDROXYSTENOZOLE	19120-01-5
HYDROXYSTILBAMIDINE	495-99-8
HYDROXYTETRACAINE	490-98-2
HYDROXYTOLUIC ACID	83-40-9
HYDROXYZINE	68-88-2
HYMECROMONE	90-33-5
HYPROMELLOSE	8063-82-9
IBACITABINE	611-53-0
IBAFLOXACIN	91618-36-9
IBAZOCINE	57653-28-8
IBOPAMINE	66195-31-1
IBROTAMIDE	466-14-8
IBUDILAST	50847-11-5
IBUFENAC	1553-60-2
IBUPROXAM	53648-05-8
IBUTEROL	53034-85-8
IBUTILIDE	122647-31-8
IBUVERINE	31221-85-9
ICATIBANT	130308-48-4
ICLAZEPAM	57916-70-8
ICODULINE	138511-81-6
ICOSAPENT	10417-94-4
ICOSPIRAMIDE	79449-99-3
IDARUBICIN	58957-92-9
IDAVERINE	100927-13-7
IDAZOXAN	79944-58-4
IDEBENONE	58186-27-9
IDENAST	108674-88-0
IDOXIFENE	116057-75-1
IDOXURIDINE	54-42-2
IDRALFIDINE	95668-38-5
IDRAPRIL	127420-24-0
IDROCILAMIDE	6961-46-2
IDROPRANOLOL	27581-02-8
IFENPRODIL	23210-56-2
IFOSFAMIDE	3778-73-2
IFOXETINE	66208-11-5
IGMESINE	140850-73-3
ILATREOTIDE	119719-11-8
ILIPARCIL	137214-72-3

Annex (con.)
-355-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ILMOFOSINE	83519-04-4	INPROQUONE	436-40-8
ILOPERIDONE	133454-47-4	INSULIN ARGINE	68859-20-1
ILOPROST	73873-87-7	INSULIN DEFALAN	
IMAFEN	60719-86-0	INSULIN (HUMAN)	11061-68-0
IMANIXIL	75689-93-9	INSULIN ZINC SUSPENSION (AMORPHOUS)	8049-62-5
IMAZODAN	84243-58-3	INSULIN ZINC SUSPENSION (CRYSTALLINE)	8049-62-5
IMCARBOFOS	66608-32-0	INTERMEDINE	9002-79-3
IMCIROMAB	126132-83-0	INTOPLICINE	125974-72-3
IMEXON	59643-91-3	INTRAZOLE	15992-13-9
IMICLOPAZINE	7224-08-0	INTRIPTYLINE	27466-27-9
IMIDAPRIL	89371-37-9	IOBENGUANE (131 I)	77679-27-7
IMIDAZOLE SALICYLATE	36364-49-5	IOBENZAMIC ACID	3115-05-7
IMIDOCARB	27885-92-3	IOBITRIDOL	136949-58-1
IMIDOLINE	7303-78-8	IOBUTOIC ACID	13445-12-0
IMILOXAN	81167-16-0	IOCARMIC ACID	10397-75-8
IMINOPHENIMIDE	7008-18-6	IOCETAMIC ACID	16034-77-8
IMIPENEM	64221-86-9	IODAMIDE	440-58-4
IMIPRAMINE	50-49-7	IODECIMOL	81045-33-2
IMIPRAMINOXIDE	6829-98-7	IODETRYL	7008-02-8
IMIQUIMOD	99011-02-6	IODINATED (125 I) HUMAN SERUM ALBUMIN	9048-49-1
IMIRESTAT	89391-50-4	IODINATED (131 I) HUMAN SERUM ALBUMIN	9048-49-1
IMOLAMINE	318-23-0	IODIXANOL	92339-11-2
IMOXITEROL	88578-07-8	IODOCETILIC ACID (123 I)	54510-20-2
IMPACARZINE	41340-39-0	IODOCHOLESTEROL (131 I)	42220-21-3
IMPROMIDINE	55273-05-7	IODOPHTHALEIN SODIUM	2217-44-9
IMPROSULFAN	13425-98-4	IODOTHIOURACIL	5984-97-4
IMURACETAM	67542-41-0	IODOXAMIC ACID	31127-82-9
INAPERISONE	99323-21-4	IOFENDYLATE	99-79-6
INDACRINONE	57296-63-6	IOFETAMINE (123 I)	75917-92-9
INDALPINE	63758-79-2	IOFRATOL	141660-63-1
INDANAZOLINE	40507-78-6	IOGLICIC ACID	49755-67-1
INDANIDINE	85392-79-6	IOGLUCOL	63941-73-1
INDANOREX	16112-96-2	IOGLUCOMIDE	63941-74-2
INDAPAMIDE	26807-65-8	IOGLUNIDE	56562-79-9
INDATRALINE	86939-10-8	IOGLYCAMIC ACID	2618-25-9
INDECAINIDE	74517-78-5	IOHEXOL	66108-95-0
INDELOXAZINE	60929-23-9	IOLIDONIC ACID	21766-53-0
INDENOLOL	60607-68-3	IOLIXANIC ACID	22730-86-5
INDOBUFEN	63610-08-2	IOMAZENIL (123 I)	127396-36-5
INDOCATE	31386-25-1	IOMEGLAMIC ACID	25827-76-3
INDOLAPRIL	80876-01-3	IOMEPROL	78649-41-9
INDOLIDAN	100643-96-7	IOMETIN (125 I)	17033-82-8
INDOMETACIN	53-86-1	IOMETIN (131 I)	17033-83-9
INDOPANOLOL	69907-17-1	IOMORINIC ACID	51934-76-0
INDOPINE	3569-26-4	IOPAMIDOL	62883-00-5
INDOPROFEN	31842-01-0	IOPANOIC ACID	96-83-3
INDORAMIN	26844-12-2	IOPENTOL	89797-00-2
INDORENATE	73758-06-2	IOPHENOIC ACID	96-84-4
INDOXOLE	5034-76-4	IOPROCEMIC ACID	1456-52-6
INDRILINE	7395-90-6	IOPROMIDE	73334-07-3
INICARONE	39178-37-5		
INOCOTERONE	83646-97-3		
INOSINE	58-63-9		
INOSITOL NICOTINATE	6556-11-2		

Annex (con.)
-356-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
IOPRONIC ACID	37723-78-7	ISAMOXOLE	57067-46-6
IOPYDOL	5579-92-0	ISAXONINE	4214-72-6
IOPYDONE	5579-93-1	ISBOGREL	89667-40-3
IOSARCOL	97702-82-4	ISBUFYLLINE	90162-60-0
IOSEFAMIC ACID	5591-33-3	ISEPAMICINE	58152-03-7
IOSERIC ACID	51876-99-4	ISOAMINILE	77-51-0
IOSIMIDE	79211-10-2	ISOBROMINDIONE	1470-35-5
IOSULAMIDE	23205-04-1	ISOBUTAMBEN	94-14-4
IOSUMETIC ACID	37863-70-0	ISOCARBOXAZID	59-63-2
IOTALAMIC ACID	2276-90-6	ISOCONAZOLE	27523-40-6
IOTASUL	71767-13-0	ISOCROMIL	57009-15-1
IOTETRIC ACID	60019-19-4	ISOETARINE	530-08-5
IOTRANIC ACID	26887-04-7	ISOFEZOLAC	50270-33-2
IOTRISIDE	79211-34-0	ISOFLUPREDONE	338-95-4
IOTRIZOIC ACID	16024-67-2	ISOFLURANE	26675-46-7
IOTROLAN	79770-24-4	ISOLEUCINE	73-32-5
IOTROXIC ACID	51022-74-3	ISOMAZOLE	86315-52-8
IOVERSOL	87771-40-2	ISOMETAMIDIUM CHLORIDE	34301-55-8
IOXABROLIC ACID	96191-65-0	ISOMETHADONE	466-40-0
IOXAGLIC ACID	59017-64-0	ISOMETHEPTENE	503-01-5
IOXILAN	107793-72-6	ISOMOLPAN	107320-86-5
IOXITALAMIC ACID	28179-44-4	ISONIAZID	54-85-3
IOXOTRIZOIC ACID	19863-06-0	ISONIXIN	57021-61-1
IOZONIC ACID	31598-07-9	ISOPHANE INSULIN	8052-74-2
IPAZILIDE	115436-73-2	ISOPRAZONE	56463-68-4
IPEXIDINE	69017-89-6	ISOPREDNIDENE	17332-61-5
IPRAGRATINE	22150-28-3	ISOPRENALINE	7683-59-2
IPRANIDIL	83656-38-6	ISOPROFEN	57144-56-6
IPRATROPIUM BROMIDE	22254-24-6	ISOPROPAMIDE IODIDE	71-81-8
IPRAZOCHROME	7248-21-7	ISOPROPICILLIN	4780-24-9
IPRIFLAVONE	35212-22-7	ISOSORBIDE	652-67-5
IPRINDOLE	5560-72-5	ISOSORBIDE DINITRATE	87-33-2
IPROCLOZIDE	3544-35-2	ISOSORBIDE MONONITRATE	16051-77-7
IPROCROLOL	37855-80-4	ISOSPAGLUMIC ACID	3106-85-2
IPROHEPTINE	13946-02-6	ISOSULPRIDE	42792-26-7
IPRONIAZID	54-92-2	ISOTHIPENDYL	482-15-5
IPRONIDAZOLE	14885-29-1	ISOTIQUIMIDE	56717-18-1
IPROPLATIN	62928-11-4	ISOTRETINOIN	4759-48-2
IPROTIAZEM	105118-13-6	ISOXAPROLOL	75949-60-9
IPROXAMINE	52403-19-7	ISOXEPAC	55453-87-7
IPROZILAMINE	55477-19-5	ISOXICAM	34552-84-6
IPSALAZIDE	80573-03-1	ISOXSUPRINE	395-28-8
IPSAPIRONE	95847-70-4	ISRADIPINE	75695-93-1
IQUINDAMINE	55299-11-1	ITANOXONE	58182-63-1
IRINDALONE	96478-43-2	ITASETRON	123258-84-4
IRINOTECAN	97682-44-5	ITAZIGREL	70529-35-0
IRLOXACIN	91524-15-1	ITOPRIDE	122898-67-3
IROLAPRIDE	64779-98-2	ITRACONAZOLE	84625-61-6
IRSOGLADINE	57381-26-7	ITRAMIN TOSILATE	13445-63-1
IRTEMAZOLE	115574-30-6	ITROCAINIDE	90828-99-2
ISAGLIDOLE	110605-64-6	ITROCINONIDE	106033-96-9
ISALSTEINE	116818-99-6	IVARIMOD	53003-81-9
ISAMFAZONE	55902-02-8	IVERMECTIN	70288-86-7
ISAMOLTAN	116861-00-8	IVOQUALINE	72714-75-1

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
JOSAMYCIN	16846-24-5	LEFLUNOMIDE	75706-12-6
KAINIC ACID	487-79-6	LEIOPYRROLE	5633-16-9
KALAFUNGIN	11048-15-0	LEMIDOSUL	88041-40-1
KALLIDINOGENASE	9001-01-8	LEMILDIPINE	125729-29-5
KANAMYCIN	59-01-8	LEMINOPRAZOLE	104340-86-5
KEBUZONE	853-34-9	LENAMPICILLIN	86273-18-9
KERACYANIN	18719-76-1	LENIQUINSIN	10351-50-5
KETAMINE	6740-88-1	LENOGRASTIM	135968-09-1
KETANSERIN	74050-98-9	LENPERONE	24678-13-5
KETAZOCINE	36292-69-0	LEPTACLINE	5005-72-1
KETAZOLAM	27223-35-4	LERCANIDIPINE	100427-26-7
KETIMIPRAMINE	796-29-2	LERGOTRILE	36945-03-6
KETOBEMIDONE	469-79-4	LERISETRON	143257-98-1
KETOCAINE	1092-46-2	LESOPITRON	132449-46-8
KETOCAINOL	7488-92-8	LETIMIDE	26513-90-6
KETOCONAZOLE	65277-42-1	LETOSTEINE	53943-88-7
KETOPROFEN	22071-15-4	LETRAZURIL	103337-74-2
KETORFANOL	79798-39-3	LEUCIGLUMER	41385-14-2
KETOROLAC	74103-06-3	LEUCINE	61-90-5
KETOTIFEN	34580-13-7	LEUCINOCAINE	92-23-9
KETOTREXATE	52196-22-2	LEUCOCIANIDOL	480-17-1
KETOXAL	27762-78-3	LEUPRORELIN	53714-56-0
KHELLIN	82-02-0	LEURUBICIN	70774-25-3
KHELLOSIDE	17226-75-4	LEVACETYLMETHADOL	34433-66-4
KITASAMYCIN	1392-21-8	LEVALLORPHAN	152-02-3
LABETALOL	36894-69-6	LEVAMFETAMINE	156-34-3
LACIDIPINE	103890-78-4	LEVAMISOLE	14769-73-4
LACTALFATE	96427-12-2	LEVCROMAKALIN	94535-50-9
LACTITOL	585-86-4	LEVCYCLOSERINE	339-72-0
LACTULOSE	4618-18-2	LEVDOBUTAMINE	61661-06-1
LAIDLOMYCIN	56283-74-0	LEVEMOPAMIL	101258-51-1
LAMIVUDINE	134678-17-4	LEVETIRACETAM	102767-28-2
LAMOTRIGINE	84057-84-1	LEVISOPRENALINE	51-31-0
LAMTIDINE	73278-54-3	LEVLOFEXIDINE	81447-78-1
LANATOSIDE C	17575-22-3	LEVOBETAXOLOL	93221-48-8
LANOCONAZOLE	101530-10-3	LEVOBUNOLOL	47141-42-4
LANREOTIDE	108736-35-2	LEVOCABASTINE	79516-68-0
LANSOPRAZOLE	103577-45-3	LEVOCARNITINE	541-15-1
LAPIRIUM CHLORIDE	6272-74-8	LEVODOPA	59-92-7
LAPRAFYLLINE	90749-32-9	LEVODROPROPIZINE	99291-25-5
LASALOCID	25999-31-9	LEVOFACETOPERANE	634-08-2
LATAMOXEF	64952-97-2	LEVOFENFLURAMINE	37577-24-5
LATANOPROST	130209-82-4	LEVOFLOXACIN	100986-85-4
LAUDEXIUM METILSULFATE	3253-60-9	LEVOFURALTADONE	3795-88-8
LAURALKONIUM CHLORIDE	19486-61-4	LEVOGLUTAMIDE	56-85-9
LAURIXAMINE	7617-74-5	LEVOMENOL	23089-26-1
LAUROCAPRAM	59227-89-3	LEVOMEPROMAZINE	60-99-1
LAUROGUADINE	135-43-3	LEVOMETHADONE	125-58-6
LAUROLINIUM ACETATE	146-37-2	LEVOMETHORPHAN	125-70-2
LAUROMACROGOL 400	9002-92-0	LEVOMETIOMEPRAZINE	1759-09-7
LAVOLTIDINE	76956-02-0	LEVOMOPROLOL	77164-20-6
LAZABEMIDE	103878-84-8	LEVOMORAMIDE	5666-11-5
LEDAZEROL	116795-97-2	LEVONANTRADOL	71048-87-8
LEFETAMINE	7262-75-1	LEVONORGESTREL	797-63-7

Annex (con.)
-358-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
LEVOPHENACYLMORPHAN	10061-32-2	LODELABEN	93105-81-8
LEVOPROPICILLIN	3736-12-7	LODINIXIL	86627-50-1
LEVOPROPOXYPHENE	2338-37-6	LODIPERONE	72444-63-4
LEVOPROPYLHEXEDRINE	6192-97-8	LODOXAMIDE	53882-12-5
LEVOPROTILINE	76496-68-9	LOFEMIZOLE	65571-68-8
LEVORIN	11014-70-3	LOFENDAZAM	29176-29-2
LEVORPHANOL	77-07-6	LOFENTANIL	61380-40-3
LEVOSIMENDAN	141505-33-1	LOFEPRAMINE	23047-25-8
LEVOSULPIRIDE	23672-07-3	LOFEXIDINE	31036-80-3
LEVOTHYROXINE SODIUM	55-03-8	LOFLUCARBAN	790-69-2
LEVOXADROL	4792-18-1	LOMBAZOLE	60628-98-0
LEXITHROMYCIN	53066-26-5	LOMEFLOXACIN	98079-51-7
LEXOFENAC	41387-02-4	LOMERIZINE	101477-55-8
LIAROZOLE	115575-11-6	LOMETRALINE	39951-65-0
LIBECILLIDE	27826-45-5	LOMETREXOL	106400-81-1
LIBENZAPRIL	97878-35-8	LOMEVACTONE	81478-25-3
LIDAMIDINE	66871-56-5	LOMIFYLLINE	10226-54-7
LIDANSERIN	73725-85-6	LOMUSTINE	13010-47-4
LIDIMYCIN	10118-85-1	LONAPALENE	91431-42-4
LIDOCAINE	137-58-6	LONAPROFEN	41791-49-5
LIDOFENIN	59160-29-1	LONAZOLAC	53808-88-1
LIDOFLAZINE	3416-26-0	LONIDAMINE	50264-69-2
LIFARIZINE	119514-66-8	LOPERAMIDE	53179-11-6
LIFIBRATE	22204-91-7	LOPERAMIDE OXIDE	106900-12-3
LIFIBROL	96609-16-4	LOPIRAZEPAM	42863-81-0
LILOPRISTONE	97747-88-1	LOPRAZOLAM	61197-73-7
LINAPROST	88852-12-4	LOPRODIOL	2209-86-1
LINAZOCIC	128620-82-6	LORACARBEF	76470-66-1
LINAROTENE	127304-28-3	LORAJMINE	47562-08-3
LINCOMYCIN	154-21-2	LORAPRIDE	68677-06-5
LINDANE	58-89-9	LORATADINE	79794-75-5
LINOGLIRIDE	75358-37-1	LORAZEPAM	846-49-1
LINOPIRDINE	105431-72-9	LORBAMATE	24353-88-6
LINOTROBAN	120824-08-0	LORCAINIDE	59729-31-6
LINSIDOMINE	33876-97-0	LORCINADOL	104719-71-3
LINTOPRIDE	107429-63-0	LORECLEZOLE	117857-45-1
LIOTHYRONINE	6893-02-3	LORGLUMIDE	97964-56-2
LIRANAFTATE	88678-31-3	LORMETAZEPAM	848-75-9
LIROLDINE	105102-20-3	LORNOXICAM	70374-39-9
LISADIMATE	136-44-7	LORPIPRAZOLE	108785-69-9
LISINOPRIL	76547-98-3	LORTALAMINE	76612-20-9
LISURIDE	18016-80-3	LORZAFONE	59179-95-2
LITOXETINE	86811-09-8	LOSARTAN	114798-26-4
LITRACEN	5118-30-9	LOSIGAMONE	112856-44-7
LIVIDOMYCIN	36441-41-5	LOSINDOLE	69175-77-5
LIXAZINONE	94192-59-3	LOSMIPROFEN	74168-08-4
LOBAPLATIN	135558-11-1	LOSOXANTRONE	88303-60-0
LOBELINE	90-69-7	LOSULAZINE	72141-57-2
LOBENDAZOLE	6306-71-4	LOTEPREDNOL	129260-79-3
LOBENZARIT	63329-53-3	LOTIFAZOLE	71119-10-3
LOBUPROFEN	98207-12-6	LOTRIFEN	66535-86-2
LOCICORTOLONE DICIBATE	78467-68-2	LOTUCAINE	52304-85-5
LODAXAPRINE	93181-81-8	LOVASTATIN	75330-75-5
LODAZECAR	87646-83-1	LOXANAST	69915-62-4

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
LOXAPINE	1977-10-2	MEBENOSIDE	55902-93-7
LOXIGLUMIDE	107097-80-3	MEBEVERINE	3625-06-7
LOXOPROFEN	68767-14-6	MEBEZONIUM IODIDE	7681-78-9
LOXORIBINE	121288-39-9	MEBHYDROLIN	524-81-2
LOZILUREA	71475-35-9	MEBIQUINE	23910-07-8
LUCANTHONE	479-50-5	MEBOLAZINE	3625-07-8
LUCARTAMIDE	76743-10-7	MEBROFENIN	78266-06-5
LUCINYCIN	13058-67-8	MEBUTAMATE	64-55-1
LUFENURON	103055-07-8	MEBUTIZIDE	3568-00-1
LUFIRONIL	128075-79-6	MECAMYLAMINE	60-40-2
LUFURADON	85118-42-9	MECARBINATE	15574-49-9
LUPITIDINE	83903-06-4	MECASERMIN	68562-41-4
LUPROSTIOL	67110-79-6	MECETRONIUM ETILSULFATE	3006-10-8
LUROSETRON	128486-54-4	MECIADANOL	65350-86-9
LUTRELIN	66866-63-5	MECILLINAM	32887-01-7
LUXABENDAZOLE	90509-02-7	MECINARONE	26225-59-2
LYMECYCLINE	992-21-2	MECLOCYCLINE	2013-58-3
LYNESTRENOL	52-76-6	MECLOFENAMIC ACID	644-62-2
LYPRESSIN	50-57-7	MECLOFENOXATE	51-68-3
LYSERGIDE	50-37-3	MECLONAZEPAM	58662-84-3
LYSINE	56-87-1	MECLOQUALONE	340-57-8
MABUPROFEN	82821-47-4	MECLORALUREA	1954-79-6
MABUTEROL	56341-08-3	MECLORISONE	4732-48-3
MACROGOL	25322-68-3	MECLOXAMINE	5668-06-4
MACROGOL ESTER		MECLOZINE	569-65-3
MACROSALB (131 I)	54182-63-7	MECOBALAMIN	13422-55-4
MACROSALB (99M TC)	54277-47-3	MECRILATE	137-05-3
MADURAMICIN	84878-61-5	MECYSTEINE	2485-62-3
MAFENIDE	138-39-6	MEDAZEPAM	2898-12-6
MAFOPRAZINE	80428-29-1	MEDAZONIDE	300-22-1
MAFOSFAMIDE	88859-04-5	MEDETOMIDINE	86347-14-0
MAGALDRATE	74978-16-8	MEDIBAZINE	53-31-6
MAGNESIUM CLOFIBRATE	14613-30-0	MEDIFOXAMINE	32359-34-5
MAITANSINE	35846-53-8	MEDORINONE	88296-61-1
MALETAMER	29535-27-1	MEDORUBICIN	64314-52-9
MALEYLSULFATHIAZOLE	515-57-1	MEDROGESTONE	977-79-7
MALOTILATE	59937-28-9	MEDRONIC ACID	1984-15-2
MANIDIPINE	120092-68-4	MEDROXALOL	56290-94-9
MANNITOL HEXANITRATE	15825-70-4	MEDROXYPROGESTERONE	520-85-4
MANNOMUSTINE	576-68-1	MEDRYLAMINE	524-99-2
MANNOSULFAN	7518-35-6	MEDRYSONE	2668-66-8
MANOZODIL	77528-67-7	MEFECLORAZINE	1243-33-0
MAPROTILINE	10262-69-8	MEFENAMIC ACID	61-68-7
MARBOFLOXACIN	115550-35-1	MEFENIDIL	58261-91-9
MARIDOMYCIN	35775-82-7	MEFENIDRAMIUM METILSULFATE	4858-60-0
MARIPTILINE	60070-14-6	MEFENOREX	17243-57-1
MAROXEPIN	65509-24-2	MEFESERPINE	3735-85-1
MASLINOMAB	127757-92-0	MEFEXAMIDE	1227-61-8
MASOPROCOL	27686-84-6	MEFLOQUINE	53230-10-7
MAZATICOL	42024-98-6	MEFRUSIDE	7195-27-9
MAZINDOL	22232-71-9	MEGALOMICIN	28022-11-9
MAZIPREDONE	13085-08-0	MEGESTROL	3562-63-8
MEBANAZINE	65-64-5	MEGLITINIDE	54870-28-9
MEBENDAZOLE	31431-39-7	MEGLUCYCLINE	31770-79-3

Annex (con.)
-360-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
MEGLUMINE	6284-40-8	MERALEIN SODIUM	4386-35-0
MEGLUTOL	503-49-1	MERALLURIDE	8069-64-5
MELADRAZINE	13957-36-3	MERBROMIN	129-16-8
MELARSOMINE	128470-15-5	MERCAPTAMINE	60-23-1
MELARSONYL POTASSIUM	13355-00-5	MERCAPTOMERIN	20223-84-1
MELARSOPROL	494-79-1	MERCAPTOPURINE	50-44-2
MELENGESTROL	5633-18-1	MERCUDERAMIDE	525-30-4
MELETIMIDE	14745-50-7	MERCUMATILIN SODIUM	60135-06-0
MELINAMIDE	14417-88-0	MERCUROBUTOL	498-73-7
MELITRACEN	5118-29-6	MERCUROPHYLLINE	8012-34-8
MELIZAME	26921-72-2	MERGOCRIPTINE	81968-16-3
MELOXICAM	71125-38-7	MERIBENDAN	119322-27-9
MELPERONE	3575-80-2	MERISOPROL (197 HG)	5579-94-2
MELPHALAN	148-82-3	MEROPENEM	96036-03-2
MELQUINAST	87611-28-7	MERSALYL	492-18-2
MEMANTINE	19982-08-2	MERTIATIDE	66516-09-4
MEMOTINE	18429-69-1	MESABOLONE	7483-09-2
MENABITAN	83784-21-8	MESALAZINE	89-57-6
MENADIOL SODIUM SULFATE	1612-30-2	MESECLAZONE	29053-27-8
MENADIONE SODIUM BISULFITE	130-37-0	MESNA	19767-45-4
MENATETRENONE	863-61-6	MESOCARB	34262-84-5
MENBUTONE	3562-99-0	MESORIDAZINE	5588-33-0
MENFEGOL	57821-32-6	MESPIRENONE	87952-98-5
MENGLYTATE	579-94-2	MESTANOLONE	521-11-9
MENITRAZEPAM	28781-64-8	MESTEROLONE	1424-00-6
MENOCTONE	14561-42-3	MESTRANOL	72-33-3
MENOGARIL	71628-96-1	MESUDIPINE	62658-88-2
MEOBENTINE	46464-11-3	MESULERGINE	64795-35-3
MEPACRINE	83-89-6	MESULFAMIDE	122-89-4
MEPARTRICIN	11121-32-7	MESULFEN	135-58-0
MEPENZOLATE BROMIDE	76-90-4	MESUPRINE	7541-30-2
MEPHENESIN	59-47-2	MESUXIMIDE	77-41-8
MEPHENOXALONE	70-07-5	METABROMSALAN	2577-72-2
MEPHENTERMINE	100-92-5	METACETAMOL	621-42-1
MEPHENYTOIN	50-12-4	METACLAZEPAM	65517-27-3
MEPINDOLOL	23694-81-7	METACYCLINE	914-00-1
MEPIPRAZOLE	20326-12-9	METAGLYCODOL	13980-94-4
MEPIROXOL	6968-72-5	METAHEXAMIDE	565-33-3
MEPITIOSTANE	21362-69-6	METALKONIUM CHLORIDE	100-95-8
MEPIVACAINE	22801-44-1	METALLIBURE	926-93-2
MEPIXANOX	17854-59-0	METAMELFALAN	1088-80-8
MEPRAMIDIL	23891-60-3	METAMFAZONE	54063-49-9
MEPREDNISONE	1247-42-3	METAMFEPRAMONE	15351-09-4
MEPROBAMATE	57-53-4	METAMFETAMINE	537-46-2
MEPROSCILLARIN	33396-37-1	METAMIZOLE SODIUM	68-89-3
MEPROTIXOL	4295-63-0	METAMPICILLIN	6489-97-0
MEPRYLCAINE	495-70-5	METANDIENONE	72-63-9
MEPTAZINOL	54340-58-8	METANIXIN	4394-04-1
MEPYRAMINE	91-84-9	METAPRAMINE	21730-16-5
MEQUIDOX	16915-79-0	METARAMINOL	54-49-9
MEQUINOL	150-76-5	METATEROL	3571-71-9
MEQUITAMIUM IODIDE	101396-42-3	METAXALONE	1665-48-1
MEQUITAZINE	29216-28-2	METAZAMIDE	14058-90-3
MERAFLOXACIN	110013-21-3	METAZIDE	1707-15-9

Annex (con.)
-361-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
METAZOCINE	3734-52-9	METHYLPREDNISOLONE	83-43-2
METBUFEN	63472-04-8	METHYLPREDNISOLONE ACEPONATE	86401-95-8
METENEPROST	61263-35-2	METHYLPREDNISOLONE SULEPTANATE	90350-40-6
METENOLONE	153-00-4	METHYLROSANILINIUM CHLORIDE	548-62-9
METERGOLINE	17692-51-2	METHYLTESTOSTERONE	58-18-4
METERGOTAMINE	22336-84-1	METHYLTHIONINIUM CHLORIDE	61-73-4
METESCUFYLLINE	15518-82-8	METHYLTHIOURACIL	56-04-2
METESCULETOL	52814-39-8	METHYPRYLON	125-64-4
METETHONEPTAZINE	509-84-2	METHYSERGIDE	361-37-5
METETOIN	5696-06-0	METIAMIDE	34839-70-8
METFORMIN	657-24-9	METIAPINE	5800-19-1
METHACHOLINE CHLORIDE	62-51-1	METIAZINIC ACID	13993-65-2
METHADONE	76-99-3	METIBRIDE	77989-60-7
METHALLENESTRIL	517-18-0	METICILLIN	61-32-5
METHANDRIOL	521-10-8	METICRANE	1084-65-7
METHANIAZIDE	13447-95-5	METILDIGOXIN	30685-43-9
METHANTHELINIUM BROMIDE	53-46-3	METINDIZATE	15687-33-9
METHAPHENILENE	493-78-7	METIOPRIM	68902-57-8
METHAPYRILENE	91-80-5	METIOXATE	42110-58-7
METHAQUALONE	72-44-6	METIPIROX	29342-02-7
METHARBITAL	50-11-3	METIPRANOLOL	22664-55-7
METHASTYRIDONE	721-19-7	METIPRENALINE	1212-03-9
METHAZOLAMIDE	554-57-4	METIROSINE	672-87-7
METHDILAZINE	1982-37-2	METISAZONE	1910-68-5
METHENAMINE	100-97-0	METITEPINE	20229-30-5
METHEPTAZINE	469-78-3	METIXENE	4969-02-2
METHESTROL	130-73-4	METIZOLINE	17692-22-7
METHICDAL SODIUM	126-31-8	METKEFAMIDE	66960-34-7
METHIOMEPRAZINE	7009-43-0	METOCHALCONE	18493-30-6
METHIONINE	63-68-3	METOCINIUM IODIDE	2424-71-7
METHITURAL	467-43-6	METOCLOPRAMIDE	364-62-5
METHOCARBAMOL	532-03-6	METOFENAZATE	388-51-2
METHOCIDIN	1407-05-2	METOFOLINE	2154-02-1
METHOHEXITAL	151-83-7	METOGEST	52279-58-0
METHOPRENE	40596-69-8	METOLAZONE	17560-51-9
METHOPROMAZINE	61-01-8	METOMIDATE	5377-20-8
METHOSERPIDINE	865-04-3	METOPIMAZINE	14008-44-7
METHOTREXATE	59-05-2	METOPON	143-52-2
METHOXAMINE	390-28-3	METOPROLOL	37350-58-6
METHOXYFLURANE	76-38-0	METOQUIZINE	7125-67-9
METHOXYPHEDRINE	530-54-1	METOSERPATE	1178-28-5
METHOXYPHENAMINE	93-30-1	METOSTILENOL	103980-45-6
METHYCLOTHIAZIDE	135-07-9	METOXEPIN	22013-23-6
METHYLBENACTYZIUM BROMIDE	3166-62-9	METRAFAZOLINE	38349-38-1
METHYLBENZETHONIUM CHLORIDE	25155-18-4	METRALINDOLE	54188-38-4
METHYLCELLULOSE	9004-67-5	METRAZIFONE	68289-14-5
METHYLCHROMONE	85-90-5	METRENPERONE	81043-56-3
METHYLDESORPHINE	16008-36-9	METRIBOLONE	965-93-5
METHYLDIHYDROMORPHINE	509-56-8	METRIFONATE	52-68-6
METHYLDOPA	555-30-6	METRIFUDIL	23707-33-7
METHYLERGOMETRINE	113-42-8	METRIZAMIDE	31112-62-6
METHYLPENTYNOL	77-75-8	METRONIDAZOLE	443-48-1
METHYLPHENIDATE	113-45-1	METUREDEPA	1661-29-6
METHYLPHENOBARBITAL	115-38-8	METYNODIOL	23163-42-0

Annex (con.)
-362-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
METYRAPONE	54-36-4	MIPRAGOSIDE	131129-98-1
METYRIDINE	114-91-0	MIRFENTANIL	117523-47-4
MEVASTATIN	73573-88-3	MIRIMOSTIM	121547-04-4
MEXAFYLLINE	80294-25-3	MIRINCAMYCIN	31101-25-4
MEXAZOLAM	31868-18-5	MIRIPIRIUM CHLORIDE	2748-88-1
MEXENONE	1641-17-4	MIRISTALKONIUM CHLORIDE	139-08-2
MEXILETINE	31828-71-4	MIROPROFEN	55843-86-2
MEXIPROSTIL	88980-20-5	MIROSAMICIN	73684-69-2
MEXOPROFEN	37529-08-1	MIRTAZAPINE	61337-67-5
MEXRENOATE POTASSIUM	43169-54-6	MISONIDAZOLE	13551-87-6
MEZACOPRIDE	89613-77-4	MISOPROSTOL	59122-46-2
MEZEPINE	27432-00-4	MITINDOMIDE	10403-51-7
MEZILAMINE	50335-52-2	MITOBRONITOL	488-41-5
MEZLOCILLIN	51481-65-3	MITOCARCIN	11056-14-7
MIANSERIN	24219-97-4	MITOCLOMINE	17692-54-5
MIBOLERONE	3704-09-4	MITOFLAXONE	87626-55-9
MIBOPLATIN	103775-75-3	MITOGILLIN	1403-99-2
MICINICATE	39537-99-0	MITOGUAZONE	459-86-9
MICONAZOLE	22916-47-8	MITOLACTOL	10318-26-0
MICRONOMICIN	52093-21-7	MITOMALCIN	11043-99-5
MIDAFLUR	23757-42-8	MITOMYCIN	50-07-7
MIDAGLIZOLE	66529-17-7	MITONAFIDE	54824-17-8
MIDAMALINE	496-38-8	MITOPODOZIDE	1508-45-8
MIDAZOGREL	80614-27-3	MITOQUIDONE	91753-07-0
MIDAZOLAM	59467-70-8	MITOSPER	11056-15-8
MIDECAMYCIN	35457-80-8	MITOTANE	53-19-0
MIDEPLANIN	122173-74-4	MITOTENAMINE	7696-00-6
MIDESTEINE	94149-41-4	MITOXANTRONE	65271-80-9
MIDODRINE	42794-76-3	MITOZOLOMIDE	85622-95-3
MIFENTIDINE	83184-43-4	MIVACURIUM CHLORIDE	106861-44-3
MIFEPRISTONE	84371-65-3	MIVAZEROL	125472-02-8
MIFOBATE	76541-72-5	MIXIDINE	27737-38-8
MIGLITOL	72432-03-2	MIZOLASTINE	108612-45-9
MIKAMYCIN	11006-76-1	MIZORIBINE	50924-49-7
MILACEMIDE	76990-56-2	MOBECARB	15518-84-0
MILENPERONE	59831-64-0	MOBENZOXAMINE	65329-79-5
MILIPERTINE	24360-55-2	MOCIMYCIN	50935-71-2
MILNACIPRAN	92623-85-3	MOCIPRAZINE	56693-13-1
MILOXACIN	37065-29-5	MOCLOBEMIDE	71320-77-9
MILRINONE	78415-72-2	MOCTAMIDE	29619-86-1
MILTEFOSINE	58066-85-6	MODAFINIL	68693-11-8
MILVERINE	75437-14-8	MODALINE	2856-74-8
MIMBANE	3277-59-6	MODECAINIDE	81329-71-7
MINAMESTANE	105051-87-4	MODIPAFANT	122957-06-6
MINAPRINE	25905-77-5	MOEXIPRIL	103775-10-6
MINAXOLONE	62571-87-3	MOEXIPRILAT	103775-14-0
MINDODILOL	70260-53-6	MOFEBUTAZONE	2210-63-1
MINDOPERONE	52157-83-2	MOFEGILINE	119386-96-8
MINEPENTATE	13877-99-1	MOFEZOLAC	78967-07-4
MINOCROMIL	85118-44-1	MOFLOVERINE	54063-50-2
MINOCYCLINE	10118-90-8	MOFOXIME	29936-79-6
MINOXIDIL	38304-91-5	MOGUISTEINE	119637-67-1
MIOFLAZINE	79467-23-5	MOLFARNATE	83689-23-0
MIPIMAZOLE	20406-60-4	MOLGRAMOSTIM	99283-10-0

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
MOLINAZONE	5581-46-4	MYCOPHENOLIC ACID	24280-93-1
MOLINDONE	7416-34-4	MYFADOL	4575-34-2
MOLRACETAM	94746-78-8	MYRALACT	15518-87-3
MOLSIDOMINE	25717-80-0	MYROPHINE	467-18-5
MOMETASONE	105102-22-5	MYRTECAINE	7712-50-7
MONALAZONE DISODIUM	61477-95-0	NABAZENIL	58019-65-1
MONATEPIL	132019-54-6	NABILONE	51022-71-0
MONENSIN	17090-79-8	NABITAN	66556-74-9
MONOBENZONE	103-16-2	NABOCTATE	74912-19-9
MONOETHANOLAMINE OLEATE	2272-11-9	NABUMETONE	42924-53-8
MONOMETACRINE	4757-49-7	NACARTOCIN	77727-10-7
MONOPHOSPHOTHIAMINE	532-40-1	NADIDE	53-84-9
MONOXERUTIN	23869-24-1	NADIFLOXACIN	124858-35-1
MONTIRELIN	90243-66-6	NADOLOL	42200-33-9
MOPERONE	1050-79-9	NADOXOLOL	54063-51-3
MOPIDAMOL	13665-88-8	NAFAGREL	97901-21-8
MOPIDRALAZINE	75841-82-6	NAFAMOSTAT	81525-10-2
MOPROLOL	5741-22-0	NAFARELIN	76932-56-4
MOQUIZONE	19395-58-5	NAFAZATROM	59040-30-1
MORACIZINE	31883-05-3	NAFCAPROIC ACID	1085-91-2
MORANTEL	20574-50-9	NAFCILLIN	147-52-4
MORAZONE	6536-18-1	NAFENODONE	92615-20-8
MORCLOFONE	31848-01-8	NAFENOPIN	3771-19-5
MORFOREX	41152-17-4	NAFETOLOL	42050-23-7
MORINAMIDE	952-54-5	NAFIMIDONE	64212-22-2
MORNIFLUMATE	65847-85-0	NAFIVERINE	5061-22-3
MOROCROMEN	35843-07-3	NAFLOCORT	59497-39-1
MOROXYDINE	3731-59-7	NAFOMINE	46263-35-8
MORPHERIDINE	469-81-8	NAFOXADOL	84145-90-4
MORSUXIMIDE	3780-72-1	NAFOXIDINE	1845-11-0
MOSAPRAMINE	89419-40-9	NAFTALOFOS	1491-41-4
MOSAPRIDE	112885-41-3	NAFTAZONE	15687-37-3
MOTAPIZONE	90697-57-7	NAFTIDROFURYL	31329-57-4
MOTRAZEPAM	29442-58-8	NAFTIFINE	65472-88-0
MOTRETINIDE	56281-36-8	NAFTOPIDIL	57149-07-2
MOVELTIPRIL	85856-54-8	NAFTOXATE	28820-28-2
MOXADOLEN	75992-53-9	NAFTYPRAMIDE	1505-95-9
MOXAPRINDINE	53076-26-9	NAGLIVAN	122575-28-4
MOXASTINE	3572-74-5	NALBUPHINE	20594-83-6
MOXAVERINE	10539-19-2	NALIDIXIC ACID	389-08-2
MOXAZOCINE	58239-89-7	NALMEFENE	55096-26-9
MOXESTROL	34816-55-2	NALMEXONE	16676-26-9
MOXICOUMONE	17692-56-7	NALORPHINE	62-67-9
MOXIDECTIN	113507-06-5	NALOXONE	465-65-6
MOXIPRAQUINE	23790-08-1	NALTREXONE	16590-41-3
MOXIRAPRINE	82239-52-9	NAMINTEROL	93047-40-6
MOXISYLYTE	54-32-0	NAMIROTENE	101506-83-6
MOXNIDAZOLE	52279-59-1	NAMOXYRATE	1234-71-5
MOXONIDINE	75438-57-2	NAMAFROCIN	52934-83-5
MUPIROCIN	12650-69-0	NANDROLONE	434-22-0
MURABUTIDE	74817-61-1	NANOFIN	504-03-0
MUROCAINIDE	66203-94-9	NANTERINONE	102791-47-9
MURODERMIN	54017-73-1	NANTRADOL	65511-41-3
MUZOLIMINE	55294-15-0	NAPACTADINE	76631-45-3

Annex (con.)
-364-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
NAPAMEZOLE	91524-14-0	NEUTRAMYCIN	1404-08-6
NAPHAZOLINE	835-31-4	NEVIRAPINE	129618-40-2
NAPHTHONONE	7114-11-6	NEXERIDINE	53716-48-6
NAPIRIMUS	70696-66-1	NEXOPAMIL	136033-49-3
NAPRODOXINE	57925-64-1	NIALAMIDE	51-12-7
NAPROXEN	22204-53-1	NIAPRAZINE	27367-90-4
NAPROXOL	26159-36-4	NIBROXANE	53983-00-9
NARANOL	22292-91-7	NICAFENINE	64039-88-9
NARASIN	55134-13-9	NICAINOPROL	76252-06-7
NARATRIPTAN	121679-13-8	NICAMETATE	3099-52-3
NARDETEROL	73865-18-6	NICARAVEN	79455-30-4
NAROPARCIL	120819-70-7	NICARDIPINE	55985-32-5
NARTOGRASTIM	134088-74-7	NICERGOLINE	27848-84-6
NASARUPLASE	99821-44-0	NICERITROL	5868-05-3
NATAMYCIN	7681-93-8	NICEVERINE	2545-24-6
NAXAGOLIDE	88058-88-2	NICLOFOLAN	10331-57-4
NAXAPROSTENE	87269-59-8	NICLOSAMIDE	50-65-7
NEALBARBITAL	561-83-1	NICOBOXIL	13912-80-6
NEBACUMAB	138661-01-5	NICOCLONATE	10571-59-2
NEBIDRAZINE	55248-23-2	NICOCODINE	3688-66-2
NEBIVOLOL	99200-09-6	NICOCORTONIDE	65415-41-0
NEBRACETAM	116041-13-5	NICODICODINE	808-24-2
NEBRAMYCIN	11048-13-8	NICOFIBRATE	31980-29-7
NECOPIDEM	103844-77-5	NICOFURANOSE	15351-13-0
NEDAPLATIN	95734-82-0	NICOFURATE	4397-91-5
NEDOCROMIL	69049-73-6	NICOGRELATE	80614-21-7
NEFAZODONE	83366-66-9	NICOMOL	27959-26-8
NEFIRACETAM	77191-36-7	NICOMORPHINE	639-48-5
NEFLUMOZIDE	86636-93-3	NICOPHOLINE	492-85-3
NEFOPAM	13669-70-0	NICORACETAM	128326-80-7
NELDAZOSIN	109713-79-3	NICORANDIL	65141-46-0
NELEZAPRINE	69624-60-8	NICOTHIAZONE	555-90-8
NELTENEXINE	99453-84-6	NICOTINAMIDE	98-92-0
NEMADECTIN	102130-84-7	NICOTINIC ACID	59-67-6
NEMAZOLINE	130759-56-7	NICOXAMAT	5657-61-4
NEMONAPRIDE	93664-94-9	NICTIAZEM	95058-70-1
NEOARSPHENAMINE	457-60-3	NICTINDOLE	36504-64-0
NEOCINCHOPHEN	485-34-7	NIDROXYZONE	405-22-1
NEOMYCIN	1404-04-2	NIFEDIPINE	21829-25-4
NEOSTIGMINE BROMIDE	114-80-7	NIFENALOL	7413-36-7
NEPINALONE	22443-11-4	NIFENAZONE	2139-47-1
NEPTAMUSTINE	73105-03-0	NIFLUNIC ACID	4394-00-7
NEQUINATE	13997-19-8	NIFUNGIN	11056-16-9
NERAMINOL	86140-10-5	NIFURADENE	555-84-0
NERBACADOL	99803-72-2	NIFURALDEZONE	3270-71-1
NERIDRONIC ACID	79778-41-9	NIFURALIDE	54657-96-4
NERISOPAM	102771-12-0	NIFURATEL	4936-47-4
NESAPIDIL	90326-85-5	NIFURATRONE	19561-70-7
NESOSTEINE	84233-61-4	NIFURDAZIL	5036-03-3
NESTIFYLLINE	116763-36-1	NIFURETHAZONE	5580-25-6
NETICONAZOLE	130726-68-0	NIFURFOLINE	3363-58-4
NETILMICIN	56391-56-1	NIFURIMIDE	15179-96-1
NETOBIMIN	88255-01-0	NIFURIZONE	26350-39-0
NEUTRAL INSULIN INJECTION	9004-10-8	NIFURMAZOLE	18857-59-5

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
NIFURMERONE	5579-95-3	NITROCYCLINE	5585-59-1
NIFUROQUINE	57474-29-0	NITRODAN	962-02-7
NIFUROXAZIDE	965-52-6	NITROFURAL	59-87-0
NIFUROXIME	6236-05-1	NITROFURANTOIN	67-20-9
NIFURPIPONE	24632-47-1	NITROMIFENE	10448-84-7
NIFURPIRINOL	13411-16-0	NITROSCANATE	19881-18-6
NIFURPRAZINE	1614-20-6	NITROSULFATHIAZOLE	473-42-7
NIFURQUINAZOL	5055-20-9	NITROXINIL	1689-89-0
NIFURSEMIZONE	3579-89-5	NITROXOLINE	4008-48-4
NIFURSOL	16915-70-1	NIVACORTOL	24358-76-7
NIFURTHIAZOLE	3570-75-0	NIVIMEDONE	49561-92-4
NIFURTIMOX	23256-30-6	NIXYLIC ACID	4394-05-2
NIFURTOINOL	1088-92-2	NIZATIDINE	76963-41-2
NIFURVIDINE	1900-13-6	NIZOFENONE	54533-85-6
NIFURZIDE	39978-42-2	NOBERASTINE	110588-56-2
NIGULDIPINE	113165-32-5	NOCLOPROST	79360-43-3
NIHYDRAZONE	67-28-7	NOCODAZOLE	31430-18-9
NIKETHAMIDE	59-26-7	NOFECAINIDE	50516-43-3
NILEPROST	71097-83-1	NOGALAMYCIN	1404-15-5
NILESTRIOL	39791-20-3	NOLINIUM BROMIDE	40759-33-9
NILPRAZOLE	60662-19-3	NOMEGESTROL	58691-88-6
NILUDIPINE	22609-73-0	NOMELIDINE	60324-59-6
NILUTAMIDE	63612-50-0	NOMIFENSINE	24526-64-5
NILVADIPINE	75530-68-6	NONABINE	16985-03-8
NIMAZONE	17230-89-6	NONAPERONE	15997-76-9
NIMESULIDE	51803-78-2	NONAPYRIMINE	5626-36-8
NIMETAZEPAM	2011-67-8	NONATHYMULIN	63958-90-7
NIMIDANE	50435-25-1	NONIVAMIDE	2444-46-4
NIMODIPINE	66085-59-4	NONOXINOL	9016-45-9
NIMORAZOLE	6506-37-2	NORACYMETHADOL	1477-39-0
NIMUSTINE	42471-28-3	NORBOLETONE	797-58-0
NIOMETACIN	16426-83-8	NORBUDRINE	15686-81-4
NIPEROTIDINE	84845-75-0	NORCLOSTEBOL	13583-21-6
NIPRADILOL	81486-22-8	NORCODEINE	467-15-2
NIPROFAZONE	15387-10-7	NORDAZEPAM	1088-11-5
NIRAVOLINE	130610-93-4	NORDINONE	33122-60-0
NIRIDAZOLE	61-57-4	NOREPINEPHRINE	51-41-2
NISBUTEROL	60734-87-4	NORETHANDROLONE	52-78-8
NISOBAMATE	25269-04-9	NORETHISTERONE	68-22-4
NISOLDIPINE	63675-72-9	NORETYNODREL	68-23-5
NISOXETINE	53179-07-0	NOREXIMIDE	6319-06-8
NISTERIME	51354-32-6	NORFENEFRINE	536-21-0
NITARSONE	98-72-6	NORFLOXACIN	70458-96-7
NITAZOXANIDE	55981-09-4	NORFLOXACIN SUCCINIL	100587-52-8
NITECAPONE	116313-94-1	NORFLURANE	811-97-2
NITRACRINE	4533-39-5	NORGESTERONE	13563-60-5
NITRAFUDAM	64743-09-5	NORGESTINATE	35189-28-7
NITRAMISOLE	6363-02-6	NORGESTOMET	25092-41-5
NITRAQUAZONE	56739-21-0	NORGESTREL	6533-00-2
NITRAZEPAM	146-22-5	NORGESTRIENONE	848-21-5
NITREFAZOLE	21721-92-6	NORLETIMOL	886-08-8
NITRENDIPINE	39562-70-4	NORLEUSACTIDE	17692-62-5
NITRICHOLINE PERCHLORATE	7009-91-8	NORLEVORPHANOL	1531-12-0
NITROCLOFENE	39224-48-1	NORMETHADONE	467-85-6

Annex (con.)
-366-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
NORMORPHINE	466-97-7	OLMIDINE	22693-65-8
NORPIPANONE	561-48-8	OLPIMEDONE	39567-20-9
NORTETRAZEPAM	10379-11-0	OLRADIPINE	115972-78-6
NORTRIPTYLINE	72-69-5	OLSALAZINE	15722-48-2
NORVINISTERONE	6795-60-4	OLTIPRAZ	64224-21-1
NOSANTINE	76600-30-1	OLVANIL	58493-49-5
NOSCAPINE	128-62-1	OMEPRAZOLE	73590-58-6
NOSIHEPTIDE	56377-79-8	OMIDOLINE	21590-91-0
NOVOBIOCIN	303-81-1	OMOCONAZOLE	74512-12-2
NOXIPTILINE	3362-45-6	ONONASTEINE	60175-95-3
NOXYTIOLIN	15599-39-0	ONAPRISTONE	96346-61-1
NUCLOMEDONE	75963-52-9	ONDANSETRON	116002-70-1
NUCLOTIXENE	36471-39-3	ONTIANIL	35727-72-1
NUFENOXOLE	57726-65-5	OPINIAZIDE	2779-55-7
NUVENZEPINE	96487-37-5	OPIPRAMOL	315-72-0
NYSTATIN	1400-61-9	ORAZAMIDE	60104-30-5
OBIDOXIME CHLORIDE	114-90-9	ORBIFLOXACIN	113617-63-3
OCAPERIDONE	129029-23-8	ORBUTOPRIL	108391-88-4
OCFENTANIL	101343-69-5	ORCIPRENALINE	586-06-1
OCILTIDE	78410-57-8	ORCONAZOLE	66778-37-8
OCRASE	51899-01-5	ORESTRATE	13885-31-9
OCRILATE	6701-17-3	ORGOTEIN	9016-01-7
OCTABENZOME	1843-05-6	ORLISTAT	96829-58-2
OCTACAINE	13912-77-1	ORMAPLATIN	62816-98-2
OCTAFONIUM CHLORIDE	15687-40-8	ORMELOXIFENE	78994-24-8
OCTAMOXIN	4684-87-1	ORMETOPRIM	6981-18-6
OCTAMYLAMINE	502-59-0	ORNIDAZOLE	16773-42-5
OCTANOIC ACID	124-07-2	ORNIPRESSIN	3397-23-7
OCTAPINOL	71138-71-1	ORNITHINE	70-26-8
OCTASTINE	59767-12-3	ORNOPROSTIL	70667-26-4
OCTATROPINE METHYLBROMIDE	80-50-2	OROTIC ACID	65-86-1
OCTAVERINE	549-68-8	OROTIRELIN	62305-86-6
OCTAZAMIDE	56391-55-0	ORPANOXIN	60653-25-0
OCTENIDINE	71251-02-0	ORPHENADRINE	83-98-7
OCTIMIBATE	89838-96-0	ORTETAMINE	5580-32-5
OCTOCRILENE	6197-30-4	OSALMID	526-18-1
OCTODRINE	543-82-8	OSATERONE	105149-04-0
OCTOPAMINE	104-14-3	OSMADIZONE	27450-21-1
OCTOTIAMINE	137-86-0	OSTREOGRYCIN	11006-76-1
OCTOXINOL	9002-93-1	OTENZEPAD	100158-38-1
OCTREOTIDE	83150-76-9	OTILONIUM BROMIDE	26095-59-0
OCTRIPTYLINE	47166-67-6	OTIMERATE SODIUM	16509-11-8
OCTRIZOLE	3147-75-9	OXABOLONE CIPIONATE	1254-35-9
ODALPROFEN	137460-88-9	OXABREXINE	65415-42-1
ODAPIPAM	131796-63-9	OXACEPROL	33996-33-7
OFLOXACIN	83380-47-6	OXACILLIN	66-79-5
OFORNINE	87784-12-1	OXADIMEDINE	16685-05-5
OFTASCEINE	1461-15-0	OXAFLOZANE	26629-87-8
OLAFLUR	6818-37-7	OXAFLUMAZINE	16498-21-8
OLANZAPINE	132539-06-1	OXAGRELATE	56611-65-5
OLAQUINDOX	23696-28-8	OXALINAST	70009-66-4
OLEANDOMYCIN	3922-90-5	OXALIPLATIN	61825-94-3
OLETIMOL	5879-67-4	OXAMARIN	15301-80-1
OLIVOMYCIN	11006-70-5	OXAMETACIN	27035-30-9

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
OXANISOLE	99258-56-7	OXOLINIC ACID	14698-29-4
OXANNIQUINE	21738-42-1	OXOMEMAZINE	3689-50-7
OXAMANIDE	126-93-2	OXONAZINE	5580-22-3
OXANDROLONE	53-39-4	OXOPHENARSINE	306-12-7
OXANTEL	36531-26-7	OXOPROSTOL	69648-40-4
OXAPADOL	56969-22-3	OXPHEMERIDINE	546-32-7
OXAPIUM IODIDE	6577-41-9	OXPRENOATE POTASSIUM	76676-34-1
OXAPROPANIUM IODIDE	541-66-2	OXPRENOLOL	6452-71-7
OXAPROTILINE	56433-44-4	OXYBENZONE	131-57-7
OXAPROZIN	21256-18-8	OXYBUPROCAINE	99-43-4
OXARBAZOLE	35578-20-2	OXYBUTYNIN	5633-20-5
OXATOMIDE	60607-34-3	OXYCINCHOPHEN	485-89-2
OXAZAFONE	70541-17-2	OXYCLIPINE	4354-45-4
OXAZEPAM	604-75-1	OXYCLOZANIDE	2277-92-1
OXAZIDIONE	27591-42-0	OXYCODONE	76-42-6
OXAZOLAM	24143-17-7	OXYDIPENTONIUM CHLORIDE	7174-23-4
OXAZORONE	25392-50-1	OXYFEDRINE	15687-41-9
OXCARBAZEPINE	28721-07-5	OXYFENAMATE	50-19-1
OXDRALAZINE	17259-75-5	OXYMESTERONE	145-12-0
OXELADIN	468-61-1	OXYMETAZOLINE	1491-59-4
OXENDOLONE	33765-68-3	OXYMETHOLONE	434-07-1
OXEPINAC	55689-65-1	OXYMORPHONE	76-41-5
OXETACAINE	126-27-2	OXYPENDYL	5585-93-3
OXETACILLIN	53861-02-2	OXYPERTINE	153-87-7
OXETORONE	26020-55-3	OXYPHENBUTAZONE	129-20-4
OXFENDAZOLE	53716-50-0	OXYPHENCYCLIMINE	125-53-1
OXFENICINE	32462-30-9	OXYPHENISATINE	125-13-3
OXIBENDAZOLE	20559-55-1	OXYPHENONIUM BROMIDE	50-10-2
OXIBETAINE	7002-65-5	OXYPYRRONIUM BROMIDE	561-43-3
OXICONAZOLE	64211-45-6	OXYRIDAZINE	14759-04-7
OXIDOPAMINE	1199-18-4	OXYSONIUM IODIDE	3569-58-2
OXIDRONIC ACID	15468-10-7	OXYTETRACYCLINE	79-57-2
OXIFENTOREX	4075-88-1	OXYTOCIN	50-56-6
OXIFUNGIN	64057-48-3	OZAGREL	82571-53-7
OXIGLUTATIONE	27025-41-8	OZOLINONE	56784-39-5
OXILOFRINE	365-26-4	PACLITAXEL	33069-62-4
OXILORPHAN	42281-59-4	PACRINOLOL	65653-59-6
OXIMONAN	90898-90-1	PADIMATE	21245-01-2
OXINDANAC	68548-99-2	PAFENOLOL	75949-61-0
OXINIACIC ACID	2398-81-4	PALATRIGINE	98410-36-7
OXIPERONIDE	5322-53-2	PALDIMYCIN	94554-99-1
OXIPURINOL	2465-59-0	PALMIDROL	544-31-0
OXIRACETAM	62613-82-5	PALMOXIRIC ACID	68170-97-8
OXIRAMIDE	13958-40-2	PALONIDIPINE	96515-73-0
OXISOPRED	18118-80-4	PAMAQUINE	635-05-2
OXISURAN	27302-90-5	PAMATOLOL	59110-35-9
OXITEFONIUM BROMIDE	17692-63-6	PAMIDRONIC ACID	40391-99-9
OXITRIPTAN	4350-09-8	PAMADIPLON	124423-84-3
OXITRIPTYLINE	29541-85-3	PANCOPRIDE	121650-80-4
OXITROPIUM BROMIDE	30286-75-0	PANCURONIUM BROMIDE	15500-66-0
OXMETIDINE	72830-39-8	PANIDAZOLE	13752-33-5
OXODIPINE	90729-41-2	PANIPENEM	87726-17-8
OXOGESTONE	3643-00-3	PANOMIFENE	77599-17-8
OXOLAMINE	959-14-8	PANTENICATE	96922-80-4

Annex (con.)
-368-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PANTHENOL	16485-10-2	PENFLURIDOL	26864-56-2
PANTOPRAZOLE	102625-70-7	PENFLUTIZIDE	1766-91-2
PANURAMINE	80349-58-2	PENGITOXIN	7242-04-8
PAPAVEROLINE	574-77-6	PENICILLAMINE	52-67-5
PARAFLUTIZIDE	1580-83-2	PENICILLINASE	9001-74-5
PARAMETHADIONE	115-67-3	PENIMEPICYCLINE	4599-60-4
PARAMETHASONE	53-33-8	PENIMOCYCLINE	16259-34-0
PARAPENZOLATE BROMIDE	5634-41-3	PENIROLOL	58503-83-6
PARAPROPAMOL	1693-37-4	PENMESTEROL	67-81-2
PARAROSANILINE EMBONATE	7232-51-1	PENOCTONIUM BROMIDE	17088-72-1
PARATHIAZINE	84-08-2	PENPROSTENE	61557-12-8
PARAXAZONE	26513-79-1	PENTABAMATE	5667-70-9
PARBENDAZOLE	14255-87-9	PENTACYNIUM CHLORIDE	77-12-3
PARCETASAL	87549-36-8	PENTAERITHRITYL TETRANITRATE	78-11-5
PARCONAZOLE	61400-59-7	PENTAFLURANOL	65634-39-1
PAREPTIDE	61484-38-6	PENTAGASTRIN	5534-95-2
PARETHOXYCAINE	94-23-5	PENTAGESTRONE	7001-56-1
PARGEVERINE	13479-13-5	PENTALAMIDE	5579-06-6
PARGOLOL	47082-97-3	PENTAMETHONIUM BROMIDE	541-20-8
PARGYLINE	555-57-7	PENTAMIDINE	100-33-4
PARIDOCAINE	7162-37-0	PENTAMORPHONE	68616-83-1
PARODILOL	103238-56-8	PENTAMOXANE	4730-07-8
PAROMOMYCIN	7542-37-2	PENTAPIPERIDE	7009-54-3
PAROXETINE	61869-08-7	PENTAPIPERIUM METILSULFATE	7681-80-3
PAROXYPROPIONE	70-70-2	PENTAQUINE	86-78-2
PARSALMIDE	30653-83-9	PENTAZOCINE	359-83-1
PARTRICIN	11096-49-4	PENTETIC ACID	67-43-6
PARVAQUONE	4042-30-2	PENTETRAZOL	54-95-5
PASINIAZID	2066-89-9	PENTETREOTIDE	138661-02-6
PATAMOSTAT	114568-26-2	PENTHRICHLORAL	5684-90-2
PAULOMYCIN	59794-18-2	PENTIAPINE	81382-51-6
PAXAMATE	5579-05-5	PENTIFYLLINE	1028-33-7
PAZELLIPTINE	65222-35-7	PENTIGETIDE	62087-72-3
PAZOXIDE	21132-59-2	PENTISOMICIN	55870-64-9
PECAZINE	60-89-9	PENTISOMIDE	96513-83-6
PECILOCIN	19504-77-9	PENTIZIDONE	55694-83-2
PECOCYCLINE	15301-82-3	PENTOBARBITAL	76-74-4
PEFLOXACIN	70458-92-3	PENTOLONIUM TARTRATE	52-62-0
PEGALDESLEUKIN	75345-27-6	PENTOMONE	67102-87-8
PEGASPARGASE	130167-69-0	PENTOPRIL	82924-03-6
PEGOTERATE	25038-59-9	PENTOREX	434-43-5
PELANSERIN	2208-51-7	PENTOSTATIN	53910-25-1
PELIOMYCIN	1404-20-2	PENTOXIFYLLINE	6493-05-6
PELRETIN	91587-01-8	PENTOXYVERINE	77-23-6
PELRINONE	94386-65-9	PENTRINITROL	1607-17-6
PEMEDOLAC	114716-16-4	PEPLOMYCIN	68247-85-8
PEMERID	50432-78-5	PEPSTATIN	26305-03-3
PEMIROLAST	69372-19-6	PERACLOPONE	96164-19-1
PEMOLINE	2152-34-3	PERADOXIME	67254-81-3
PEMPIDINE	79-55-0	PERAFENSINE	72444-62-3
PENAMECILLIN	983-85-7	PERALOPRIDE	57083-89-3
PENBUTOLOL	38363-40-5	PERAQUINSIN	35265-50-0
PENCICLOVIR	39809-25-1	PERASTINE	4960-10-5
PENDECAMAINE	32954-43-1	PERATIZOLE	29952-13-4

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PERBUFYLLINE	110390-84-6	PHENOTHIAZINE	92-84-2
PERFLUAMINE	338-83-0	PHENOTHRIN	26002-80-2
PERFLUBRON	423-55-2	PHENOXYBENZAMINE	59-96-1
PERFLUNAFENE	306-94-5	PHENOXYMETHYLPENICILLIN	87-08-1
PERFOMEDIL	92268-40-1	PHENPROBAMATE	673-31-4
PERFOSFAMIDE	62435-42-1	PHENPROCOUMON	435-97-2
PERGOLIDE	66104-22-1	PHENPROMETHAMINE	93-88-9
PERHEXILINE	6621-47-2	PHENSUXIMIDE	86-34-0
PERICIAZINE	2622-26-6	PHENTERMINE	122-09-8
PERIMETAZINE	13093-88-4	PHENTOLAMINE	50-60-2
PERINDOPRIL	82834-16-0	PHENYLALANINE	63-91-2
PERINDOPRILAT	95153-31-4	PHENYLBUTAZONE	50-33-9
PERISOXAL	2055-44-9	PHENYLEPHRINE	59-42-7
PERLAPINE	1977-11-3	PHENYLMERCURIC BORATE	8017-88-7
PERMETHRIN	52645-53-1	PHENYLPROPANOLAMINE	14838-15-4
PERPHENAZINE	58-39-9	PHENYLTOLOXAMINE	92-12-6
PERSILIC ACID	4444-23-9	PHENYRACILLIN	7009-88-3
PETHIDINE	57-42-1	PHENYTHILONE	115-55-9
PETRICHLORAL	78-12-6	PHENYTOIN	57-41-0
PEXANTEL	10001-13-5	PHETHARBITAL	357-67-5
PHANQUINONE	84-12-8	PHOLCODINE	509-67-1
PHENACAINE	101-93-9	PHOLEDRINE	370-14-9
PHENACEMIDE	63-98-9	PHOXIM	14816-18-3
PHENACETIN	62-44-2	PHTHALYLSULFAMETHIZOLE	485-24-5
PHENACTROPINIUM CHLORIDE	3784-89-2	PHTHALYLSULFATHIAZOLE	85-73-4
PHENADOXONE	467-84-5	PHYTOMENADIONE	84-80-0
PHENAGLYCODOL	79-93-6	PHYTONADIOL SODIUM DIPHOSPHATE	5988-22-7
PHENAMAZOLINE	501-62-2	PIBAXIZINE	82227-39-2
PHENAMPROMIDE	129-83-9	PIBECARB	2522-81-8
PHENARSONE SULFOXYLATE	535-51-3	PIBERALINE	39640-15-8
PHENAZOCINE	127-35-5	PICAFIBRATE	57548-79-5
PHENAZONE	60-80-0	PICARTAMIDE	76732-75-7
PHENAZOPYRIDINE	94-78-0	PICENADOL	79201-85-7
PHENCYCLIDINE	77-10-1	PICILOREX	62510-56-9
PHENDIMETRAZINE	634-03-7	PICLONIDINE	72467-44-8
PHENELZINE	51-71-8	PICLOPASTINE	55837-13-3
PHENERIDINE	469-80-7	PICLOXYDINE	5636-92-0
PHENETICILLIN	147-55-7	PICOBENZIDE	51832-87-2
PHENETURIDE	90-49-3	PICODRALAZINE	17692-43-2
PHENFORMIN	114-86-3	PICOLAMINE	3731-52-0
PHENGLUTARIMIDE	1156-05-4	PICONOL	586-98-1
PHENICARBAZIDE	103-03-7	PICOPERINE	21755-66-8
PHENINDAMINE	82-88-2	PICOPRAZOLE	78090-11-6
PHENINDIONE	83-12-5	PICOTRIN	64063-57-6
PHENIODOL SODIUM	7009-60-1	PICUMAST	39577-19-0
PHENIPRAZINE	55-52-7	PICUMETEROL	130641-36-0
PHENIRAMINE	86-21-5	PIDOBENZONE	138506-45-3
PHENMETRAZINE	134-49-6	PIDOLACETAMOL	114485-92-6
PHENOBARBITAL	50-06-6	PIDOLIC ACID	98-79-3
PHENOBARBITAL SODIUM	57-30-7	PIDOTIMOD	121808-62-6
PHENOBUTIODIL	554-24-5	PIFARNINE	56208-01-6
PHENOLPHTHALEIN	77-09-8	PIFENATE	15686-87-0
PHENOMORPHAN	468-07-5	PIFEXOLE	27199-40-2
PHENOPERIDINE	562-26-5	PIFLUTIXOL	54341-02-5

Annex (con.)
-370-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PIFOXIME	31224-92-7	PIPRATECOL	15534-05-1
PIKETOPROFEN	60576-13-8	PIPRINHYDRINATE	606-90-6
PILDRALAZINE	64000-73-3	PIPROCURARIUM IODIDE	3562-55-8
PILSICAINIDE	88069-67-4	PIPROFUROL	40680-87-3
PIMAGEDINE	79-17-4	PIPROZOLIN	17243-64-0
PIMECLONE	534-84-9	PIQUINDONE	78541-97-6
PIMEFYLLINE	10001-43-1	PIQUIZIL	21560-58-7
PIMELAUTIDE	78512-63-7	PIRACETAM	7491-74-9
PIMETACIN	79992-71-5	PIRANDAMINE	42408-79-7
PIMETHIXENE	314-03-4	PIRARUBICIN	72496-41-4
PIMETINE	3565-03-5	PIRAXELATE	82209-39-0
PIMETREMIDE	578-89-2	PIRAZMONAM	108319-07-9
PIMINODINE	13495-09-5	PIRAZOFURIN	30868-30-5
PIMOBENDAN	74150-27-9	PIRAZOLAC	71002-09-0
PIMONIDAZOLE	70132-50-2	PIRBENICILLIN	55975-92-3
PIMOZIDE	2062-78-4	PIRBUTEROL	38677-81-5
PINACIDIL	60560-33-0	PIRDONIUM BROMIDE	35620-67-8
PINADOLINE	38955-22-5	PIRENOXINE	1043-21-6
PINAFIDE	54824-20-3	PIRENPERONE	75444-65-4
PINAVERIUM BROMIDE	53251-94-8	PIRENZEPINE	28797-61-7
PINAZEPAM	52463-83-9	PIREPOLOL	69479-26-1
PINCAINIDE	83471-41-4	PIRETANIDE	55837-27-9
PINDOLOL	13523-86-9	PIRFENIDONE	53179-13-8
PINOLCAINE	28240-18-8	PIRIBEDIL	3605-01-4
PINOXEPIN	14008-66-3	PIRIDICILLIN	69414-41-1
PIOGLITAZONE	111025-46-8	PIRIDOCAINE	87-21-8
PIPACYCLINE	1110-80-1	PIRIDOXILATE	24340-35-0
PIPAMAZINE	84-04-8	PIRIDRONIC ACID	75755-07-6
PIPAMPERONE	1893-33-0	PIRIFIBRATE	55285-45-5
PIPAZETATE	2167-85-3	PIRINIDAZOLE	55432-15-0
PIPEBUZONE	27315-91-9	PIRINIXIC ACID	50892-23-4
PIPECURONIUM BROMIDE	52212-02-9	PIRINIXIL	65089-17-0
PIPEMIDIC ACID	51940-44-4	PIRIPROST	79672-88-1
PIPENZOLATE BROMIDE	125-51-9	PIRIQUALONE	1897-89-8
PIPEQUALINE	77472-98-1	PIRISUDANOL	33605-94-6
PIPERACETAZINE	3819-00-9	PIRITRAMIDE	302-41-0
PIPERACILLIN	61477-96-1	PIRITREXIM	72732-56-0
PIPERAMIDE	299-48-9	PIRLIMYCIN	79548-73-5
PIPERAZINE CALCIUM EDETATE	12002-30-1	PIRLINDOLE	60762-57-4
PIPERIDOLATE	82-98-4	PIRMAGREL	85691-74-3
PIPEROCAINE	136-82-3	PIRMENOL	68252-19-7
PIPEROXAN	59-39-2	PIRNABIN	68298-00-0
PIPERYLONE	2531-04-6	PIROCTONE	50650-76-5
PIPETHANATE	4546-39-8	PIRODAVIR	124436-59-5
PIPOBROMAN	54-91-1	PIRODOMAST	108310-20-9
PIPOCTANONE	18841-58-2	PIROGLIRIDE	62625-18-7
PIPOFEZINE	24886-52-0	PIROHEPTINE	16378-21-5
PIPOSULFAN	2608-24-4	PIROLATE	55149-05-8
PIPOTIAZINE	39860-99-6	PIROLAZAMIDE	39186-49-7
PIPOXIZINE	55837-21-3	PIROMIDIC ACID	19562-30-2
PIPOXOLAN	23744-24-3	PIROXANTRONE	91441-23-5
PIPRADIMADOL	68797-29-5	PIROXICAM	36322-90-4
PIPRADROL	467-60-7	PIROXICILLIN	82509-56-6
PIPRAMADOL	55313-67-2	PIROXIMONE	84490-12-0

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PIROZADIL	54110-25-7	POSATIRELIN	78664-73-0
PIRPROFEN	31793-07-4	POSKINE	585-14-8
PIRQUINOZOL	65950-99-4	POTASSIUM CANRENOATE	2181-04-6
PIRRALKONIUM BROMIDE	17243-65-1	POTASSIUM GLUCALDRATE	1317-30-2
PIRSIDOMINE	132722-74-8	POTASSIUM NITRAZEPATE	5571-84-6
PIRTENIDINE	103923-27-9	PRACTOLOL	6673-35-4
PITENODIL	59840-71-0	PRAJMALIUM BITARTRATE	2589-47-1
PITOFENONE	54063-52-4	PRALIDOXIME IODIDE	94-63-3
PITUXATE	39123-11-0	PRAMIPEXOLE	104632-26-0
PIVAGABINE	69542-93-4	PRAMIRACETAM	68497-62-1
PIVAMPICILLIN	33817-20-8	PRAMIVERINE	14334-40-8
PIVENFRINE	67577-23-5	PRAMOCAINE	140-65-8
PIVMECILLINAM	32886-97-8	PRAMPINE	7009-65-6
PIVOPRIL	81045-50-3	PRANIDIPINE	99522-79-9
PIVOXAZEPAM	55299-10-0	PRANLUKAST	103177-37-3
PIZOTIFEN	15574-96-6	PRANOLIUM CHLORIDE	42879-47-0
PLAFIBRIDE	63394-05-8	PRANOPROFEN	52549-17-4
PLAUNOTOL	64218-02-6	PRANOSAL	17716-89-1
PLAURACIN	62107-94-2	PRASTERONE	53-43-0
PLEUROMULIN	125-65-5	PRAVADOLINE	92623-83-1
PLICAMYCIN	18378-89-7	PRAVASTATIN	81093-37-0
PLOMESTANE	77016-85-4	PRAXADINE	4023-00-1
PODILFEN	13409-53-5	PRAZEPAM	2955-38-6
POLACRILIN	54182-62-6	PRAZEPINE	73-07-4
POLAPREZINC	107667-60-7	PRAZIQUANTEL	55268-74-1
POLDINE METILSULFATE	545-80-2	PRAZITONE	2409-26-9
POLICAPRAN	25038-54-4	PRAZOCILLIN	15949-72-1
POLICRESULEN	101418-00-2	PRAZOSIN	19216-56-9
POLIDEXIDE SULFATE	56227-39-5	PRECLAMOL	85966-89-8
POLIDRONIUM CHLORIDE	75345-27-6	PREDNAZATE	5714-75-0
POLIFEPROSAN	90409-78-2	PREDNAZOLINE	6693-90-9
POLIGEENAN	53973-98-1	PREDNICARBATE	73771-04-7
POLIGLECAPRONE	41706-81-4	PREDNIMUSTINE	29069-24-7
POLIGLUSAM	9012-76-4	PREDNISOLAMATE	5626-34-6
POLIHEXANIDE	32289-58-0	PREDNISOLONE	50-24-8
POLISAPONIN	8063-80-7	PREDNISOLONE STEAGLATE	5060-55-9
POLITEF	9002-84-0	PREDNISONE	53-03-2
POLOXALENE	9003-11-6	PREDNYLIDENE	599-33-7
POLOXAMER	9003-11-6	PREFENAMATE	57775-28-7
POLYBENZARSOL	54531-52-1	PREGNENOLONE	145-13-1
POLYCARBOPHIL	9003-97-8	PREMAZEPAM	57435-86-6
POLYESTRADIOL PHOSPHATE	28014-46-2	PRENALTEROL	57526-81-5
POLYETADENE	9003-23-0	PRENISTEINE	5287-46-7
POLYGELINE	9015-56-9	PRENOVERINE	65236-29-5
POLYGLYCOLIC ACID	26009-03-0	PRENOXDIAZINE	47543-65-7
POLYMYXIN B	1404-26-8	PRENYLAMINE	390-64-7
POLYNOXYLIN	9011-05-6	PRETAMAZIUM IODIDE	24840-59-3
POLYSORBATE		PRETIADIL	30840-27-8
POLYTHIAZIDE	346-18-9	PREZATIDE COPPER ACETATE	130120-57-9
POLYVIDONE	9003-39-8	PRIBECAINE	55837-22-4
PONALRESTAT	72702-95-5	PRIDEFINE	5370-61-2
PONFIBRATE	53341-49-4	PRIDEPERONE	95374-52-0
PORFIMER SODIUM	87806-31-3	PRIDINOL	511-45-5
PORFIROMYCIN	801-52-5	PRIFELONE	69425-13-4

Annex (con.)
-372-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PRIFINIUM BROMIDE	4630-95-9	PROMOXOLANE	470-43-9
PRIFUROLINE	70833-07-7	PROMETALOL	54-80-8
PRILOCAINE	721-50-6	PROPACETAMOL	66532-85-2
PRIMAPERONE	1219-35-8	PROPAFENONE	54063-53-5
PRIMAQUINE	90-34-6	PROPAMIDINE	104-32-5
PRIMIDOLOL	67227-55-8	PROPANIDID	1421-14-3
PRIMIDONE	125-33-7	PROPANOCAINE	493-76-5
PRIMYCIN	47917-41-9	PROPANTHELINE BROMIDE	50-34-0
PRINOMIDE	77639-66-8	PROPATYLNITRATE	2921-92-8
PRINOXODAN	111786-07-3	PROPAZOLAMIDE	98-75-9
PRISOTINOL	78997-40-7	PROPENIDAZOLE	76448-31-2
PRISTINAMYCIN	11006-76-1	PROPENTOFYLLINE	55242-55-2
PRIZIDILOL	59010-44-5	PROPERIDINE	561-76-2
PROADIFEN	302-33-0	PROPETAMIDE	730-07-4
PROBARBITAL SODIUM	143-82-8	PROPETANDROL	3638-82-2
PROBENECID	57-66-9	PROPICILLIN	551-27-9
PROBUCOL	23288-49-5	PROPIKACIN	66887-96-5
PROCAINAMIDE	51-06-9	PROPINETIDINE	3811-53-8
PROCAINE	59-46-1	PROPIOLACTONE	57-57-8
PROCARBAZINE	671-16-9	PROPIOMAZINE	362-29-8
PROCATEROL	72332-33-3	PROPIPOCAINE	3670-68-6
PROCHLORPERAZINE	58-38-8	PROPIRAM	15686-91-6
PROCINOLOL	27325-36-6	PROPISERGIDE	5793-04-4
PROCINONIDE	58497-00-0	PROPIVERINE	60569-19-9
PROCLONOL	14088-71-2	PROPIZEPINE	10321-12-7
PROCODAZOLE	23249-97-0	PROPOFOL	2078-54-8
PROCYCLIDINE	77-37-2	PROPOXATE	7036-58-0
PROCYMATE	13931-64-1	PROPOXYCAINE	86-43-1
PRODECONIUM BROMIDE	3690-61-7	PROPRANOLOL	525-66-6
PRODILIDINE	3734-17-6	PROPYL DOCETRIZOATE	5579-08-8
PRODIPINE	31314-38-2	PROPYLHEXEDRINE	3595-11-7
PRODOLIC ACID	36505-82-5	PROPYLIODONE	587-61-1
PROFADOL	428-37-5	PROPYLTHIOURACIL	51-52-5
PROFENAMINE	522-00-9	PROPYPERONE	3781-28-0
PROFEXALONE	34740-13-1	PROPYPHENAZONE	479-92-5
PROFLAVINE	92-62-6	PROPYROMAZINE BROMIDE	145-54-0
PROFLAZEPAM	52829-30-8	PROQUAZONE	22760-18-5
PROGABIDE	62666-20-0	PROQUINOLATE	1698-95-9
PROGESTERONE	57-83-0	PRORENOATE POTASSIUM	49847-97-4
PROGLUMETACIN	57132-53-3	PROROXAN	33743-96-3
PROGLUMIDE	6620-60-6	PROSCILLARIDIN	466-06-8
PROGUANIL	500-92-5	PROSPIDIUM CHLORIDE	23476-83-7
PROHEPTAZINE	77-14-5	PROSTALENE	54120-61-5
PROLIGESTONE	23873-85-0	PROSULPRIDE	68556-59-2
PROLINE	147-85-3	PROSULTIAMINE	59-58-5
PROLINTANE	493-92-5	PROTAMINE ZINC INSULIN INJECTION	9004-17-5
PROLONIUM IODIDE	123-47-7	PROTERGURIDE	77650-95-4
PROMAZINE	58-40-2	PROTHEOBROMINE	50-39-5
PROMEGESTONE	34184-77-5	PROTHIPENDYL	303-69-5
PROMELASE	9074-07-1	PROTHIXENE	2622-24-4
PROMESTRIENE	39219-28-8	PROTIOFATE	58416-00-5
PROMETHAZINE	60-87-7	PROTIONAMIDE	14222-60-7
PROMETHAZINE TEOCLATE	17693-51-5	PROTIRELIN	24305-27-9
PROMOLATE	3615-74-5	PROTIZINIC ACID	13799-03-6

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
PROTOKYLOL	136-70-9	QUINBOLONE	2487-63-0
PROTRIPTYLINE	438-60-8	QUINCARBATE	54340-59-9
PROXAZOLE	5696-09-3	QUINDECAMINE	19056-26-9
PROXIBARBAL	2537-29-3	QUINDONIUM BROMIDE	130-81-4
PROXIBUTEME	14089-84-0	QUINDOXIN	2423-66-7
PROXICROMIL	60400-92-2	QUINELORANE	97466-90-5
PROXIFEZONE	34427-79-7	QUINESTRADOL	1169-79-5
PROXORPHAN	69815-38-9	QUINESTROL	152-43-2
PROXYMETACAINE	499-67-2	QUINETALATE	5714-76-1
PROXYPHYLLINE	603-00-9	QUINETHAZONE	73-49-4
PROZAPINE	3426-08-2	QUINEZAMIDE	77197-48-9
PSEUDOEPHEDRINE	90-82-4	QUINFAMIDE	62265-68-3
PSILOCYBINE	520-52-5	QUINGESTANOL	10592-65-1
PUMITEPA	42061-52-9	QUINGESTRONE	67-95-8
PUROMYCIN	53-79-2	QUINISOCAINE	86-80-6
PYRANTEL	15686-83-6	QUINOCIDE	525-61-1
PYRAZINAMIDE	98-96-4	QUINOTOLAST	101193-40-2
PYRICARBATE	1882-26-4	QUINPIROLE	85760-74-3
PYRIDARONE	7035-04-3	QUINPRENALINE	13757-97-6
PYRIDOFYLLINE	53403-97-7	QUINTIOFOS	1776-83-6
PYRIDOSTIGMINE BROMIDE	101-26-8	QUINUCLIUM BROMIDE	64755-06-2
PYRIDOXINE	65-23-6	QUINUPRAMINE	31721-17-2
PYRINETHAMINE	58-14-0	QUINUPRISTIN	120138-50-3
PYRIMITATE	5221-49-8	QUIPAZINE	4774-24-7
PYRINOLINE	1740-22-3	QUISULTAZINE	64099-44-1
PYRITHIONE ZINC	13463-41-7	RABEPRAZOLE	117976-89-3
PYRITHYLDIONE	77-04-3	RACEFEMINE	22232-57-1
PYRITIDIUM BROMIDE	14222-46-9	RACEFENICOL	847-25-6
PYRITINOL	1098-97-1	RACEMENTHOL	15356-70-4
PYROPHENDANE	7009-69-0	RACEMETHORPHAN	510-53-2
PYROVALERONE	3563-49-3	RACEMETIROSINE	620-30-4
PYROXAMINE	7009-68-9	RACEMORAMIDE	545-59-5
PYROXYLIN	9004-70-0	RACEMORPHAN	297-90-5
PYRROCAINE	2210-77-7	RACEPHEDRINE	90-81-3
PYRROLIFENE	15686-97-2	RACEPINEFRINE	329-65-7
PYRROLNITRIN	1018-71-9	RACLOPRIDE	84225-95-6
PYRVINIUM CHLORIDE	548-84-5	RACTOPAMINE	97825-25-7
PYTAMINE	15301-88-9	RAFOXANIDE	22662-39-1
QUADAZOCINE	71276-43-2	RALITOLINE	93738-40-0
QUADROSILAN	33204-76-1	RALOXIFENE	84449-90-1
QUATACAINE	17692-45-4	RAMICLANE	96743-96-3
QUAZEPAM	36735-22-5	RAMIFENAZONE	3615-24-5
QUAZINONE	70018-51-8	RAMIPRIL	87333-19-5
QUAZODINE	4015-32-1	RAMIPRILAT	87269-97-4
QUAZOLAST	86048-40-0	RAMIXOTIDINE	84071-15-8
QUIFENADINE	10447-39-9	RAMNODIGIN	33156-28-4
QUILLIFOLINE	15301-89-0	RAMOPLANIN	76168-82-6
QUINACAINOL	86024-64-8	RAMORELIX	127932-90-5
QUINACILLIN	1596-63-0	RANIMUSTINE	58994-96-0
QUINAGOLIDE	87056-78-8	RANIMYCIN	11056-09-0
QUINALDINE BLUE	2768-90-3	RANITIDINE	66357-35-5
QUINAPRIL	85441-61-8	RANOLAZINE	95635-55-5
QUINAPRILAT	85441-60-7	RATHYRONINE	3130-96-9
QUINAZOSIN	15793-38-1	RAXOFELAST	128232-14-4

Annex (con.)
-374-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
RAZINCDIL	30271-85-3	RIMANTADINE	13392-28-4
RAZOBAZAM	78466-98-5	RIMAZOLIUM METILSULFATE	28610-84-6
RAZOXANE	21416-87-5	RIMCAZOLE	75859-04-0
REBAMIPIDE	111911-87-6	RIMEXOLONE	49697-38-3
REBOXETINE	71620-89-8	RIMITEROL	32953-89-2
RECAINAM	74738-24-2	RIMOPROGIN	37750-83-7
RECLAZEPAM	76053-16-2	RIODIPINE	71653-63-9
REGRAMOSTIM	127757-91-9	RIOPROSTIL	77287-05-9
RELOMYCIN	1404-48-4	RIPAZEPAM	26308-28-1
REMACEMIDE	128298-28-2	RISEDRONIC ACID	105462-24-6
REMIFENTANIL	132875-61-7	RISOCAINE	94-12-2
REMIKIREN	126222-34-2	RISOTILIDE	120688-08-6
REMIPROSTOL	110845-89-1	RISPENZEPINE	96449-05-7
REMOXIPRIDE	80125-14-0	RISPERIDONE	106266-06-2
RENANOLONE	565-99-1	RISTIANOL	78092-65-6
RENTIAPRIL	80830-42-8	RISTOCETIN	1404-55-3
RENYTOLIME	1729-61-9	RITANSERIN	87051-43-2
RENZAPRIDE	112727-80-7	RITIOMETAN	34914-39-1
REPAGLINIDE	135062-02-1	RITIPENEM	84845-57-8
REPIRINAST	73080-51-0	RITODRINE	26652-09-5
REPROMICIN	56689-42-0	RITOLUKAST	111974-60-8
REPROTEROL	54063-54-6	RITROPIRRONIUM BROMIDE	53808-86-9
RESCIMETOL	73573-42-9	RITROSULFAN	4148-16-7
RESCINNAMINE	24815-24-5	RIZOLIPASE	9001-62-1
RESERPINE	50-55-5	ROBENIDINE	25875-51-8
RESORANTEL	20788-07-2	ROCASTINE	91833-77-1
RETELLIPTINE	72238-02-9	ROCICLOVIR	108436-80-2
RETEPLASE	133652-38-7	ROCIVERINE	53716-44-2
RETINOL	68-26-8	ROCURONIUM BROMIDE	119302-91-9
REVENAST	85673-87-6	RODOCAINE	38821-80-6
REVIZINONE	133718-29-3	RODORUBICIN	96497-67-5
REVOSPIRONE	95847-87-3	ROFELODINE	76696-97-4
RIBAMINOL	8063-28-3	ROFLURANE	679-90-3
RIBAVIRIN	36791-04-5	ROGLETIMIDE	121840-95-7
RIBOFLAVIN	83-88-5	ROKITAMYCIN	74014-51-0
RIBOPRINE	7724-76-7	ROLAFAGREL	89781-55-5
RIBOSTAMYCIN	25546-65-0	ROLETAMIDE	10078-46-3
RIDAZOLOL	83395-21-5	ROLGAMIDINE	66608-04-6
RIDOGREL	110140-89-1	ROLICYCLIDINE	2201-39-0
RIFABUTIN	72559-06-9	ROLICYPRINE	2829-19-8
RIFAMETANE	94168-98-6	ROLIPRAM	61413-54-5
RIFAMEXIL	113102-19-5	ROLITETRACYCLINE	751-97-3
RIFAMIDE	2750-76-7	ROLODINE	1866-43-9
RIFAMPICIN	13292-46-1	ROLZIRACETAM	18356-28-0
RIFAMYCIN	6998-60-3	ROMAZARIT	109543-76-2
RIFAPENTINE	61379-65-5	ROMERGOLINE	107052-56-2
RIFAXIMIN	80621-81-4	ROMIFENONE	38373-83-0
RILAPINE	79781-95-6	ROMIFIDINE	65896-16-4
RILMAKALIM	132014-21-2	ROMURTIDE	78113-36-7
RILMAZAFONE	99593-25-6	RONACTOLOL	90895-85-5
RILMENIDINE	54187-04-1	RONIDAZOLE	7681-76-7
RILOPIROX	104153-37-9	RONIFIBRATE	42597-57-9
RILOZARONE	79282-39-6	ROMIPAMIL	85247-77-4
RILUZOLE	1744-22-5	ROPINIROLE	91374-21-9

Annex (con.)
-375-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
ROPITOIN	56079-81-3	SAPROPTERIN	62989-33-7
ROPIVACAINE	84057-95-4	SAQUINAVIR	127779-20-8
ROPIZINE	3601-19-2	SARAFLOXACIN	98105-99-8
ROQUINIMEX	84088-42-6	SARALASIN	34273-10-4
ROSAPROSTOL	56695-65-9	SARCOLYSIN	531-76-0
ROSARAMICIN	35834-26-5	SARGRAMOSTIM	123774-72-1
ROSE BENGAL (131 I) SODIUM	15251-14-6	SARIPIDEM	103844-86-6
ROSOXACIN	40034-42-2	SARMAZENIL	78771-13-8
ROSTEROLONE	79243-67-7	SARMOXILLIN	67337-44-4
ROTAMICILLIN	55530-41-1	SARPICILLIN	40966-79-8
ROTOXAMINE	5560-77-0	SARPOGRELATE	125926-17-2
ROTRAXATE	92071-51-7	SARUPLASE	99149-95-8
ROXADIMATE	58882-17-0	SATERINONE	102669-89-6
ROXARSONE	121-19-7	SATIGREL	111753-73-2
ROXATIDINE	78273-80-0	SATRANIDAZOLE	56302-13-7
ROXIBOLONE	60023-92-9	SATUMOMAB	144058-40-2
ROXINDOLE	112192-04-8	SAVIPRAZOLE	121617-11-6
ROXITHROMYCIN	80214-83-1	SAVOXEPIN	79262-46-7
ROXOLONIUM METILSULFATE	53862-80-9	SEBRIPLATIN	110172-45-7
ROXOPERONE	2804-00-4	SECALCIFEROL	55721-11-4
RUFLOXACIN	101363-10-4	SECBUTABARBITAL	125-40-6
RUFOCROMOMYCIN	3930-19-6	SECLAZONE	29050-11-1
RUTAMYCIN	1404-59-7	SECNIDAZOLE	3366-95-8
RUTOSIDE	153-18-4	SECOBARBITAL	76-73-3
RUVAZONE	20228-27-7	SECOVERINE	57558-44-8
SABELUZOLE	104153-38-0	SECRETIN	1393-25-5
SAFINGOL	15639-50-6	SECURININE	5610-40-2
SAFIRONIL	134377-69-8	SEDECAMYCIN	23477-98-7
SAGANDIPINE	126294-30-2	SEGANSERIN	87729-89-3
SALACETAMIDE	487-48-9	SEGLITIDE	81377-02-8
SALAFIBRATE	64496-66-8	SELEGILINE	14611-51-9
SALANTEL	36093-47-7	SELENOMETHIONINE (75 SE)	1187-56-0
SALAZODINE	22933-72-8	SELFOTEL	110347-85-8
SALAZOSULFADIMIDINE	2315-08-4	SELPRAZINE	103997-59-7
SALAZOSULFAMIDE	139-56-0	SEMATILIDE	101526-83-4
SALAZOSULFATHIAZOLE	515-58-2	SEMDURAMICIN	113378-31-7
SALBUTAMOL	18559-94-9	SEMORPHONE	88939-40-6
SALCOLEX	28038-04-2	SEMOTIADIL	116476-13-2
SALETAMIDE	46803-81-0	SEMUSTINE	13909-09-6
SALFLUVERINE	587-49-5	SEPAZONIUM CHLORIDE	54143-54-3
SALICYLAMIDE	65-45-2	SEPIMOSTAT	103926-64-3
SALINAZID	495-84-1	SEPROXETINE	126924-38-7
SALINOMYCIN	53003-10-4	SEQUIFENADINE	57734-69-7
SALMEFAMOL	18910-65-1	SERACTIDE	12279-61-3
SALMETEROL	89365-50-4	SERAZAPINE	115313-22-9
SALMISTEINE	89767-59-9	SERFIBRATE	54657-98-6
SALPROTOSIDE	33779-37-2	SERGOLEXOLE	108674-86-8
SALSALATE	552-94-3	SERINE	56-45-1
SALVERINE	6376-26-7	SERMETACIN	57645-05-3
SAMERIDINE	143257-97-0	SERMORELIN	86168-78-7
SAMPIRTINE	115911-28-9	SERRAPEPTASE	37312-62-2
SANCYCLINE	808-26-4	SERTACONAZOLE	99592-32-2
SANGUINARIUM CHLORIDE	5578-73-4	SERTINDOLE	106516-24-9
SAPERCONAZOLE	110588-57-3	SERTRALINE	79617-96-2

Annex (con.)
-376-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
SERUM GONADOTROPHIN	9002-70-4	SODIUM ETASULFATE	126-92-1
SETASTINE	64294-95-7	SODIUM FEREDETATE	15708-41-5
SETAZINDOL	56481-43-7	SODIUM GENTISATE	4955-90-2
SETIPTILINE	57262-94-9	SODIUM GLUCASPALDRATE	12214-50-5
SETOPERONE	86487-64-1	SODIUM GUALENATE	6223-35-4
SEVIRUMAB		SODIUM HEXACYCLONATE	7009-49-6
SEVITROPIUM MESILATE	88199-75-1	SODIUM IODIDE (125 I)	24359-64-6
SEVOFLURANE	28523-86-6	SODIUM IODIDE (131 I)	7790-26-3
SEVOPRAMIDE	57227-17-5	SODIUM IODOHIPPURATE (131 I)	881-17-4
SEZOLAMIDE	123308-22-5	SODIUM IOPODATE	1221-56-3
SFERICASE	63551-77-9	SODIUM IOTALAMATE (125 I)	17692-74-9
SIAGOSIDE	100345-64-0	SODIUM IOTALAMATE (131 I)	15845-98-4
SIBOPIRDINE	122955-18-4	SODIUM METRIZOATE	7225-61-8
SIBUTRAMINE	106650-56-0	SODIUM MORRHUATE	8031-09-2
SICCANIN	22733-60-4	SODIUM PHOSPHATE (32 P)	8027-28-9
SIFAPRAZINE	131635-06-8	SODIUM PICOFOSFATE	36175-05-0
SIGUAZODAN	99591-83-0	SODIUM PICOSULFATE	10040-45-6
SILANDRONE	5055-42-5	SODIUM STIBOCAPTATE	3064-61-7
SILIBININ	22888-70-6	SODIUM STIBOGLUCONATE	16037-91-5
SILICRISTIN	33889-69-9	SODIUM TETRADECYL SULFATE	139-88-8
SILIDIANIN	29782-68-1	SODIUM TINERFONATE	5964-24-9
SILTENZEPINE	98374-54-0	SODIUM TYROPANOATE	7246-21-1
SILTEPLASE	131081-40-8	SOFALCONE	64506-49-6
SIMALDRATE	12408-47-8	SOLASULFONE	133-65-3
SIMENDAN	131741-08-7	SOLPECAINOL	68567-30-6
SIMETRIDE	154-82-5	SOLYPERTINE	4448-96-8
SIMFIBRATE	14929-11-4	SOMAGREBOVE	96353-48-9
SIMTRAZENE	5579-27-1	SOMALAPOR	106282-98-8
SIMVASTATIN	79902-63-9	SOMANTADINE	79594-24-4
SINCALIDE	25126-32-3	SOMATORELIN	83930-13-6
SINEFUNGIN	58944-73-3	SOMATOSALM	123212-08-8
SINTROPIUM BROMIDE	79467-19-9	SOMATOSTATIN	38916-34-6
SIRATIAZEM	138778-28-6	SOMATREM	82030-87-3
SIROLIMUS	53123-88-9	SOMATROPIN	12629-01-5
SISOMICIN	32385-11-8	SOMAVUBOVE	126752-39-4
SITALIDONE	108894-39-9	SOMEMOPOR	119693-74-2
SITOFIBRATE	55902-94-8	SOMETRIBOVE	
SITOGLUSIDE	474-58-8	SOMETRIPOR	
SIZOFIRAN	9050-67-3	SOMFASEPOR	129566-95-6
SOBUZOXANE	98631-95-9	SOMIDOBOVE	89383-13-1
SODIUM ACETRIZOATE	129-63-5	SONERMIN	144916-42-7
SODIUM AMIDOTRIZOATE	737-31-5	SOPITAZINE	23492-69-5
SODIUM APOLATE	25053-27-4	SOPROMIDINE	79313-75-0
SODIUM ASCORBATE	134-03-2	SOQUINOLOL	61563-18-6
SODIUM AUROTHIOMALATE	12244-57-4	SORBINICATE	6184-06-1
SODIUM AUROTIOSULFATE	10210-36-3	SORBINIL	68367-52-2
SODIUM BITIONOLATE	6385-58-6	SORBITAN LAURATE	1338-39-2
SODIUM BOROCAPTATE (10 B)	103831-41-0	SORBITAN OLEATE	1338-43-8
SODIUM CALCIUM EDETATE	62-33-9	SORBITAN PALMITATE	26266-57-9
SODIUM CHROMATE (51 CR)	10039-33-9	SORBITAN SESQUIOLEATE	8007-43-0
SODIUM CYCLAMATE	139-05-9	SORBITAN STEARATE	1338-41-6
SODIUM DEHYDROCHOLATE	145-41-5	SORBITAN TRIOLEATE	26266-58-0
SODIUM DIBUNATE	14992-59-7	SORBITAN TRISTEARATE	26658-19-5
SODIUM DIPROTRIZOATE	129-57-7	SORIVUDINE	77181-69-2

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
SORNIDIPINE	95105-77-4	STREPTOZOCIN	18883-66-4
SOTALOL	3930-20-9	STRINOLINE	39862-58-3
SOTERENOL	13642-52-9	STYRAMATE	94-35-9
SPAGLUMIC ACID	4910-46-7	SUBATHIZONE	121-55-1
SPARFLOXACIN	110871-86-8	SUBENDAZOLE	54340-66-8
SPARFOSIC ACID	51321-79-0	SUCCIMER	304-55-2
SPARSOMYCIN	1404-64-4	SUCCINYLSULFATHIAZOLE	116-43-8
SPARTEINE	90-39-1	SUCCISULFONE	5934-14-5
SPECTINOMYCIN	1695-77-8	SUCLOFENIDE	30279-49-3
SPICLAMINE	90243-97-3	SUCRALFATE	54182-58-0
SPICLOMAZINE	24527-27-3	SUCRALOX	12040-73-2
SPIPERONE	749-02-0	SUCROSOFATE	57680-56-5
SPIRADOLINE	87151-85-7	SUDEXANOX	58761-87-8
SPIRAMIDE	510-74-7	SUDISMASE	110294-55-8
SPIRAMYCIN	8025-81-8	SUDOXICAM	34042-85-8
SPIRAPRIL	83647-97-6	SUFENTANIL	56030-54-7
SPIRAPRILAT	83602-05-5	SUFOSFAMIDE	37753-10-9
SPIRAZINE	15599-44-7	SUFOTIDINE	80343-63-1
SPIRENDOLOL	65429-87-0	SULAZEPAM	2898-13-7
SPIRGETINE	144-45-6	SULAZURIL	108258-89-5
SPIRILENE	357-66-4	SULBACTAM	68373-14-8
SPIRIPROSTIL	122946-42-3	SULBENICILLIN	41744-40-5
SPIROFYLLINE	98204-48-9	SULBENOX	58095-31-1
SPIROGERMANIUM	41992-23-8	SULBENTINE	350-12-9
SPIROMUSTINE	56605-16-4	SULBUTIAMINE	3286-46-2
SPIRONOLACTONE	52-01-7	SULCLAMIDE	2455-92-7
SPIROPLATIN	74790-08-2	SULCONAZOLE	61318-90-9
SPIRORENONE	74220-07-8	SULEPAROID SODIUM	57459-72-0
SPIROXASONE	6673-97-8	SULFABENZ	127-77-5
SPIROXATRINE	1054-88-2	SULFABENZAMIDE	127-71-9
SPIROXEPIN	47254-05-7	SULFACARBAMIDE	547-44-4
SPIZOFURONE	72492-12-7	SULFACECOLE	21662-79-3
STALLIMYCIN	636-47-5	SULFACETAMIDE	144-80-9
STANOZOLOL	10418-03-8	SULFACHLORPYRIDAZINE	80-32-0
STAVUDINE	3056-17-5	SULFACHRYSOIDINE	485-41-6
STEARYLSULFAMIDE	498-78-2	SULFACITINE	17784-12-2
STEFFIMYCIN	11033-34-4	SULFACLOMIDE	4015-18-3
STENBOLONE	5197-58-0	SULFACLORAZOLE	54063-55-7
STEPRONIN	72324-18-6	SULFACLOZINE	102-65-8
STERCURONIUM IODIDE	30033-10-4	SULFADIASULFONE SODIUM	128-12-1
STEVALADIL	6535-03-1	SULFADIAZINE	68-35-9
STIBAMINE GLUCOSIDE	1344-34-9	SULFADICRAMIDE	115-68-4
STIBOSAMINE	5959-10-4	SULFADIMETHOXINE	122-11-2
STILBAMIDINE ISETIONATE	140-59-0	SULFADIMIDINE	57-68-1
STILBAZIUM IODIDE	3784-99-4	SULFADOXINE	2447-57-6
STILONIUM IODIDE	77257-42-2	SULFAETHIDOLE	94-19-9
STIRIMAZOLE	30529-16-9	SULFAFURAZOLE	127-69-5
STIRIPENTOL	49763-96-4	SULFAGUANIDINE	57-67-0
STIROCAINIDE	78372-27-7	SULFAGUANOLE	27031-08-9
STREPTODORNASE	37340-82-2	SULFALENE	152-47-6
STREPTOKINASE	9002-01-1	SULFALOXIC ACID	14376-16-0
STREPTOMYCIN	57-92-1	SULFAMAZONE	65761-24-2
STREPTONIAZID	4480-58-4	SULFAMERAZINE	127-79-7
STREPTOVARYCIN	1404-74-6	SULFAMERAZINE SODIUM	127-58-2

Annex (con.)
-378-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
SULFAMETHIZOLE	144-82-1	SULTIAME	61-56-3
SULFAMETHOXAZOLE	723-46-6	SULTOPRIDE	53583-79-2
SULFAMETHOXYPYRIDAZINE	80-35-3	SULTOSILIC ACID	57775-26-5
SULFAMETOMIDINE	3772-76-7	SULTROPONIUM	15130-91-3
SULFAMETOXYDIAZINE	651-06-9	SULUKAST	98116-53-1
SULFAMETROLE	32909-92-5	SULVERAPRIDE	73747-20-3
SULFAMONOMETHOXINE	1220-83-3	SUMACETAMOL	69217-67-0
SULFAMOXOLE	729-99-7	SUMAROTENE	105687-93-2
SULFANILAMIDE	63-74-1	SUMATRIPTAN	103628-46-2
SULFANITRAN	122-16-7	SUMETIZIDE	32059-27-1
SULFAPERIN	599-88-2	SUNAGREL	85418-85-5
SULFAPHENAZOLE	526-08-9	SUNCILLIN	22164-94-9
SULFAPROXYLINE	116-42-7	SUPIDIMIDE	49785-74-2
SULFAPYRAZOLE	852-19-7	SUPLATAST TOSILATE	94055-76-2
SULFAPYRIDINE	144-83-2	SUPROCLONE	77590-92-2
SULFAQUINOXALINE	59-40-5	SUPROFEN	40828-46-4
SULFARSPHENAMINE	618-82-6	SURAMIN SODIUM	129-46-4
SULFASALAZINE	599-79-1	SURFOMER	71251-04-2
SULFASOMIZOLE	632-00-8	SURICAINIDE	85053-46-9
SULFASUCCINAMIDE	3563-14-2	SURICLONE	53813-83-5
SULFASYMAZINE	1984-94-7	SURITOZOLE	110623-33-1
SULFATHIAZOLE	72-14-0	SURONACRINE	104675-35-6
SULFATHIOUREA	515-49-1	SUTILAINS	12211-28-8
SULFATOLAMIDE	1161-88-2	SUXAMETHONIUM CHLORIDE	71-27-2
SULFATROXAZOLE	23256-23-7	SUXEMERID	47662-15-7
SULFATROZOLE	13369-07-8	SUXETHONIUM CHLORIDE	54063-57-9
SULFINALOL	66264-77-5	SUXIBUZONE	27470-51-5
SULFINPYRAZONE	57-96-5	SYMCLOSENE	87-90-1
SULFIRAM	95-05-6	SYMETINE	15599-45-8
SULFISOMIDINE	515-64-0	SYROSINGOPINE	84-36-6
SULFOGAIACOL	1321-14-8	TABILAUTIDE	78088-46-7
SULFOMYXIN	1405-52-3	TACALCITOL	57333-96-7
SULFONTEROL	42461-79-0	TACLAMINE	34061-33-1
SULFORIDAZINE	14759-06-9	TACRINE	321-64-2
SULGLICOTIDE	54182-59-1	TACROLIMUS	104987-11-3
SULICRINAT	90207-12-8	TAGLUTIMIDE	14166-26-8
SULINDAC	38194-50-2	TALAMPICILLIN	47747-56-8
SULISATIN	54935-03-4	TALASTINE	16188-61-7
SULISOBENZONE	4065-45-6	TALBUTAL	115-44-6
SULMARIN	29334-07-4	TALERANOL	42422-68-4
SULMAZOLE	73384-60-8	TALINOLOL	57460-41-0
SULMEPRIDE	57479-88-6	TALIPEXOLE	101626-70-4
SULNIDAZOLE	51022-76-5	TALISOMYCIN	65057-90-1
SULOCARBILATE	121-64-2	TALLIMUSTINE	113308-98-0
SULOCTIDIL	54063-56-8	TALMETACIN	67489-39-8
SULOFENUR	110311-27-8	TALMETOPRIN	66093-35-4
SULOPENEM	120788-07-0	TALNIFLUMATE	66898-62-2
SULOSEMIDE	82666-62-4	TALOPRAM	7182-51-6
SULOTROBAN	72131-33-0	TALOSALATE	66898-60-0
SULOXIFEN	25827-12-7	TALOXIMINE	17243-68-4
SULPIRIDE	15676-16-1	TALSUPRAM	21489-20-3
SULPROSAL	58703-77-8	TALTRIMIDE	81428-04-8
SULPROSTONE	60325-46-4	TAMERIDONE	102144-78-5
SULTAMICILLIN	76497-13-7	TAMETICILLIN	56211-43-9

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
TAMETRALINE	52795-02-5	TEMOCAPRIL	111902-57-9
TAMITINOL	59429-50-4	TEMOCILLIN	66148-78-5
TAMOLARIZINE	128229-52-7	TEMODOX	34499-96-2
TAMOXIFEN	10540-29-1	TEMOZOLOMIDE	85622-93-1
TAMPRAMINE	83166-17-0	TEMURTIDE	66112-59-2
TAMSULOSIN	106133-20-4	TENAMFETAMINE	51497-09-7
TAMOAMINE	42408-80-0	TENDAMISTAT	
TANDOSPIRONE	87760-53-0	TENIDAP	120210-48-2
TANIPLON	106073-01-2	TENILAPINE	82650-83-7
TAPROSTENE	108945-35-3	TENILOXAZINE	62473-79-4
TARAZEPIDE	141374-81-4	TENILSETAM	86696-86-8
TASULDINE	88579-39-9	TENIPOSIDE	29767-20-2
TAURINE	107-35-7	TENOCYCLIDINE	21500-98-1
TAUROLIDINE	19388-87-5	TENONITROZOLE	3810-35-3
TAUROMUSTINE	85977-49-7	TENOSAL	95232-68-1
TAUROSELCHOLIC ACID	75018-71-2	TENOSIPROL	129336-81-8
TAUROSTEINE	124066-33-7	TENOXICAM	59804-37-4
TAURULTAM	38668-01-8	TENYLIDONE	893-01-6
TAZADOLENE	87936-75-2	TEOPRANITOL	81792-35-0
TAZANOLAST	82989-25-1	TEOPROLOL	65184-10-3
TAZASUBRATE	79071-15-1	TEPIRINDOLE	72808-81-2
TAZEPROFEN	85702-89-2	TEPOXALIN	103475-41-8
TAZIFYLLINE	79712-55-3	TEPRENONE	6809-52-5
TAZIPRINONE	79253-92-2	TEPROTIDE	35115-60-7
TAZOBACTAM	89786-04-9	TERAZOSIN	63590-64-7
TAZOLOL	39832-48-9	TERBEQUINIL	113079-82-6
TEBATIZOLE	54147-28-3	TERBINAFINE	78628-80-5
TEBUFELONE	112018-00-5	TERBUCROMIL	37456-21-6
TEBUQUINE	74129-03-6	TERBUFIBROL	56488-59-6
TECHNETIUM (99M TC) BICISATE	121281-41-2	TERBUFICIN	15534-92-6
TECHNETIUM (99M TC) SESTAMIBI	109581-73-9	TERBUPROL	13021-53-9
TECHNETIUM (99M TC) SIBOROXIME	106417-28-1	TERBUTALINE	23031-25-6
TECHNETIUM (99M TC) TEBOROXIME	104716-22-5	TERCIPRAZINE	56693-15-3
TECLOTHIAZIDE	4267-05-4	TERCONAZOLE	67915-31-5
TECLOZAN	5560-78-1	TERDECAMYCIN	113167-61-6
TEDISAMIL	90961-53-8	TERFENADINE	50679-08-8
TEFAZOLINE	1082-56-0	TERFLAVOXATE	86433-40-1
TEFENPERATE	77342-26-8	TERFLURANOL	64396-09-4
TEFLUDAZINE	80680-06-4	TERGURIDE	37686-84-3
TEFLURANE	124-72-1	TERIKALANT	132338-79-5
TEFLUTIXOL	55837-23-5	TERIPARATIDE	52232-67-4
TEGAFUR	17902-23-7	TERIZIDONE	25683-71-0
TEICOPLANIN	61036-62-2	TERLAKIREN	119625-78-4
TELENZEPINE	80880-90-6	TERLIPRESSIN	14636-12-5
TELIMOMAB ARITOX	117305-33-6	TERNIDAZOLE	1077-93-6
TELMESTEINE	122946-43-4	TERODILINE	15793-40-5
TELOXANTRONE	91441-48-4	TEROFENAMATE	29098-15-5
TELUDIPINE	108687-08-7	TEROXALENE	14728-33-7
TEMAFLOXACIN	108319-06-8	TEROXIRONE	59653-74-6
TEMAROTENE	75078-91-0	TERTATOLOL	34784-64-0
TEMATROPIUM METILSULFATE	113932-41-5	TESICAM	21925-88-2
TEMAZEPAM	846-50-4	TESIMIDE	35423-09-7
TEMEFOS	3383-96-8	TESTOLACTONE	968-93-4
TEMELASTINE	86181-42-2	TESTOSTERONE	58-22-0

Annex (con.)
-380-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
TESTOSTERONE KETOLAURATE	5874-98-6
TETRABARBITAL	76-23-3
TETRABENAZINE	58-46-8
TETRACAINE	94-24-6
TETRACOSACTIDE	16960-16-0
TETRACYCLINE	60-54-8
TETRADONIUM BROMIDE	1119-97-7
TETRAMETHRIN	7696-12-0
TETRAMISOLE	5036-02-2
TETRAZEPAM	10379-14-3
TETRAZOLAST	95104-27-1
TETRIDAMINE	17289-49-5
TETRIPROFEN	28168-10-7
TETROFOSMIN	127502-06-1
TETRONASIN	75139-06-9
TETROQUINONE	319-89-1
TETROXOPRIM	53808-87-0
TETRYLAMMONIUM BROMIDE	71-91-0
TETRYZOLINE	84-22-0
TEXACROMIL	77005-28-8
THALIDOMIDE	50-35-1
THEBACON	466-90-0
THENALIDINE	86-12-4
THENIUM CLOSILATE	4304-40-9
THENYLDIAMINE	91-79-2
THEODRENALINE	13460-98-5
THEOPHYLLINE EPHEDRINE	15766-94-6
THIACETARSAMIDE SODIUM	14433-82-0
THIALBARBITAL	467-36-7
THIAMAZOLE	60-56-0
THIAMBUTOSINE	500-89-0
THIAMINE	59-43-8
THIAMPHENICOL	15318-45-3
THIAZINAMIUM METILSULFATE	58-34-4
THIAZOSULFONE	473-30-3
THIETHYLPERAZINE	1420-55-9
THIHEXINOL METHYLBROMIDE	7219-91-2
THIOACETAZONE	104-06-3
THIOCOLCHICOSIDE	602-41-5
THIODIGLYCOL	111-48-8
THIOFURADENE	2240-21-3
THIOHEXAMIDE	3692-44-2
THIOMERSAL	54-64-8
THIOPENTAL SODIUM	71-73-8
THIOPROPAZATE	84-06-0
THIOPROPERAZINE	316-81-4
THIORIDAZINE	50-52-2
THIOTEPA	52-24-4
THIOTETRABARBITAL	467-38-9
THIRAM	137-26-8
THONZYLAMINE	91-85-0
THREONINE	72-19-5
THROMBIN, BOVINE	9002-04-4
THYMOCARTIN	85466-18-8
THYMOCTONAN	107489-37-2
THYMOPENTIN	69558-55-0
THYMOSTIMULIN	
THYMOTRINAN	85465-82-3
THYROGLOBULIN	9010-34-8
THYROPROPIC ACID	51-26-3
THYROTROPHIN	9002-71-5
TIABENDAZOLE	148-79-8
TIACRILAST	78299-53-3
TIADENOL	6964-20-1
TIAFIBRATE	55837-28-0
TIAGABINE	115103-54-3
TIAMENIDINE	31428-61-2
TIAMETONIUM IODIDE	10433-71-3
TIAMIPRINE	5581-52-2
TIAMIZIDE	3688-85-5
TIAMULIN	55297-95-5
TIANAFAC	51527-19-6
TIANEPTINE	66981-73-5
TIAPAMIL	57010-31-8
TIAPIRINOL	14785-50-3
TIAPRIDE	51012-32-9
TIAPROFENIC ACID	33005-95-7
TIAPROST	71116-82-0
TIARAMIDE	32527-55-2
TIAZESIM	5845-26-1
TIAZOFURINE	60084-10-8
TIAZURIL	35319-70-1
TIBALOSIN	63996-84-9
TIBEGLISENE	129731-11-9
TIBENELAST	97852-72-7
TIBENZATE	13402-51-2
TIBEZONIUM IODIDE	54663-47-7
TIBOLONE	5630-53-5
TIBRIC ACID	37087-94-8
TIBROFAN	15686-72-3
TICABESONE	74131-77-4
TICARBODINE	31932-09-9
TICARCILLIN	34787-01-4
TICLATONE	70-10-0
TICLOPIDINE	55142-85-3
TIDIACIC	30097-06-4
TIEMONIUM IODIDE	144-12-7
TIENILIC ACID	40180-04-9
TIENOCARBINE	75458-65-0
TIENOPRAMINE	37967-98-9
TIENOXOLOL	90055-97-3
TIFEMOXONE	39754-64-8
TIFENAMIL	82-99-5
TIFENCILLIN	26552-51-2
TIFLAMIZOLE	62894-89-7
TIFLOREX	53993-67-2
TIFLUADOM	81656-30-6
TIFLUCARBINE	89875-86-5

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
TIFORMIN	4210-97-3	TIOXAPROFEN	40198-53-6
TIFURAC	97483-17-5	TIOXIDAZOLE	61570-90-9
TIGEMONAM	102507-71-1	TIOXOLONE	4991-65-5
TIGESTOL	896-71-9	TIPENTOSIN	95588-08-2
TIGLOIDINE	495-83-0	TIPEPIDINE	5169-78-8
TILACTASE	9031-11-2	TIPETROPIUM BROMIDE	54376-91-9
TILBROQUINOL	7175-09-9	TIPINDOLE	7489-66-9
TILETAMINE	14176-49-9	TIPREDANE	85197-77-9
TILIDINE	20380-58-9	TIPRENOLOL	26481-51-6
TILIQUINOL	5541-67-3	TIPRINAST	83153-39-3
TILISOLOL	85136-71-6	TIPROPIDIL	70895-45-3
TILMICOSIN	108050-54-0	TIPROSTANIDE	67040-53-3
TILOMISOLE	58433-11-7	TIPROTIMOD	105523-37-3
TILORONE	27591-97-5	TIQUESIDE	99759-19-0
TILOZEPINE	42239-60-1	TIQUINAMIDE	53400-67-2
TILSUPROST	80225-28-1	TIQUIZIUM BROMIDE	71731-58-3
TILUDRONIC ACID	89987-06-4	TIRACIZINE	83275-56-3
TIMEFURONE	76301-19-4	TIRAPAZAMINE	27314-97-2
TIMEGADINE	71079-19-1	TIRATRICOL	51-24-1
TIMELOTEM	96306-34-2	TIRILAZAD	110101-66-1
TIMEPIDIUM BROMIDE	35035-05-3	TIROPRAMIDE	55837-29-1
TIMIPERONE	57648-21-2	TISOCROMIDE	35423-51-9
TIMIRDINE	100417-09-2	TISOPURINE	5334-23-6
TIMOBESONE	87116-72-1	TISOQUONE	40692-37-3
TIMOFIBRATE	64179-54-0	TIVANIDAZOLE	80680-05-3
TIMOLOL	26839-75-8	TIXADIL	2949-95-3
TIMONACIC	444-27-9	TIXANOX	40691-50-7
TIMOPRAZOLE	57237-97-5	TIXOCORTOL	61951-99-3
TINABINOL	50708-95-7	TIZABRIN	83573-53-9
TINAZOLINE	62882-99-9	TIZANIDINE	51322-75-9
TINIDAZOLE	19387-91-8	TIZOLEMIDE	56488-58-5
TINISULPRIDE	69387-87-7	TIZOPROLIC ACID	30709-69-4
TINOFEDRINE	66788-41-8	TOBRAMYCIN	32986-56-4
TINORIDINE	24237-54-5	TOBUTEROL	75626-99-2
TIOCARLIDE	910-86-1	TOCAINIDE	41708-72-9
TIOCLOMAROL	22619-35-8	TOCAMPHYL	5634-42-4
TIOCONAZOLE	65899-73-2	TOCOFENOXATE	61343-44-0
TIOCTILATE	10489-23-3	TOCOFERSOLAN	9002-96-4
TIODAZOSIN	66969-81-1	TOCOFIBRATE	50465-39-9
TIODONIUM CHLORIDE	38070-41-6	TODRALAZINE	14679-73-3
TIOGUANINE	154-42-7	TOFENACIN	15301-93-6
TIOMERGINE	57935-49-6	TOFETRIDINE	40173-75-9
TIOMESTERONE	2205-73-4	TOFISOPAM	22345-47-7
TIOPERIDONE	52618-67-4	TOLAMOLOL	38103-61-6
TIOPINAC	61220-69-7	TOLAZAMIDE	1156-19-0
TIOPRONIN	1953-02-2	TOLAZOLINE	59-98-3
TIOPROPAMINE	39516-21-7	TOLBOXANE	2430-46-8
TIOSALAN	15686-78-9	TOLBUTAMIDE	64-77-7
TIOSPIRONE	87691-91-6	TOLCAPONE	134308-13-7
TIOTIDINE	69014-14-8	TOLCICLATE	50838-36-3
TIOTIXENE	3313-26-6	TOLDIMFOS	57808-64-7
TIOTROPIUM BROMIDE	139404-48-1	TOLFAMIDE	70788-29-3
TIOXACIN	34976-39-1	TOLFENAMIC ACID	13710-19-5
TIOXAMAST	74531-88-7	TOLGABIDE	86914-11-6

Annex (con.)
-382-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number
TOLIMIDONE	41964-07-2
TOLINDATE	27877-51-6
TOLIODIUM CHLORIDE	19028-28-5
TOLIPROLOL	2933-94-0
TOLMESOXIDE	38452-29-8
TOLMETIN	26171-23-3
TOLNAFTATE	2398-96-1
TOLNAPERSINE	70312-00-4
TOLNIDAMINE	50454-68-7
TOLOCONIUM METILSULFATE	552-92-1
TOLONIDINE	4201-22-3
TOLONIUM CHLORIDE	92-31-9
TOLOXATONE	29218-27-7
TOLOXYCHLORINOL	6055-48-7
TOLPADOL	77502-27-3
TOLPENTAMIDE	1027-87-8
TOLPERISONE	728-88-1
TOLPIPRAZOLE	20326-13-0
TOLPOVIDONE (131 I)	54182-60-4
TOLPROMINE	97-57-4
TOLPROPAMINE	5632-44-0
TOLPYRRAMIDE	5588-38-5
TOLQUINZOLE	6187-50-4
TOLRESTAT	82964-04-3
TOLTERODINE	124937-51-5
TOLTRAZURIL	69004-03-1
TOLUFAZEPAM	86273-92-9
TOLYCAINE	3686-58-6
TOMELUKAST	88107-10-2
TOMOGLUMIDE	97964-54-0
TOMOXETINE	83015-26-3
TOMOXIPROLE	76145-76-1
TONAZOCINE	71461-18-2
TONZONIUM BROMIDE	553-08-2
TOPIRAMATE	97240-79-4
TOPOTECAN	123948-87-8
TOPRILIDINE	54063-58-0
TOPTERONE	60607-35-4
TOQUIZINE	7125-71-5
TORASEMIDE	56211-40-6
TORBAFYLLINE	105102-21-4
TOREMIFENE	89778-26-7
TORIPRISTONE	91935-26-1
TOSACTIDE	47931-80-6
TOSIFEN	32295-18-4
TOSUFLOXACIN	108138-46-1
TOSULUR	87051-13-6
TOSYLCHLORAMIDE SODIUM	127-65-1
TOZALINONE	655-05-0
TRABOXOPINE	103624-59-5
TRACAZOLATE	41094-88-6
TRALONIDE	21365-49-1
TRAMADOL	27203-92-5
TRAMAZOLINE	1082-57-1
TRANDOLAPRIL	87679-37-6
TRANDOLAPRILAT	87679-71-8
TRANEXAMIC ACID	1197-18-8
TRANILAST	53902-12-8
TRANSCAINIDE	88296-62-2
TRANTELINIUM BROMIDE	4047-34-1
TRANYLCYPROMINE	155-09-9
TRAPENCAINE	104485-01-0
TRAPIDIL	15421-84-8
TRAXANOX	58712-69-9
TRAZITILINE	26070-23-5
TRAZIUM ESILATE	97110-59-3
TRAZODONE	19794-93-5
TRAZOLOPRIDE	86365-92-6
TREBENZOMINE	23915-73-3
TRECADRINE	90845-56-0
TREFENTANIL	120656-74-8
TRELMARIZINE	123205-52-7
TRELOXINATE	30910-27-1
TRENBOLONE	10161-33-8
TRENGESTONE	5192-84-7
TRENIZINE	82190-93-0
TREOSULFAN	299-75-2
TREPIBUTONE	41826-92-0
TREPIPAM	56030-50-3
TREPIRIUM IODIDE	1018-34-4
TREPTILAMINE	58313-74-9
TREQUINSIN	79855-88-2
TRESTOLONE	3764-87-2
TRETAMINE	51-18-3
TRETHINIUM TOSILATE	1748-43-2
TRETHOCANIC ACID	7007-81-0
TRETINOIN	302-79-4
TRETINOIN TOCOFERIL	40516-48-1
TRETOQUINOL	30418-38-3
TRIACETIN	102-76-1
TRIAFUNGIN	55242-77-8
TRIAMCINOLONE	124-94-7
TRIAMCINOLONE BENETONIDE	31002-79-6
TRIAMCINOLONE FURETONIDE	4989-94-0
TRIAMCINOLONE HEXACETONIDE	5611-51-8
TRIAMPYZINE	6503-95-3
TRIAMTERENE	396-01-0
TRIAZIQUONE	68-76-8
TRIAZOLAM	28911-01-5
TRIBENDILOL	96258-13-8
TRIBENOSIDE	10310-32-4
TRIBROMSALAN	87-10-5
TRIBUZONE	13221-27-7
TRICHLORMETHIAZIDE	133-67-5
TRICHLORMETHINE	555-77-1
TRICHLOROETHYLENE	79-01-6
TRICIRIBINE	35943-35-2
TRICLABENDAZOLE	68786-66-3

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
TRICLACETAMOL	6340-87-0	TRIPROLIDINE	486-12-4
TRICLAZATE	7009-76-9	TRIPTORELIN	57773-63-4
TRICLOBISONIUM CHLORIDE	79-90-3	TRITIOZINE	35619-65-9
TRICLOCARBAN	101-20-2	TRITOQUALINE	14504-73-5
TRICLODAZOL	56-28-0	TRIXOLANE	47420-28-0
TRICLOFENOL PIPERAZINE	5714-82-9	TRIZOXIME	35710-57-7
TRICLOFOS	306-52-5	TROCIMINE	14368-24-2
TRICLOFYLLINE	17243-70-8	TROCLOSENE POTASSIUM	2244-21-5
TRICLONIDE	26849-57-0	TROFOSFAMIDE	22089-22-1
TRICLOSAN	3380-34-5	TROGLITAZONE	97322-87-7
TRICOSACTIDE	20282-58-0	TROLEANDOMYCIN	2751-09-9
TRICYCLAMOL CHLORIDE	3818-88-0	TROLNITRATE	7077-34-1
TRIDIHEXETHYL IODIDE	125-99-5	TROMANTADINE	53783-83-8
TRIENTINE	112-24-3	TROMETAMOL	77-86-1
TRIFENAGREL	84203-09-8	TROPABAZATE	64294-94-6
TRIFEZOLAC	32710-91-1	TROPANSERIN	85181-40-4
TRIFLOCIN	13422-16-7	TROPAPRIDE	76352-13-1
TRIFLUBAZAM	22365-40-8	TROPATEPINE	27574-24-9
TRIFLUMIDATE	24243-89-8	TROPENZILINE BROMIDE	143-92-0
TRIFLUOMEPRAZINE	2622-37-9	TROPICAMIDE	1508-75-4
TRIFLUOPERAZINE	117-89-5	TROPIGLINE	533-08-4
TRIFLUPERIDOL	749-13-3	TROPIRINE	19410-02-7
TRIFLUPROMAZINE	146-54-3	TROPISETRON	89565-68-4
TRIFLURIDINE	70-00-8	TROPODIFENE	15790-02-0
TRIFLUSAL	322-79-2	TROQUIDAZOLE	108001-60-1
TRIGEVOLOL	76812-98-1	TROSPECTOMYCIN	88669-04-9
TRIHEXYPHENIDYL	144-11-6	TROSPIUM CHLORIDE	10405-02-4
TRILETIDE	62087-96-1	TROXERUTIN	7085-55-4
TRILOSTANE	13647-35-3	TROXIPIDE	30751-05-4
TRIMAZOSIN	35795-16-5	TROXOLAMIDE	97546-74-2
TRIMEBUTINE	39133-31-8	TROXONIUM TOSILATE	391-70-8
TRIMECAINE	616-68-2	TROXYPYRROLIUM TOSILATE	3612-98-4
TRIMEDOXIME BROMIDE	56-97-3	TRUXICURIUM IODIDE	4304-01-2
TRIMEGESTONE	74513-62-5	TRUXIPICURIUM IODIDE	35515-77-6
TRIMEPERIDINE	64-39-1	TRYPARSAMIDE	554-72-3
TRIMETAMIDE	5789-72-0	TRYPTOPHAN	73-22-3
TRIMETAPHAN CAMSILATE	68-91-7	TUAMINOHEPTANE	123-82-0
TRIMETAZIDINE	5011-34-7	TUBOCURARINE CHLORIDE	57-94-3
TRIMETHADIONE	127-48-0	TUBULOZOLE	84697-22-3
TRIMETHIDINIUM METHOSULFATE	7009-82-7	TUCARESOL	84290-27-7
TRIMETHOBENZAMIDE	138-56-7	TUCLAZEPAM	51037-88-8
TRIMETHOPRIM	738-70-5	TULOBUTEROL	41570-61-0
TRIMETOZINE	635-41-6	TULOPAFANT	116289-53-3
TRIMETREXATE	52128-35-5	TUROSTERIDE	137099-09-3
TRIMEXILINE	58757-61-2	TUVATIDINE	91257-14-6
TRIMIPRAMINE	739-71-9	TUVIRUMAB	
TRIMOPROSTIL	69900-72-7	TYBAMATE	4268-36-4
TRIMOXAMINE	15686-23-4	TYLOSIN	1401-69-0
TRIOXIFENE	63619-84-1	TYLOXAPOL	25301-02-4
TRIOXYSALEN	3902-71-4	TYROMEDAN	15301-96-9
TRIPALMITIN	555-44-2	TYROSINE	60-18-4
TRIPAMIDE	73803-48-2	TYROTHRICIN	1404-88-2
TRIPARANOL	78-41-1	UBENIMEX	58970-76-6
TRIPELENNAMINE	91-81-6	UBIDECARENONE	303-98-0

Annex (con.)
-384-

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
UBISINDINE	26070-78-0	VERILOPAM	68318-20-7
UFENAMATE	67330-25-0	VERLUKAST	120443-16-5
UFIPRAZOLE	73590-85-9	VEROFYLLINE	66172-75-6
ULARITIDE	118812-69-4	VESMARINONE	81840-15-5
ULDAZEPAM	28546-58-9	VETRABUTINE	3735-45-3
ULOBETASOL	98651-66-2	VIDARABINE	5536-17-4
UMESPIRONE	107736-98-1	VIGABATRIN	60643-86-9
UNOPROSTONE	120373-36-6	VILOXAZINE	46817-91-8
URAMUSTINE	66-75-1	VIMINOL	21363-18-8
URAPIDIL	34661-75-1	VINBARBITAL	125-42-8
UREDEPA	302-49-8	VINBLASTINE	865-21-4
UREDOFOS	52406-01-6	VINBURNINE	4880-88-0
UREFIBRATE	38647-79-9	VINCAMINE	1617-90-9
URETHANE	51-79-6	VINCAMOL	19877-89-5
UROFOLLITROPIN		VINCANTRIL	65285-58-7
UROKINASE	9039-53-6	VINCOFOS	17196-88-2
URSODEOXYCHOLIC ACID	128-13-2	VINCONATE	70704-03-9
URSULCHOLIC ACID	88426-32-8	VINCRISTINE	57-22-7
UTIBAPRIL	109683-61-6	VINDEBURNOL	74709-54-9
UTIBAPRILAT	109683-79-6	VINDESINE	53643-48-4
VADOCAINE	72005-58-4	VINEPIDINE	68170-69-4
VALACICLOVIR	124832-26-4	VINFORMIDE	54022-49-0
VALCONAZOLE	56097-80-4	VINFOSILTINE	123286-00-0
VALDETAMIDE	512-48-1	VINGLYCINATE	865-24-7
VALDIPROMIDE	52061-73-1	VINLEUCINOL	81571-28-0
VALINE	72-18-4	VINLEUROSINE	23360-92-1
VALNOCTAMIDE	4171-13-5	VINMEGALLATE	83482-77-3
VALOFANE	3258-51-3	VINORELBINE	71486-22-1
VALPERINOL	64860-67-9	VINPOCETINE	42971-09-5
VALPROATE PIVOXIL	77372-61-3	VINPOLINE	57694-27-6
VALPROATE SEMISODIUM	76584-70-8	VINROSIDINE	15228-71-4
VALPROIC ACID	99-66-1	VINTIAMOL	26242-33-1
VALPROMIDE	2430-27-5	VINTOPEROL	106498-99-1
VALSARTAN	137862-53-4	VINTRIPTOL	81600-06-8
VALTRATE	18296-44-1	VINYLBITAL	2430-49-1
VANICAMIDE	132373-81-0	VINZOLIDINE	67699-40-5
VANCOMYCIN	1404-90-6	VIOMYCIN	32988-50-4
VANEPRIM	81523-49-1	VIPROSTOL	73647-73-1
VANITIOLIDE	17692-71-6	VIQUALINE	72714-74-0
VANOXERINE	67469-69-6	VIQUIDIL	84-55-9
VANYLDISULFAMIDE	119-85-7	VIRGINIAMYCIN	11006-76-1
VAPIPROST	85505-64-2	VIRIDOFULVIN	1405-00-1
VAPREOTIDE	103222-11-3	VIROXINE	72301-78-1
VASOPRESSIN INJECTION	11000-17-2	VISNADINE	477-32-7
VEBUFLOXACIN	79644-90-9	VISNAFYLLINE	17243-56-0
VECURONIUM BROMIDE	50700-72-6	VISTATOLON	54182-61-5
VELARESOL	77858-21-0	VOGLIBOSE	83480-29-9
VELNACRINE	112964-98-4	VOLAZOCINE	15686-68-7
VENLAFAXINE	93413-69-5	VOROZOLE	129731-10-8
VENRITIDINE	93064-63-2	VOKERGOLIDE	89651-00-3
VERADOLINE	79201-80-2	WARFARIN	81-81-2
VERALIPRIDE	66644-81-3	XAMOTEROL	81801-12-9
VERAPAMIL	52-53-9	XANOXIC ACID	33459-27-7
VERAZIDE	93-47-0	XANTHIOL	14008-71-0

Section A. (continued)

(370). (con.):

Table 1. (con.)

INN	CAS Number	INN	CAS Number
XANTIFIBRATE	36921-54-7	ZENIPLATIN	111490-36-9
XANTINOL NICOTINATE	437-74-1	ZEPASTINE	28810-23-3
XANTOCILLIN	580-74-5	ZERANOL	26538-44-3
XANTOFYL PALMITATE	547-17-1	ZETIDOLINE	51940-78-4
XENALIPIN	84392-17-6	ZIDAPAMIDE	75820-08-5
XENAZOIC ACID	1174-11-4	ZIDOMETACIN	62851-43-8
XENBUCIN	959-10-4	ZIDOVUDINE	30516-87-1
XENIPENTONE	55845-78-8	ZILANTEL	22012-72-2
XENON (133 XE)	14932-42-4	ZILASCORB (2 H)	122431-96-3
XENTHIORATE	7009-79-2	ZILEUTON	111406-87-2
XENYGLOXAL	2673-23-6	ZILPATEROL	117827-79-9
XENYHEXENIC ACID	964-82-9	ZIMELDINE	56775-88-3
XENYSALATE	3572-52-9	ZIMIDOBEN	90697-56-6
XENYTROPIUM BROMIDE	511-55-7	ZINC ACETATE, BASIC	82279-57-0
XIBENOLOL	81584-06-7	ZINDOTRINE	56383-05-2
XIBORNOL	13741-18-9	ZINDOXIFENE	86111-26-4
XILOBAM	50528-97-7	ZINOCONAZOLE	84697-21-2
XIMOPROFEN	56187-89-4	ZINOSTATIN	9014-02-2
XINIDAMINE	50264-78-3	ZINTEROL	37000-20-7
XINOMILINE	52832-91-4	ZINVIROXIME	72301-78-1
XIPAMIDE	14293-44-8	ZIPEPROL	34758-83-3
XIPRANOLOL	19179-78-3	ZOCAINONE	68876-74-4
XORPHANOL	77287-89-9	ZOFENOPRIL	81872-10-8
XYLAMIDINE TOSILATE	6443-40-9	ZOFENOPRILAT	75176-37-3
XYLAZINE	7361-61-7	ZOFICONAZOLE	71097-23-9
XYLOCOUMAROL	15301-97-0	ZOLAMINE	553-13-9
XYLOMETAZOLINE	526-36-3	ZOLAZEPAM	31352-82-6
XYLOXEMINE	1600-19-7	ZOLENZEPINE	78208-13-6
YOHIMBIC ACID	522-87-2	ZOLERTINE	4004-94-8
ZABICIPRIL	83059-56-7	ZOLIMIDINE	1222-57-7
ZABICIPRILAT	90103-92-7	ZOLIMOMAB ARITOX	141483-72-9
ZACOPRIDE	90182-92-6	ZOLIPROFEN	56355-17-0
ZAFULEPTINE	59209-97-1	ZOLOPERONE	52867-74-0
ZALCITABINE	7481-89-2	ZOLPIDEM	82626-48-0
ZALDARIDE	109826-26-8	ZOMEBAZAM	78466-70-3
ZALOSPIRONE	114298-18-9	ZOMEPIRAC	33369-31-2
ZALTIDINE	85604-00-8	ZONICLEZOLE	121929-20-2
ZALTOPROFEN	89482-00-8	ZONISAMIDE	68291-97-4
ZAMIFENACIN	127308-82-1	ZOPICLONE	43200-80-2
ZANOTERONE	107000-34-0	ZOPOLRESTAT	110703-94-1
ZAPIZOLAM	64098-32-4	ZORUBICIN	54083-22-6
ZAPRINAST	37762-06-4	ZOTEPINE	26615-21-4
ZARDAVERINE	101975-10-4	ZOXAZOLAMINE	61-80-3
ZATEBRADINE	85175-67-3	ZUCLOMIFENE	15690-55-8
ZATOSETRON	123482-22-4	ZUCLOPENTHIXOL	53772-83-1
ZENARESTAT	112733-06-9	ZYLOFURAMINE	3563-92-6

Annex (con.)
-386-

Section A. (continued)

(370). (con.):

Table 2.

Salts, esters and hydrates of the products enumerated in table 1 above that contain in their names any of the prefixes or suffixes listed below shall also be entered free of duty under general note 13 to the tariff schedule, provided that any such salt, ester or hydrate is classifiable in the same 6-digit tariff provision as the relevant product enumerated in table 1. For purposes of the tariff schedule, any reference to a product covered by this table includes such product by whatever name known.

ACETATE
ACETONIDE
1-ACETOXYETHYL
ACETYLSALICYLATE
ADIPATE
ALLYL
ALLYL BROMIDE
ALLYL IODIDE
ALUMINIUM
AMINOSALICYLATE
AMMONIUM
AMMONIUM FUSIDATE
ANTIPYRATE
ARGININE
ASCORBATE
AXETIL
BARBITURATE
BENZENESULFONATE
BENZENESULPHONATE
BENZOACETATE
BENZYL
BENZYL BROMIDE
BENZYL IODIDE
BESILATE
BESYLATE
BIQUINATE
BIS(HYDROGEN MALATE)
BIS(HYDROGEN MALEATE)
BIS(HYDROGEN MALONATE)
BISMUTH
BIS(PHOSPHATE)
BITARTRATE
BORATE
BROMIDE
BUTYL
t-BUTYL
t-BUTYL ACETATE
tert-BUTYL ACETATE
tertiary BUTYL ACETATE
tertiary BUTYLAMINE
BUTYLATE
BUTYLBROMIDE
t-BUTYL ESTER
tert-BUTYL ESTER
tertiary BUTYL ESTER
BUTYRATE
CALCIUM
CALCIUM CHLORIDE
CALCIUM DIHYDRATE
CAMPHOR-10-SULFONATE
CAMPHOR-10-SULPHONATE
CAMPHORATE
CAMPHORSULFONATE
CAMPHORSULPHONATE
CAMSILATE
CAMSYLATE
CAPROATE
CARBAMATE
CARBONATE
CHLORIDE
8-CHLOROTHEOPHYLLINATE
CHOLINE
CINNAMATE
CITRATE
CYCLOHEXANEPROPIONATE
CYCLOHEXYLAMMONIUM
CYCLOHEXYLPROPIONATE
N-CYCLOHEXYLSULFAMATE
N-CYCLOHEXYLSULPHAMATE
DECANOATE
DIACETATE
DIAMMONIUM
DIBENZOATE
DIBUTYRATE
DICHOLINE
DICYCLOHEXYLAMMONIUM
DIETHYLAMINE
DIETHYLAMMONIUM
DIFUROATE
DIHYDRATE
DIHYDROBROMIDE
DIHYDROCHLORIDE
DIHYDROCHLORIDE PHOSPHATE
DIHYDROGEN CITRATE
DIHYDROGEN PHOSPHATE
DIHYDROXYBENZOATE
DIMALATE
DIMALEATE
DIMALONATE
DIMESILATE
DINITRATE
DINITROBENZOATE
DIOXIDE
DIPHOSPHATE
DIPROPIONATE
DISODIUM
DISODIUM PHOSPHATE
DISULFATE
DISULFIDE
DISULPHATE
DISULPHIDE
DIUNDECANOATE

Annex (con.)
-387-

Section A. (continued)

(370). (con.):

Table 2. (con.)

EDISILATE
EMBONATE
ENANTATE
ENANTHATE
ESILATE
ESTOLATE
ESYLATE
1,2-ETHANEDISULFONATE
1,2-ETHANEDISULPHONATE
ETHANESULFONATE
ETHANESULPHONATE
ETHOBROMIDE
ETHYL
ETHYLAMINE
ETHYLAMMONIUM
ETHYLENANTATE
ETHYL ESTER
ETHYLHEXANOATE
ETHYL IODIDE
ETHYLSUCCINATE
FERROUS CITRATE
FLUORIDE
FLUOROSULFONATE
FLUOROSULPHONATE
FORMATE
FORMATE SODIUM
FOSFATEX
FUMARATE
FUROATE
GLUCARATE
GLUCEPTATE
GLUCOHEPTONATE
GLUCONATE
GLUCOSIDE
GLYCOLATE
GLYCOXYLATE
GOLD
HEMIHYDRATE
HEMISULFATE
HEMISULPHATE
HEPTANOATE
HEXAACETATE
HEXAHYDRATE
HEXANOATE
HIPPURATE
HYDRATE
HYDROBROMIDE
HYDROCHLORIDE
HYDROCHLORIDE DIHYDRATE
HYDROCHLORIDE HEMIHYDRATE
HYDROCHLORIDE MONOHYDRATE
HYDROCHLORIDE PHOSPHATE
HYDROGEN EDISILATE
HYDROGEN FUMARATE
HYDROGEN MALATE
HYDROGEN MALEATE
HYDROGEN MALONATE
HYDROGEN OXALATE
HYDROGEN SUCCINATE
HYDROGEN SULFATE
HYDROGEN SULFITE
HYDROGEN SULPHATE
HYDROGEN SULPHITE
HYDROGEN TARTRATE
HYDROXIDE
HYDROXYBENZOATE
2-HYDROXYETHANESULFONATE
2-HYDROXYETHANESULPHONATE
HYDROXYNAPHTHOATE
IODIDE
IRON CHLORIDE
ISETHIONATE
ISETIONATE
ISOBUTYRATE
ISONICOTINATE
ISOPHTHALATE
ISOPROPIONATE
ISOPROPYL
LACTATE
LACTOBIONATE
LAURATE
LEVULINATE
LITHIUM
LYSINATE
MAGNESIUM
MALATE
MALEATE
MALONATE
MANDELATE
MEGLUMINE
MESILATE
MESYLATE
METHANESULFONATE
METHANESULPHONATE
METHILSULFATE
METHYLBROMIDE
METHYL ESTER
4,4'-METHYLENEBIS(3-HYDROXY-2-NAPHTHOATE)
METHYLENEDISALICYLATE
N-METHYLGLUCAMINE
METHYLIODIDE
METHYLSULFATE
METHYLSULPHATE
MONOHYDRATE
MONOHYDROCHLORIDE
MONONITRATE
NAFATE
NAPADISILATE
NAPADISYLATE
1,5-NAPHTHALENEDISULFONATE
1,5-NAPHTHALENEDISULPHONATE
2-NAPHTHALENESULFONATE
2-NAPHTHALENESULPHONATE
NAPSILATE

Section A. (continued)

(370). (con.):

Table 2. (con.)

NAPSYLATE
NICOTINATE
NITRATE
NITROBENZOATE
OLEATE
OROTATE
ORTHOPHOSPHATE
OXALATE
OXIDE
N-OXIDE HYDROCHLORIDE
4-OXOPENTANOATE
PALMITATE
PALMITATE HYDROCHLORIDE
PAMOATE
PANTOTHENATE
PANTOTHENATE SULFATE
PANTOTHENATE SULPHATE
PENTAHYDRATE
PERCHLORATE
PHENYLPROPIONATE
PHOSPHATE
PHOSPHITE
PHTHALATE
PICRATE
PIVALATE
(PIVALOYLOXY)METHYL
(PIVALOYLOXY)METHYL HYDROCHLORIDE
PIVOXIL
PIVOXIL HYDROCHLORIDE
POTASSIUM
POTASSIUM SULFATE
POTASSIUM SULPHATE
PROPIONATE
PROPIONATE DODECYL SULFATE
PROPIONATE DODECYL SULPHATE
PROPIONATE LAURYL SULFATE
PROPIONATE LAURYL SULPHATE
PROPYL
PROPYL ESTER
PYRIDYLACETATE
QUINATE
RESINATE
SACCHARATE
SALICYLATE
SALICYLOYLACETATE
SODIUM
SODIUM HYDRATE
SODIUM HYDROGEN PHOSPHATE
SODIUM METHANESULFONATE
SODIUM METHANESULPHONATE
SODIUM MONOHYDRATE
SODIUM PHOSPHATE
SODIUM SUCCINATE
SODIUM SULFATE
SODIUM SULFOBENZOATE
SODIUM 3-SULFOBENZOATE
SODIUM SULPHATE
SODIUM SULPHOBENZOATE
SODIUM 3-SULPHOBENZOATE
STEARATE
SUCCINATE
SUCCINYL
SULFATE
SULFINATE
SULFITE
SULFOSALICYLATE
SULPHATE
SULPHINATE
SULPHITE
SULPHOSALICYLATE
TANNATE
TARTRATE
TEBUTATE
TEOCLATE
TETRAHYDRATE
TETRAHYDROPHTHALATE
TETRASODIUM
THEOCLATE
THIOCYANATE
P-TOLUENESULFONATE
P-TOLUENESULPHONATE
TOSILATE
TOSYLATE
TRIFLUOROACETATE
TRIHYDRATE
TRIIODIDE
TRIMETHYLACETATE
TRINITRATE
TRIPALMITATE
UNDECANOATE
UNDEC-10-ENOATE
UNDECYLENATE
VALERATE
ZINC

Section A. (continued)

(370). (con.):

Table 3.

This table enumerates further products which shall be entered free of duty under general note 13 to the tariff schedule. The Chemical Abstracts Service (CAS) registry numbers also set forth in this table are included to assist in the identification of the products concerned. For purposes of the tariff schedule, any references to a product enumerated in this table includes such product by whatever name known.

Product Name	CAS Number
2-(Acetoxymethyl)-4-(2-amino-6-chloropurin-9-yl)butyl acetate	97845-60-8
2-(Acetoxymethyl)-4-(benzyloxy)butyl acetate	131266-10-9
2-(Acetoxymethyl)-4-iodobutyl acetate	127047-77-2
(6R,7R)-3-Acetoxymethyl-7-[(R)-2-formyloxy-2-phenylacetamido]-8-oxo-5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylic acid	87932-78-3
(3S,4R)-4-Acetoxy-3-[(R)-1-(tert-butyldimethylsilyloxy)ethyl]azetidin-2-one	76855-69-1
2-Acetylbenzo[b]thiophene	22720-75-8
Acetyldigoxin	5511-98-8
3'-Acetyl-2'-hydroxy-4-(4-phenylbutoxy)benzanilide	136450-06-1
2-Acetylphenothiazine	6631-94-3
4-(4-Acetylpiperazin-4-yl)phenol	67914-60-7
N-Acetylsulfanilyl chloride	121-60-8
(2S)-1-(3-Acetylthio-2-methyl-1-oxopropyl)-L-proline	64838-55-7
D-(-)-3-Acetylthio-2-methylpropionic acid	76497-39-7
D-(-)-3-Acetylthio-2-methylpropionyl chloride	74345-73-6
L-Alanyl-L-proline	13485-59-1
4-Aminobenzyl-N-methylmethanesulfonamide hydrochloride	88918-84-7
4-Aminobutyric acid	56-12-2
7-Aminocephalosporanic acid	957-68-6
4-Amino-6-chlorobenzene-1,3-disulfonamide	121-30-2
4-Amino-6-chlorobenzene-1,3-di(sulfonyl chloride)	671-89-6
4-Amino-2-chloro-6,7-dimethoxyquinazoline	23680-84-4
4-Amino-5-chloro-N-(1-[3-(4-fluorophenoxy)propyl]-3-methoxy-4-piperidyl)-2-methoxybenzamide	104860-73-3
4-Amino-5-chloro-2-methoxybenzoic acid	7206-70-4
2-Amino-2'-chloro-5-nitrobenzophenone	2011-66-7
3-(2-Aminoethyl)-N-methyl-1H-indol-5-ylmethanesulfonamide	88919-22-6
5-(2-Aminoethylthiomethyl)furfuryldimethylamine	66356-53-4
4-(2-Aminoethylthiomethyl)-1,3-thiazol-2-ylmethyl(dimethyl)amine, in the form of a solution in toluene	78441-62-0
6-Amino-5-formamido-1,3-dimethyluracil	7597-60-6
3'-Amino-2'-hydroxyacetophenone hydrochloride	90005-55-3
7-Amino-3-methoxymethyl-3-cephem-4-carboxylic acid	24701-69-7
7-Amino-3-methyl-3-cephem-4-carboxylic acid	22252-43-3
(1R,2R)-2-Amino-1-(4-methylsulfonylphenyl)propane-1,3-diol	51458-28-7
(1R,2R)-2-Amino-1-(4-methylsulfonylphenyl)propane-1,3-diol hydrochloride	56724-21-1
7-Amino-3-(1-methyltetrazol-5-ylthiomethyl)-3-cephem-4-carboxylic acid	24209-38-9
(7R)-7-Amino-3[(5-methyl-1,3,4-thiadiazole-2-yl)thiomethyl]-3-cephem-4-carboxylic acid	30246-33-4
6-Aminopenicillanic acid	551-16-6
7-[(R)-Amino(phenyl)acetamido]-3-methyl-3-cephem-4-carboxylic acid--dimethylformamide (2:1)	39754-02-4
7-Amino-3-[(Z)-prop-1-enyl]-3-cephem-4-carboxylic acid	106447-44-3
(Z)-2-(2-Amino-1,3-thiazol-4-yl)-2-methoxyiminoacetyl chloride hydrochloride	119154-86-8
Ammonium (3R,5R)-7-[(1S,2S,6R,8S,8aR)-8-(2,2-dimethylbutyryloxy)-1,2,6,7,8a-hexahydro-2,6-dimethyl-1-naphthyl]-3,5-dihydroxyheptanoate	139893-43-9
Ammonium (3R,5R)-7-((1S,2S,6R,8S,8aR)-1,2,6,7,8,8a-hexahydro-2,6-dimethyl-8-[(2S)-2-methylbutyryloxy)-1-naphthyl)-3,5-dihydroxyheptanoate	77550-67-5
Arginine l-glutamate	4320-30-3
L-Asparagine monohydrate	5794-13-8
1-Benzhydrylpiperazine	841-77-0

Annex (con.)
-390-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
Benzyl hydroxy(4-phenylbutyl)phosphinoylacetate	87460-09-1
1-Benzyl-4-(methoxymethyl)-N-phenyl-4-piperidylamine	61380-02-7
Benzyl(methyl)amine	103-67-3
(4S,5S)-5-Benzyl-2-oxo-1,3-oxazolidin-4-ylmethyl 4-nitrobenzenesulfonate	
(S)-3-Benzyloxycarbonyl-1,2,3,4-tetrahydroisoquinolinium p-toluenesulfonate	77497-97-3
N-Benzyloxycarbonyl-DL-valine	3588-63-4
2-[Benzyl(tert-butyl)amino]-1-(α,4-dihydroxy-m-tolyl)ethanol	24085-03-8
Benzyl(tert-butyl)(4-hydroxy-3-hydroxymethyl-4-oxophenethyl)ammonium chloride	24085-08-3
5,5-Bis(4-pyridylmethyl)-5H-cyclopenta[2,1-b:3,4-b']dipyridine monohydrate	139781-09-2
4-Bromo-2,2-diphenylbutyric acid	37742-98-6
6-Bromo-2-naphthyl methyl ether	5111-65-9
4-(4-Bromophenyl)piperidin-4-ol	57988-58-6
4'-tert-Butyl-4-chlorobutyrophenone	43076-61-5
2-Butyl-5-chloro-1H-imidazole-4-carbaldehyde	83857-96-9
2-Butyl-4-chloro-1-[2'(2-trityl-2H-tetrazol-5-yl)biphenyl-4-ylmethyl]-1H-imidazol-5-ylmethanol	133909-99-6
N-tert-Butyl 3-cyanoandrosta-3,5-diene-17-carboxamide	151338-11-3
(3S,4aS,8aR)-N-tert-Butyldecahydroisoquinoline-3-carboxamide	136465-81-1
2-sec-Butyl-4-(4-[4-(4-hydroxyphenyl)piperazin-1-yl]phenyl)-2H-1,2,4-triazol-3(4H)-one	106461-41-0
1-(4-tert-Butylphenyl)-4-[4-(α-hydroxybenzhydryl)piperidino]butan-1-one	43076-30-8
(S)-N-tert-Butyl-1,2,3,4-tetrahydroisoquinoline-3-carboxamide	149182-72-9
tert-Butyl triphenylphosphoranylideneacetate	35000-38-5
Calcium bis(4-O-(β-D-galactopyranosyl)-D-gluconate)--calcium bromide (1:1)	33659-28-8
Calcium bis(4-O-(β-D-galactopyranosyl)-D-gluconate) dihydrate	110638-68-1
Calcium gluconate lactate	11116-97-5
2-Carbamoyloxypropyltrimethylammonium chloride	590-63-6
Carbenoxolone, dicholine salt	74203-92-2
1-Carboxy-1-methylethoxyammonium chloride	89766-91-6
Casanthranol	8024-48-4
4-Chloro-α,α,α-trifluoro-3-nitrotoluene	121-17-5
1-(4-Chlorobenzenesulfonyl)urea	22663-37-2
1-Chloro-4,4-bis(4-fluorophenyl)butane	3312-04-7
(R)-α-(Chlorocarbonyl)benzyl formate	29169-64-0
2-Chlorodibenz[b,f][1,4]oxazepin-11(10H)-one	3158-91-6
2-Chloro-4,5-difluorobenzoic acid	110877-64-0
2-Chloro-9-(3-dimethylaminopropyl)-9H-thioxanthen-9-ol	4295-65-2
7-Chloro-1-ethyl-6-fluoro-1,4-dihydro-4-oxoquinoline-3-carboxylic acid	68077-26-9
3-(2-Chloroethyl)-2-methyl-4H-pyrido[1,2-a]pyrimidin-4-one	41078-70-0
3-(2-Chloroethyl)quinazoline-2,4(1H,3H)-dione	5081-87-8
3-(2-Chloroethyl)-6,7,8,9-tetrahydro-2-methyl-4H-pyrido[1,2-a]pyrimidin-4-one hydrochloride	93076-03-0
4-Chloro-4'-fluorobutyrophenone	3874-54-2
7-Chloro-6-fluoro-1-(4-fluorophenyl)-1,4-dihydro-4-oxoquinoline-3-carboxylic acid	98105-79-4
8-Chloro-6-(2-fluorophenyl)-1-methyl-4H-imidazo[1,5-a][1,4]benzodiazepine-3-carboxylic acid	59468-44-9
3-(2-Chloro-6-fluorophenyl)-5-methyl-1,2-oxazole-4-carbonyl chloride	69399-79-7
5-Chloroindolin-2-one	17630-75-0
4-Chloro-1'-(4-methoxyphenyl)benzohydrazide	16390-07-1
7-Chloro-2-methylquinoline	4965-33-7
2-Chloronicotinic acid	2942-59-8
2-Chlorophenothiazine	92-39-7
3-(2-Chlorophenyl)-5-methyl-1,2-oxazole-4-carbonyl chloride	25629-50-9
4-(4-Chlorophenyl)piperidine-2,6-dione	84803-46-3
4-(4-Chlorophenyl)piperidin-4-ol	39512-49-7
5-Chloro-1-(4-piperidyl)-1H-benzimidazol-2(3H)-one	53786-28-0
1-(3-Chloropropyl)-2,6-dimethylpiperidinium chloride	83556-85-8
3-Chloropropyl 2,5-xylyl ether	31264-51-4

Annex (con.)
-391-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
Chlorphenesin carbamate	886-74-8
L-N-(1-Cyano-1-vanillylethyl)acetamide	14818-98-5
2-Cyclohexa-1,4-dienylglycine	20763-30-8
trans-4-Cyclohexyl-2-proline hydrochloride	90657-55-9
1-Cyclopropyl-6,7-difluoro-1,4-dihydro-4-oxoquinoline-3-carboxylic acid	93107-30-3
2-Deoxy-D-erythropentose	533-67-5
1-Deoxy-1-(octylamino)-D-glucitol	23323-37-7
Deoxyribonuclease	9003-98-9
Dexibuprofen lysine (INNM)	113403-10-4
5H-Dibenz[b,f]azepine	256-96-2
5H-Dibenzo[a,d]cyclohepten-5-one	2222-33-5
4-(5H-Dibenzo[a,d]cyclohepten-5-yl) piperidine	101904-56-7
3-(5H-Dibenzo[a,d]cyclohepten-5-ylpropyl)dimethylammonium chloride	1614-57-9
5-(N,N-Dibenzylglycyl)salicylamide	30566-92-8
(3aS,6aR)-1,3-Dibenzyl-2,3,3a,4,6,6a-hexahydro-1H-furo[3,4-d]imidazole-2,4-dione	28092-62-8
2,6-Dichloro-5-fluoronicotinic acid	82671-06-5
4-(3,4-Dichlorophenyl)-3,4-dihydronaphthalen-1(2H)-one	79836-44-5
1-(2,4-Dichlorophenyl)-2-imidazol-1-ylethanol	24155-42-8
2-(2,4-Dichlorophenyl)-2-(1H-imidazol-1-ylmethyl)-1,3-dioxolan-4-ylmethanol	84682-23-5
1-(2,6-Dichlorophenyl)indolin-2-one	15362-40-0
3-(2,6-Dichlorophenyl)-5-methyl-1,2-oxazole-4-carbonyl chloride	4462-55-9
trans-(+-)-4-(3,4-Dichlorophenyl)-1,2,3,4-tetrahydro-1-naphthyl(methyl)ammonium chloride	79617-99-5
cis-2-(2,4-Dichlorophenyl)-2-(1H-1,2,4-triazol-1-ylmethyl)-1,3-dioxolan-4-ylmethanol	67914-85-6
α,3-Dichlorotoluene	620-20-2
Dienestrol di(acetate)	84-19-5
Diethyl ethoxymethylenemalonate	87-13-8
3,3-Diethyl-5-(hydroxymethyl)pyridine-2,4(1H,3H)-dione	20096-03-1
Diethylstilbestrol dibutyrate	74664-03-2
Diethylstilbestrol dipropionate	130-80-3
1-(4,4'-Difluorobenzhydryl)piperazine	27469-60-9
(6-α,11-B,16-α,17-α)-6,9-Difluoro-11,17-dihydroxy-16-methyl-3-oxoandrosta-1,4-diene-17-carboxylic acid	28416-82-2
(Z)-3-(2-[4-(2,4-Difluoro-α-hydroxyiminobenzyl)piperidino]ethyl)-6,7,8,9-tetrahydro-2-methyl-4H-pyrido[1,2-a]pyrimidin-4-one	132961-05-8
2-(2,4-Difluorophenyl)-1,3-bis(1H-1,2,4-triazol-1-yl)propan-2-ol	123631-92-5
1-(2,4-Difluorophenyl)-6,7-difluoro-1,4-dihydro-4-oxoquinoline-3-carboxylic acid	103995-01-3
2,4'-Difluoro-2-(1H-1,2,4-triazol-1-yl)acetophenone hydrochloride	86386-75-6
1-(2,3-Dihydro-1,4-benzodioxin-2-ylcarbonyl)piperazine hydrochloride	70918-74-0
10,11-Dihydro-5H-dibenz[b,f]azepine	494-19-9
10,11-Dihydro-5H-dibenzo[a,d]cycloheptan-5-one	1210-35-1
3-(9,10-Dihydro-9,10-ethanoanthracen-9-yl)acrylaldehyde	38849-09-1
5,6-Dihydro-4-oxo-4H-thieno[2,3-b]thiine-2-sulfonamide	105951-31-3
5,6-Dihydro-4-oxo-4H-thieno[2,3-b]thiine-2-sulfonamide 7,7-dioxide	105951-35-7
1,1-Diisopropoxycyclohexane	1132-95-2
Diisopropyl phosphorofluoridate	55-91-4
3,4-Dimethoxy-B-methylphenethylamine	55174-61-3
1,1-Dimethoxy-2-(2-methoxyethoxy)ethane	94158-44-8
3,4-Dimethoxyphenethylamine	120-20-7
5,6-Dimethoxypyrimidin-4-ylamine	5018-45-1
6,7-Dimethoxyquinazoline-2,4(1H,3H)-dione	28888-44-0
(2S,3R)-4-Dimethylamino-3-methyl-1,2-diphenylbutan-2-ol	38345-66-3
3-Dimethylaminomethyl-1,2,3,4-tetrahydro-9-methylcarbazol-4-one	132659-89-3
2-(Dimethylaminothio)acetamide hydrochloride	27366-72-9
Dimethyl cyanocarbonimidodithioate	10191-60-3

Annex (con.)
-392-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
2,2-Dimethylcyclopropanecarboxamide	75885-58-4
1-[5-(4,5-Diphenylimidazol-2-ylthio)pentyl]-1-heptyl-3-(2,4-difluorophenyl)urea	130804-35-2
1,2-Diphenyl-4-(2-phenylthioethyl)pyrazolidine-3,5-dione	3736-92-3
3,3-Diphenyltetrahydrofuran-2-ylidene(dimethyl)ammonium bromide	37743-18-3
Disodium 2,5-dihydro-5-thiooxo-1H-tetrazol-1-ylmethanesulfonate	66242-82-8
(5)-1,4-Dithia-7-azaspiro[4.4]nonane-8-carboxylic acid	124492-04-2
Enoxolone dihydrogen phosphate	18416-35-8
9-8,11-8-Epoxy-17-α,21-dihydroxy-16-8-methylene-pregna-1,4-diene-3,20-dione	981-34-0
2,3-Epoxypropyl 4-(2-methoxyethyl)phenyl ether	51718-70-8
Ethchlorvynol carbamate	74283-25-3
(S,S)-N-(1-Ethoxycarbonyl-3-phenylpropyl)alanine	82717-96-2
1-(N2-[(S)-1-Ethoxycarbonyl-3-phenylpropyl]-N6-trifluoroacetyllysyl)proline	103300-91-0
Ethyl 4-(2-amino-4-chloroanilino)piperidine-1-carboxylate	53786-45-1
Ethyl 2-(2-amino-1,3-thiazol-4-yl)-2-hydroxyiminoacetate	64485-82-1
Ethyl 2-(2-chloro-4,5-difluorobenzoyl)-3-(2,4-difluoroanilino)acrylate	
Ethyl 7-chloro-1-(2,4-difluorophenyl)-6-fluoro-1,4-dihydro-4-oxonaphthyridine-3-carboxylate	100491-29-0
Ethyl 3-(2-chloro-4,5-difluorophenyl)-3-hydroxyacrylate	121873-00-5
Ethyl 4-(5-chloro-2,3-dihydro-2-oxo-1H-benzimidazol-2-yl)piperidine-1-carboxylate	53786-46-2
Ethyl 2-cyano-3-ethoxyacrylate	94-05-3
1-Ethyl-1,4-dihydro-4-oxo-1,3-dioxolo[4,5-g]cinnoline-3-carbonitrile	28657-79-6
1-Ethyl-1,2-dihydro-5H-tetrazol-5-one	69048-98-2
Ethyl 1-ethyl-6,7,8-trifluoro-1,4-dihydro-4-oxoquinoline-3-carboxylate	100501-62-0
Ethyl 4-[1-(4-fluorobenzyl)-1H-benzimidazol-2-ylamino]piperidine-1-carboxylate	84501-68-8
Ethyl (2-formamido-1,3-thiazol-4-yl)glyoxylate	64987-03-7
Ethyl 4-hydroxy-2-methyl-2H-1,2-benzothiazine-3-carboxylate 1,1-dioxide	24683-26-9
3-Ethyl 5-methyl (+-)-4-(2-Chlorophenyl)1,4-dihydro-2-[2-(1,3-dioxoisoindolin-2-yl)ethoxymethyl]pyridine-3,5-dicarboxylate	103094-30-0
Ethyl 2-oxo-4-phenylbutyrate	64920-29-2
Ethyl 4-oxopiperidine-1-carboxylate	29976-53-2
Ethyl 2-oxopyrrolidin-2-ylacetate	61516-73-2
1-Ethylpyrrolidin-2-ylmethylamine	26116-12-1
Ethyl (S)-2-[(S)-4-methyl-2,5-dioxo-1,3-oxazolidin-3-yl]-4-phenylbutyrate	84793-24-8
Ethyl tetrazole-5-carboxylate	55408-10-1
Fibrinuclease, powder	8055-80-9
4-(4-Fluorobenzoyl)pyridinium p-toluenesulfonate	
4-Fluorobenzyl-1H-benzimidazol-2-ylamine	83783-69-1
[1-(4-Fluorobenzyl)-1H-benzimidazol-2-yl](4-piperidyl)amine	75970-99-9
α-(6-Fluoro-2-methylinden-3-yl)-p-tolyl methyl sulfide, in the form of a solution in toluene	
(Z)-5-Fluoro-2-methyl-1-(4-methylthiobenzylidene)-1H-inden-3-ylacetic acid	49627-27-2
cis-1-[3-(4-Fluorophenoxy)propyl]-3-methoxy-4-piperidylamine	104860-26-6
1-(4-Fluorophenyl)-4-oxocyclohexanecarbonitrile	56326-98-8
(S)-3-Formamido-2-formyloxypropionic acid	125496-24-4
(2-Formamido-1,3-thiazol-4-yl)glyoxylic acid	64987-06-0
2-(2-Formamido-1,3-thiazol-4-yl)-2-methoxyiminoacetic acid	65872-43-7
4-Formyl-N-isopropylbenzamide	13255-50-0
3-Formylrifamycin	13292-22-3
1-(2-Furoyl)piperazine	40172-95-0
4-O-β-D-Galactopyranosyl-D-gluconic acid	96-82-2
5-Glyoxyloylsalicylamide monohydrate	141862-47-7
1,1,1,3,3,3-Hexafluoropropan-2-ol	920-66-1
Hexestrol dibutyrate	36657-18-3
Hexestrol dipropionate	59386-02-6
(3S,4S)-3-Hexyl-4-[(R)-2-(hydroxytridecyl)]oxetan-2-one	104872-06-2
N-(4-Hydrazinobenzyl)methanesulfonamide hydrochloride	81880-96-8

Annex (con.)
-393-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
α-Hydroxy-β,β-dimethyl-γ-butyrolactone	599-04-2
DL-α-Hydroxy-β,β-dimethyl-γ-butyrolactone	79-50-5
17-α-Hydroxy-16-α-methyl-3,20-dioxopregna-1,4-dien-21-yl acetate	24510-54-1
17-Hydroxy-16-α-methyl-3,20-dioxopregna-1,4,9(11)-trien-21-yl acetate	10106-41-9
N-(2-Hydroxyethyl)lactamide	5422-34-4
17-α-Hydroxy-16-β-methyl-3,20-dioxopregna-1,4-dien-21-yl acetate	24510-55-2
17-α-Hydroxy-16-β-methyl-3,20-dioxopregna-1,4,9(11)-trien-21-yl acetate	910-99-6
2-Hydroxy-4-(methylthio)butyric acid	583-91-5
D-2-(4-Hydroxyphenyl)glycine	22818-40-2
Iodomethyl penicillanate 1,1-dioxide	76247-39-7
Isobutyl 3,4-epoxybutyrate	111006-10-1
1-Isopropenyl-1H-benzimidazol-2(3H)-one	52099-72-6
4-(4-isopropylpiperazin-1-yl)phenol	67914-97-0
Lysosyme chloride	9001-63-2
Magnesium bis(4-nitrobenzyl malonate) dihydrate	
7-[(D)-Mandelamido]cephalosporanic acid	51818-85-0
D-Mandelic acid	611-71-2
N-(2-Mercaptoethyl)propionamide	67305-72-0
5-Methoxybenzimidazole-2-thiol	37052-78-1
4-Methoxybenzyl 3-chloromethyl-7-(2-phenylacetamido)-3-cephem-4-carboxylate	104146-10-3
4-Methoxy-3,5-dimethyl-2-pyridylmethanol	86604-78-6
9-Methoxyfuro(3,2-g)chromen-7-one	298-81-7
N-[4-(Methoxymethyl)-4-piperidyl]-N-phenylpropionamide hydrochloride	84196-16-7
6-Methoxy-2-naphthaldehyde	3453-33-6
Methyl 4-acetamido-5-chloro-o-anisate	4093-31-6
2-Methyl-N-(α,α,α-trifluoro-m-tolyl)propionamide	1939-27-1
Methyl 3-aminocrotonate	14205-39-1
Methyl 3-amino-5,6-dichloropyrazine-2-carboxylate	1458-18-0
4'-Methylbiphenyl-2-carbonitrile	114772-53-1
5-(4'-Methylbiphenyl-2-yl)-1-trityl-1H-tetrazole	124750-53-4
9-(3-Methylbut-2-enyloxy)-7H-furo[3,2-g]chromen-7-one	482-44-0
(1S)-2-Methyl-2,5-diazabicyclo[2.2.1]heptane dihydrobromide	125224-62-6
3-Methyl-2-(3,4-dimethoxyphenyl)butyronitrile	20850-49-1
Methyl 5-glyoxyloylsalicylate monohydrate	29754-58-3
Methyl hydrogen (2S,3R)-3-amino-2-[(S)-(1-hydroxyethyl)]glutarate	79814-47-4
Methyl (R)-3-hydroxybutyrate	3976-69-0
4-Methylimidazole	822-36-6
Methyl 2-methoxy-5-methylsulfonylbenzoate	63484-12-8
Methyl 1-methylpyrrol-2-ylacetate	51856-79-2
Methyl(1-methylthio-2-nitrovinyl)amine	61832-41-5
2-Methyl-4-nitroimidazole	696-23-1
Methyl 3-oxo-4-aza-5-α-androst-1-ene-17-β-carboxylate	103335-41-7
[R-(R*,S*)]-[2-Methyl-1-(1-oxopropoxy)propoxy](4-phenylbutyl)phosphinoylacetic acid	128948-01-6
Methyl 5-pentafluoroethyl-2-propylimidazole-4-carboxylate	150097-92-0
5-Methyl-3-phenyl-1,2-oxazole-4-carbonyl chloride	16883-16-2
4-Methylpiperazin-1-ylamine	6928-85-4
[(2-Methyl-1-propionylpropoxy)(4-phenylbutyl)phosphinoyl]acetic acid	123599-78-0
[(2-Methyl-1-propionylpropoxy)(4-phenylbutyl)phosphinoyl]acetic acid--cinchonidine (1:1)	123599-79-1
5-Methylpyrazine-2-carboxylic acid	5521-55-1
1-Methyltetrazole-5-thiol	13183-79-4
5-Methyl-1,3,4-thiadiazole-2-thiol	29490-19-5
3-Methyl-2-(3,4,5-trimethoxyphenyl)butyronitrile	36622-33-0
4-Methylvalerophenone	645-13-6
4-Morpholin-2-ylpyrocatechol hydrochloride	13062-59-4

Annex (con.)
-394-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
O-2-Naphthyl chlorothioformate	10506-37-3
2-Nitrobenzaldehyde dimethyl acetal	20627-73-0
4-Nitrobenzyl 7-amino-3-chloro-3-cephem-4-carboxylate	53994-83-5
4-Nitrobenzyl 3-methylene-7-(phenoxyacetamido)cepham-4-carboxylate 5-oxide	63427-57-6
4-Nitrobenzyl 6-(2-phenoxyacetamido)penicillanate 1-oxide	29707-62-8
3-Oxo-4-aza-5-α-androstane-17-ß-carboxylic acid	103335-55-3
3-Oxo-4-azaandrost-5-ene-17-ß-carboxylic acid	103335-54-2
2-Oxo-5-vinylpyrrolidine-3-carboxamide	71107-19-2
Phenmetrazine teoclate	13931-75-4
Phenothiazin-2-ylamine	32338-15-1
2-(3-Phenoxyphenyl)propiononitrile	32852-95-2
4-(4-Phenylbutoxy)benzoic acid	30131-16-9
D-α-Phenylglycine	875-74-1
Phenyl hydrogen phenylmalonate	21601-78-5
2-Phenyl-2-(2-piperidyl)acetic acid	19395-41-6
N-Phenyl-N-(4-piperidyl)propionamide	1609-66-1
2-Phenylpropane-1,3-diol	1570-95-2
2-Piperazin-1-ylpyrimidine dihydrochloride	94021-22-4
1-(4-Piperidyl)-1H-benzimidazol-2(3H)-one	20662-53-7
Potassium clavulanate--microcrystalline cellulose (1:1)	
Potassium clavulanate--silicon dioxide (1:1)	
Potassium clavulanate--sucrose (1:1)	
Potassium (R)-2-(4-hydroxyphenyl)-N-(3-methoxy-1-methyl-3-oxoprop-1-enyl)glycinate	69416-61-1
Potassium (R)-N-(3-methoxy-1-methyl-3-oxoprop-1-enyl)-2-phenylglycinate	34582-65-5
Pyrrolidin-3-ylamine dihydrochloride	103831-11-4
N-(2-Quinolylcarbonyloxy)succinimide	136465-99-1
Quinuclidine	100-76-5
D-Ribose	50-69-1
Rifamycin O	14487-05-9
Sennoside A	81-27-6
Sennoside A, calcium salt	52730-36-7
Sennoside B	128-57-4
Sennoside B, calcium salt	52730-37-7
Sodium 3-[3-tert-butylthio-1-(4-chlorobenzyl)-5-(2-quinolylmethoxy-1H-indol-2-yl]-2,2-dimethylpropionate	136668-42-3
Sodium 4-chloro-1-hydroxybutane-1-sulfonate	54322-20-2
Sodium (R)-1-(1-(3-[(E)-2-(7-chloro-2-quinolyl)vinyl]phenyl)-3-[2-(1-hydroxy-1-methylethyl)phenyl]propylthiomethyl)cyclopropylacetate	142522-81-4
Sodium 2-hydroxy-1-(4-hydroxy-3-methoxyphenyl)propane-2-sulfonate	83682-27-3
Sodium (R)-2-(4-hydroxyphenyl)-N-(3-methoxy-1-methyl-3-oxoprop-1-enyl)glycinate	26787-84-8
Sodium (R)-N-(3-methoxy-1-methyl-3-oxoprop-1-enyl)-2-phenylglycinate	13291-96-8
N-(2-(4-Sulfamoyl)phenyl)ethyl-5-chloro-2-methoxybenzamide	16673-34-0
2,3,4,6-Tetra-O-acetyl-ß-D-glucopyranosyl carbamimidothioate hydrobromide	40591-65-9
1,4,7,10-Tetraazacyclododecane-1,4,7-triyltriacetic acid	114873-37-9
1-(Tetrahydro-2-furoyl)piperazine	63074-07-7
1,2,3,4-Tetrahydro-2-isopropylaminomethyl-6-methyl-7-nitroquinoline methanesulfonate	22982-78-1
1,2,3,4-Tetrahydro-9-methylcarbazol-4-one	27387-31-1
1,2,3,4-Tetrahydro-9-methyl-3-(2-methyl-1H-imidazol-1-ylmethyl)carbazol-4-one	99614-02-5
1-(1,2,3,6-Tetrahydro-4-pyridyl)-1H-benzimidazol-2(3H)-one	2147-83-3
3,7,11,15-Tetramethylhexadec-1-en-3-ol	505-32-8
Tetrazol-1-ylacetic acid	21732-17-2
2-Thienylacetyl chloride	39098-97-0
3-Thienylmalonic acid	21080-92-2
Thiophene-2-carbonyl chloride	5271-67-0

Annex (con.)
-395-

Section A. (continued)

(370). (con.):

Table 3. (con.)

Product Name	CAS Number
2,2',4'-Trichloroacetophenone	4252-78-2
N6-Trifluoroacetyl-L-lysyl-L-proline	103300-89-6
N6-Trifluoroacetyl-L-lysyl-L-proline p-toluenesulfonate	105641-23-4
α',α',α'-Trifluoro-2,3-xylidine	54396-44-0
11-α,17,21-Trihydroxy-16-β-methylpregna-1,4-diene-3,20-dione	85700-75-0
3,4,5-Trimethoxyphenylacetonitrile	13338-63-1*

(371). The HTS is modified by adding, immediately after the Chemical Appendix, the following new Intermediate Chemicals for Dyes Appendix:

"INTERMEDIATE CHEMICALS FOR DYES APPENDIX TO THE TARIFF SCHEDULE

This appendix enumerates those chemicals which shall be entered free of duty under general note 14 to the tariff schedule. The Chemical Abstracts Service (CAS) registry numbers also set forth in this appendix are included to assist in the identification of the products concerned. For purposes of the tariff schedule, any references to a product enumerated in this table includes such product by whatever name known.

Product Name	CAS Number
Acetaldehyde, (1,3-dihydro-1,3,3-trimethyl-2H-indol-2-ylidene)-	84-83-3
Acetamide, N-(3-amino-4-methoxyphenyl)-	6375-47-9
Acetamide, N-(3-aminophenyl)-	102-28-3
Acetamide, N-(4-aminophenyl)-	122-80-5
Acetamide, N-(3-aminophenyl)-, monohydrochloride	621-35-2
Acetamide, N-(4-aminophnyl)-N-methyl-	119-63-1
Acetamide, N-(2,5-dimethoxy phenyl)-	3467-59-2
Acetamide, N-(7-hydroxy-1-naphthalenyl-	6470-18-4
Acetamide, N-(2-methoxy-5-methyl phenyl)-	6962-44-3
Acetamide, N-(2-Methoxy Phenyl)-	93-26-5
2-amino-diphenyl-sulfone	4273-98-7
2-(2-amino-ethoxy)-2'-chloro-diethylsulfone hydrochloride	98231-71-1
2-[(4-Amino-5-methoxy phenyl)sulfonyl]-ethanol, hydrogen sulfate ester	10079-20-6
2-Amino-1,5-naphthalene disulfonic acid, monosodium salt	19352-03-7
2-[3-Aminophenyl)sulfonyl]-ethanol, hydrogen sulfate ester	2494-88-4
Analine, 2-chloro-4-nitro-monohydrochloride-	618-99-5
9,10-Anthracendione	84-65-1
9,10-Anthracenedione, 1-amino-	82-45-1
9,10-Anthracenedione, 1-amino-2-bromo-4-hydroxy-	116-82-5
9,10-Anthracenedione, 1-amino-2-chloro-4-hydroxy-	2478-67-3
9,10-Anthracenedione, 1-amino-N-ethyl-N-phenyl-	81-49-2
9,10-Anthracenedione, 1,4-diamino-2,3-dihydro-	81-63-0
9,10-Anthracenedione, 1,8-dichloro-	82-43-9
9,10-Anthracenedione, 1,4-dihydroxy-	81-61-4
9,10-Anthracenedione, 1,4-dihydroxy-	81-64-1
9,10-Anthracenedione, 1,8-dihydroxy-4,5-dinitro-	81-55-0
2-Anthracenesulfonic acid, 1-amino-4-bromo-9,10-dihydro-9,10-dioxo-	116-81-4
2-Anthracenesulfonic acid, 1-amino-4-bromo-9,10-dihydro-9,10-dioxo-, monosodium salt	6258-06-6
1H-azepine, hexahydro-	111-49-9
Banzamine, 2,6-dichloro-4-nitro-	99-30-9

Annex (con.)
-396-

Section A. (continued)

(371). (con.):

Product Name	CAS Number
Benezenesulfonamide, 2-amino-N-ethyl-N-phenyl-	81-10-7
Benzaldehyde, 2-chloro-	89-98-5
Benzaldehyde, 2,6-dichloro-	83-38-5
Benzamide, 4-amino-N-(4-aminophenyl)-	785-30-8
Benzamide, 4-amino-N-[3-[(2-hydroxyethyl)sulfonyl], phenyl]-	20241-68-3
Benzamide, N-(3-aminophenyl)-	16091-26-2
Benzamine, 3-amino-4-methoxy-N-phenyl-	120-35-4
Benzamine, 3-chloro-	108-42-9
Benzamine, 4-chloro-2,5-dimethoxy-	6358-64-1
Benzamine, 5-chloro-2-methoxy-	95-03-4
Benzamine, 5-chloro-2-methyl-	95-79-4
Benzamine, 2-chloro-5-nitro-	6283-25-6
1,4-Benzaminediamine, 2 chloro-, sulfate	6219-71-2
Benzamine, 2,5-dichloro-	95-82-9
Benzamine, 2,4-dimethoxy-	2735-04-8
Benzamine, 2,5-dimethoxy-	102-56-7
Benzamine, 2,4-dinitro-	97-02-9
Benzamine, 4-ethoxy-2-nitro-	616-86-4
Benzamine, 4-fluoro-3-nitro-	364-76-1
Benzamine, 2-methoxy-5-nitro	99-59-2
Benzamine, 4-(phenylazo)-	60-09-3
Benzamine, 4-(phenylazo)-, monohydrochloride	3457-98-5
Benzenamine, 2-chloro-4-nitro-	121-87-9
Benzenamine, 4-chloro-2-(trifluoromethyl)-	445-03-4
Benzenamine, 2-methoxy-	90-04-0
Benzenamine, 4-methoxy-	104-94-9
Benzenamine, 2-methoxy-4-nitro-	97-52-9
Benzenamine, N-methyl-	100-61-8
Benzenamine, 4-(6-methyl-2-benzothiazolyl)-	92-36-4
Benzenamine, 3-nitro-	99-09-2
Benzenamine, 2-(triflouromethyl)-	88-17-5
Benzeneamine, 4-ethoxy-	156-43-4
Benzene, 1-chloro-2,4-dinitro-	97-00-7
1,2-Benzenediamine, 4-ethoxy-, sulfate (1:1)	85137-09-3
1,3-Benzenediamine, 4-methyl-	95-80-7
Benzene, 1,2-dimethyl-4-nitro-	99-51-4
1,4-Benzene disulfonic acid, 2-amino-	98-44-2
1,4-Benzenedisulfonic acid, 2-amino-, sodium salt	76684-33-8
Benzeneethanol, 4-hydroxy-	501-94-0
Benzenesulfonamide, 2-amino-N-cyclohexyl-N-methyl-	70693-59-3
Benzenesulfonamide, 3-(4,5-Dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)-	89-29-2
Benzenesulfonic acid, 4-(acetylamino)-2-amino-	88-64-2
Benzenesulfonic acid, 2-amino-	88-21-1
Benzenesulfonic acid, 3-amino-	121-47-1
Benzenesulfonic acid, 5-amino-2-[(4-aminophenyl)amino]	119-70-0
Benzenesulfonic acid, 3-amino-4-chloro-	98-36-2
Benzenesulfonic acid, 4-amino-2,5-dichloro-	88-50-6
Benzenesulfonic acid, 4-amino-2,5-dichloro-, monosodium salt	41295-98-1
Benzenesulfonic acid, 3-amino-4-hydroxy-	98-37-3
Benzenesulfonic acid, 2-amino, 5-methoxy-	13244-33-2
Benzenesulfonic acid, 2-amino, 4-methoxy-, monosodium salt	19433-86-4
Benzenesulfonic acid, 3-amino-, monosodium salt	1126-34-7
Benzenesulfonic acid, 5-amino-2-[2-(4-nitro-2-sulfophenyl)ethenyl]-	119-72-2
Benzenesulfonic acid, 5-amino-2-[2-(4-nitro-2-sulfophenyl)ethenyl]-, disodium salt	6634-82-8
Benzenesulfonic acid, 2-amino-5-[(4-sulfophenyl)azo]-	101-50-8

Annex (con.)
-397-

Section A. (continued)

(371). (con.):

Product Name	CAS Number
Benzenesulfonic acid, 2-amino-5-[(4-sulfophenyl)azo]-, disodium salt	2706-28-7
Benzene sulfonic acid, 4-chloro-3-(4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)-	88-76-6
Benzenesulfonic acid, 2,4-diamino-	88-63-1
Benzenesulfonic acid, 2,5-diamino-, monopotassium salt	88-45-9
Benzenesulfonic acid, 2,5-diamino-,monopotassium salt	77847-12-2
Benzenesulfonic acid, 2,4-diamino-, monosodium salt	3177-22-8
Benzenesulfonic acid, 2,5-dichloro-4-(4,5-dihydro-3-methyl-5-oxo-1H-pyrrazol-1-yl)-	84-57-1
Benzenesulfonic acid, 4-(4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)	89-36-1
Benzenesulfonic acid, 4-[(1,3-dioxybutyl)amino]-5-methoxy-2-methyl-	62592-39-6
Benzenesulfonic acid, 2,2'-(1,2-ethenediyl)bis[5-amino-], disodium salt	7336-20-1
Benzenesulfonic acid, 2,2'-(1,2-ethenediyl)bis[5-amino-], sodium salt	25394-13-2
Benzenesulfonic acid, 2,2'(1,2-ethenediyl)bis[5-nitro-, disodium salt]	3709-43-1
Benzenesulfonic acid, 2,2'-(1,2-ethenediyl)bis[5-nitro-, sodium salt	15883-59-7
Benzenesulfonic acid, 2-formyl-, sodium salt	1008-72-6
Benzenesulfonic acid, 4-hydrazino-	98-71-5
Benzenesulfonyl chloride, 4-methyl-	98-59-9
Benzenesulfonyl chloride, 2-nitro-	1694-92-4
Benzoic acid, 2-amino-5-nitro-	616-79-5
Benzoic acid, 2-hydroxy-3-methyl-	83-40-9
Benzonitrile, 2-amino-5-nitro-	17420-30-3
4H-1-Benzopyran-4-one, 2-(2,4-dihydroxyphenyl)-2,5,6-trihydroxy-	480-16-0
2-Benzothiazolamine, 5,6-dichloro-	24072-75-1
2-Benzothiazolamine, 6-methoxy-	1747-60-0
2-Benzothiazolamine, 6-nitro-	6285-57-0
2-Benzothiazolamine, 4-chloro-	19952-47-7
Benzothiazole	95-16-9
7-Benzothiazolesulfonic acid, 2-(4-aminophenyl)-6-methyl-	130-17-6
7-Benzothiazolesulfonic acid, 2-(4-aminophenyl)-6-methyl-, monolithium salt	74578-07-7
7-Benzothiazolesulfonic acid, 2-(4-aminophenyl)-6-methyl-, monopotassium salt	74578-06-6
7-Benzothiazolesulfonic acid, 2-(4-aminophenyl)-6-methyl-, monosodium salt	74578-05-5
2(3H)-Benzoxazolone, 6-[(2-hydroxyethyl)sulfonyl]-	5031-74-3
4-(beta Aminoethylamino)-3-(2-hydroxyethyl)sulfonyl]-nitrobenzene	105652-75-3
1,1'-Binaphthalene-8,8'-dicarboxylic acid	29878-91-9
[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-	119-90-4
[1,1'-Biphenyl]-4,4'diamine, 3,3'dimethoxy-, dihydrochloride	20325-40-0
[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	119-93-7
[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-, dihydrochloride	612-82-8
Butanamide, N-(2,3-dihydro-2-oxo-1H-benzimidazol-5-yl)-3-oxo-	26576-46-5
Butanedioic, acetyl-, dimethyl ester	10420-33-4
Butanedioic acid, sulfo-,1,4-bis(2-ethylhexyl)ester, sodium salt	577-11-7
9H-Carbazole	86-74-8
Cobalt, [29H,31H-phthalocyaninato(2-)N29,N30,N31,N32]-,(sp-4-1)	3317-67-7
Cyanamide	420-04-2
Cyanamide, (1,4,5,6-tetrahydro-4,6-dioxo-2-pyrimidinyl-	55067-10-2
2,5-Cyclohexadiene-1,4-dione, 2,3,5,6-tetrachloro-	118-75-2
1,4-Cyclohexanedicarboxylic acid, 2,5-dioxo-, dimethyl ester	6289-46-9
2,4-Diaminobenzenesulfonic acid	83-63-1
Disulfide, bis(2-nitrophenyl)-	1155-00-6
Ethanedioic acid	144-62-7
Ethanol, 2-[(4-amino-2,5-dimethoxy phenyl)sulfonyl]-, hydrogen sulfate ester	26672-24-2

Annex (con.)
-398-

Section A. (continued)

(371). (con.):

Product Name	CAS Number
Ethanol, 2-[(4-amino-5-methoxy-2-methylphenyl), sulfonyl]-, hydrogen sulfate ester	21635-69-8
Ethanol, 2-[(3-Amino phenyl)sulfonyl]-	5246-57-1
Ethanol, 2-[(4-aminophenyl)sulfonyl]-, hydrogen sulfate ester	2494-89-5
Ethanol, 2-[(3-nitrophenyl)sulfonyl]-	41687-30-3
1H-Indole, 2,3-dihydro-1,3,3-trimethyl-2-methylene-	118-12-7
Methanone, (3,4-dihydroxyphenyl)(2,4,6-trihydroxyphenyl)-	519-34-6
5-Methoxy-2-methyl benzenesulfonic acid, monoammonium salt	72705-22-7
5-Methoxy-2-methyl benzenesulfonic acid, monosodium salt	133167-77-8
2-Naphathalenesulfonic acid, 8-amino-, monosodium salt	6322-37-8
2-Naphthalenecarboxylic acid, 3-hydroxy-	92-70-6
2-Naphthalenecarboxylic acid, 6-hydroxy-	16712-64-4
1,3-Naphthalenedisulfonic acid, 7-amino-	86-65-7
1,5-Naphthalene disulfonic acid, 2-amino-	117-62-4
1,5-Naphthalenedisulfonic acid, 3-amino-	131-27-1
1,3-Naphthalene disulfonic acid, 4-amino-5-hydroxy-	82-47-3
2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-	90-20-0
2,7 Naphthalenedisulfonic acid, 4-amino-5-hydroxy-, disodium salt	3963-80-2
1,3-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-, monopotassium salt	57248-90-5
2,7-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-, monosodium salt	5460-09-3
1,3-Naphthalenedisulfonic acid, 4-amino-5-hydroxy-, sodium salt	76550-42-0
2,7-Naphthalenedisulfonic acid, 3-amino-5-hydroxy-, sodium salt	53891-22-8
1,3-Naphthalenedisulfonic acid, 7-amino-, monopotassium salt	842-15-9
1,5-Naphthalenedisulfonic acid, 2-amino-, monosodium salt	19532-03-7
1,5-Naphthalenedisulfonic acid, 3-amino-, sodium salt	52085-24-2
1,3-Naphthalenedisulfonic acid, 6-(4,5-dihydro-3-methyl-5-oxo-1H-pyrazol-1-yl)-	7277-87-4
2,7-Naphthalenedisulfonic acid, 4,5-dihydroxy-	148-25-4
2,7-Naphthalenedisulfonic acid, 4,5-dihydroxy-, disodium salt	129-96-4
2,7-Naphthalenedisulfonic acid, 4,5-dihydroxy-,monosodium salt	3888-44-6
1,3-Naphthalenedisulfonic acid, 7-hydroxy-	118-32-1
2,7-Naphthalenedisulfonic acid, 3-hydroxy-	148-75-4
1,3-Naphthalenedisulfonic acid, 7-hydroxy-, dipotassium salt	842-18-2
1,3-Naphthalenedisulfonic acid, 7-hydroxy-, disodium salt	842-19-3
2,7-Naphthalenedisulfonic acid, 3-hydroxy-, disodium salt	135-51-3
2-Naphthalenedisulfonic acid, 6-hydroxy-, monosodium salt	135-76-2
2-Naphthalenesuflfonic acid, 6-amino-7-hydroxy-	6399-72-0
2-Naphthalenesulfonic acid, 7-(acetylamino-4-hydroxy-	6334-97-0
1-Naphthalenesulfonic acid, 2-amino-	81-16-3
1-Naphthalenesulfonic acid, 4-amino-	84-86-6
1-Naphthalenesulfonic acid, 5-amino-	84-89-9
1-Naphthalenesulfonic acid, 8-amino-	82-75-7
2-Naphthalenesulfonic acid, 5-amino-	119-79-9
2-Naphthalenesulfonic acid, 6-amino-	93-00-5
2-Naphthalenesulfonic acid, 8-amino-	119-28-8
2-Naphthalenesulfonic acid, 6-amino-4-hydroxy-	90-51-7
2-Naphthalenesulfonic acid, 7-amino-4-hydroxy-	87-02-5
1-Naphthalenesulfonic acid, 2-amino-, monoammonium salt	68540-41-0
2-Naphthalenesulfonic acid, 6-amino-, monoammonium salt	70682-62-1
1-Naphthalenesulfonic acid, 4-amino-, monosodium salt	130-13-2
2-Naphthalenesulfonic acid, 6-amino-, monosodium salt	58306-86-8
2-Naphthalenesulfonic acid, 7,7'-(carbonyldiimino)bis[4-hydroxy-	134-47-4
2-Naphthalenesulfonic acid, 7,7'-(carbonyldiimino)bis[4-hydroxy-, disodium salt	20324-87-2
2-Naphthalenesulfonic acid, 7,7'-(carbonyldiimino)bis[4-hydroxy-, monosodium salt	71550-28-2

Section A. (continued)

(371). (con.):

Product Name	CAS Number
1-Naphthalenesulfonic acid, 4-diazo-3,4-dihydro-7-nitro-3-oxo-	63589-25-3
1-Naphthalenesulfonic acid, 4-hydroxy-	84-87-7
1-Naphthalenesulfonic acid, 5-hydroxy-	117-59-9
1-Naphthalenesulfonic acid, 8-hydroxy-	117-22-6
2-Naphthalenesulfonic acid, 6-hydroxy-, monopotassium salt	833-66-9
1-Naphthalenesulfonic acid, 4-hydroxy-, monosodium salt	6099-57-6
2-Naphthalenesulfonic acid, 4-hydroxy-7-(phenylamino)-	119-40-4
2-Naphthalenesulfonic acid, 4-hydroxy-7-(phenylamino)-,monosodium salt	68213-89-8
1,3--Naphthalenesulfonic acid, 7-hydroxy-, potassium salt	13846-08-7
1-Naphthalenesulfonic acid, 5-hydroxy-, sodium salt	79873-34-0
1-Naphthalenesulfonic acid, 8-(phenylamino)-	82-76-8
1-Naphthalenesulfonic acid, 8-(phenylamino)-, monoammonium salt	28836-03-5
1,3,6-Naphthalene trisulfonic acid, 7-amino-	118-03-6
1,3,6-Naphthalenetrisulfonic acid, 8-amino-	117-42-0
1,3,6 Naphthalene trisulfonic acid, 7-amino-, diammonium salt	70714-69-1
1,3,6 Naphthalene trisulfonic acid, 7-amino-, disodium salt	67602-72-6
1,3,6 Naphthalene trisulfonic acid, 7-amino-, sodium salt	41016-61-9
2-Naphthalenol	135-19-3
1-Naphthalensulfonic acid, 4-hydroxy-, monopotassium salt	37860-62-1
1-Naphthalsulfonic acid, 8-(phenylamino)-,monosodium salt	1445-19-8
1H-Naphth[2,3-f]isoindole-1,3,5,10(2H)tetrone, 4,11-diamino-	128-81-4
Naphth[1,2-d][1,2,3]oxadiazole-5-sulphonic acid, 7-nitro-	84-91-3
1-Naphthylamine	134-27-7
Nickel [29H,31H-phthalocyaninato(2-)-N29, N30, N31, N32]-, (SP-4-1)-	14055-02-8
Phenol, 3-amino-	591-27-5
Phenol, 4-amino-	123-30-8
Phenol, 2-amino-3-bromo-5-nitro-	17601-96-6
Phenol, 2-amino-4-chloro-	95-85-2
Phenol, 2-amino-4,6-dinitro-, monosodium salt	831-52-7
Phenol, 5-Amino-2-methyl-	2835-95-2
Phenol, 2-amino-4-nitro-	99-57-0
Phenol, 2-amino-5-nitro-	121-88-0
Phenol, 2-amino-4-nitro,monosodium salt	61702-43-0
Phenol, 4-chloro-2-(phenylmethyl)-	120-32-1
Phenol, 3-(diethylamino)-	91-68-9
Phenol, 3-(ethylamino)-4-methyl-	120-37-6
Phenol, 4,4'-sulfonylbis-	80-09-1
2-phenyl-indol-5-sulfonic acid, NA salt	119205-39-9
2-[(phenylmethylene)hydrazino]-4-sulfobenzoic acid	77734-52-2
2-[(phenylmethylene)hydrazino]-4-sulfobenzoic acid, monosodium salt	131887-77-9
Propanenitrile, 3,3'-(phenylamino)bis-	1555-66-4
Propionamide, N-(3-aminophenyl)-	22987-10-6
1H-Pyrazol-5-amine, 3-methyl-1-phenyl-	1131-18-6
1H-Pyrazole-3-carboxylic acid, 4,5-dihydro-3-methyl-5-oxo-1-phenyl-, ethyl ester	89-33-8
1H-Pyrazole-3-carboxylic acid, 4,5-dihydro-5-oxo-1-(4-sulfonyl)-	118-47-8
3H-Pyrazol-3-one, 2-chlorophenyl)-2,4-dihydro-5-methyl-	14580-22-4
3H-Pyrazol-3-one, 2,4-dihydro-2-[-4-[(2-hydroxyethyl)sulfonyl], phenyl]-5-methyl-	21951-34-8
3H-Pyrazol-3-one, 2,4-dihydro-5-methyl-2-(4-methylphenyl)-	86-92-0
3H-Pyrazol-3-one, 2,4-dihydro-5-methyl-2-phenyl-	89-25-8
3-Pyridinecarboxamide, 1-ethyl-1,2-dihydro-6-hydroxy-4-methyl-2-oxo-	29097-12-9
2,4,6(1H,3H,5H)-Pyrimidinetrione	67-52-7
2,4,6(1H,3H,5H)-Pyrimidinetrione,monosodium salt	4390-16-3
8-Quinolinol	148-24-3

Section A. (continued)

(371). (con.):

Product Name	CAS Number
Spiro[isobenzofuran-1(3H), 9'-[9H]xanthen]-3-one, 3',6'-bis(ethylamino)-2',7'-di-	41382-37-0
2-Thiazolamine	96-50-4
Thiourea	62-56-6
1,3,5-Triazine, 2,4,6,(1H,3H,5H)-trione, 1,3,5-trichloro-	87-90-1
1,3,5,-Trioxane, 2,4,6-trimethyl-	123-63-7
Urea, (3-Amino Phenyl)-	25711-72-2
Urea, (3-aminophenyl)-, monohydrochloride	59690-88-9[m]

(372). Subheading 9902.84.83 is deleted and for subheadings 8483.10.50, 8483.60.40, 8483.60.80 and 8483.90.50, the Rates of Duty 1 Special subcolumn is modified by inserting the symbol "B," in the parentheses following the "Free" rate of duty in such subcolumn.

(373). General note 10(a) is modified by inserting "Republic of Palau" in alphabetical order.

Section B. Modifications of the quantitative limitations provided for in certain additional U.S. notes in the HTS.

(1). On January 1 of each of the years in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation(s) in such note (including country quantitative limitations) and inserting the appropriate quantitative limitation listed in this table for such year in lieu thereof:

	1996	1997	1998	1999	2000
Additional U.S. note 5 to chapter 4	5,921,320	6,114,700	6,308,080	6,501,460	6,694,840
Additional U.S. note 6 to chapter 4	4,577,000	5,177,000	5,777,000	6,377,000	6,977,000
Additional U.S. note 7 to chapter 4	2,061,000	2,861,000	3,661,000	4,461,000	5,261,000
Additional U.S. note 8 to chapter 4	961,300	1,551,300	2,141,300	2,731,300	3,321,300
Additional U.S. note 10 to chapter 4	2,345,000	2,785,000	3,225,000	3,665,000	4,105,000
Additional U.S. note 11 to chapter 4	3,657,300	4,457,300	5,257,300	6,057,300	6,857,300
Additional U.S. note 14 to chapter 4	4,000,500	4,520,500	5,040,500	5,560,500	6,080,500
Additional U.S. note 16 to chapter 4:					
Australia	1,883,333	2,175,000	2,466,667	2,758,333	3,050,000
Austria	832,000	923,000	1,014,000	1,105,000	1,196,000
Costa Rica	1,550,000	1,550,000	1,550,000	1,550,000	1,550,000
EC 12	21,056,000	21,356,000	21,656,000	21,956,000	22,256,000
Switzerland	1,386,667	1,470,000	1,553,333	1,636,667	1,720,000
Any country	200,000	300,000	300,000	300,000	300,000
Additional U.S. note 17 to chapter 4:					
Chile	26,667	40,000	53,333	66,667	80,000
EC 12	2,579,000	2,629,000	2,679,000	2,729,000	2,779,000

Annex (con.)
-402-

Section B. (continued)

(1). (con.)

	1996	1997	1998	1999	2000
Additional U.S. note 18 to chapter 4:					
Australia	1,616,667	1,825,000	2,033,333	2,241,667	2,450,000
Chile	73,333	110,000	146,667	183,333	220,000
EC 12	596,333	763,000	929,667	1,096,333	1,263,000
New Zealand	4,800,000	5,650,000	6,500,000	7,350,000	8,200,000
Additional U.S. note 19 to chapter 4:					
EC 12	287,333	304,000	320,667	337,333	354,000
Additional U.S. note 20 to chapter 4:					
Austria	133,333	200,000	266,667	333,333	400,000
EC 12	5,448,000	5,548,000	5,648,000	5,748,000	5,848,000
Additional U.S. note 21 to chapter 4:					
EC 12	3,615,333	3,732,000	3,848,667	3,965,333	4,082,000
Romania	166,667	250,000	333,333	416,667	500,000
Additional U.S. note 22 to chapter 4:					
Austria	946,667	960,000	973,333	986,667	1,000,000
EC 12	3,725,000	3,775,000	3,825,000	3,875,000	3,925,000
Additional U.S. note 25 to chapter 4:					
Austria	6,353,333	6,390,000	6,426,667	6,463,333	6,500,000
EC 12	6,233,333	6,350,000	6,466,667	6,583,333	6,700,000
Switzerland	3,496,667	3,530,000	3,563,333	3,596,667	3,630,000
Additional U.S. note 4 to chapter 18	17,607,700	19,747,700	21,707,700	24,027,700	26,167,700
Additional U.S. note 5 to chapter 20: Countries identified in additional U.S. note 6 to chapter 20	920	1,090	1,260	1,430	1,600
Additional U.S. note 5 to chapter 21	3,760,587	4,237,402	4,714,216	5,191,031	5,667,846

Section B. (continued)

(2). On April 1 of each of the periods in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation(s) in such note (including country quantitative limitations) and inserting the appropriate quantitative limitation listed in this table for such period in lieu thereof:

	Entered in the 12-month period from April 1 in any year to the following March 31, inclusive--				
	1996	1997	1998	1999	2000
Additional U.S. note 2 to chapter 12:					
Argentina	29,853	33,365	36,877	40,388	43,901
Other countries or areas	5,043	6,033	7,024	8,015	9,005

(3). On September 1 of each of the periods in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation(s) in such note (including country quantitative limitations) and inserting the appropriate quantitative limitation listed in this table for such period in lieu thereof:

	Entered in any 12-month period from September 20 in any year to the following September 19, inclusive--				
	1996	1997	1998	1999	2000
Additional U.S. note 5 to chapter 52	10,837.45	13,179.85	15,522.25	17,864.65	20,207.05
Additional U.S. note 9 to chapter 52	2,135,427	2,435,427	2,735,427	3,035,427	3,335,427

Section B. (continued)

(4). On August 1 of each of the periods in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation(s) in such note (including country quantitative limitations) and inserting the appropriate quantitative limitation listed in this table for such period in lieu thereof:

	Entered in any 12-month period from August 1 in any year to the following July 31, inclusive--				
	1996	1997	1998	1999	2000
Additional U.S. note 6 to chapter 52	1,000.0	1,100.0	1,200.0	1,300.0	1,400.0
Additional U.S. note 7 to chapter 52	6,460.0	7,720.0	8,980.0	10,240.0	11,500.0
Additional U.S. note 8 to chapter 52	28,420.0	31,340.0	34,260.0	37,180.0	40,100.0

(5). On September 11 of each of the periods in the following table, the additional U.S. note listed in the table is modified by deleting the quantitative limitation(s) in such note (including country quantitative limitations) and inserting the appropriate quantitative limitation listed in this table for such period in lieu thereof:

	Entered in any 12-month period from September 11 in any year to the following September 10, inclusive--				
	1996	1997	1998	1999	2000
Additional U.S. note 10 to chapter 52	1,300	1,600	1,900	2,200	2,500

Section C. Implementation of modifications in the Rates of Duty 1-General subcolumn effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1995.

For the following provisions, the Rates of Duty 1-General subcolumn is modified by deleting the rate of duty appearing in such subcolumn and inserting the rate of duty set opposite such provision in lieu thereof:

0505.10.00	Free	0710.80.65	12.5%
0602.99.30	1.4%	0714.10.00	11.3%
0602.99.60	1.9%	0714.90.10	2.3%
0704.20.00	12.5%	0802.90.20	0.7¢/kg

Annex (con.)
-405-

Section C. (continued)

0802.90.25	1¢/kg	2836.60.00	2.3%
0803.00.40	1.4%	2837.20.10	1.1%
0811.90.10	3.4%	2840.11.00	0.3%
0811.90.25	3.2%	2840.19.00	0.1%
0811.90.35	Free	2849.20.20	0.5%
0813.40.15	3.5¢/kg	2903.16.00	5.1%
0908.20.20	7.4¢/kg	2903.30.05	5.4%
0910.10.40	1¢/kg	2903.30.15	Free
0910.40.30	4.8%	2906.11.00	2.1%
0910.99.40	3.4%	2907.12.00	4.2%
0910.99.60	1.9%	2907.15.30	Free
1211.90.40	4.8%	2908.20.08	Free
1301.90.40	1.3%	2909.11.00	1%
1302.20.00	Free	2909.49.05	Free
1401.20.40	2%	2912.11.00	2.8%
1401.90.40	3.2%	2914.61.00	Free
1402.91.00	0.5¢/kg	2916.19.30	6.1%
1507.90.20	Free	2918.12.00	Free
1520.10.00	Free	2918.13.10	Free
1520.90.00	0.5¢/kg	2918.13.20	Free
1602.50.10	Free	2918.13.30	Free
1803.20.00	0.2¢/kg	2918.17.10	Free
1805.00.00	0.52¢/kg	2922.19.12	Free
1903.00.40	0.8¢/kg	2922.50.13	Free
2001.90.42	4.9¢/kg	2924.29.57	Free
2008.19.15	1%	2930.40.00	Free
2008.91.00	0.9%	2933.51.10	Free
2008.99.13	3.4%	2933.90.51	Free
2008.99.15	0.8%	2935.00.30	Free
2008.99.23	1.3%	2935.00.33	Free
2008.99.65	7.9%	2936.10.00	Free
2208.90.50	Free	2936.21.00	Free
2208.90.55	Free	2936.22.00	Free
2208.90.72	Free	2936.23.00	Free
2306.60.00	0.32¢/kg	2936.24.00	Free
2504.10.10	Free	2936.25.00	Free
2529.21.00	Free	2936.26.00	Free
2614.00.30	Free	2936.27.00	Free
2620.19.30	Free	2936.28.00	Free
2620.90.90	Free	2936.29.10	Free
2805.30.00	5%	2936.29.20	Free
2805.40.00	1.7%	2936.90.00	Free
2811.19.10	2.3%	2937.10.00	Free
2818.10.20	1.3%	2937.21.00	Free
2822.00.00	0.1%	2937.22.00	Free
2827.39.20	5.1%	2937.29.00	Free
2833.11.50	0.4%	2937.91.00	Free
2833.27.00	0.6%	2937.92.10	Free
2836.40.20	1.3%	2939.10.10	Free

Annex (con.)
-406-

Section C. (continued)

2939.10.20	Free	3213.90.00	3.4%
2939.10.50	Free	3301.29.10	1.8%
2939.30.00	Free	3301.29.20	1.1%
2939.50.00	Free	3307.10.20	4.9%
2939.60.00	Free	3307.49.00	6%
2939.70.00	Free	3403.11.20	0.2%
2939.90.10	Free	3403.19.10	0.2%
2939.90.50	Free	3407.00.20	Free
2941.10.10	Free	3603.00.30	3%
2941.10.20	Free	3603.00.90	0.2%
2941.10.30	Free	3604.10.00	5.3%
2941.10.50	Free	3606.90.30	5.9%
2941.30.00	Free	3706.10.30	1.4%
2941.40.00	Free	3807.00.00	0.1%
2941.50.00	Free	3811.11.10	Free
2941.90.10	Free	3811.11.50	Free
2941.90.30	Free	3823.90.33	4.2%
2941.90.50	Free	3904.61.00	5.8%
3001.10.00	Free	3924.90.10	3.3%
3001.20.00	Free	3925.30.10	3.3%
3002.90.10	Free	3926.20.20	Free
3003.10.00	Free	3926.90.65	4.2%
3003.20.00	Free	4011.50.00	Free
3003.31.00	Free	4013.20.00	Free
3003.39.10	Free	4104.10.20	Free
3003.39.50	Free	4104.10.40	Free
3003.40.00	Free	4203.21.40	Free
3003.90.00	Free	4504.10.50	Free
3004.10.10	Free	4601.99.00	3.3%
3004.10.50	Free	5101.11.10	Free
3004.20.00	Free	5101.11.20	Free
3004.31.00	Free	5101.11.40	Free
3004.32.00	Free	5101.11.50	Free
3004.39.00	Free	5101.19.10	Free
3004.40.00	Free	5101.19.20	Free
3004.50.10	Free	5101.19.40	Free
3004.50.20	Free	5101.19.50	Free
3004.50.30	Free	5101.21.10	Free
3004.50.40	Free	5101.21.15	Free
3004.50.50	Free	5101.21.30	Free
3005.10.10	Free	5101.21.35	Free
3005.10.50	Free	5101.29.10	Free
3005.90.10	Free	5101.29.15	Free
3005.90.50	Free	5101.29.30	Free
3006.10.00	Free	5101.29.35	Free
3006.30.50	Free	5101.30.10	Free
3006.40.00	Free	5101.30.15	Free
3006.50.00	Free	5101.30.30	Free
3006.60.00	Free	6406.10.60	Free

Annex (con.)
-407-

Section C. (continued)

6603.20.30	Free	9501.00.60	Free
6913.10.50	Free	9502.91.00	Free
7015.90.20	Free	9503.10.00	Free
7902.00.00	Free	9503.20.00	Free
8417.20.00	3.5%	9503.49.00	Free
8448.51.10	Free	9503.50.00	Free
8448.51.20	Free	9503.60.20	Free
8448.51.30	Free	9504.10.00	Free
8452.30.00	Free	9504.20.20	Free
8464.10.00	Free	9504.20.60	Free
8704.21.00	25%	9504.20.80	Free
8704.22.50	25%	9504.30.00	Free
8704.23.00	25%	9504.40.00	Free
8704.31.00	25%	9504.90.40	Free
8704.32.00	25%	9504.90.60	Free
8704.90.00	25%	9504.90.90	Free
8714.96.50	Free	9505.10.10	Free
8714.99.50	Free	9505.10.15	Free
9006.40.40	Free	9505.10.25	Free
9006.40.90	Free	9505.10.30	Free
9010.20.60	Free	9505.10.40	Free
9401.50.00	Free	9505.10.50	Free
9401.90.25	Free	9505.90.20	Free
9403.80.30	Free	9505.90.40	Free
9403.90.25	Free	9505.90.60	Free
9501.00.40	Free	9506.91.00	4.6%

Section D. Staged rate reductions of the rates of duty in the Rates of Duty 1-General subcolumn (or, in the case of the tariff provisions of subchapter IV of chapter 99, the Additional Duties column).

(1). For each of the following provisions, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such provision in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such provisions in lieu thereof on the date specified.

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0101.20.20	13.6%	12.3%	10.9%	9.5%	8.2%	6.8%	6.8%	6.8%	6.8%	6.8%
0101.20.40	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
0102.90.40	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0104.20.00	$1.36/head	$1.23/head	$1.09/head	95.3¢/head	81.7¢/head	68¢/head	68¢/head	68¢/head	68¢/head	68¢/head
0105.11.00	1.8¢ each	1.6¢ each	1.5¢ each	1.3¢ each	1.1¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each
0105.19.00	1.8¢ each	1.6¢ each	1.5¢ each	1.3¢ each	1.1¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each
0105.91.00	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0105.99.00	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0106.00.10	3.6%	3.3%	2.9%	2.5%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%
0106.00.30	7%	6.6%	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
0201.10.50	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0201.20.80	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0201.30.80	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0202.10.50	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0202.20.80	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0202.30.80	30.3%	29.5%	28.8%	28%	27.2%	26.4%	26.4%	26.4%	26.4%	26.4%
0203.12.10	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0203.19.20	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0203.22.10	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0203.29.20	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0204.10.00	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0204.21.00	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0204.22.20	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0204.22.40	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0204.23.20	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0204.23.40	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0204.30.00	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0204.41.00	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0204.42.20	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0204.42.40	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0204.43.20	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0204.43.40	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0207.10.20	18.1¢/kg	17.5¢/kg	16.9¢/kg	16.2¢/kg	15.6¢/kg	15¢/kg	15¢/kg	15¢/kg	15¢/kg	15¢/kg
0207.10.40	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.21.00	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.22.20	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.22.40	12.1%	11.7%	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
0207.23.00	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.31.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.39.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.41.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.42.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.43.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.50.00	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0208.10.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
0208.90.30	10.3¢/kg	9.7¢/kg	9¢/kg	8.3¢/kg	7.7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg
0208.90.40	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
0209.00.00	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
0210.11.00	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0210.12.00	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0210.19.00	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0210.20.00	8.3%	6.7%	5%	3.3%	1.7%	Free	Free	Free	Free	Free
0210.90.20	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
0210.90.40	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
0302.22.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0302.29.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0302.61.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0302.65.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0302.69.10	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
0302.69.40	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0303.32.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0303.77.00	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0303.79.40	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
0304.10.10	3.3¢/kg	2.5¢/kg	1.7¢/kg	0.8¢/kg	Free	Free	Free	Free	Free	Free
0304.10.30	3.3¢/kg	2.5¢/kg	1.7¢/kg	0.8¢/kg	Free	Free	Free	Free	Free	Free
0304.20.30	3.3¢/kg	2.5¢/kg	1.7¢/kg	0.8¢/kg	Free	Free	Free	Free	Free	Free
0304.20.50	3.3¢/kg	2.5¢/kg	1.7¢/kg	0.8¢/kg	Free	Free	Free	Free	Free	Free
0305.20.20	13.5%	12%	10.5%	9%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
0305.49.20	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
0305.51.00	0.2¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free	Free
0305.59.20	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
0305.59.40	0.2¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free	Free
0305.63.40	0.4%	0.3%	0.2%	0.1%	Free	Free	Free	Free	Free	Free
0305.69.50	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
0401.10.00	0.39¢/liter	0.38¢/liter	0.37¢/liter	0.36¢/liter	0.35¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter
0401.20.20	0.49¢/liter	0.48¢/liter	0.47¢/liter	0.45¢/liter	0.44¢/liter	0.43¢/liter	0.43¢/liter	0.43¢/liter	0.43¢/liter	0.43¢/liter
0401.20.40	1.7¢/liter	1.6¢/liter	1.6¢/liter	1.6¢/liter	1.5¢/liter	1.5¢/liter	1.5¢/liter	1.5¢/liter	1.5¢/liter	1.5¢/liter
0401.30.25	88.5¢/liter	86.3¢/liter	84¢/liter	81.7¢/liter	79.5¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter
0401.30.75	$1.888/kg	$1.839/kg	$1.791/kg	$1.743/kg	$1.694/kg	$1.646/kg	$1.646/kg	$1.646/kg	$1.646/kg	$1.646/kg
0402.10.50	99.2¢/kg	96.7¢/kg	94.2¢/kg	91.6¢/kg	89¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg
0402.21.25	99.2¢/kg	96.7¢/kg	94.2¢/kg	91.6¢/kg	89¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg	86.5¢/kg
0402.21.50	$1.253/kg	$1.221/kg	$1.189/kg	$1.156/kg	$1.124/kg	$1.092/kg	$1.092/kg	$1.092/kg	$1.092/kg	$1.092/kg
0402.21.90	$1.785/kg	$1.739/kg	$1.694/kg	$1.648/kg	$1.602/kg	$1.556/kg	$1.556/kg	$1.556/kg	$1.556/kg	$1.556/kg
0402.29.50	$1.266/kg + 17.1%	$1.234/kg + 16.6%	$1.202/kg + 16.2%	$1.169/kg + 15.8%	$1.136/kg + 15.3%	$1.104/kg + 14.9%	$1.104/kg + 14.9%	$1.104/kg + 14.9%	$1.104/kg + 14.9%	$1.104/kg + 14.9%
0402.91.70	35.9¢/kg	35¢/kg	34.1¢/kg	33.1¢/kg	32.2¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0402.91.90	35.9¢/kg	35¢/kg	34.1¢/kg	33.1¢/kg	32.2¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg	31.3¢/kg
0402.99.45	56.9¢/kg	55.5¢/kg	54¢/kg	52.5¢/kg	51.1¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg
0402.99.55	56.9¢/kg	55.5¢/kg	54¢/kg	52.5¢/kg	51.1¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg	49.6¢/kg
0402.99.90	53.1¢/kg + 17.1%	51.8¢/kg + 16.6%	50.4¢/kg + 16.2%	49¢/kg + 15.8%	47.7¢/kg + 15.3%	46.3¢/kg + 14.9%	46.3¢/kg + 14.9%	46.3¢/kg + 14.9%	46.3¢/kg + 14.9%	46.3¢/kg + 14.9%
0403.10.50	$1.187/kg + 19.5%	$1.156/kg + 19%	$1.126/kg + 18.5%	$1.096/kg + 18%	$1.065/kg + 17.5%	$1.035/kg + 17%	$1.035/kg + 17%	$1.035/kg + 17%	$1.035/kg + 17%	$1.035/kg + 17%
0403.10.90	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0403.90.16	88.5¢/liter	86.3¢/liter	84¢/liter	81.7¢/liter	79.5¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter	77.2¢/liter
0403.90.20	0.39¢/liter	0.38¢/liter	0.37¢/liter	0.36¢/liter	0.35¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter
0403.90.45	$1/kg	97.9¢/kg	95.3¢/kg	92.7¢/kg	90.2¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg
0403.90.55	$1.253/kg	$1.221/kg	$1.189/kg	$1.156/kg	$1.124/kg	$1.092/kg	$1.092/kg	$1.092/kg	$1.092/kg	$1.092/kg
0403.90.65	$1.785/kg	$1.739/kg	$1.694/kg	$1.648/kg	$1.602/kg	$1.556/kg	$1.556/kg	$1.556/kg	$1.556/kg	$1.556/kg
0403.90.78	$1.888/kg	$1.839/kg	$1.791/kg	$1.743/kg	$1.694/kg	$1.646/kg	$1.646/kg	$1.646/kg	$1.646/kg	$1.646/kg
0403.90.85	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0403.90.95	$1.186/kg + 19.5%	$1.156/kg + 19%	$1.126/kg + 18.5%	$1.095/kg + 18%	$1.064/kg + 17.5%	$1.034/kg + 17%	$1.034/kg + 17%	$1.034/kg + 17%	$1.034/kg + 17%	$1.034/kg + 17%
0404.10.05	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0404.10.15	$1.187/kg + 9.8%	$1.156/kg + 9.5%	$1.126/kg + 9.2%	$1.096/kg + 9%	$1.065/kg + 8.8%	$1.035/kg + 8.5%	$1.035/kg + 8.5%	$1.035/kg + 8.5%	$1.035/kg + 8.5%	$1.035/kg + 8.5%
0404.10.20	0.39¢/liter	0.38¢/liter	0.37¢/liter	0.36¢/liter	0.35¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter	0.34¢/liter
0404.10.90	$1/kg	97.9¢/kg	95.3¢/kg	92.7¢/kg	90.2¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg	87.6¢/kg
0404.90.10	0.43¢/kg	0.42¢/kg	0.41¢/kg	0.39¢/kg	0.38¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg
0404.90.50	$1.364/kg + 9.8%	$1.329/kg + 9.5%	$1.294/kg + 9.2%	$1.259/kg + 9%	$1.224/kg + 8.8%	$1.189/kg + 8.5%	$1.189/kg + 8.5%	$1.189/kg + 8.5%	$1.189/kg + 8.5%	$1.189/kg + 8.5%
0404.90.70	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0405.00.40	$1.768/kg	$1.722/kg	$1.677/kg	$1.632/kg	$1.586/kg	$1.541/kg	$1.541/kg	$1.541/kg	$1.541/kg	$1.541/kg
0405.00.90	$2.139/kg + 9.8%	$2.084/kg + 9.5%	$2.03/kg + 9.2%	$1.975/kg + 9%	$1.92/kg + 8.8%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%
0406.10.08	$1.731/kg	$1.686/kg	$1.642/kg	$1.598/kg	$1.553/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg
0406.10.18	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0406.10.28	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.10.38	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.10.48	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.10.58	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.10.68	$1.59/kg	$1.549/kg	$1.509/kg	$1.468/kg	$1.427/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg
0406.10.78	$1.295/kg	$1.261/kg	$1.228/kg	$1.195/kg	$1.161/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg
0406.10.88	$1.731/kg	$1.686/kg	$1.642/kg	$1.598/kg	$1.553/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg
0406.10.95	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.20.10	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
0406.20.15	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0406.20.28	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.20.33	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.20.39	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.20.48	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.20.53	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.20.54	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
0406.20.55	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
0406.20.57	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.20.63	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.20.67	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.20.71	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.20.75	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.20.79	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.20.83	$1.59/kg	$1.549/kg	$1.509/kg	$1.468/kg	$1.427/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg
0406.20.87	$1.295/kg	$1.261/kg	$1.228/kg	$1.195/kg	$1.161/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg
0406.20.91	$1.731/kg	$1.686/kg	$1.642/kg	$1.598/kg	$1.553/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg
0406.20.95	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.30.05	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0406.30.18	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.30.28	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0406.30.38	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.30.48	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.30.53	$1.59/kg	$1.549/kg	$1.509/kg	$1.468/kg	$1.427/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg
0406.30.55	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
0406.30.57	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.30.63	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.30.67	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.30.71	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.30.75	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.30.79	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.30.83	$1.59/kg	$1.549/kg	$1.509/kg	$1.468/kg	$1.427/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg
0406.30.87	$1.295/kg	$1.261/kg	$1.228/kg	$1.195/kg	$1.161/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg
0406.30.91	$1.731/kg	$1.686/kg	$1.642/kg	$1.598/kg	$1.553/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg
0406.30.95	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.40.20	5.4%	4.9%	4.4%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
0406.40.40	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
0406.40.44	14.6%	14.3%	13.9%	13.5%	13.2%	12.8%	12.8%	12.8%	12.8%	12.8%
0406.40.48	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0406.40.70	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.90.05	8.3%	8.1%	7.9%	7.6%	7.4%	7.2%	7.2%	7.2%	7.2%	7.2%
0406.90.12	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.90.18	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.90.20	6.1%	5.7%	5.4%	5%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%
0406.90.25	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0406.90.32	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.90.33	24.4%	23.8%	23.2%	22.5%	21.9%	21.3%	21.3%	21.3%	21.3%	21.3%
0406.90.37	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.90.38	17.9%	16.7%	15.6%	14.5%	13.3%	12.2%	12.2%	12.2%	12.2%	12.2%
0406.90.42	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.90.43	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0406.90.48	$2.153/kg	$2.098/kg	$2.043/kg	$1.987/kg	$1.932/kg	$1.877/kg	$1.877/kg	$1.877/kg	$1.877/kg	$1.877/kg
0406.90.49	6.2%	6.1%	5.9%	5.7%	5.6%	5.4%	5.4%	5.4%	5.4%	5.4%
0406.90.54	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.90.59	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
0406.90.68	$2.462/kg	$2.399/kg	$2.336/kg	$2.272/kg	$2.209/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg	$2.146/kg
0406.90.74	$2.603/kg	$2.536/kg	$2.47/kg	$2.403/kg	$2.336/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg	$2.269/kg
0406.90.78	$1.407/kg	$1.371/kg	$1.335/kg	$1.299/kg	$1.263/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg	$1.227/kg
0406.90.84	$1.21/kg	$1.179/kg	$1.148/kg	$1.117/kg	$1.086/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg	$1.055/kg
0406.90.88	$2.068/kg	$2.015/kg	$1.962/kg	$1.909/kg	$1.856/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg	$1.803/kg
0406.90.92	$1.59/kg	$1.549/kg	$1.509/kg	$1.468/kg	$1.427/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg	$1.386/kg
0406.90.94	$1.295/kg	$1.261/kg	$1.228/kg	$1.195/kg	$1.161/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg
0406.90.97	$1.731/kg	$1.686/kg	$1.642/kg	$1.598/kg	$1.553/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg	$1.509/kg
0406.90.99	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
0407.00.00	3.4¢/doz.	3.3¢/doz.	3.2¢/doz.	3¢/doz.	2.9¢/doz.	2.8¢/doz.	2.8¢/doz.	2.8¢/doz.	2.8¢/doz.	2.8¢/doz.
0408.11.00	57.5¢/kg	55.5¢/kg	53.6¢/kg	51.6¢/kg	49.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg
0408.19.00	11.7¢/kg	11.3¢/kg	10.9¢/kg	10.5¢/kg	10.1¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg
0408.91.00	57.5¢/kg	55.5¢/kg	53.6¢/kg	51.6¢/kg	49.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg
0408.99.00	11.7¢/kg	11.3¢/kg	10.9¢/kg	10.5¢/kg	10.1¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg
0409.00.00	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0410.00.00	2.3%	2%	1.8%	1.6%	1.3%	1.1%	1.1%	1.1%	1.1%	1.1%
0501.00.00	2.8%	2.5%	2.3%	2%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
0502.10.00	1.6¢/kg	1.4¢/kg	1.2¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0505.90.20	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
0510.00.20	7.5%	7%	6.6%	6.1%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
0511.99.40	2.3%	2%	1.8%	1.6%	1.3%	1.1%	1.1%	1.1%	1.1%	1.1%
0601.10.15	$1.32/1000	$1.23/1000	$1.15/1000	$1.06/1000	98¢/1000	89.6¢/1000	89.6¢/1000	89.6¢/1000	89.6¢/1000	89.6¢/1000
0601.10.30	56.4¢/1000	52.8¢/1000	49.2¢/1000	45.6¢/1000	42¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000
0601.10.45	81.8¢/1000	76.6¢/1000	71.4¢/1000	66.1¢/1000	60.9¢/1000	55.7¢/1000	55.7¢/1000	55.7¢/1000	55.7¢/1000	55.7¢/1000
0601.10.60	$1.97/1000	$1.85/1000	$1.72/1000	$1.59/1000	$1.47/1000	$1.34/1000	$1.34/1000	$1.34/1000	$1.34/1000	$1.34/1000
0601.10.75	28.2¢/1000	26.4¢/1000	24.6¢/1000	22.8¢/1000	21¢/1000	19.2¢/1000	19.2¢/1000	19.2¢/1000	19.2¢/1000	19.2¢/1000

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0601.10.85	$2.12/1000	$1.98/1000	$1.84/1000	$1.71/1000	$1.58/1000	$1.44/1000	$1.44/1000	$1.44/1000	$1.44/1000	$1.44/1000
0601.10.90	5.2%	4.8%	4.5%	4.2%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%
0601.20.10	56.4¢/1000	52.8¢/1000	49.2¢/1000	45.6¢/1000	42¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000	38.4¢/1000
0601.20.90	2.1%	1.9%	1.8%	1.7%	1.5%	1.4%	1.4%	1.4%	1.4%	1.4%
0602.10.00	7%	6.6%	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
0602.30.00	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
0602.91.00	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0602.99.40	5.2%	4.8%	4.5%	4.2%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%
0602.99.90	7%	6.6%	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
0603.10.30	3.9%	3.7%	3.6%	3.5%	3.3%	3.2%	3.2%	3.2%	3.2%	3.2%
0603.10.60	7.8%	7.6%	7.4%	7.2%	7%	6.8%	6.8%	6.8%	6.8%	6.8%
0603.10.70	7.7%	7.5%	7.2%	6.9%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%
0603.10.80	7.7%	7.5%	7.2%	6.9%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%
0603.90.00	4.8%	4.7%	4.5%	4.3%	4.2%	4%	4%	4%	4%	4%
0604.99.60	10.3%	9.7%	9%	8.3%	7.7%	7%	7%	7%	7%	7%
0701.10.00	0.7¢/kg	0.7¢/kg	0.6¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
0701.90.10	0.7¢/kg	0.7¢/kg	0.6¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
0701.90.50	0.7¢/kg	0.7¢/kg	0.6¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
0702.00.20	4.5¢/kg	4.4¢/kg	4.3¢/kg	4.1¢/kg	4¢/kg	3.9¢/kg	3.9¢/kg	3.9¢/kg	3.9¢/kg	3.9¢/kg
0702.00.40	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0702.00.60	3.2¢/kg	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0703.10.20	1.22¢/kg	1.14¢/kg	1.07¢/kg	0.99¢/kg	0.91¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg
0703.10.30	1.41¢/kg	1.32¢/kg	1.23¢/kg	1.14¢/kg	1.05¢/kg	0.96¢/kg	0.96¢/kg	0.96¢/kg	0.96¢/kg	0.96¢/kg
0703.10.40	3.8¢/kg	3.6¢/kg	3.5¢/kg	3.4¢/kg	3.2¢/kg	3.1¢/kg	3.1¢/kg	3.1¢/kg	3.1¢/kg	3.1¢/kg
0703.20.00	1.49¢/kg	1.28¢/kg	1.07¢/kg	0.85¢/kg	0.64¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg
0703.90.00	24.2%	23.3%	22.5%	21.7%	20.8%	20%	20%	20%	20%	20%
0704.10.20	5%	4.5%	4%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%
0704.10.40	12.1%	11.7%	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
0704.10.60	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0704.90.20	1.09¢/kg	0.98¢/kg	0.87¢/kg	0.76¢/kg	0.65¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0704.90.40	24.2%	23.3%	22.5%	21.7%	20.8%	20%	20%	20%	20%	20%
0705.11.20	0.8¢/kg	0.72¢/kg	0.64¢/kg	0.56¢/kg	0.48¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg
0705.11.40	4.3¢/kg	4.2¢/kg	4.1¢/kg	3.9¢/kg	3.8¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg
0705.19.20	0.8¢/kg	0.72¢/kg	0.64¢/kg	0.56¢/kg	0.48¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg
0705.19.40	4.3¢/kg	4.2¢/kg	4.1¢/kg	3.9¢/kg	3.8¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg	3.7¢/kg
0705.21.00	0.3¢/kg	0.27¢/kg	0.24¢/kg	0.21¢/kg	0.18¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg
0705.29.00	0.3¢/kg	0.27¢/kg	0.24¢/kg	0.21¢/kg	0.18¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg
0706.10.05	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
0706.10.10	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0706.10.20	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
0706.90.20	5.4%	4.9%	4.4%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
0706.90.30	3.8%	3.4%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%
0706.90.40	12.1%	11.7%	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
0707.00.20	4.8¢/kg	4.7¢/kg	4.6¢/kg	4.4¢/kg	4.3¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg
0707.00.40	6.4¢/kg	6.3¢/kg	6.1¢/kg	5.9¢/kg	5.8¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg
0707.00.50	6.4¢/kg	6.3¢/kg	6.1¢/kg	5.9¢/kg	5.8¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg
0707.00.60	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0708.10.20	1¢/kg	0.9¢/kg	0.8¢/kg	0.7¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
0708.10.40	4.1¢/kg	3.9¢/kg	3.6¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0708.20.10	4.7¢/kg	4.2¢/kg	3.8¢/kg	3.3¢/kg	2.8¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg
0708.20.90	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
0708.90.05	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0708.90.15	0.2¢/kg	0.18¢/kg	0.16¢/kg	0.14¢/kg	0.12¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg
0708.90.30	1.6¢/kg	1.5¢/kg	1.3¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0708.90.40	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
0709.10.00	22.7%	20.4%	18.2%	15.9%	13.6%	11.3%	11.3%	11.3%	11.3%	11.3%
0709.20.90	24.4%	23.8%	23.2%	22.5%	21.9%	21.3%	21.3%	21.3%	21.3%	21.3%
0709.30.20	3.2¢/kg	3.1¢/kg	3¢/kg	2.8¢/kg	2.7¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg
0709.30.40	2.3¢/kg	2.2¢/kg	2.2¢/kg	2.1¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0709.40.20	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0709.40.40	0.5¢/kg	0.45¢/kg	0.4¢/kg	0.35¢/kg	0.3¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg
0709.40.60	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0709.51.00	10.6¢/kg + 24.2%	10.3¢/kg + 23.3%	9.9¢/kg + 22.5%	9.5¢/kg + 21.7%	9.2¢/kg + 20.8%	8.8¢/kg + 20%	8.8¢/kg + 20%	8.8¢/kg + 20%	8.8¢/kg + 20%	8.8¢/kg + 20%
0709.60.20	5.3¢/kg	5.1¢/kg	5¢/kg	4.8¢/kg	4.6¢/kg	4.4¢/kg	4.4¢/kg	4.4¢/kg	4.4¢/kg	4.4¢/kg
0709.60.40	5.4¢/kg	5.2¢/kg	5.1¢/kg	5¢/kg	4.8¢/kg	4.7¢/kg	4.7¢/kg	4.7¢/kg	4.7¢/kg	4.7¢/kg
0709.70.00	24.2%	23.3%	22.5%	21.7%	20.8%	20%	20%	20%	20%	20%
0709.90.05	22.7%	20.4%	18.2%	15.9%	13.6%	11.3%	11.3%	11.3%	11.3%	11.3%
0709.90.10	11.4%	10.2%	9%	7.9%	6.8%	5.6%	5.6%	5.6%	5.6%	5.6%
0709.90.14	24.2%	23.3%	22.5%	21.7%	20.8%	20%	20%	20%	20%	20%
0709.90.20	2.2¢/kg	2.1¢/kg	2¢/kg	1.8¢/kg	1.6¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0709.90.30	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
0709.90.35	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0709.90.45	24.4%	23.8%	23.2%	22.5%	21.9%	21.3%	21.3%	21.3%	21.3%	21.3%
0709.90.90	24.2%	23.3%	22.5%	21.7%	20.8%	20%	20%	20%	20%	20%
0710.10.00	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0710.21.20	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0710.21.40	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0710.22.10	4.7¢/kg	4.2¢/kg	3.8¢/kg	3.3¢/kg	2.8¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg
0710.22.15	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
0710.22.25	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
0710.22.37	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
0710.22.40	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
0710.29.05	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0710.29.15	0.2¢/kg	0.18¢/kg	0.16¢/kg	0.14¢/kg	0.12¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg
0710.29.30	1.6¢/kg	1.5¢/kg	1.3¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0710.29.40	7¢/kg	6.3¢/kg	5.6¢/kg	4.9¢/kg	4.2¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg
0710.30.00	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0710.40.00	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0710.80.20	6.9¢/kg + 9.7%	6.6¢/kg + 9.3%	6.4¢/kg + 9%	6.2¢/kg + 8.7%	5.9¢/kg + 8.3%	5.7¢/kg + 8%	5.7¢/kg + 8%	5.7¢/kg + 8%	5.7¢/kg + 8%	5.7¢/kg + 8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0710.80.40	4.3¢/kg	4¢/kg	3.8¢/kg	3.5¢/kg	3.2¢/kg	2.9¢/kg	2.9¢/kg	2.9¢/kg	2.9¢/kg	2.9¢/kg
0710.80.45	3.1¢/kg	2.9¢/kg	2.7¢/kg	2.5¢/kg	2.3¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg
0710.80.50	3.1¢/kg	2.9¢/kg	2.7¢/kg	2.5¢/kg	2.3¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg
0710.80.60	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
0710.80.70	22.7%	20.4%	18.2%	15.9%	13.6%	11.3%	11.3%	11.3%	11.3%	11.3%
0710.80.85	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0710.80.93	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
0710.80.97	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
0710.90.10	15.9%	14.3%	12.7%	11.1%	9.5%	7.9%	7.9%	7.9%	7.9%	7.9%
0710.90.90	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0711.10.00	7.5%	7%	6.6%	6.1%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
0711.20.28	7.2¢/kg on drained weight	6.9¢/kg on drained weight	6.6¢/kg on drained weight	6.4¢/kg on drained weight	6.2¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight
0711.20.38	7.2¢/kg on drained weight	6.9¢/kg on drained weight	6.6¢/kg on drained weight	6.4¢/kg on drained weight	6.2¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight	5.9¢/kg on drained weight
0711.20.40	10.4¢/kg on drained weight	10.1¢/kg on drained weight	9.7¢/kg on drained weight	9.3¢/kg on drained weight	9¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight
0711.40.00	11.3%	10.6%	9.9%	9.1%	8.4%	7.7%	7.7%	7.7%	7.7%	7.7%
0711.90.40	6.9¢/kg on drained weight + 9.7%	6.6¢/kg on drained weight + 9.3%	6.4¢/kg on drained weight + 9%	6.2¢/kg on drained weight + 8.7%	5.9¢/kg on drained weight + 8.3%	5.7¢/kg on drained weight + 8%	5.7¢/kg on drained weight + 8%	5.7¢/kg on drained weight + 8%	5.7¢/kg on drained weight + 8%	5.7¢/kg on drained weight + 8%
0711.90.60	11.3%	10.6%	9.9%	9.1%	8.4%	7.7%	7.7%	7.7%	7.7%	7.7%
0712.10.00	2.8¢/kg	2.7¢/kg	2.6¢/kg	2.5¢/kg	2.4¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg
0712.20.20	34.1%	33.3%	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0712.20.40	24.4%	23.8%	23.2%	22.5%	21.9%	21.3%	21.3%	21.3%	21.3%	21.3%
0712.30.10	2.6¢/kg + 3.6%	2.4¢/kg + 3.3%	2.1¢/kg + 2.9%	1.8¢/kg + 2.5%	1.6¢/kg + 2.2%	1.3¢/kg + 1.8%	1.3¢/kg + 1.8%	1.3¢/kg + 1.8%	1.3¢/kg + 1.8%	1.3¢/kg + 1.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0712.30.20	2.7¢/kg + 3.8%	2.6¢/kg + 3.5%	2.4¢/kg + 3.3%	2.2¢/kg + 3.1%	2.1¢/kg + 2.8%	1.9¢/kg + 2.6%	1.9¢/kg + 2.6%	1.9¢/kg + 2.6%	1.9¢/kg + 2.6%	1.9¢/kg + 2.6%
0712.90.10	4.6%	3.9%	3.2%	2.6%	2%	1.3%	1.3%	1.3%	1.3%	1.3%
0712.90.20	5¢/kg	4.5¢/kg	4¢/kg	3.5¢/kg	3¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg
0712.90.40	34.1%	33.3%	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0712.90.65	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%
0712.90.70	6.6%	5.6%	4.7%	3.8%	2.8%	1.9%	1.9%	1.9%	1.9%	1.9%
0712.90.75	12.3%	11.6%	10.9%	10.1%	9.4%	8.7%	8.7%	8.7%	8.7%	8.7%
0712.90.80	12.2%	11.4%	10.7%	9.9%	9.1%	8.3%	8.3%	8.3%	8.3%	8.3%
0713.10.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.10.40	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.6¢/kg	0.5¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg	0.4¢/kg
0713.20.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.20.20	2.8¢/kg	2.5¢/kg	2.3¢/kg	2¢/kg	1.7¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0713.31.10	2.9¢/kg	2.5¢/kg	2.1¢/kg	1.6¢/kg	1.2¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0713.31.40	1¢/kg	0.8¢/kg	0.7¢/kg	0.6¢/kg	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg
0713.32.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.32.20	2.4¢/kg	2.1¢/kg	1.9¢/kg	1.7¢/kg	1.4¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg
0713.33.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.33.20	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0713.33.40	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.39.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.39.20	1.6¢/kg	1.4¢/kg	1.2¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0713.39.40	2.9¢/kg	2.5¢/kg	2.1¢/kg	1.6¢/kg	1.2¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0713.40.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.40.20	0.3¢/kg	0.27¢/kg	0.24¢/kg	0.21¢/kg	0.18¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg
0713.50.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.50.20	2.4¢/kg	2.1¢/kg	1.9¢/kg	1.7¢/kg	1.4¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg
0713.90.10	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0713.90.60	1.6¢/kg	1.4¢/kg	1.2¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0713.90.80	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0714.20.00	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0714.90.20	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
0714.90.40	23.5%	22%	20.5%	19%	17.5%	16%	16%	16%	16%	16%
0714.90.60	12.2%	11.4%	10.7%	9.9%	9.1%	8.3%	8.3%	8.3%	8.3%	8.3%
0802.11.00	11.4¢/kg	10.6¢/kg	9.9¢/kg	9.2¢/kg	8.4¢/kg	7.7¢/kg	7.7¢/kg	7.7¢/kg	7.7¢/kg	7.7¢/kg
0802.12.00	35.2¢/kg	33¢/kg	30.8¢/kg	28.5¢/kg	26.2¢/kg	24¢/kg	24¢/kg	24¢/kg	24¢/kg	24¢/kg
0802.21.00	10.3¢/kg	9.7¢/kg	9¢/kg	8.3¢/kg	7.7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg
0802.22.00	17¢/kg	16.4¢/kg	15.9¢/kg	15.3¢/kg	14.7¢/kg	14.1¢/kg	14.1¢/kg	14.1¢/kg	14.1¢/kg	14.1¢/kg
0802.31.00	10.3¢/kg	9.7¢/kg	9¢/kg	8.3¢/kg	7.7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg
0802.32.00	32¢/kg	30.9¢/kg	29.8¢/kg	28.7¢/kg	27.6¢/kg	26.5¢/kg	26.5¢/kg	26.5¢/kg	26.5¢/kg	26.5¢/kg
0802.50.20	1¢/kg	1¢/kg	1¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg
0802.50.40	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0802.90.10	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0802.90.15	21.3¢/kg	20.5¢/kg	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0802.90.80	2.6¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.6¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg
0802.90.90	10¢/kg	9¢/kg	8¢/kg	7¢/kg	6¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg
0804.10.20	16¢/kg	15.4¢/kg	14.8¢/kg	14.3¢/kg	13.8¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg
0804.10.40	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
0804.10.60	4.1¢/kg	3.9¢/kg	3.6¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0804.10.80	34.1%	33.3%	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0804.20.40	9.6¢/kg	9.2¢/kg	8.9¢/kg	8.6¢/kg	8.2¢/kg	7.9¢/kg	7.9¢/kg	7.9¢/kg	7.9¢/kg	7.9¢/kg
0804.20.60	7.4¢/kg	7.2¢/kg	7¢/kg	6.7¢/kg	6.4¢/kg	6.2¢/kg	6.2¢/kg	6.2¢/kg	6.2¢/kg	6.2¢/kg
0804.20.80	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0804.30.20	0.62¢/kg	0.6¢/kg	0.58¢/kg	0.55¢/kg	0.53¢/kg	0.51¢/kg	0.51¢/kg	0.51¢/kg	0.51¢/kg	0.51¢/kg
0804.30.40	1.28¢/kg	1.24¢/kg	1.2¢/kg	1.17¢/kg	1.14¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg
0804.30.60	0.53¢/kg	0.51¢/kg	0.5¢/kg	0.48¢/kg	0.46¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg
0804.40.00	12.9¢/kg	12.5¢/kg	12.2¢/kg	11.9¢/kg	11.5¢/kg	11.2¢/kg	11.2¢/kg	11.2¢/kg	11.2¢/kg	11.2¢/kg
0804.50.40	8¢/kg	7.7¢/kg	7.4¢/kg	7.2¢/kg	6.9¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg
0804.50.60	8¢/kg	7.7¢/kg	7.4¢/kg	7.2¢/kg	6.9¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg	6.6¢/kg
0804.50.80	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0805.10.00	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0805.20.00	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0805.30.20	2.7¢/kg	2.6¢/kg	2.5¢/kg	2.4¢/kg	2.3¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg
0805.30.40	2.1¢/kg	2.1¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg
0805.40.40	2.2¢/kg	2.1¢/kg	2¢/kg	2¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg	1.9¢/kg
0805.40.60	1.8¢/kg	1.7¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0805.40.80	2.8¢/kg	2.8¢/kg	2.7¢/kg	2.6¢/kg	2.6¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg
0805.90.00	0.9%	0.9%	0.9%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
0806.10.20	$1.36/$m^3$	$1.32/$m^3$	$1.27/$m^3$	$1.22/$m^3$	$1.18/$m^3$	$1.13/$m^3$	$1.13/$m^3$	$1.13/$m^3$	$1.13/$m^3$	$1.13/$m^3$
0806.10.60	$2.07/$m^3$	$2.01/$m^3$	$1.96/$m^3$	$1.91/$m^3$	$1.85/$m^3$	$1.80/$m^3$	$1.80/$m^3$	$1.80/$m^3$	$1.80/$m^3$	$1.80/$m^3$
0806.20.10	2.1¢/kg	2.1¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg
0806.20.20	4.1¢/kg	3.9¢/kg	3.6¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
0806.20.90	5.2¢/kg	4.8¢/kg	4.5¢/kg	4.2¢/kg	3.8¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg	3.5¢/kg
0807.10.10	18.8%	17.6%	16.4%	15.2%	14%	12.8%	12.8%	12.8%	12.8%	12.8%
0807.10.20	34.1%	33.3%	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0807.10.30	18.2%	16.3%	14.5%	12.7%	10.8%	9%	9%	9%	9%	9%
0807.10.40	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0807.10.50	3.2%	2.9%	2.6%	2.2%	1.9%	1.6%	1.6%	1.6%	1.6%	1.6%
0807.10.60	12.7%	11.4%	10.2%	8.9%	7.6%	6.3%	6.3%	6.3%	6.3%	6.3%
0807.10.70	8%	7.5%	7%	6.4%	5.9%	5.4%	5.4%	5.4%	5.4%	5.4%
0807.10.80	33.8%	32.7%	31.5%	30.3%	29.2%	28%	28%	28%	28%	28%
0807.20.00	8%	7.5%	7%	6.4%	5.9%	5.4%	5.4%	5.4%	5.4%	5.4%
0808.20.40	1¢/kg	0.8¢/kg	0.7¢/kg	0.6¢/kg	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg
0809.10.00	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg
0809.30.20	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg
0809.40.40	1¢/kg	0.9¢/kg	0.8¢/kg	0.7¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
0810.10.20	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg
0810.10.40	1.6¢/kg	1.5¢/kg	1.4¢/kg	1.3¢/kg	1.2¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg
0810.20.10	0.61¢/kg	0.53¢/kg	0.44¢/kg	0.35¢/kg	0.27¢/kg	0.18¢/kg	0.18¢/kg	0.18¢/kg	0.18¢/kg	0.18¢/kg
0810.90.40	3.2%	3%	2.8%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%
0811.10.00	13.5%	13.1%	12.6%	12.1%	11.7%	11.2%	11.2%	11.2%	11.2%	11.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0811.20.20	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
0811.20.40	13.2%	12.3%	11.5%	10.7%	9.8%	9%	9%	9%	9%	9%
0811.90.22	13.5%	13.1%	12.6%	12.1%	11.7%	11.2%	11.2%	11.2%	11.2%	11.2%
0811.90.40	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
0811.90.50	0.5¢/kg	0.45¢/kg	0.4¢/kg	0.35¢/kg	0.3¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg
0811.90.52	16%	15%	14%	12.9%	11.9%	10.9%	10.9%	10.9%	10.9%	10.9%
0811.90.55	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
0811.90.80	16.6%	16.2%	15.8%	15.3%	14.9%	14.5%	14.5%	14.5%	14.5%	14.5%
0812.10.00	19.6¢/kg	18.4¢/kg	17.2¢/kg	15.9¢/kg	14.6¢/kg	13.4¢/kg	13.4¢/kg	13.4¢/kg	13.4¢/kg	13.4¢/kg
0812.20.00	1.6¢/kg	1.4¢/kg	1.2¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
0812.90.10	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
0812.90.20	2.1¢/kg	2.1¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg
0812.90.30	3.2¢/kg	3.1¢/kg	3¢/kg	2.8¢/kg	2.7¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg
0812.90.40	0.5¢/kg	0.45¢/kg	0.4¢/kg	0.35¢/kg	0.3¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg
0812.90.90	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg
0813.10.00	2.1¢/kg	2.1¢/kg	2¢/kg	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg
0813.20.10	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0813.20.20	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0813.30.00	1.5¢/kg	1.35¢/kg	1.2¢/kg	1.04¢/kg	0.89¢/kg	0.74¢/kg	0.74¢/kg	0.74¢/kg	0.74¢/kg	0.74¢/kg
0813.40.10	3.6%	3.3%	2.9%	2.5%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%
0813.40.20	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0813.40.30	12.8¢/kg	12.3¢/kg	11.9¢/kg	11.5¢/kg	11¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg
0813.40.40	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0813.40.80	13.6%	12.3%	10.9%	9.5%	8.2%	6.8%	6.8%	6.8%	6.8%	6.8%
0813.40.90	3.7%	3.4%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%
0813.50.00	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
0814.00.40	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.7¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg
0814.00.80	1.9¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.7¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg
0901.40.00	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
0902.10.10	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%

Annex (con.)
-423-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
0902.20.10	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
0904.20.40	10¢/kg	9¢/kg	8¢/kg	7¢/kg	6¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg
0904.20.60	5¢/kg	4.5¢/kg	4¢/kg	3.5¢/kg	3¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg	2.5¢/kg
0904.20.76	10.2¢/kg	9.1¢/kg	8.1¢/kg	7.1¢/kg	6¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg	5¢/kg
0910.40.40	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
0910.91.00	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
1001.10.00	0.75¢/kg	0.73¢/kg	0.71¢/kg	0.69¢/kg	0.67¢/kg	0.65¢/kg	0.65¢/kg	0.65¢/kg	0.65¢/kg	0.65¢/kg
1001.90.10	5.7%	5.1%	4.6%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%
1001.90.20	0.7¢/kg	0.63¢/kg	0.56¢/kg	0.49¢/kg	0.42¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg
1003.00.20	0.21¢/kg	0.19¢/kg	0.17¢/kg	0.14¢/kg	0.12¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg
1003.00.40	0.31¢/kg	0.28¢/kg	0.25¢/kg	0.21¢/kg	0.18¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg	0.15¢/kg
1005.90.20	0.18¢/kg	0.15¢/kg	0.12¢/kg	0.1¢/kg	0.08¢/kg	0.05¢/kg	0.05¢/kg	0.05¢/kg	0.05¢/kg	0.05¢/kg
1005.90.40	0.86¢/kg	0.74¢/kg	0.62¢/kg	0.49¢/kg	0.37¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg	0.25¢/kg
1006.10.00	2.6¢/kg	2.5¢/kg	2.3¢/kg	2.1¢/kg	2¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg	1.8¢/kg
1006.20.20	1.22¢/kg	1.14¢/kg	1.07¢/kg	0.99¢/kg	0.91¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg
1006.20.40	3.1¢/kg	2.9¢/kg	2.7¢/kg	2.5¢/kg	2.3¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg
1006.30.10	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
1006.30.90	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
1006.40.00	0.65¢/kg	0.61¢/kg	0.57¢/kg	0.52¢/kg	0.48¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg	0.44¢/kg
1007.00.00	0.77¢/kg	0.66¢/kg	0.55¢/kg	0.44¢/kg	0.33¢/kg	0.22¢/kg	0.22¢/kg	0.22¢/kg	0.22¢/kg	0.22¢/kg
1008.20.00	0.64¢/kg	0.57¢/kg	0.51¢/kg	0.45¢/kg	0.38¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg
1008.30.00	0.24¢/kg	0.21¢/kg	0.19¢/kg	0.17¢/kg	0.14¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg
1008.90.00	2.3%	2%	1.8%	1.6%	1.3%	1.1%	1.1%	1.1%	1.1%	1.1%
1101.00.00	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
1102.10.00	0.46¢/kg	0.41¢/kg	0.36¢/kg	0.32¢/kg	0.28¢/kg	0.23¢/kg	0.23¢/kg	0.23¢/kg	0.23¢/kg	0.23¢/kg
1102.20.00	0.6¢/kg	0.54¢/kg	0.48¢/kg	0.42¢/kg	0.36¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg
1102.30.00	0.18¢/kg	0.16¢/kg	0.15¢/kg	0.13¢/kg	0.11¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg
1102.90.30	18.8%	17.6%	16.4%	15.2%	14%	12.8%	12.8%	12.8%	12.8%	12.8%
1102.90.60	18.2%	16.3%	14.5%	12.7%	10.8%	9%	9%	9%	9%	9%
1103.11.00	1¢/kg	0.9¢/kg	0.8¢/kg	0.7¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1103.12.00	1.6¢/kg	1.5¢/kg	1.3¢/kg	1.1¢/kg	1¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
1103.13.00	0.6¢/kg	0.54¢/kg	0.48¢/kg	0.42¢/kg	0.36¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg
1103.14.00	0.18¢/kg	0.16¢/kg	0.15¢/kg	0.13¢/kg	0.11¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg	0.09¢/kg
1103.19.00	18.2%	16.3%	14.5%	12.7%	10.8%	9%	9%	9%	9%	9%
1104.11.00	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
1104.12.00	1.7¢/kg	1.6¢/kg	1.5¢/kg	1.4¢/kg	1.3¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg
1104.19.00	0.91¢/kg	0.82¢/kg	0.73¢/kg	0.63¢/kg	0.54¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg
1104.21.00	2.4%	2.2%	2%	1.7%	1.4%	1.2%	1.2%	1.2%	1.2%	1.2%
1104.22.00	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.5%	0.5%	0.5%	0.5%
1104.23.00	0.91¢/kg	0.82¢/kg	0.73¢/kg	0.63¢/kg	0.54¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg
1104.29.00	5.4%	4.8%	4.3%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
1104.30.00	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
1105.10.00	2.4¢/kg	2.3¢/kg	2.2¢/kg	2¢/kg	1.8¢/kg	1.7¢/kg	1.7¢/kg	1.7¢/kg	1.7¢/kg	1.7¢/kg
1105.20.00	2.6¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.6¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg
1106.10.00	12.2%	11.4%	10.7%	9.9%	9.1%	8.3%	8.3%	8.3%	8.3%	8.3%
1106.30.40	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
1107.10.00	0.6¢/kg	0.54¢/kg	0.48¢/kg	0.42¢/kg	0.36¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg
1107.20.00	0.62¢/kg	0.58¢/kg	0.54¢/kg	0.5¢/kg	0.46¢/kg	0.42¢/kg	0.42¢/kg	0.42¢/kg	0.42¢/kg	0.42¢/kg
1108.11.00	1.09¢/kg	0.98¢/kg	0.87¢/kg	0.76¢/kg	0.65¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg
1108.12.00	1.09¢/kg	0.98¢/kg	0.87¢/kg	0.76¢/kg	0.65¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg	0.54¢/kg
1108.13.00	0.83¢/kg	0.77¢/kg	0.72¢/kg	0.67¢/kg	0.61¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg
1108.20.00	5.3%	4.7%	4.2%	3.7%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%
1109.00.10	3.6%	3.3%	2.9%	2.5%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%
1109.00.90	7.8%	7.6%	7.4%	7.2%	7%	6.8%	6.8%	6.8%	6.8%	6.8%
1202.10.80	187.9%	183.1%	178.3%	173.4%	168.6%	163.8%	163.8%	163.8%	163.8%	163.8%
1202.20.80	151.1%	147.3%	143.4%	139.5%	135.7%	131.8%	131.8%	131.8%	131.8%	131.8%
1204.00.00	0.78¢/kg	0.7¢/kg	0.63¢/kg	0.55¢/kg	0.47¢/kg	0.39¢/kg	0.39¢/kg	0.39¢/kg	0.39¢/kg	0.39¢/kg
1205.00.00	0.85¢/kg	0.79¢/kg	0.74¢/kg	0.69¢/kg	0.63¢/kg	0.58¢/kg	0.58¢/kg	0.58¢/kg	0.58¢/kg	0.58¢/kg
1207.20.00	0.69¢/kg	0.64¢/kg	0.6¢/kg	0.56¢/kg	0.51¢/kg	0.47¢/kg	0.47¢/kg	0.47¢/kg	0.47¢/kg	0.47¢/kg
1207.91.00	0.12¢/kg	0.11¢/kg	0.1¢/kg	0.08¢/kg	0.07¢/kg	0.06¢/kg	0.06¢/kg	0.06¢/kg	0.06¢/kg	0.06¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1208.10.00	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
1208.90.00	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
1209.21.00	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
1209.22.20	3.2¢/kg	2.9¢/kg	2.6¢/kg	2.2¢/kg	1.9¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg	1.6¢/kg
1209.24.00	2.49¢/kg	2.23¢/kg	1.98¢/kg	1.72¢/kg	1.46¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg
1209.25.00	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
1209.30.00	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
1209.91.10	12¢/kg	10.8¢/kg	9.6¢/kg	8.3¢/kg	7.1¢/kg	5.9¢/kg	5.9¢/kg	5.9¢/kg	5.9¢/kg	5.9¢/kg
1209.91.50	1.36¢/kg	1.23¢/kg	1.09¢/kg	0.95¢/kg	0.82¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg
1209.91.80	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
1209.99.40	2.89¢/kg	2.48¢/kg	2.07¢/kg	1.65¢/kg	1.24¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg	0.83¢/kg
1210.10.00	16¢/kg	15.4¢/kg	14.8¢/kg	14.3¢/kg	13.8¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg
1210.20.00	16¢/kg	15.4¢/kg	14.8¢/kg	14.3¢/kg	13.8¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg	13.2¢/kg
1212.30.00	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
1212.91.00	80.1¢/t	72¢/t	64¢/t	55.9¢/t	47.8¢/t	39.7¢/t	39.7¢/t	39.7¢/t	39.7¢/t	39.7¢/t
1212.92.00	$2.51/t	$2.25/t	$2/t	$1.75/t	$1.49/t	$1.24/t	$1.24/t	$1.24/t	$1.24/t	$1.24/t
1214.10.00	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
1302.12.00	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%
1302.13.00	$1.80/kg	$1.62/kg	$1.44/kg	$1.25/kg	$1.07/kg	89¢/kg	89¢/kg	89¢/kg	89¢/kg	89¢/kg
1302.19.40	1.4%	1.3%	1.3%	1.2%	1.1%	1%	1%	1%	1%	1%
1302.31.00	2.5%	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free
1302.39.00	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1401.90.20	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%
1403.10.00	$9.99/t	$8.98/t	$7.98/t	$6.97/t	$5.96/t	$4.95/t	$4.95/t	$4.95/t	$4.95/t	$4.95/t
1403.90.40	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
1501.00.00	6¢/kg	5.4¢/kg	4.8¢/kg	4.2¢/kg	3.6¢/kg	3¢/kg	3¢/kg	3¢/kg	3¢/kg	3¢/kg
1502.00.00	0.86¢/kg	0.78¢/kg	0.69¢/kg	0.6¢/kg	0.52¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg	0.43¢/kg
1503.00.00	4¢/kg	3.6¢/kg	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
1505.10.00	2.6¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.6¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg
1505.90.00	3.6%	3.3%	3.1%	2.9%	2.6%	2.4%	2.4%	2.4%	2.4%	2.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1506.00.00	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
1507.10.00	21.9%	21.4%	20.8%	20.2%	19.7%	19.1%	19.1%	19.1%	19.1%	19.1%
1507.90.40	21.9%	21.4%	20.8%	20.2%	19.7%	19.1%	19.1%	19.1%	19.1%	19.1%
1508.10.00	8.6¢/kg	8.4¢/kg	8.2¢/kg	7.9¢/kg	7.7¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg
1508.90.00	8.6¢/kg	8.4¢/kg	8.2¢/kg	7.9¢/kg	7.7¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg	7.5¢/kg
1512.11.00	2¢/kg + 3.9%	1.9¢/kg + 3.8%	1.8¢/kg + 3.7%	1.8¢/kg + 3.6%	1.8¢/kg + 3.5%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%
1512.19.00	2¢/kg + 3.9%	1.9¢/kg + 3.8%	1.8¢/kg + 3.7%	1.8¢/kg + 3.6%	1.8¢/kg + 3.5%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%	1.7¢/kg + 3.4%
1512.21.00	6.4¢/kg	6.3¢/kg	6.1¢/kg	5.9¢/kg	5.8¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg
1512.29.00	6.4¢/kg	6.3¢/kg	6.1¢/kg	5.9¢/kg	5.8¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg	5.6¢/kg
1514.10.90	7.3%	7.1%	7%	6.8%	6.6%	6.4%	6.4%	6.4%	6.4%	6.4%
1514.90.50	1.5¢/ g	1.46¢/kg	1.42¢/kg	1.38¢/kg	1.34¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg	1.3¢/kg
1514.90.90	7.3%	7.1%	7%	6.8%	6.6%	6.4%	6.4%	6.4%	6.4%	6.4%
1515.11.00	9.3¢/kg	8.7¢/kg	8.1¢/kg	7.5¢/kg	6.9¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg
1515.19.00	9.3¢/kg	8.7¢/kg	8.1¢/kg	7.5¢/kg	6.9¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg
1515.21.00	3.9%	3.8%	3.7%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%
1515.29.00	3.9%	3.8%	3.7%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%
1515.50.00	1.36¢/kg	1.23¢/kg	1.09¢/kg	0.95¢/kg	0.82¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg	0.68¢/kg
1515.60.00	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
1515.90.40	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1516.10.00	10.3¢/kg	9.7¢/kg	9¢/kg	8.3¢/kg	7.7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg
1516.20.10	8.8%	8.6%	8.4%	8.1%	7.9%	7.7%	7.7%	7.7%	7.7%	7.7%
1516.20.90	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
1517.10.00	14.9¢/kg	14.4¢/kg	13.9¢/kg	13.3¢/kg	12.8¢/kg	12.3¢/kg	12.3¢/kg	12.3¢/kg	12.3¢/kg	12.3¢/kg
1517.90.10	21.8%	21%	20.2%	19.5%	18.8%	18%	18%	18%	18%	18%
1517.90.20	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
1517.90.60	39.2¢/kg	38.2¢/kg	37.2¢/kg	36.2¢/kg	35.2¢/kg	34.2¢/kg	34.2¢/kg	34.2¢/kg	34.2¢/kg	34.2¢/kg
1517.90.90	10.6¢/kg	10.3¢/kg	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
1518.00.20	9.3¢/kg	8.7¢/kg	8.1¢/kg	7.5¢/kg	6.9¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg	6.3¢/kg
1518.00.40	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1519.11.00	3.1¢/kg + 5.6%	2.9¢/kg + 5.3%	2.7¢/kg + 4.9%	2.5¢/kg + 4.5%	2.3¢/kg + 4.2%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%
1519.12.00	3.1¢/kg + 4.7%	2.9¢/kg + 4.4%	2.7¢/kg + 4.1%	2.5¢/kg + 3.8%	2.3¢/kg + 3.5%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%
1519.13.00	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1519.19.20	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
1519.19.40	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1519.20.20	7.4%	7%	6.5%	6%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
1519.20.40	4.5%	4%	3.5%	3%	2.5%	2%	2%	2%	2%	2%
1519.20.60	3.5%	3.3%	3.1%	2.8%	2.6%	2.4%	2.4%	2.4%	2.4%	2.4%
1521.90.20	7%	6.6%	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
1522.00.00	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%
1601.00.20	1.2¢/kg	1.1¢/kg	1.1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
1601.00.40	6.8%	6.1%	5.5%	4.8%	4.1%	3.4%	3.4%	3.4%	3.4%	3.4%
1601.00.60	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1602.10.00	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
1602.20.20	7.2¢/kg	6.8¢/kg	6.3¢/kg	5.8¢/kg	5.4¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg	4.9¢/kg
1602.20.40	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1602.31.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1602.39.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1602.41.10	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1602.41.20	6.4¢/kg	6.2¢/kg	6¢/kg	5.7¢/kg	5.5¢/kg	5.3¢/kg	5.3¢/kg	5.3¢/kg	5.3¢/kg	5.3¢/kg
1602.41.90	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
1602.42.20	6.2¢/kg	5.8¢/kg	5.4¢/kg	5¢/kg	4.6¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg
1602.42.40	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
1602.49.10	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1602.49.20	6.2¢/kg	5.8¢/kg	5.4¢/kg	5¢/kg	4.6¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg
1602.49.40	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
1602.49.60	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
1602.49.90	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1602.50.05	4.6%	4.1%	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1602.50.09	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
1602.50.20	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
1602.50.60	3.6%	3.3%	2.9%	2.5%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%
1602.50.90	8.8%	7.5%	6.2%	5%	3.8%	2.5%	2.5%	2.5%	2.5%	2.5%
1602.90.10	5.4%	4.9%	4.4%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
1602.90.90	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1604.11.20	11.2%	9.9%	8.6%	7.3%	6%	6%	6%	6%	6%	6%
1604.11.40	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
1604.12.20	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
1604.12.40	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
1604.13.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
1604.13.40	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
1604.13.90	5.6%	5%	4.4%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
1604.15.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
1604.16.10	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
1604.16.30	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
1604.19.10	5.6%	5.2%	4.8%	4.4%	4%	4%	4%	4%	4%	4%
1604.19.20	5.6%	5.2%	4.8%	4.4%	4%	4%	4%	4%	4%	4%
1604.19.25	7%	6.5%	6%	5.5%	5%	5%	5%	5%	5%	5%
1604.19.30	6%	5.5%	5%	4.5%	4%	4%	4%	4%	4%	4%
1604.19.50	14.2%	13.5%	12.8%	12%	11.2%	10.5%	9.8%	9%	8.2%	7.5%
1604.20.15	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
1604.20.25	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
1604.20.30	0.6%	0.5%	0.3%	0.2%	Free	Free	Free	Free	Free	Free
1604.20.50	13.5%	12%	10.5%	9%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
1604.20.60	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
1604.30.30	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
1605.10.20	8.8%	6.6%	4.4%	2.2%	Free	Free	Free	Free	Free	Free
1605.20.05	9%	8%	7%	6%	5%	5%	5%	5%	5%	5%
1605.40.05	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1605.90.05	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
1605.90.06	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
1605.90.10	13.2%	12.4%	11.6%	10.8%	10%	10%	10%	10%	10%	10%
1605.90.20	5.6%	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free	Free
1701.11.50	38.85¢/kg	37.86¢/kg	36.86¢/kg	35.86¢/kg	34.87¢/kg	33.87¢/kg	33.87¢/kg	33.87¢/kg	33.87¢/kg	33.87¢/kg
1701.12.50	41¢/kg	39.95¢/kg	38.9¢/kg	37.84¢/kg	36.79¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg
1701.91.30	41¢/kg	39.95¢/kg	38.9¢/kg	37.84¢/kg	36.79¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg
1701.91.48	38.9¢/kg + 5.8%	37.9¢/kg + 5.7%	36.9¢/kg + 5.6%	35.9¢/kg + 5.4%	34.9¢/kg + 5.2%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%
1701.91.58	38.9¢/kg + 5.8%	37.9¢/kg + 5.7%	36.9¢/kg + 5.6%	35.9¢/kg + 5.4%	34.9¢/kg + 5.2%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%
1701.91.80	5.8%	5.7%	5.6%	5.4%	5.2%	5.1%	5.1%	5.1%	5.1%	5.1%
1701.99.50	41¢/kg	39.95¢/kg	38.9¢/kg	37.84¢/kg	36.79¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg
1702.10.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1702.20.28	19.4¢/kg of total sugars + 5.8%	18.9¢/kg of total sugars + 5.7%	18.4¢/kg of total sugars + 5.6%	17.9¢/kg of total sugars + 5.4%	17.4¢/kg of total sugars + 5.2%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%
1702.30.28	19.4¢/kg of total sugars + 5.8%	18.9¢/kg of total sugars + 5.7%	18.4¢/kg of total sugars + 5.6%	17.9¢/kg of total sugars + 5.4%	17.4¢/kg of total sugars + 5.2%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%	16.9¢/kg of total sugars + 5.1%
1702.30.40	3.3¢/kg	3.1¢/kg	2.9¢/kg	2.6¢/kg	2.4¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg	2.2¢/kg
1702.40.28	38.9¢/kg of total sugars + 5.8%	37.9¢/kg of total sugars + 5.7%	36.9¢/kg of total sugars + 5.6%	35.9¢/kg of total sugars + 5.4%	34.9¢/kg of total sugars + 5.2%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%
1702.40.40	5.8%	5.7%	5.6%	5.4%	5.2%	5.1%	5.1%	5.1%	5.1%	5.1%
1702.50.00	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
1702.60.28	38.9¢/kg of total sugars + 5.8%	37.9¢/kg of total sugars + 5.7%	36.9¢/kg of total sugars + 5.6%	35.9¢/kg of total sugars + 5.4%	34.9¢/kg of total sugars + 5.2%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1702.60.40	5.8%	5.7%	5.6%	5.4%	5.2%	5.1%	5.1%	5.1%	5.1%	5.1%
1702.90.20	41¢/kg	39.95¢/kg	38.9¢/kg	37.84¢/kg	36.79¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg
1702.90.35	0.7¢/liter	0.63¢/liter	0.56¢/liter	0.49¢/liter	0.42¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter
1702.90.40	0.7¢/liter	0.63¢/liter	0.56¢/liter	0.49¢/liter	0.42¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter
1702.90.58	38.9¢/kg of total sugars + 5.8%	37.9¢/kg of total sugars + 5.7%	36.9¢/kg of total sugars + 5.6%	35.9¢/kg of total sugars + 5.4%	34.9¢/kg of total sugars + 5.2%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%	33.9¢/kg of total sugars + 5.1%
1702.90.68	38.9¢/kg + 5.8%	37.9¢/kg + 5.7%	36.9¢/kg + 5.6%	35.9¢/kg + 5.4%	34.9¢/kg + 5.2%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%	33.9¢/kg + 5.1%
1702.90.90	5.8%	5.7%	5.6%	5.4%	5.2%	5.1%	5.1%	5.1%	5.1%	5.1%
1703.10.30	0.7¢/liter	0.63¢/liter	0.56¢/liter	0.49¢/liter	0.42¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter
1703.10.50	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars
1703.90.30	0.7¢/liter	0.63¢/liter	0.56¢/liter	0.49¢/liter	0.42¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter	0.35¢/liter
1703.90.50	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.02¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars	0.01¢/kg of total sugars
1704.10.00	4.8%	4.7%	4.5%	4.3%	4.2%	4%	4%	4%	4%	4%
1704.90.10	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
1704.90.20	6.8%	6.5%	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1704.90.58	46.2¢/kg + 11.9%	44.9¢/kg + 11.6%	43.7¢/kg + 11.3%	42.5¢/kg + 11%	41.2¢/kg + 10.7%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%
1704.90.68	46.2¢/kg + 11.9%	44.9¢/kg + 11.6%	43.7¢/kg + 11.3%	42.5¢/kg + 11%	41.2¢/kg + 10.7%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%
1704.90.78	46.2¢/kg + 11.9%	44.9¢/kg + 11.6%	43.7¢/kg + 11.3%	42.5¢/kg + 11%	41.2¢/kg + 10.7%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%	40¢/kg + 10.4%
1704.90.90	11.9%	11.6%	11.3%	11%	10.7%	10.4%	10.4%	10.4%	10.4%	10.4%
1806.10.15	24.9¢/kg	24.2¢/kg	23.6¢/kg	23¢/kg	22.3¢/kg	21.7¢/kg	21.7¢/kg	21.7¢/kg	21.7¢/kg	21.7¢/kg
1806.10.28	38.5¢/kg	37.5¢/kg	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg
1806.10.38	38.5¢/kg	37.5¢/kg	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1806.10.55	38.5¢/kg	37.5¢/kg	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg
1806.10.75	38.5¢/kg	37.5¢/kg	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg	33.6¢/kg
1806.20.26	42.7¢/kg + 4.9%	41.6¢/kg + 4.8%	40.5¢/kg + 4.7%	39.4¢/kg + 4.5%	38.3¢/kg + 4.4%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%
1806.20.28	60.6¢/kg + 4.9%	59¢/kg + 4.8%	57.4¢/kg + 4.7%	55.9¢/kg + 4.5%	54.4¢/kg + 4.4%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%
1806.20.36	42.7¢/kg + 4.9%	41.6¢/kg + 4.8%	40.5¢/kg + 4.7%	39.4¢/kg + 4.5%	38.3¢/kg + 4.4%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%
1806.20.38	60.6¢/kg + 4.9%	59¢/kg + 4.8%	57.4¢/kg + 4.7%	55.9¢/kg + 4.5%	54.4¢/kg + 4.4%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%
1806.20.50	4.9%	4.8%	4.7%	4.5%	4.4%	4.3%	4.3%	4.3%	4.3%	4.3%
1806.20.60	2.4%	2.3%	2.3%	2.2%	2.1%	2%	2%	2%	2%	2%
1806.20.73	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
1806.20.77	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
1806.20.78	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
1806.20.82	42.7¢/kg + 9.8%	41.6¢/kg + 9.5%	40.5¢/kg + 9.2%	39.4¢/kg + 9%	38.3¢/kg + 8.8%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%
1806.20.83	60.6¢/kg + 9.8%	59¢/kg + 9.5%	57.4¢/kg + 9.2%	55.9¢/kg + 9%	54.4¢/kg + 8.8%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%
1806.20.87	42.7¢/kg + 9.8%	41.6¢/kg + 9.5%	40.5¢/kg + 9.2%	39.4¢/kg + 9%	38.3¢/kg + 8.8%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%
1806.20.89	60.6¢/kg + 9.8%	59¢/kg + 9.5%	57.4¢/kg + 9.2%	55.9¢/kg + 9%	54.4¢/kg + 8.8%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%	52.8¢/kg + 8.5%
1806.20.94	42.7¢/kg + 9.8%	41.6¢/kg + 9.5%	40.5¢/kg + 9.2%	39.4¢/kg + 9%	38.3¢/kg + 8.8%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%
1806.20.98	42.7¢/kg + 9.8%	41.6¢/kg + 9.5%	40.5¢/kg + 9.2%	39.4¢/kg + 9%	38.3¢/kg + 8.8%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%	37.2¢/kg + 8.5%
1806.20.99	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
1806.31.00	6.8%	6.5%	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1806.32.06	42.7¢/kg + 4.9%	41.6¢/kg + 4.8%	40.5¢/kg + 4.7%	39.4¢/kg + 4.5%	38.3¢/kg + 4.4%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1806.32.08	60.6¢/kg + 4.9%	59¢/kg + 4.8%	57.4¢/kg + 4.7%	55.9¢/kg + 4.5%	54.4¢/kg + 4.4%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%
1806.32.16	42.7¢/kg + 4.9%	41.6¢/kg + 4.8%	40.5¢/kg + 4.7%	39.4¢/kg + 4.5%	38.3¢/kg + 4.4%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%	37.2¢/kg + 4.3%
1806.32.18	60.6¢/kg + 4.9%	59¢/kg + 4.8%	57.4¢/kg + 4.7%	55.9¢/kg + 4.5%	54.4¢/kg + 4.4%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%	52.8¢/kg + 4.3%
1806.32.30	4.9%	4.8%	4.7%	4.5%	4.4%	4.3%	4.3%	4.3%	4.3%	4.3%
1806.32.70	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.32.80	60.6¢/kg + 6.8%	59¢/kg + 6.7%	57.4¢/kg + 6.5%	55.9¢/kg + 6.3%	54.4¢/kg + 6.2%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%
1806.32.90	6.8%	6.7%	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
1806.90.01	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.05	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.08	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.10	60.6¢/kg + 6.8%	59¢/kg + 6.7%	57.4¢/kg + 6.5%	55.9¢/kg + 6.3%	54.4¢/kg + 6.2%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%
1806.90.15	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.18	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.20	60.6¢/kg + 6.8%	59¢/kg + 6.7%	57.4¢/kg + 6.5%	55.9¢/kg + 6.3%	54.4¢/kg + 6.2%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%
1806.90.25	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.28	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.30	60.6¢/kg + 6.8%	59¢/kg + 6.7%	57.4¢/kg + 6.5%	55.9¢/kg + 6.3%	54.4¢/kg + 6.2%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%	52.8¢/kg + 6%
1806.90.35	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.39	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.45	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1806.90.49	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.55	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
1806.90.59	42.7¢/kg + 6.8%	41.6¢/kg + 6.7%	40.5¢/kg + 6.5%	39.4¢/kg + 6.3%	38.3¢/kg + 6.2%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%	37.2¢/kg + 6%
1806.90.90	6.8%	6.7%	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
1901.10.30	$1.187/kg + 17.1%	$1.156/kg + 16.6%	$1.126/kg + 16.2%	$1.096/kg + 15.8%	$1.065/kg + 15.3%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%
1901.10.40	$1.187/kg + 17.1%	$1.156/kg + 16.6%	$1.126/kg + 16.2%	$1.096/kg + 15.8%	$1.065/kg + 15.3%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%
1901.10.45	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
1901.10.75	$1.187/kg + 17.1%	$1.156/kg + 16.6%	$1.126/kg + 16.2%	$1.096/kg + 15.8%	$1.065/kg + 15.3%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%
1901.10.85	$1.187/kg + 17.1%	$1.156/kg + 16.6%	$1.126/kg + 16.2%	$1.096/kg + 15.8%	$1.065/kg + 15.3%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%	$1.035/kg + 14.9%
1901.10.95	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
1901.20.15	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.25	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.35	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.40	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
1901.20.50	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.60	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.70	48.6¢/kg + 9.8%	47.3¢/kg + 9.5%	46¢/kg + 9.2%	44.8¢/kg + 9%	43.6¢/kg + 8.8%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%	42.3¢/kg + 8.5%
1901.20.80	9.8%	9.5%	9.2%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%	8.5%
1901.90.10	4.7¢/liter	4.4¢/liter	4.1¢/liter	3.8¢/liter	3.5¢/liter	3.2¢/liter	3.2¢/liter	3.2¢/liter	3.2¢/liter	3.2¢/liter
1901.90.20	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
1901.90.28	0.43¢/kg	0.42¢/kg	0.41¢/kg	0.39¢/kg	0.38¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg
1901.90.32	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
1901.90.36	$1.295/kg	$1.261/kg	$1.228/kg	$1.195/kg	$1.161/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg	$1.128/kg
1901.90.43	$1.187/kg + 15.6%	$1.156/kg + 15.2%	$1.126/kg + 14.8%	$1.096/kg + 14.4%	$1.065/kg + 14%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%
1901.90.47	$1.187/kg + 15.6%	$1.156/kg + 15.2%	$1.126/kg + 14.8%	$1.096/kg + 14.4%	$1.065/kg + 14%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%	$1.035/kg + 13.6%
1901.90.54	27.2¢/kg + 9.8%	26.5¢/kg + 9.5%	25.8¢/kg + 9.2%	25.1¢/kg + 9%	24.4¢/kg + 8.8%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%
1901.90.58	27.2¢/kg + 9.8%	26.5¢/kg + 9.5%	25.8¢/kg + 9.2%	25.1¢/kg + 9%	24.4¢/kg + 8.8%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%	23.7¢/kg + 8.5%
1901.90.70	15%	14.1%	13.1%	12.1%	11.2%	10.2%	10.2%	10.2%	10.2%	10.2%
1901.90.90	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1902.11.40	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1902.19.40	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1902.20.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1902.30.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1902.40.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1904.10.00	2.3%	2%	1.8%	1.6%	1.3%	1.1%	1.1%	1.1%	1.1%	1.1%
1904.90.00	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
1905.90.90	9.1%	8.2%	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
2001.10.00	11.6%	11.2%	10.8%	10.4%	10%	9.6%	9.6%	9.6%	9.6%	9.6%
2001.20.00	7.3%	6.5%	5.8%	5.1%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%
2001.90.25	11.7%	11.4%	11.1%	10.8%	10.5%	10.2%	10.2%	10.2%	10.2%	10.2%
2001.90.30	8.5%	7.9%	7.4%	6.9%	6.3%	5.8%	5.8%	5.8%	5.8%	5.8%
2001.90.33	11.3%	10.6%	9.9%	9.1%	8.4%	7.7%	7.7%	7.7%	7.7%	7.7%
2001.90.35	9.3%	9%	8.8%	8.6%	8.3%	8.1%	8.1%	8.1%	8.1%	8.1%
2001.90.39	11.6%	11.2%	10.8%	10.4%	10%	9.6%	9.6%	9.6%	9.6%	9.6%
2001.90.45	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
2001.90.50	10.3¢/kg	9.7¢/kg	9¢/kg	8.3¢/kg	7.7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg	7¢/kg
2001.90.60	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2002.10.00	14.3%	14%	13.6%	13.2%	12.9%	12.5%	12.5%	12.5%	12.5%	12.5%
2002.90.00	13.3%	12.9%	12.6%	12.3%	11.9%	11.6%	11.6%	11.6%	11.6%	11.6%
2003.10.00	6.9¢/kg on drained weight + 9.8%	6.7¢/kg on drained weight + 9.5%	6.6¢/kg on drained weight + 9.2%	6.4¢/kg on drained weight + 9%	6.2¢/kg on drained weight + 8.8%	6¢/kg on drained weight + 8.5%	6¢/kg on drained weight + 8.5%	6¢/kg on drained weight + 8.5%	6¢/kg on drained weight + 8.5%	6¢/kg on drained weight + 8.5%
2004.10.40	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2004.10.80	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
2004.90.10	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
2004.90.80	3.1¢/kg on entire contents of container	2.9¢/kg on entire contents of container	2.7¢/kg on entire contents of container	2.5¢/kg on entire contents of container	2.3¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container
2004.90.90	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2005.10.00	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2005.20.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2005.30.00	7%	6.6%	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
2005.51.20	3¢/kg on entire contents of container	2.7¢/kg on entire contents of container	2.4¢/kg on entire contents of container	2.1¢/kg on entire contents of container	1.8¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container
2005.51.40	3.1¢/kg on entire contents of container	2.9¢/kg on entire contents of container	2.7¢/kg on entire contents of container	2.5¢/kg on entire contents of container	2.3¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container	2.1¢/kg on entire contents of container
2005.59.00	3¢/kg on entire contents of container	2.7¢/kg on entire contents of container	2.4¢/kg on entire contents of container	2.1¢/kg on entire contents of container	1.8¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container	1.5¢/kg on entire contents of container
2005.60.00	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2005.70.04	6.8¢/kg on drained weight	6.2¢/kg on drained weight	5.6¢/kg on drained weight	4.9¢/kg on drained weight	4.3¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2005.70.08	6.8¢/kg on drained weight	6.2¢/kg on drained weight	5.6¢/kg on drained weight	4.9¢/kg on drained weight	4.3¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight
2005.70.12	6.8¢/kg on drained weight	6.2¢/kg on drained weight	5.6¢/kg on drained weight	4.9¢/kg on drained weight	4.3¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight	3.7¢/kg on drained weight
2005.70.18	10.2¢/kg on drained weight	9.5¢/kg on drained weight	8.8¢/kg on drained weight	8.2¢/kg on drained weight	7.6¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight
2005.70.23	10.2¢/kg on drained weight	9.5¢/kg on drained weight	8.8¢/kg on drained weight	8.2¢/kg on drained weight	7.6¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight	6.9¢/kg on drained weight
2005.70.25	10.4¢/kg on drained weight	10.1¢/kg on drained weight	9.7¢/kg on drained weight	9.3¢/kg on drained weight	9¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight	8.6¢/kg on drained weight
2005.70.50	11.2¢/kg on drained weight	10.8¢/kg on drained weight	10.5¢/kg on drained weight	10.1¢/kg on drained weight	9.7¢/kg on drained weight	9.3¢/kg on drained weight	9.3¢/kg on drained weight	9.3¢/kg on drained weight	9.3¢/kg on drained weight	9.3¢/kg on drained weight
2005.70.60	11.6¢/kg on drained weight	11.3¢/kg on drained weight	11¢/kg on drained weight	10.7¢/kg on drained weight	10.4¢/kg on drained weight	10.1¢/kg on drained weight	10.1¢/kg on drained weight	10.1¢/kg on drained weight	10.1¢/kg on drained weight	10.1¢/kg on drained weight
2005.70.70	11.3¢/kg on drained weight	11¢/kg on drained weight	10.8¢/kg on drained weight	10.5¢/kg on drained weight	10.2¢/kg on drained weight	9.9¢/kg on drained weight	9.9¢/kg on drained weight	9.9¢/kg on drained weight	9.9¢/kg on drained weight	9.9¢/kg on drained weight
2005.70.75	4.9¢/kg on drained weight	4.8¢/kg on drained weight	4.7¢/kg on drained weight	4.5¢/kg on drained weight	4.4¢/kg on drained weight	4.3¢/kg on drained weight	4.3¢/kg on drained weight	4.3¢/kg on drained weight	4.3¢/kg on drained weight	4.3¢/kg on drained weight
2005.70.93	10.6¢/kg on drained weight	10.3¢/kg on drained weight	9.9¢/kg on drained weight	9.5¢/kg on drained weight	9.2¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight
2005.70.97	10.6¢/kg on drained weight	10.3¢/kg on drained weight	9.9¢/kg on drained weight	9.5¢/kg on drained weight	9.2¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight	8.8¢/kg on drained weight
2005.80.00	11.4%	10.2%	9%	7.9%	6.8%	5.6%	5.6%	5.6%	5.6%	5.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2005.90.10	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2005.90.20	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
2005.90.50	9.3%	9%	8.8%	8.6%	8.3%	8.1%	8.1%	8.1%	8.1%	8.1%
2005.90.55	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2005.90.80	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2005.90.85	1.6¢/kg on entire contents of container	1.4¢/kg on entire contents of container	1.2¢/kg on entire contents of container	1.1¢/kg on entire contents of container	1¢/kg on entire contents of container	0.8¢/kg on entire contents of container	0.8¢/kg on entire contents of container	0.8¢/kg on entire contents of container	0.8¢/kg on entire contents of container	0.8¢/kg on entire contents of container
2005.90.97	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2006.00.20	14.5¢/kg + 9.4%	13.6¢/kg + 8.8%	12.7¢/kg + 8.2%	11.7¢/kg + 7.6%	10.8¢/kg + 7%	9.9¢/kg + 6.4%	9.9¢/kg + 6.4%	9.9¢/kg + 6.4%	9.9¢/kg + 6.4%	9.9¢/kg + 6.4%
2006.00.30	4.9%	4.4%	3.9%	3.4%	2.9%	2.4%	2.4%	2.4%	2.4%	2.4%
2006.00.40	3.2%	3%	2.8%	2.5%	2.3%	2.1%	2.1%	2.1%	2.1%	2.1%
2006.00.50	19.3%	18.7%	18%	17.3%	16.7%	16%	16%	16%	16%	16%
2006.00.60	7.2¢/kg	7¢/kg	6.8¢/kg	6.5¢/kg	6.2¢/kg	6¢/kg	6¢/kg	6¢/kg	6¢/kg	6¢/kg
2006.00.70	9.7%	9.3%	9%	8.7%	8.3%	8%	8%	8%	8%	8%
2006.00.90	19.3%	18.7%	18%	17.3%	16.7%	16%	16%	16%	16%	16%
2007.10.00	14.5%	14%	13.5%	13%	12.5%	12%	12%	12%	12%	12%
2007.91.10	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2007.91.40	5.2%	4.8%	4.5%	4.2%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%
2007.91.90	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
2007.99.05	2.8%	2.6%	2.4%	2.2%	2%	1.8%	1.8%	1.8%	1.8%	1.8%
2007.99.10	4.4%	4%	3.6%	3.1%	2.6%	2.2%	2.2%	2.2%	2.2%	2.2%
2007.99.15	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2007.99.20	6.4%	5.8%	5.3%	4.7%	4.1%	3.5%	3.5%	3.5%	3.5%	3.5%
2007.99.25	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
2007.99.40	4.8%	4.7%	4.5%	4.3%	4.2%	4%	4%	4%	4%	4%
2007.99.45	6.8%	6.5%	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
2007.99.48	14.5%	14%	13.5%	13%	12.5%	12%	12%	12%	12%	12%
2007.99.50	2.6%	2.3%	2%	1.8%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2007.99.55	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
2007.99.60	14.5%	14%	13.5%	13%	12.5%	12%	12%	12%	12%	12%
2007.99.65	12.1%	11.7%	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
2007.99.70	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2007.99.75	6.4%	5.7%	5.1%	4.5%	3.8%	3.2%	3.2%	3.2%	3.2%	3.2%
2008.11.02	1.9¢/kg	1.3¢/kg	0.6¢/kg	Free	Free	Free	Free	Free	Free	Free
2008.11.05	1.9¢/kg	1.3¢/kg	0.6¢/kg	Free	Free	Free	Free	Free	Free	Free
2008.11.15	151.1%	147.3%	143.4%	139.5%	135.7%	131.8%	131.8%	131.8%	131.8%	131.8%
2008.11.35	151.1%	147.3%	143.4%	139.5%	135.7%	131.8%	131.8%	131.8%	131.8%	131.8%
2008.11.60	151.1%	147.3%	143.4%	139.5%	135.7%	131.8%	131.8%	131.8%	131.8%	131.8%
2008.19.20	16.6¢/kg	15.5¢/kg	14.4¢/kg	13.4¢/kg	12.4¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg
2008.19.25	20¢/kg	18¢/kg	16¢/kg	13.9¢/kg	11.9¢/kg	9.9¢/kg	9.9¢/kg	9.9¢/kg	9.9¢/kg	9.9¢/kg
2008.19.30	2¢/kg	1.8¢/kg	1.6¢/kg	1.4¢/kg	1.2¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg
2008.19.40	39.4¢/kg	38.1¢/kg	36.7¢/kg	35.3¢/kg	34¢/kg	32.6¢/kg	32.6¢/kg	32.6¢/kg	32.6¢/kg	32.6¢/kg
2008.19.50	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2008.19.85	27.1%	26.1%	25.2%	24.3%	23.3%	22.4%	22.4%	22.4%	22.4%	22.4%
2008.19.90	26.3%	24.6%	23%	21.3%	19.6%	17.9%	17.9%	17.9%	17.9%	17.9%
2008.20.00	0.52¢/kg	0.48¢/kg	0.45¢/kg	0.42¢/kg	0.38¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg	0.35¢/kg
2008.30.10	2.9¢/kg	2.7¢/kg	2.6¢/kg	2.4¢/kg	2.2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
2008.30.20	6.2¢/kg	5.8¢/kg	5.4¢/kg	5¢/kg	4.6¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg	4.2¢/kg
2008.30.30	16.6¢/kg	15.5¢/kg	14.4¢/kg	13.4¢/kg	12.4¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg	11.3¢/kg
2008.30.35	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2008.30.37	13.6%	12.3%	10.9%	9.5%	8.2%	6.8%	6.8%	6.8%	6.8%	6.8%
2008.30.40	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
2008.30.46	0.41¢/kg	0.39¢/kg	0.36¢/kg	0.33¢/kg	0.31¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg
2008.30.48	0.41¢/kg	0.39¢/kg	0.36¢/kg	0.33¢/kg	0.31¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg	0.28¢/kg
2008.30.55	2.1¢/kg	1.9¢/kg	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
2008.30.60	1.2¢/kg	1.1¢/kg	1.1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg	0.8¢/kg
2008.30.65	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
2008.30.70	1.3¢/kg	1.2¢/kg	1.2¢/kg	1.2¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg	1.1¢/kg

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2008.30.85	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
2008.30.95	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
2008.40.00	17.6%	17.1%	16.6%	16.2%	15.8%	15.3%	15.3%	15.3%	15.3%	15.3%
2008.50.20	12.1%	11.7%	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
2008.50.40	34.1%	33.3%	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
2008.60.00	14¢/kg + 9.1%	12.6¢/kg + 8.2%	11.2¢/kg + 7.3%	9.7¢/kg + 6.3%	8.3¢/kg + 5.4%	6.9¢/kg + 4.5%	6.9¢/kg + 4.5%	6.9¢/kg + 4.5%	6.9¢/kg + 4.5%	6.9¢/kg + 4.5%
2008.70.00	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
2008.80.00	13.6%	13.3%	13%	12.6%	12.2%	11.9%	11.9%	11.9%	11.9%	11.9%
2008.92.10	6.8%	6.5%	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
2008.92.90	17.1%	16.6%	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2008.99.05	1.1¢/kg	1¢/kg	1¢/kg	1¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg	0.9¢/kg
2008.99.10	12.8¢/kg	12.3¢/kg	11.9¢/kg	11.5¢/kg	11¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg	10.6¢/kg
2008.99.18	3.3%	3.1%	2.9%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%
2008.99.20	6.6%	6.2%	5.8%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%
2008.99.25	32.9%	30.8%	28.7%	26.6%	24.5%	22.4%	22.4%	22.4%	22.4%	22.4%
2008.99.28	11.6%	11.2%	10.8%	10.4%	10%	9.6%	9.6%	9.6%	9.6%	9.6%
2008.99.35	12.8%	11.7%	10.5%	9.3%	8.2%	7%	7%	7%	7%	7%
2008.99.40	3¢/kg	2.7¢/kg	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
2008.99.42	19.3%	18.7%	18%	17.3%	16.7%	16%	16%	16%	16%	16%
2008.99.45	16.9%	16.3%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%
2008.99.50	3.6%	3.3%	2.9%	2.5%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%
2008.99.60	16.4%	15.4%	14.4%	13.3%	12.2%	11.2%	11.2%	11.2%	11.2%	11.2%
2008.99.61	7.7%	6.9%	6.2%	5.4%	4.6%	3.8%	3.8%	3.8%	3.8%	3.8%
2008.99.63	8.2%	7.5%	6.7%	5.9%	5.2%	4.4%	4.4%	4.4%	4.4%	4.4%
2008.99.80	14.1%	13.2%	12.3%	11.4%	10.5%	9.6%	9.6%	9.6%	9.6%	9.6%
2008.99.90	6.8%	6.7%	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
2009.11.00	9.02¢/liter	8.78¢/liter	8.55¢/liter	8.32¢/liter	8.08¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter
2009.19.25	5.2¢/liter	5¢/liter	4.9¢/liter	4.8¢/liter	4.6¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter
2009.19.45	9.02¢/liter	8.78¢/liter	8.55¢/liter	8.32¢/liter	8.08¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter
2009.20.20	5.2¢/liter	5¢/liter	4.9¢/liter	4.8¢/liter	4.6¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2009.20.40	9.02¢/liter	8.8¢/liter	8.58¢/liter	8.35¢/liter	8.12¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter
2009.30.10	2.6¢/liter	2.44¢/liter	2.28¢/liter	2.12¢/liter	1.96¢/liter	1.8¢/liter	1.8¢/liter	1.8¢/liter	1.8¢/liter	1.8¢/liter
2009.30.20	2.4¢/liter	2.3¢/liter	2.2¢/liter	2¢/liter	1.8¢/liter	1.7¢/liter	1.7¢/liter	1.7¢/liter	1.7¢/liter	1.7¢/liter
2009.30.40	5¢/liter	4.7¢/liter	4.4¢/liter	4¢/liter	3.7¢/liter	3.4¢/liter	3.4¢/liter	3.4¢/liter	3.4¢/liter	3.4¢/liter
2009.30.60	9.02¢/liter	8.8¢/liter	8.58¢/liter	8.35¢/liter	8.12¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter	7.9¢/liter
2009.40.20	5.1¢/liter	4.9¢/liter	4.8¢/liter	4.6¢/liter	4.4¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter
2009.40.40	1.2¢/liter	1.2¢/liter	1.2¢/liter	1.1¢/liter	1¢/liter	1¢/liter	1¢/liter	1¢/liter	1¢/liter	1¢/liter
2009.50.00	0.27¢/liter	0.25¢/liter	0.22¢/liter	0.19¢/liter	0.17¢/liter	0.14¢/liter	0.14¢/liter	0.14¢/liter	0.14¢/liter	0.14¢/liter
2009.60.00	6.2¢/liter	5.9¢/liter	5.5¢/liter	5.1¢/liter	4.8¢/liter	4.4¢/liter	4.4¢/liter	4.4¢/liter	4.4¢/liter	4.4¢/liter
2009.80.40	0.94¢/liter	0.88¢/liter	0.82¢/liter	0.76¢/liter	0.7¢/liter	0.64¢/liter	0.64¢/liter	0.64¢/liter	0.64¢/liter	0.64¢/liter
2009.80.60	0.8¢/liter	0.7¢/liter	0.6¢/liter	0.6¢/liter	0.6¢/liter	0.5¢/liter	0.5¢/liter	0.5¢/liter	0.5¢/liter	0.5¢/liter
2009.80.80	0.3¢/liter	0.3¢/liter	0.3¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter
2009.90.20	0.3¢/liter	0.3¢/liter	0.3¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter
2009.90.40	8.9¢/liter	8.6¢/liter	8.3¢/liter	8¢/liter	7.7¢/liter	7.4¢/liter	7.4¢/liter	7.4¢/liter	7.4¢/liter	7.4¢/liter
2101.10.38	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.10.48	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.10.58	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.10.90	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
2101.20.38	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.20.48	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.20.58	35¢/kg + 9.8%	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.20.90	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
2101.30.00	3.1¢/kg	2.9¢/kg	2.7¢/kg	2.5¢/kg	2.3¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg	2.1¢/kg
2102.10.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2102.20.20	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2102.20.60	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
2103.20.20	7.2%	7%	6.8%	6.5%	6.2%	6%	6%	6%	6%	6%
2103.20.40	13.3%	12.9%	12.6%	12.3%	11.9%	11.6%	11.6%	11.6%	11.6%	11.6%
2103.30.40	4.1¢/kg	3.9¢/kg	3.6¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg
2103.90.40	4.7%	4.4%	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
2103.90.78	35¢/kg + 7.3%	34.1¢/kg + 7.1%	33.2¢/kg + 7%	32.3¢/kg + 6.8%	31.4¢/kg + 6.6%	30.5¢/kg + 6.4%	30.5¢/kg + 6.4%	30.5¢/kg + 6.4%	30.5¢/kg + 6.4%	30.5¢/kg + 6.4%
2103.90.80	7.3%	7.1%	7%	6.8%	6.6%	6.4%	6.4%	6.4%	6.4%	6.4%
2103.90.90	7.3%	7.1%	7%	6.8%	6.6%	6.4%	6.4%	6.4%	6.4%	6.4%
2104.10.00	6.4%	5.7%	5.1%	4.5%	3.8%	3.2%	3.2%	3.2%	3.2%	3.2%
2104.20.00	8.8%	7.5%	6.2%	5%	3.8%	2.5%	2.5%	2.5%	2.5%	2.5%
2105.00.20	57.5¢/kg + 19.5%	56.1¢/kg + 19%	54.6¢/kg + 18.5%	53.1¢/kg + 18%	51.7¢/kg + 17.5%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%
2105.00.40	57.5¢/kg + 19.5%	56.1¢/kg + 19%	54.6¢/kg + 18.5%	53.1¢/kg + 18%	51.7¢/kg + 17.5%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%	50.2¢/kg + 17%
2105.00.50	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
2106.10.00	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2106.90.09	98.9¢/kg	96.3¢/kg	93.8¢/kg	91.3¢/kg	88.7¢/kg	86.2¢/kg	86.2¢/kg	86.2¢/kg	86.2¢/kg	86.2¢/kg
2106.90.26	$2.289/kg	$2.231/kg	$2.172/kg	$2.113/kg	$2.055/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg
2106.90.28	15¢/kg	14.6¢/kg	14.3¢/kg	13.9¢/kg	13.5¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg
2106.90.36	$2.289/kg	$2.231/kg	$2.172/kg	$2.113/kg	$2.055/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg
2106.90.38	15¢/kg	14.6¢/kg	14.3¢/kg	13.9¢/kg	13.5¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg
2106.90.46	41¢/kg	39.95¢/kg	38.9¢/kg	37.84¢/kg	36.79¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg	35.74¢/kg
2106.90.48	9.02¢/liter	8.78¢/liter	8.55¢/liter	8.32¢/liter	8.08¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter
2106.90.58	5.8%	5.6%	5.4%	5.2%	5%	4.8%	4.8%	4.8%	4.8%	4.8%
2106.90.66	80.7¢/kg + 9.8%	78.7¢/kg + 9.5%	76.6¢/kg + 9.2%	74.5¢/kg + 9%	72.5¢/kg + 8.8%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%
2106.90.72	80.7¢/kg + 9.8%	78.7¢/kg + 9.5%	76.6¢/kg + 9.2%	74.5¢/kg + 9%	72.5¢/kg + 8.8%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%
2106.90.76	80.7¢/kg + 9.8%	78.7¢/kg + 9.5%	76.6¢/kg + 9.2%	74.5¢/kg + 9%	72.5¢/kg + 8.8%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2106.90.80	80.7¢/kg + 9.8%	78.7¢/kg + 9.5%	76.6¢/kg + 9.2%	74.5¢/kg + 9%	72.5¢/kg + 8.8%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%
2106.90.82	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2106.90.87	33¢/kg + 9.8%	32.2¢/kg + 9.5%	31.4¢/kg + 9.2%	30.5¢/kg + 9%	29.6¢/kg + 8.8%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%
2106.90.91	33¢/kg + 9.8%	32.2¢/kg + 9.5%	31.4¢/kg + 9.2%	30.5¢/kg + 9%	29.6¢/kg + 8.8%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%
2106.90.94	33¢/kg + 9.8%	32.2¢/kg + 9.5%	31.4¢/kg + 9.2%	30.5¢/kg + 9%	29.6¢/kg + 8.8%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%
2106.90.97	33¢/kg + 9.8%	32.2¢/kg + 9.5%	31.4¢/kg + 9.2%	30.5¢/kg + 9%	29.6¢/kg + 8.8%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%	28.8¢/kg + 8.5%
2106.90.99	9.4%	8.8%	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
2201.10.00	0.38¢/liter	0.35¢/liter	0.33¢/liter	0.31¢/liter	0.28¢/liter	0.26¢/liter	0.26¢/liter	0.26¢/liter	0.26¢/liter	0.26¢/liter
2202.10.00	0.3¢/liter	0.3¢/liter	0.3¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter
2202.90.10	19.5%	19%	18.5%	18%	17.5%	17%	17%	17%	17%	17%
2202.90.28	26.9¢/liter + 17.1%	26.2¢/liter + 16.6%	25.6¢/liter + 16.2%	24.9¢/liter + 15.8%	24.2¢/liter + 15.3%	23.5¢/liter + 14.9%	23.5¢/liter + 14.9%	23.5¢/liter + 14.9%	23.5¢/liter + 14.9%	23.5¢/liter + 14.9%
2202.90.30	5.2¢/liter	5¢/liter	4.9¢/liter	4.8¢/liter	4.6¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter	4.5¢/liter
2202.90.35	9.02¢/liter	8.78¢/liter	8.55¢/liter	8.32¢/liter	8.08¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter	7.85¢/liter
2202.90.90	0.3¢/liter	0.3¢/liter	0.3¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter	0.2¢/liter
2203.00.00	1.4¢/liter	1.2¢/liter	1¢/liter	0.8¢/liter	0.6¢/liter	0.4¢/liter	0.2¢/liter	Free	Free	Free
2204.10.00	29¢/liter	27.2¢/liter	25.4¢/liter	23.5¢/liter	21.6¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter
2204.21.20	29¢/liter	27.2¢/liter	25.4¢/liter	23.5¢/liter	21.6¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter	19.8¢/liter
2204.21.30	9.3¢/liter	8.7¢/liter	8.1¢/liter	7.5¢/liter	6.9¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter
2204.21.50	9.3¢/liter	8.7¢/liter	8.1¢/liter	7.5¢/liter	6.9¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter	6.3¢/liter
2204.21.60	7.8¢/liter	7.3¢/liter	6.8¢/liter	6.3¢/liter	5.8¢/liter	5.3¢/liter	5.3¢/liter	5.3¢/liter	5.3¢/liter	5.3¢/liter
2204.21.80	24.8¢/liter	23.2¢/liter	21.7¢/liter	20.1¢/liter	18.5¢/liter	16.9¢/liter	16.9¢/liter	16.9¢/liter	16.9¢/liter	16.9¢/liter
2204.29.20	9.6¢/liter	9.4¢/liter	9.2¢/liter	8.9¢/liter	8.6¢/liter	8.4¢/liter	8.4¢/liter	8.4¢/liter	8.4¢/liter	8.4¢/liter
2204.29.40	25.7¢/liter	25.1¢/liter	24.4¢/liter	23.7¢/liter	23.1¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter
2204.29.60	16.1¢/liter	15.7¢/liter	15.3¢/liter	14.8¢/liter	14.4¢/liter	14¢/liter	14¢/liter	14¢/liter	14¢/liter	14¢/liter
2204.29.80	25.7¢/liter	25.1¢/liter	24.4¢/liter	23.7¢/liter	23.1¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter	22.4¢/liter

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2204.30.00	6.5¢/liter + 46.1¢/pf. liter	6.1¢/liter + 43.1¢/pf. liter	5.7¢/liter + 40.2¢/pf. liter	5.2¢/liter + 37.3¢/pf. liter	4.8¢/liter + 34.3¢/pf. liter	4.4¢/liter + 31.4¢/pf. liter	4.4¢/liter + 31.4¢/pf. liter	4.4¢/liter + 31.4¢/pf. liter	4.4¢/liter + 31.4¢/pf. liter	4.4¢/liter + 31.4¢/pf. liter
2205.10.30	5.2¢/liter	4.8¢/liter	4.5¢/liter	4.2¢/liter	3.8¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter
2205.10.60	6.2¢/liter	5.8¢/liter	5.4¢/liter	5¢/liter	4.6¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter
2205.90.20	5.2¢/liter	4.8¢/liter	4.5¢/liter	4.2¢/liter	3.8¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter	3.5¢/liter
2205.90.40	7.7¢/liter	6.9¢/liter	6.2¢/liter	5.4¢/liter	4.6¢/liter	3.8¢/liter	3.8¢/liter	3.8¢/liter	3.8¢/liter	3.8¢/liter
2205.90.60	6.2¢/liter	5.8¢/liter	5.4¢/liter	5¢/liter	4.6¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter
2206.00.30	6.3¢/liter + 44.5¢/pf. liter	5.6¢/liter + 40¢/pf. liter	5¢/liter + 35.6¢/pf. liter	4.4¢/liter + 31.1¢/pf. liter	3.7¢/liter + 26.6¢/pf. liter	3.1¢/liter + 22.1¢/pf. liter	3.1¢/liter + 22.1¢/pf. liter	3.1¢/liter + 22.1¢/pf. liter	3.1¢/liter + 22.1¢/pf. liter	3.1¢/liter + 22.1¢/pf. liter
2206.00.45	6¢/liter	5.4¢/liter	4.8¢/liter	4.2¢/liter	3.6¢/liter	3¢/liter	3¢/liter	3¢/liter	3¢/liter	3¢/liter
2206.00.60	28.1¢/liter	25.2¢/liter	22.4¢/liter	19.6¢/liter	16.7¢/liter	13.9¢/liter	13.9¢/liter	13.9¢/liter	13.9¢/liter	13.9¢/liter
2206.00.90	6.2¢/liter	5.8¢/liter	5.4¢/liter	5¢/liter	4.6¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter	4.2¢/liter
2207.10.30	27.8¢/pf. liter	26¢/pf. liter	24.3¢/pf. liter	22.5¢/pf. liter	20.7¢/pf. liter	18.9¢/pf. liter	18.9¢/pf. liter	18.9¢/pf. liter	18.9¢/pf. liter	18.9¢/pf. liter
2207.10.60	2.9%	2.8%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%
2207.20.00	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
2208.10.30	6.2¢/kg + 2.8%	5.8¢/kg + 2.6%	5.4¢/kg + 2.5%	5¢/kg + 2.3%	4.6¢/kg + 2.1%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%
2208.10.60	12.4¢/kg + 2.8%	11.6¢/kg + 2.6%	10.8¢/kg + 2.5%	10¢/kg + 2.3%	9.2¢/kg + 2.1%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%
2208.10.90	24.9¢/kg + 2.8%	23.3¢/kg + 2.6%	21.8¢/kg + 2.5%	20.2¢/kg + 2.3%	18.6¢/kg + 2.1%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%
2208.20.10	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free
2208.20.20	80.8¢/pf. liter	71.8¢/pf. liter	62.9¢/pf. liter	53.9¢/pf. liter	44.9¢/pf. liter	35.9¢/pf. liter	26.9¢/pf. liter	18¢/pf. liter	9¢/pf. liter	Free
2208.20.30	29.7¢/pf. liter	26.4¢/pf. liter	23.1¢/pf. liter	19.8¢/pf. liter	16.5¢/pf. liter	13.2¢/pf. liter	9.9¢/pf. liter	6.6¢/pf. liter	3.3¢/pf. liter	Free
2208.20.40	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2208.20.50	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free
2208.20.60	9.5¢/pf. liter	8.5¢/pf. liter	7.4¢/pf. liter	6.4¢/pf. liter	5.3¢/pf. liter	4.2¢/pf. liter	3.2¢/pf. liter	2.1¢/pf. liter	1.1¢/pf. liter	Free
2208.30.30	4.8¢/pf. liter	4.2¢/pf. liter	3.7¢/pf. liter	3.2¢/pf. liter	2.6¢/pf. liter	2.1¢/pf. liter	1.6¢/pf. liter	1.1¢/pf. liter	0.5¢/pf. liter	Free
2208.30.60	5.9¢/pf. liter	5.3¢/pf. liter	4.6¢/pf. liter	4¢/pf. liter	3.3¢/pf. liter	2.6¢/pf. liter	2¢/pf. liter	1.3¢/pf. liter	0.7¢/pf. liter	Free
2208.40.00	34.8¢/pf. liter	32.6¢/pf. liter	30.4¢/pf. liter	28.1¢/pf. liter	25.9¢/pf. liter	23.7¢/pf. liter	23.7¢/pf. liter	23.7¢/pf. liter	23.7¢/pf. liter	23.7¢/pf. liter
2208.50.00	12.4¢/pf. liter	11.6¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2208.90.01	10.4¢/pf. liter	9.8¢/pf. liter	9.1¢/pf. liter	8.4¢/pf. liter	7.8¢/pf. liter	7.1¢/pf. liter	7.1¢/pf. liter	7.1¢/pf. liter	7.1¢/pf. liter	7.1¢/pf. liter
2208.90.05	9.4¢/pf. liter	8.8¢/pf. liter	8.2¢/pf. liter	7.6¢/pf. liter	7¢/pf. liter	6.4¢/pf. liter	6.4¢/pf. liter	6.4¢/pf. liter	6.4¢/pf. liter	6.4¢/pf. liter
2208.90.10	12.4¢/pf. liter	11.6¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2208.90.12	29.7¢/pf. liter	26.4¢/pf. liter	23.1¢/pf. liter	19.8¢/pf. liter	16.5¢/pf. liter	13.2¢/pf. liter	9.9¢/pf. liter	6.6¢/pf. liter	3.3¢/pf. liter	Free
2208.90.14	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free
2208.90.15	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free
2208.90.20	80.8¢/pf. liter	71.8¢/pf. liter	62.9¢/pf. liter	53.9¢/pf. liter	44.9¢/pf. liter	35.9¢/pf. liter	26.9¢/pf. liter	18¢/pf. liter	9¢/pf. liter	Free
2208.90.25	29.7¢/pf. liter	26.4¢/pf. liter	23.1¢/pf. liter	19.8¢/pf. liter	16.5¢/pf. liter	13.2¢/pf. liter	9.9¢/pf. liter	6.6¢/pf. liter	3.3¢/pf. liter	Free
2208.90.30	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free
2208.90.35	11.9¢/pf. liter	10.6¢/pf. liter	9.2¢/pf. liter	7.9¢/pf. liter	6.6¢/pf. liter	5.3¢/pf. liter	4¢/pf. liter	2.6¢/pf liter	1.3¢/pf. liter	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2208.90.40	9.5¢/pf. liter	8.5¢/pf. liter	7.4¢/pf. liter	6.4¢/pf. liter	5.3¢/pf. liter	4.2¢/pf. liter	3.2¢/pf. liter	2.1¢/pf. liter	1.1¢/pf. liter	Free
2208.90.45	12.4¢/pf. liter	11.6¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2208.90.60	63.6¢/pf. liter	59.5¢/pf. liter	55.4¢/pf. liter	51.4¢/pf. liter	47.4¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter
2208.90.65	12.4¢/pf. liter	11.6¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2208.90.70	31¢/pf. liter	29¢/pf. liter	27.1¢/pf. liter	25.1¢/pf. liter	23.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter
2208.90.71	$1.43/pf. liter	$1.34/pf. liter	$1.25/pf. liter	$1.15/pf. liter	$1.06/pf. liter	97¢/pf. liter	97¢/pf. liter	97¢/pf. liter	97¢/pf. liter	97¢/pf. liter
2208.90.75	63.6¢/pf. liter	59.5¢/pf. liter	55.4¢/pf. liter	51.4¢/pf. liter	47.4¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter
2208.90.80	31¢/pf. liter	29¢/pf. liter	27.1¢/pf. liter	25.1¢/pf. liter	23.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter
2209.00.00	0.8¢/pf. liter	0.7¢/pf. liter	0.6¢/pf. liter	0.6¢/pf. liter	0.6¢/pf. liter	0.5¢/pf. liter	0.5¢/pf. liter	0.5¢/pf. liter	0.5¢/pf. liter	0.5¢/pf. liter
2302.50.00	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2303.10.00	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2304.00.00	0.66¢/kg	0.62¢/kg	0.58¢/kg	0.53¢/kg	0.49¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg
2305.00.00	0.64¢/kg	0.57¢/kg	0.51¢/kg	0.45¢/kg	0.38¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg
2306.10.00	0.68¢/kg	0.65¢/kg	0.63¢/kg	0.61¢/kg	0.58¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg	0.56¢/kg
2306.20.00	0.24¢/kg	0.21¢/kg	0.19¢/kg	0.17¢/kg	0.14¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg	0.12¢/kg
2306.30.00	0.66¢/kg	0.62¢/kg	0.58¢/kg	0.53¢/kg	0.49¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg
2306.40.00	0.24¢/kg	0.23¢/kg	0.22¢/kg	0.2¢/kg	0.18¢/kg	0.17¢/kg	0.17¢/kg	0.17¢/kg	0.17¢/kg	0.17¢/kg
2306.50.00	0.66¢/kg	0.62¢/kg	0.58¢/kg	0.53¢/kg	0.49¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg	0.45¢/kg
2306.90.00	0.64¢/kg	0.57¢/kg	0.51¢/kg	0.45¢/kg	0.38¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg
2308.10.00	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2308.90.50	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
2308.90.80	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2309.90.28	92.2¢/kg + 7.3%	89.9¢/kg + 7.1%	87.5¢/kg + 7%	85.1¢/kg + 6.8%	82.8¢/kg + 6.6%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%
2309.90.48	92.2¢/kg + 7.3%	89.9¢/kg + 7.1%	87.5¢/kg + 7%	85.1¢/kg + 6.8%	82.8¢/kg + 6.6%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%	80.4¢/kg + 6.4%
2309.90.60	2.8%	2.6%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%
2309.90.70	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2309.90.95	2.7%	2.5%	2.2%	1.9%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%
2401.10.21	66.2¢/kg	52.9¢/kg	39.7¢/kg	26.5¢/kg	13.2¢/kg	Free	Free	Free	Free	Free
2401.10.29	66.2¢/kg	52.9¢/kg	39.7¢/kg	26.5¢/kg	13.2¢/kg	Free	Free	Free	Free	Free
2401.10.40	23.1¢/kg	20.7¢/kg	18.4¢/kg	16.1¢/kg	13.7¢/kg	11.4¢/kg	11.4¢/kg	11.4¢/kg	11.4¢/kg	11.4¢/kg
2401.10.60	27.4¢/kg	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg	23.9¢/kg	23.9¢/kg	23.9¢/kg	23.9¢/kg
2401.10.70	35¢/kg	31.4¢/kg	27.9¢/kg	24.4¢/kg	20.8¢/kg	17.3¢/kg	17.3¢/kg	17.3¢/kg	17.3¢/kg	17.3¢/kg
2401.10.90	37.5¢/kg	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.7¢/kg	32.7¢/kg	32.7¢/kg	32.7¢/kg	32.7¢/kg	32.7¢/kg
2401.20.05	$6.29/kg	$6.13/kg	$5.97/kg	$5.80/kg	$5.64/kg	$5.48/kg	$5.48/kg	$5.48/kg	$5.48/kg	$5.48/kg
2401.20.20	$1.14/kg + $1.70/kg on filler tobacco content	91¢/kg + $1.36/kg on filler tobacco content	69¢/kg + $1.02/kg on filler tobacco content	46¢/kg + 68¢/kg on filler tobacco content	23¢/kg + 34¢/kg on filler tobacco content	Free	Free	Free	Free	Free
2401.20.30	46.9¢/kg	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	42.1¢/kg	42.1¢/kg	42.1¢/kg	42.1¢/kg	42.1¢/kg
2401.20.45	42.4¢/kg	38.1¢/kg	33.9¢/kg	29.6¢/kg	25.3¢/kg	21¢/kg	21¢/kg	21¢/kg	21¢/kg	21¢/kg
2401.20.55	45.5¢/kg	44.4¢/kg	43.2¢/kg	42¢/kg	40.9¢/kg	39.7¢/kg	39.7¢/kg	39.7¢/kg	39.7¢/kg	39.7¢/kg
2401.20.60	34.6¢/kg	33.7¢/kg	32.9¢/kg	32¢/kg	31.1¢/kg	30.2¢/kg	30.2¢/kg	30.2¢/kg	30.2¢/kg	30.2¢/kg
2401.20.80	43¢/kg	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg	37.5¢/kg	37.5¢/kg	37.5¢/kg	37.5¢/kg
2401.30.60	$1.17/kg	$1.13/kg	$1.09/kg	$1.05/kg	$1.01/kg	97¢/kg	97¢/kg	97¢/kg	97¢/kg	97¢/kg
2401.30.90	34.3¢/kg	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg	28.4¢/kg	28.4¢/kg	28.4¢/kg	28.4¢/kg
2402.10.30	$3.82/kg + 9.5%	$3.44/kg + 8.6%	$3.05/kg + 7.6%	$2.66/kg + 6.6%	$2.28/kg + 5.7%	$1.89/kg + 4.7%	$1.89/kg + 4.7%	$1.89/kg + 4.7%	$1.89/kg + 4.7%	$1.89/kg + 4.7%
2402.10.60	$1.14/kg + 2.7%	$1.03/kg + 2.5%	92¢/kg + 2.2%	80¢/kg + 1.9%	68¢/kg + 1.7%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%
2402.10.80	$1.14/kg + 2.7%	$1.03/kg + 2.5%	92¢/kg + 2.2%	80¢/kg + 1.9%	68¢/kg + 1.7%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%	57¢/kg + 1.4%

Annex (con.)
-447-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2402.20.10	84.1¢/kg + 1.8%	75.6¢/kg + 1.6%	67.2¢/kg + 1.5%	58.7¢/kg + 1.3%	50.2¢/kg + 1.1%	41.7¢/kg + 0.9%	41.7¢/kg + 0.9%	41.7¢/kg + 0.9%	41.7¢/kg + 0.9%	41.7¢/kg + 0.9%
2402.20.80	$2.12/kg + 4.6%	$1.91/kg + 4.1%	$1.70/kg + 3.6%	$1.48/kg + 3.2%	$1.26/kg + 2.8%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%
2402.20.90	$2.20/kg + 4.7%	$2.06/kg + 4.4%	$1.92/kg + 4.1%	$1.78/kg + 3.8%	$1.64/kg + 3.5%	$1.50/kg + 3.2%	$1.50/kg + 3.2%	$1.50/kg + 3.2%	$1.50/kg + 3.2%	$1.50/kg + 3.2%
2402.90.00	$2.12/kg + 4.6%	$1.91/kg + 4.1%	$1.70/kg + 3.6%	$1.48/kg + 3.2%	$1.26/kg + 2.8%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%	$1.05/kg + 2.3%
2403.10.00	37.6¢/kg	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg	32.8¢/kg	32.8¢/kg	32.8¢/kg	32.8¢/kg
2403.91.20	$1.24/kg	$1.12/kg	$1/kg	87¢/kg	74¢/kg	62¢/kg	62¢/kg	62¢/kg	62¢/kg	62¢/kg
2403.91.40	40.1¢/kg	36¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg	19.9¢/kg	19.9¢/kg	19.9¢/kg	19.9¢/kg
2403.99.00	36.3¢/kg	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg	24.7¢/kg	24.7¢/kg	24.7¢/kg	24.7¢/kg
2507.00.00	26¢/t	19.5¢/t	13¢/t	6.5¢/t	Free	Free	Free	Free	Free	Free
2508.10.00	31.5¢/t	23.6¢/t	15.8¢/t	7.9¢/t	Free	Free	Free	Free	Free	Free
2508.20.00	19.7¢/t	14.8¢/t	9.8¢/t	4.9¢/t	Free	Free	Free	Free	Free	Free
2508.30.00	39.4¢/t	29.5¢/t	19.7¢/t	9.8¢/t	Free	Free	Free	Free	Free	Free
2508.40.00	37.4¢/t	28¢/t	18.7¢/t	9.4¢/t	Free	Free	Free	Free	Free	Free
2508.60.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
2509.00.20	1.1%	0.8%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
2511.10.10	$2.56/t	$1.92/t	$1.28/t	64¢/t	Free	Free	Free	Free	Free	Free
2511.20.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
2513.19.00	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
2513.29.00	0.6¢/kg	0.4¢/kg	0.3¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
2514.00.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2515.11.00	$2.77/$m^3$	$2.08/$m^3$	$1.38/$m^3$	69¢/m^3	Free	Free	Free	Free	Free	Free
2515.12.10	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
2515.12.20	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
2515.20.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
2516.12.00	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
2516.22.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
2516.90.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2517.20.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
2517.30.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
2518.20.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
2518.30.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
2519.90.10	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
2519.90.20	$1.66/t	$1.24/t	83¢/t	41¢/t	Free	Free	Free	Free	Free	Free
2520.20.00	33¢/t	24.8¢/t	16.5¢/t	8.3¢/t	Free	Free	Free	Free	Free	Free
2523.21.00	18¢/t, including weight of container	13¢/t, including weight of container	9¢/t, including weight of container	4¢/t, including weight of container	Free	Free	Free	Free	Free	Free
2525.20.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
2526.10.00	0.03¢/kg	0.02¢/kg	0.02¢/kg	0.01¢/kg	Free	Free	Free	Free	Free	Free
2526.20.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
2529.22.00	$1.66/t	$1.24/t	83¢/t	41¢/t	Free	Free	Free	Free	Free	Free
2530.20.20	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2530.40.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
2607.00.00	1.6¢/kg on lead content	1.5¢/kg on lead content	1.3¢/kg on lead content	1.2¢/kg on lead content	1.1¢/kg on lead content	1.1¢/kg on lead content	1.1¢/kg on lead content	1.1¢/kg on lead content	1.1¢/kg on lead content	1.1¢/kg on lead content
2608.00.00	1.4¢/kg on lead content	1¢/kg on lead content	0.7¢/kg on lead content	0.3¢/kg on lead content	Free	Free	Free	Free	Free	Free
2613.10.00	13.1¢/kg on molybdenum content + 1.9%	13¢/kg on molybdenum content + 1.9%	13¢/kg on molybdenum content + 1.8%	12.9¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%	12.8¢/kg on molybdenum content + 1.8%
2613.90.00	19.4¢/kg on molybdenum content	19¢/kg on molybdenum content	18.6¢/kg on molybdenum content	18.2¢/kg on molybdenum content	17.8¢/kg on molybdenum content	17.8¢/kg on molybdenum content	17.8¢/kg on molybdenum content	17.8¢/kg on molybdenum content	17.8¢/kg on molybdenum content	17.8¢/kg on molybdenum content
2616.10.00	1.5¢/kg on lead content	1.3¢/kg on lead content	1.2¢/kg on lead content	1¢/kg on lead content	0.8¢/kg on lead content	0.8¢/kg on lead content	0.8¢/kg on lead content	0.8¢/kg on lead content	0.8¢/kg on lead content	0.8¢/kg on lead content

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2619.00.30	23.6¢/t	17.7¢/t	11.8¢/t	5.9¢/t	Free	Free	Free	Free	Free	Free
2620.11.00	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
2620.20.00	0.6¢/kg on copper content + 0.6¢/kg on lead content	0.4¢/kg on copper content + 0.4¢/kg on lead content	0.3¢/kg on copper content + 0.3¢/kg on lead content	0.1¢/kg on copper content + 0.1¢/kg on lead content	Free	Free	Free	Free	Free	Free
2620.30.00	0.6¢/kg on copper content + 0.6¢/kg on lead content	0.4¢/kg on copper content + 0.4¢/kg on lead content	0.3¢/kg on copper content + 0.3¢/kg on lead content	0.1¢/kg on copper content + 0.1¢/kg on lead content	Free	Free	Free	Free	Free	Free
2620.90.20	21.1¢/kg on tungsten content + 4.6%	20.2¢/kg on tungsten content + 4.4%	17.6¢/kg on tungsten content + 4.2%	18.5¢/kg on tungsten content + 4%	17.6¢/kg on tungsten content + 3.8%	17.6¢/kg on tungsten content + 3.8%	17.6¢/kg on tungsten content + 3.8%	17.6¢/kg on tungsten content + 3.8%	17.6¢/kg on tungsten content + 3.8%	17.6¢/kg on tungsten content + 3.8%
2707.99.30	1.1¢/kg + 3.6%	1¢/kg + 3.4%	1¢/kg + 3.3%	0.9¢/kg + 3.1%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%
2707.99.40	1.6¢/kg + 5.5%	1.4¢/kg + 4.9%	1.3¢/kg + 4.2%	1.1¢/kg + 3.6%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%
2713.12.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
2801.30.20	7%	6.6%	6.3%	5.9%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2804.61.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2804.69.50	8.3%	7.6%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2805.19.00	6.4%	6.2%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2811.19.30	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
2821.20.00	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2823.00.00	5.9%	5.8%	5.7%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2824.90.10	14%	13.1%	12.2%	11.2%	10.2%	9.3%	8.4%	7.4%	6.4%	5.5%
2825.30.00	15%	13.9%	12.8%	11.8%	10.8%	9.7%	8.6%	7.6%	6.6%	5.5%
2825.90.30	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2825.90.75	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2827.39.10	15%	13.9%	12.8%	11.8%	10.8%	9.7%	8.6%	7.6%	6.6%	5.5%
2827.39.40	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2827.49.10	15%	13.9%	12.8%	11.8%	10.8%	9.7%	8.6%	7.6%	6.6%	5.5%
2827.49.50	6.7%	6.4%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2829.90.05	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
2829.90.25	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2831.10.50	16.3%	15.1%	13.9%	12.7%	11.5%	10.3%	9.1%	7.9%	6.7%	5.5%
2831.90.00	16.3%	15.1%	13.9%	12.7%	11.5%	10.3%	9.1%	7.9%	6.7%	5.5%
2833.29.30	15%	13.9%	12.8%	11.8%	10.8%	9.7%	8.6%	7.6%	6.6%	5.5%
2834.10.10	8%	7.4%	6.7%	6.1%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2834.22.00	6.7%	6.4%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2836.93.00	6.7%	6.4%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2841.80.00	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2841.90.10	10.6%	10.1%	9.5%	8.9%	8.4%	7.8%	7.2%	6.6%	6.1%	5.5%
2843.10.00	5.9%	5.8%	5.7%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2844.30.10	7.3%	6.9%	6.4%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2846.10.00	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2849.90.30	10%	9.5%	9%	8.5%	8%	7.5%	7%	6.5%	6%	5.5%
2850.00.10	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2850.00.20	15%	13.9%	12.8%	11.8%	10.8%	9.7%	8.6%	7.6%	6.6%	5.5%
2901.10.30	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
2901.10.40	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
2901.10.50	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2901.24.20	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2901.24.50	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
2901.29.10	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
2901.29.50	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
2902.11.00	1.8¢/kg + 11.2%	1.6¢/kg + 10%	1.4¢/kg + 8.8%	1.2¢/kg + 7.5%	1¢/kg + 6.2%	0.8¢/kg + 5%	0.6¢/kg + 3.8%	0.4¢/kg + 2.5%	0.2¢/kg + 1.2%	Free
2902.19.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2902.50.00	5.9%	4.4%	3%	1.5%	Free	Free	Free	Free	Free	Free
2902.60.00	1¢/kg + 15.6%	0.9¢/kg + 13.8%	0.8¢/kg + 12.1%	0.7¢/kg + 10.4%	0.6¢/kg + 8.6%	0.4¢/kg + 6.9%	0.3¢/kg + 5.2%	0.2¢/kg + 3.5%	0.1¢/kg + 1.7%	Free
2902.90.30	1¢/kg + 15.6%	0.9¢/kg + 13.8%	0.8¢/kg + 12.1%	0.7¢/kg + 10.4%	0.6¢/kg + 8.6%	0.4¢/kg + 6.9%	0.3¢/kg + 5.2%	0.2¢/kg + 3.5%	0.1¢/kg + 1.7%	Free
2902.90.40	9.4%	8.3%	7.3%	6.2%	5.2%	4.2%	3.1%	2.1%	1%	Free
2902.90.60	9.4%	8.3%	7.3%	6.2%	5.2%	4.2%	3.1%	2.1%	1%	Free
2902.90.90	9.4%	8.3%	7.3%	6.2%	5.2%	4.2%	3.1%	2.1%	1%	Free
2903.11.00	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2903.13.00	14.9%	13.8%	12.8%	11.7%	10.7%	9.7%	8.6%	7.6%	6.5%	5.5%
2903.15.00	8.1%	7.5%	6.8%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.19.60	16.8%	15.5%	14.2%	13%	11.8%	10.5%	9.2%	8%	6.8%	5.5%
2903.21.00	11.4%	10.7%	10%	9.4%	8.8%	8.1%	7.4%	6.8%	6.2%	5.5%
2903.29.00	16.8%	15.5%	14.2%	13%	11.8%	10.5%	9.2%	8%	6.8%	5.5%
2903.51.00	11.8%	11.1%	10.4%	9.7%	9%	8.3%	7.6%	6.9%	6.2%	5.5%
2903.59.05	12.2%	10.8%	9.4%	8.1%	6.8%	5.4%	4%	2.7%	1.4%	Free
2903.59.10	11.8%	11.1%	10.4%	9.7%	9%	8.3%	7.6%	6.9%	6.2%	5.5%
2903.59.15	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2903.59.20	3.3¢/kg + 15.7%	3¢/kg + 14.5%	2.6¢/kg + 13.4%	2.2¢/kg + 12.3%	1.8¢/kg + 11.2%	1.5¢/kg + 10%	1.1¢/kg + 8.9%	0.7¢/kg + 7.8%	0.4¢/kg + 6.6%	5.5%
2903.59.30	16.8%	15.5%	14.2%	13%	11.8%	10.5%	9.2%	8%	6.8%	5.5%
2903.61.10	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2903.61.20	14.2%	13.3%	12.3%	11.3%	10.4%	9.4%	8.4%	7.4%	6.5%	5.5%
2903.61.30	6.5%	6.3%	6%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.62.00	8.4%	7.7%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.69.05	8.4%	7.7%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.69.10	6.5%	6.3%	6%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.69.20	7.4%	6.9%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.69.23	7.3%	5.5%	3.6%	1.8%	Free	Free	Free	Free	Free	Free
2903.69.27	8.4%	7.7%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2903.69.30	11.8%	11.1%	10.4%	9.7%	9%	8.3%	7.6%	6.9%	6.2%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2903.69.70	8.4%	7.7%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.10.04	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2904.10.08	3.3¢/kg + 14.9%	3¢/kg + 13.8%	2.6¢/kg + 12.8%	2.2¢/kg + 11.7%	1.8¢/kg + 10.7%	1.5¢/kg + 9.7%	1.1¢/kg + 8.6%	0.7¢/kg + 7.6%	0.4¢/kg + 6.5%	5.5%
2904.10.10	6.7%	6.4%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.10.15	3.3¢/kg + 11.8%	3¢/kg + 11.1%	2.6¢/kg + 10.4%	2.2¢/kg + 9.7%	1.8¢/kg + 9%	1.5¢/kg + 8.3%	1.1¢/kg + 7.6%	0.7¢/kg + 6.9%	0.4¢/kg + 6.2%	5.5%
2904.10.32	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2904.10.37	3.3¢/kg + 14.9%	3¢/kg + 13.8%	2.6¢/kg + 12.8%	2.2¢/kg + 11.7%	1.8¢/kg + 10.7%	1.5¢/kg + 9.7%	1.1¢/kg + 8.6%	0.7¢/kg + 7.6%	0.4¢/kg + 6.5%	5.5%
2904.20.10	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.20.15	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.20.30	6.3%	6.1%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.20.35	2.6¢/kg + 11.8%	2.3¢/kg + 11.1%	2¢/kg + 10.4%	1.7¢/kg + 9.7%	1.4¢/kg + 9%	1.2¢/kg + 8.3%	0.9¢/kg + 7.6%	0.6¢/kg + 6.9%	0.3¢/kg + 6.2%	5.5%
2904.20.40	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2904.20.45	3.3¢/kg + 14.9%	3¢/kg + 13.8%	2.6¢/kg + 12.8%	2.2¢/kg + 11.7%	1.8¢/kg + 10.7%	1.5¢/kg + 9.7%	1.1¢/kg + 8.6%	0.7¢/kg + 7.6%	0.4¢/kg + 6.5%	5.5%
2904.20.50	7.4%	6.9%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.90.04	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.90.08	9.1%	8.2%	7.3%	6.4%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.90.15	3.3¢/kg + 14.9%	3¢/kg + 13.8%	2.6¢/kg + 12.8%	2.2¢/kg + 11.7%	1.8¢/kg + 10.7%	1.5¢/kg + 9.7%	1.1¢/kg + 8.6%	0.7¢/kg + 7.6%	0.4¢/kg + 6.5%	5.5%
2904.90.20	10.3%	9.7%	9.2%	8.7%	8.2%	7.6%	7.1%	6.6%	6%	5.5%
2904.90.30	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2904.90.35	14%	13.1%	12.2%	11.2%	10.2%	9.3%	8.4%	7.4%	6.4%	5.5%
2904.90.40	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2904.90.47	3.3¢/kg + 14.9%	3¢/kg + 13.8%	2.6¢/kg + 12.8%	2.2¢/kg + 11.7%	1.8¢/kg + 10.7%	1.5¢/kg + 9.7%	1.1¢/kg + 8.6%	0.7¢/kg + 7.6%	0.4¢/kg + 6.5%	5.5%
2905.11.20	16.8%	15.5%	14.2%	13%	11.8%	10.5%	9.2%	8%	6.8%	5.5%
2905.12.00	13.2%	12.3%	11.4%	10.6%	9.8%	8.9%	8%	7.2%	6.4%	5.5%
2905.13.00	8.1%	7.5%	6.8%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2905.14.50	8.1%	7.5%	6.8%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.15.00	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.21.00	7.1%	6.7%	6.3%	5.9%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.31.00	11.4%	10.7%	10%	9.4%	8.8%	8.1%	7.4%	6.8%	6.2%	5.5%
2905.32.00	10.9%	10.3%	9.7%	9.1%	8.5%	7.9%	7.3%	6.7%	6.1%	5.5%
2905.39.10	10.9%	10.3%	9.7%	9.1%	8.5%	7.9%	7.3%	6.7%	6.1%	5.5%
2905.39.20	6.5%	6.2%	6%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.39.90	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2905.43.00	5.6%	5.4%	5.2%	5%	4.8%	4.6%	4.6%	4.6%	4.6%	4.6%
2905.44.00	5.6%	5.5%	5.4%	5.2%	5%	4.9%	4.9%	4.9%	4.9%	4.9%
2905.49.40	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.49.50	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2905.50.30	11.1%	9.8%	8.6%	7.4%	6.2%	4.9%	3.7%	2.5%	1.2%	Free
2905.50.60	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2906.12.00	3.3¢/kg + 15.7%	3¢/kg + 14.5%	2.6¢/kg + 13.4%	2.2¢/kg + 12.3%	1.8¢/kg + 11.2%	1.5¢/kg + 10%	1.1¢/kg + 8.9%	0.7¢/kg + 7.8%	0.4¢/kg + 6.6%	5.5%
2906.13.10	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
2906.14.00	6.2%	6%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2906.19.50	6.8%	6.5%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2906.21.00	6.4%	6.2%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2906.29.10	15.2%	14.1%	13.1%	12%	10.9%	9.8%	8.7%	7.7%	6.6%	5.5%
2906.29.20	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2906.29.60	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.11.00	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.13.00	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2907.15.10	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2907.15.60	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2907.19.10	6.8%	6.5%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.19.20	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2907.19.80	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.21.00	6.8%	6.5%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2907.22.10	7.9%	7.3%	6.7%	6.1%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.22.50	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.23.00	3.3¢/kg + 12.9%	3¢/kg + 12.1%	2.6¢/kg + 11.2%	2.2¢/kg + 10.4%	1.8¢/kg + 9.6%	1.5¢/kg + 8.8%	1.1¢/kg + 8%	0.7¢/kg + 7.1%	0.4¢/kg + 6.3%	5.5%
2907.29.25	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.29.90	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2907.30.00	6.9%	6.5%	6.2%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.10.10	7.6%	7.1%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.10.15	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2908.10.20	10.5%	10%	9.4%	8.9%	8.3%	7.7%	7.2%	6.6%	6.1%	5.5%
2908.10.25	1.4¢/kg + 18%	1.2¢/kg + 16.6%	1¢/kg + 15.2%	0.9¢/kg + 13.8%	0.8¢/kg + 12.4%	0.6¢/kg + 11.1%	0.4¢/kg + 9.7%	0.3¢/kg + 8.3%	0.2¢/kg + 6.9%	5.5%
2908.10.35	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2908.10.60	1.4¢/kg + 18%	1.2¢/kg + 16.6%	1¢/kg + 15.2%	0.9¢/kg + 13.8%	0.8¢/kg + 12.4%	0.6¢/kg + 11.1%	0.4¢/kg + 9.7%	0.3¢/kg + 8.3%	0.2¢/kg + 6.9%	5.5%
2908.20.04	6.2%	6%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.20.15	1.4¢/kg + 18%	1.2¢/kg + 16.6%	1¢/kg + 15.2%	0.9¢/kg + 13.8%	0.8¢/kg + 12.4%	0.6¢/kg + 11.1%	0.4¢/kg + 9.7%	0.3¢/kg + 8.3%	0.2¢/kg + 6.9%	5.5%
2908.20.20	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2908.20.60	1.4¢/kg + 18%	1.2¢/kg + 16.6%	1¢/kg + 15.2%	0.9¢/kg + 13.8%	0.8¢/kg + 12.4%	0.6¢/kg + 11.1%	0.4¢/kg + 9.7%	0.3¢/kg + 8.3%	0.2¢/kg + 6.9%	5.5%
2908.90.04	7.6%	7.1%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.90.08	7.6%	7.1%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.90.24	5.9%	5.8%	5.7%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.90.28	5.9%	5.8%	5.7%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2908.90.30	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2908.90.40	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2908.90.50	1.4¢/kg + 18%	1.2¢/kg + 16.6%	1¢/kg + 15.2%	0.9¢/kg + 13.8%	0.8¢/kg + 12.4%	0.6¢/kg + 11.1%	0.4¢/kg + 9.7%	0.3¢/kg + 8.3%	0.2¢/kg + 6.9%	5.5%
2909.19.10	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2909.19.60	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%

Annex (con.)
-455-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2909.30.05	6.6%	6.3%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2909.30.07	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2909.30.09	18%	16%	14%	12%	10%	8%	6%	4%	2%	Free
2909.30.10	6.3%	6.1%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2909.30.20	9.9%	9.4%	8.9%	8.4%	8%	7.5%	7%	6.5%	6%	5.5%
2909.30.30	12.3%	11.6%	10.8%	10.1%	9.3%	8.5%	7.8%	7%	6.3%	5.5%
2909.30.40	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2909.30.60	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2909.41.00	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2909.42.00	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2909.43.00	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2909.44.00	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2909.49.10	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2909.49.15	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2909.49.60	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2909.50.10	6.6%	6.3%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2909.50.20	8.4%	7.7%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2909.50.45	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2909.50.50	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2909.60.10	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2909.60.20	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2910.10.00	8.3%	7.6%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2910.20.00	11.4%	10.7%	10%	9.4%	8.8%	8.1%	7.4%	6.8%	6.2%	5.5%
2910.90.20	6.6%	6.3%	6.1%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.12.00	7.5%	7%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.13.00	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2912.19.10	6.2%	6%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.19.40	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2912.19.50	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2912.21.00	8.3%	7.6%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.29.10	7.8%	7.2%	6.7%	6.1%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.29.60	10.8%	10.2%	9.6%	9%	8.4%	7.9%	7.3%	6.7%	6.1%	5.5%
2912.30.10	10.1%	9.6%	9.1%	8.6%	8%	7.5%	7%	6.5%	6%	5.5%
2912.41.00	7.9%	7.3%	6.7%	6.1%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.42.00	15.2%	14.1%	13.1%	12%	10.9%	9.8%	8.7%	7.7%	6.6%	5.5%
2912.49.10	7.5%	7%	6.5%	6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2912.49.25	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2912.50.50	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2913.00.40	18.6%	17.1%	15.6%	14.2%	12.8%	11.3%	9.8%	8.4%	7%	5.5%
2913.00.50	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.11.10	0.2¢/kg + 17.4%	0.2¢/kg + 16.1%	0.1¢/kg + 14.7%	0.1¢/kg + 13.4%	0.1¢/kg + 12.1%	0.1¢/kg + 10.8%	0.1¢/kg + 9.5%	8.1%	6.8%	5.5%
2914.22.10	2.2¢/kg + 11.8%	1.9¢/kg + 11.1%	1.7¢/kg + 10.4%	1.4¢/kg + 9.7%	1.2¢/kg + 9%	1¢/kg + 8.3%	0.7¢/kg + 7.6%	0.5¢/kg + 6.9%	0.2¢/kg + 6.2%	5.5%
2914.22.20	5.8%	5.7%	5.7%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.23.00	6.2%	6%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.30.50	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2914.49.20	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2914.49.40	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2914.50.30	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2914.69.10	7.9%	7.3%	6.7%	6.1%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.69.20	6.6%	6.3%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.69.90	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2914.70.10	6.3%	6.1%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.70.40	10.4%	9.9%	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2915.11.00	8.3%	7.6%	6.9%	6.2%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2915.13.10	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2915.33.00	14.9%	13.8%	12.8%	11.7%	10.7%	9.7%	8.6%	7.6%	6.5%	5.5%
2915.34.00	14.9%	13.8%	12.8%	11.7%	10.7%	9.7%	8.6%	7.6%	6.5%	5.5%
2915.35.00	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2915.39.10	21.7%	19.9%	18.1%	16.3%	14.5%	12.7%	10.9%	9.1%	7.3%	5.5%
2915.39.20	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2915.39.30	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2915.39.35	3.3¢/kg + 16.7%	3¢/kg + 15.4%	2.6¢/kg + 14.2%	2.2¢/kg + 12.9%	1.8¢/kg + 11.7%	1.5¢/kg + 10.5%	1.1¢/kg + 9.2%	0.7¢/kg + 8%	0.4¢/kg + 6.7%	5.5%
2915.39.40	16.8%	15.5%	14.2%	13%	11.8%	10.5%	9.2%	8%	6.8%	5.5%
2915.39.47	11.6%	10.9%	10.3%	9.6%	8.9%	8.2%	7.5%	6.9%	6.2%	5.5%
2915.40.20	12.7%	11.9%	11.1%	10.3%	9.5%	8.7%	7.9%	7.1%	6.3%	5.5%
2915.40.30	3.3¢/kg + 16.7%	3¢/kg + 15.4%	2.6¢/kg + 14.2%	2.2¢/kg + 12.9%	1.8¢/kg + 11.7%	1.5¢/kg + 10.5%	1.1¢/kg + 9.2%	0.7¢/kg + 8%	0.4¢/kg + 6.7%	5.5%
2915.50.20	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2915.60.10	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2915.90.20	11.3%	10.6%	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2916.12.10	11.4%	10.8%	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2916.15.10	8.3%	7.9%	7.4%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.31.15	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.31.20	13.9%	13.1%	12.2%	11.4%	10.6%	9.8%	9%	8.1%	7.3%	6.5%
2916.31.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.31.50	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2916.32.10	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2916.32.20	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.33.10	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.33.20	11.4%	10.8%	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2916.33.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.33.50	3.3¢/kg + 16.1%	3¢/kg + 14.3%	2.6¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 9%	1.5¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.4¢/kg + 1.8%	Free
2916.39.03	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.39.06	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2916.39.08	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.39.12	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.39.15	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.39.16	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2916.39.20	11.4%	10.8%	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2916.39.45	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.39.75	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2917.12.10	0.2¢/kg + 18.5%	0.2¢/kg + 17.1%	0.1¢/kg + 15.8%	0.1¢/kg + 14.5%	0.1¢/kg + 13.2%	0.1¢/kg + 11.8%	0.1¢/kg + 10.5%	9.2%	7.8%	6.5%
2917.12.20	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2917.12.50	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2917.14.10	2¢/kg + 14.7%	1.8¢/kg + 13.8%	1.5¢/kg + 12.9%	1.3¢/kg + 12%	1.1¢/kg + 11%	0.9¢/kg + 10.1%	0.7¢/kg + 9.2%	0.4¢/kg + 8.3%	0.2¢/kg + 7.4%	6.5%
2917.19.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2917.19.15	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2917.19.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2917.19.23	3.3¢/kg + 15.8%	3¢/kg + 14.7%	2.6¢/kg + 13.7%	2.2¢/kg + 12.7%	1.8¢/kg + 11.6%	1.5¢/kg + 10.6%	1.1¢/kg + 9.6%	0.7¢/kg + 8.6%	0.4¢/kg + 7.5%	6.5%
2917.19.27	3.3¢/kg + 15.8%	3¢/kg + 14.7%	2.6¢/kg + 13.7%	2.2¢/kg + 12.7%	1.8¢/kg + 11.6%	1.5¢/kg + 10.6%	1.1¢/kg + 9.6%	0.7¢/kg + 8.6%	0.4¢/kg + 7.5%	6.5%
2917.19.40	3.3¢/kg + 11.9%	3¢/kg + 11.3%	2.6¢/kg + 10.7%	2.2¢/kg + 10.1%	1.8¢/kg + 9.5%	1.5¢/kg + 8.9%	1.1¢/kg + 8.3%	0.7¢/kg + 7.7%	0.4¢/kg + 7.1%	6.5%
2917.31.00	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2917.32.00	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2917.33.00	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2917.34.00	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2917.35.00	2.3¢/kg + 8.4%	2.1¢/kg + 8.2%	1.8¢/kg + 8%	1.6¢/kg + 7.8%	1.3¢/kg + 7.6%	1¢/kg + 7.3%	0.8¢/kg + 7.1%	0.5¢/kg + 6.9%	0.3¢/kg + 6.7%	6.5%
2917.36.00	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2917.37.00	2.6¢/kg + 12.4%	2.3¢/kg + 11.8%	2¢/kg + 11.1%	1.7¢/kg + 10.5%	1.4¢/kg + 9.8%	1.2¢/kg + 9.1%	0.9¢/kg + 8.5%	0.6¢/kg + 7.8%	0.3¢/kg + 7.2%	6.5%
2917.39.04	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2917.39.15	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2917.39.17	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2917.39.20	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2917.39.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2917.39.70	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2918.15.10	8%	7.6%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.17.50	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.19.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.19.30	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.21.10	8.3%	7.8%	7.4%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.21.50	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.22.10	9.8%	9.5%	9.1%	8.7%	8.4%	8%	7.6%	7.2%	6.9%	6.5%
2918.22.50	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.23.10	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.23.20	11.4%	10.8%	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2918.23.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.23.50	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.29.20	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.29.22	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2918.29.25	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.29.65	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.29.75	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.30.25	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.30.30	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2918.90.18	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.90.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.90.30	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2918.90.35	11.4%	10.8%	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2918.90.43	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2918.90.47	3.3¢/kg + 16.8%	3¢/kg + 15.6%	2.6¢/kg + 14.5%	2.2¢/kg + 13.3%	1.8¢/kg + 12.2%	1.5¢/kg + 11.1%	1.1¢/kg + 9.9%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2919.00.25	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
2919.00.30	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2920.10.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2920.10.40	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2920.90.10	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2920.90.20	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.19.60	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.22.05	7%	6.9%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.22.10	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2921.22.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.29.00	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.30.10	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.30.30	3.3¢/kg + 15.8%	3¢/kg + 14.7%	2.6¢/kg + 13.7%	2.2¢/kg + 12.7%	1.8¢/kg + 11.6%	1.5¢/kg + 10.6%	1.1¢/kg + 9.6%	0.7¢/kg + 8.6%	0.4¢/kg + 7.5%	6.5%
2921.41.10	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2921.41.20	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.42.10	11.8%	11.2%	10.6%	10%	9.4%	8.9%	8.3%	7.7%	7.1%	6.5%
2921.42.15	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.42.21	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.42.22	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.42.23	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.42.55	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2921.42.65	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.42.90	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.43.15	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.43.19	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.43.40	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.43.80	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.44.10	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.44.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.44.70	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.45.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.45.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.45.90	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.49.32	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2921.49.37	15.6%	14.6%	13.6%	12.6%	11.6%	10.5%	9.5%	8.5%	7.5%	6.5%
2921.49.43	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2921.49.45	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.49.50	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.51.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.51.20	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.51.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.51.50	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2921.59.20	10.1%	9.7%	9.3%	8.9%	8.5%	8.1%	7.7%	7.3%	6.9%	6.5%
2921.59.30	7%	6.9%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2921.59.40	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2921.59.80	2.2¢/kg + 17.6%	1.9¢/kg + 16.3%	1.7¢/kg + 15.1%	1.4¢/kg + 13.9%	1.2¢/kg + 12.6%	1¢/kg + 11.4%	0.7¢/kg + 10.2%	0.5¢/kg + 9%	0.2¢/kg + 7.7%	6.5%
2922.11.00	10.8%	10.3%	9.9%	9.4%	8.9%	8.4%	7.9%	7.5%	7%	6.5%
2922.12.00	10.8%	10.3%	9.9%	9.4%	8.9%	8.4%	7.9%	7.5%	7%	6.5%
2922.13.00	10.8%	10.3%	9.9%	9.4%	8.9%	8.4%	7.9%	7.5%	7%	6.5%
2922.19.18	7.4%	7.2%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.19.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.19.70	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.19.95	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.21.40	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.21.50	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.22.10	7.5%	7.3%	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.22.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.22.50	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.29.15	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.29.20	4.9%	3.7%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
2922.29.26	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2922.29.27	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.29.29	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.29.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.29.80	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.30.14	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.30.17	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.30.25	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.30.45	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.30.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.42.10	11.4%	10.9%	10.4%	9.8%	9.2%	8.7%	8.2%	7.6%	7%	6.5%
2922.49.27	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.49.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.49.37	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.50.11	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.50.14	7.7%	7.4%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.50.17	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.50.19	8.6%	8.1%	7.5%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.50.25	8.3%	7.8%	7.4%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2922.50.35	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.50.40	3.3¢/kg + 14.7%	3¢/kg + 13.8%	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2922.50.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.10.80	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.21.04	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.21.16	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2924.21.18	3.3¢/kg + 16.9%	3¢/kg + 15.8%	2.6¢/kg + 14.6%	2.2¢/kg + 13.5%	1.8¢/kg + 12.3%	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.7%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2924.21.20	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2924.21.45	3.3¢/kg + 16.9%	3¢/kg + 15.8%	2.6¢/kg + 14.6%	2.2¢/kg + 13.5%	1.8¢/kg + 12.3%	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.7%	6.5%
2924.21.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.29.10	3.3¢/kg + 16.9%	3¢/kg + 15.8%	2.6¢/kg + 14.6%	2.2¢/kg + 13.5%	1.8¢/kg + 12.3%	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.7%	6.5%
2924.29.20	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.29.36	13.2%	12.5%	11.8%	11%	10.2%	9.5%	8.8%	8%	7.2%	6.5%
2924.29.41	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.29.47	12.3%	11.6%	11%	10.3%	9.7%	9.1%	8.4%	7.8%	7.1%	6.5%
2924.29.52	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2924.29.62	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2924.29.65	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2924.29.70	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2924.29.75	3.3¢/kg + 16.9%	3¢/kg + 15.8%	2.6¢/kg + 14.6%	2.2¢/kg + 13.5%	1.8¢/kg + 12.3%	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.7%	6.5%
2924.29.90	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2925.11.00	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2925.19.10	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
2925.19.40	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
2925.20.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2925.20.20	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2925.20.60	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
2926.10.00	11.1%	10.6%	10.1%	9.6%	9%	8.5%	8%	7.5%	7%	6.5%
2926.90.05	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2926.90.08	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2926.90.12	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2926.90.14	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2926.90.17	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2926.90.21	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2926.90.23	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2926.90.25	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2926.90.30	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2926.90.44	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2926.90.47	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2927.00.25	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2927.00.30	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2927.00.40	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2927.00.50	18.6%	17.2%	15.9%	14.5%	13.2%	11.9%	10.5%	9.2%	7.8%	6.5%
2928.00.25	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2928.00.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2929.10.10	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2929.10.15	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
2929.10.30	2.6¢/kg + 15.2%	2.3¢/kg + 14.3%	2¢/kg + 13.3%	1.7¢/kg + 12.3%	1.4¢/kg + 11.4%	1.2¢/kg + 10.4%	0.9¢/kg + 9.4%	0.6¢/kg + 8.4%	0.3¢/kg + 7.5%	6.5%
2929.10.35	7.9%	7.7%	7.6%	7.4%	7.3%	7.1%	7%	6.8%	6.7%	6.5%
2929.10.55	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2929.10.80	2.6¢/kg + 15.2%	2.3¢/kg + 14.3%	2¢/kg + 13.3%	1.7¢/kg + 12.3%	1.4¢/kg + 11.4%	1.2¢/kg + 10.4%	0.9¢/kg + 9.4%	0.6¢/kg + 8.4%	0.3¢/kg + 7.5%	6.5%
2929.90.15	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2929.90.20	2.6¢/kg + 15.2%	2.3¢/kg + 14.3%	2¢/kg + 13.3%	1.7¢/kg + 12.3%	1.4¢/kg + 11.4%	1.2¢/kg + 10.4%	0.9¢/kg + 9.4%	0.6¢/kg + 8.4%	0.3¢/kg + 7.5%	6.5%
2929.90.50	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2930.20.10	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2930.20.20	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2930.90.10	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2930.90.24	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2930.90.29	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2930.90.44	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2931.00.10	3.3¢/kg + 11.9%	3¢/kg + 11.3%	2.6¢/kg + 10.7%	2.2¢/kg + 10.1%	1.8¢/kg + 9.5%	1.5¢/kg + 8.9%	1.1¢/kg + 8.3%	0.7¢/kg + 7.7%	0.4¢/kg + 7.1%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2931.00.22	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2931.00.25	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2931.00.27	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2931.00.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2931.00.60	16.6%	15.5%	14.3%	13.2%	12.1%	11%	9.9%	8.7%	7.6%	6.5%
2932.19.10	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.21.00	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
2932.29.10	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2932.29.20	7.2%	7%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.29.25	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2932.29.30	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.29.45	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2932.90.08	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.90.20	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2932.90.35	7.5%	7.3%	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.90.37	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.90.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.90.70	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.11.00	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.19.23	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.19.30	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.19.35	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.19.37	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.19.43	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.19.90	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.21.00	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.29.35	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2933.29.43	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.29.90	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.39.21	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2933.39.23	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.39.25	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.39.27	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2933.39.30	15.6%	14.6%	13.6%	12.6%	11.6%	10.5%	9.5%	8.5%	7.5%	6.5%
2933.39.41	7.7%	7.4%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.39.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.39.90	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.40.08	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.40.10	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.40.20	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.40.26	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.40.30	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2933.40.60	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.40.70	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.59.10	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.59.15	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2933.59.18	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.59.21	8.7%	8.1%	7.6%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.59.22	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.59.36	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.59.45	15.6%	14.6%	13.6%	12.6%	11.6%	10.5%	9.5%	8.5%	7.5%	6.5%
2933.59.53	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2933.59.70	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.59.80	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.59.95	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.71.00	3¢/kg + 9.6%	2.6¢/kg + 9.3%	2.3¢/kg + 9%	2¢/kg + 8.6%	1.6¢/kg + 8.2%	1.3¢/kg + 7.9%	1¢/kg + 7.6%	0.7¢/kg + 7.2%	0.3¢/kg + 6.8%	6.5%
2933.79.09	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.79.15	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.79.80	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.06	11.1%	10.6%	10.1%	9.6%	9.1%	8.5%	8%	7.5%	7%	6.5%
2933.90.14	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.17	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2933.90.22	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.90.24	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.26	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.46	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.53	7.7%	7.4%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.55	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.61	15.6%	14.6%	13.6%	12.6%	11.6%	10.5%	9.5%	8.5%	7.5%	6.5%
2933.90.65	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.70	7.4%	7.2%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.75	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2933.90.79	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.90.82	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.90.97	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.10.10	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2934.10.20	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.10.90	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.20.05	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.20.10	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
2934.20.15	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.20.20	0.8¢/kg + 11.9%	0.7¢/kg + 11.3%	0.6¢/kg + 10.7%	0.5¢/kg + 10.1%	0.4¢/kg + 9.5%	0.4¢/kg + 8.9%	0.3¢/kg + 8.3%	0.2¢/kg + 7.7%	0.1¢/kg + 7.1%	6.5%
2934.20.35	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2934.20.40	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2934.20.80	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.30.12	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.30.23	15.6%	14.6%	13.6%	12.6%	11.6%	10.5%	9.5%	8.5%	7.5%	6.5%
2934.30.27	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.30.43	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2934.30.50	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.90.06	7.5%	7.3%	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.90.08	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.90.11	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.90.12	10.6%	10.2%	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2934.90.15	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2934.90.16	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2934.90.18	10.3%	9.9%	9.4%	9%	8.6%	8.2%	7.8%	7.3%	6.9%	6.5%
2934.90.20	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.90.30	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2934.90.39	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
2934.90.44	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2934.90.90	7.6%	7.3%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2935.00.05	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2935.00.10	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2935.00.15	7.2%	7%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2935.00.20	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
2935.00.32	10.4%	9.9%	9.5%	9.1%	8.6%	8.2%	7.8%	7.4%	6.9%	6.5%
2935.00.48	10.4%	9.9%	9.5%	9.1%	8.6%	8.2%	7.8%	7.4%	6.9%	6.5%
2935.00.60	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2935.00.75	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2935.00.95	3.3¢/kg + 16.8%	3¢/kg + 15.7%	2.6¢/kg + 14.6%	2.2¢/kg + 13.4%	1.8¢/kg + 12.2%^	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.6%	6.5%
2942.00.05	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2942.00.10	12.8%	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2942.00.35	15.1%	14.2%	13.2%	12.3%	11.3%	10.3%	9.4%	8.4%	7.5%	6.5%
3202.10.10	13.5%	12.7%	12%	11.2%	10.4%	9.6%	8.8%	8.1%	7.3%	6.5%
3202.10.50	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.11.10	8.5%	8%	7.5%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.11.15	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.11.35	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.11.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.12.17	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.12.20	8.7%	8.1%	7.6%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.12.30	8.5%	8%	7.5%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.12.45	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.12.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.13.10	8.5%	8%	7.5%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.13.20	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.13.25	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.13.60	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3204.13.80	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.14.10	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.14.20	8.9%	8.3%	7.7%	7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.14.25	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.14.30	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.14.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.15.10	3¢/kg + 13.6%	2.6¢/kg + 12.8%	2.3¢/kg + 12%	2¢/kg + 11.2%	1.6¢/kg + 10.4%	1.3¢/kg + 9.7%	1¢/kg + 8.9%	0.7¢/kg + 8.1%	0.3¢/kg + 7.3%	6.5%
3204.15.20	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.15.30	8%	7.6%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.15.35	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.15.40	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.15.80	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.16.10	13.4%	12.7%	11.9%	11.1%	10.4%	9.6%	8.8%	8%	7.3%	6.5%
3204.16.20	7.9%	7.6%	7.2%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.16.30	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.16.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.17.04	7.9%	7.6%	7.2%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.17.20	16.4%	15.3%	14.2%	13.1%	12%	10.9%	9.8%	8.7%	7.6%	6.5%
3204.17.60	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.17.90	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.19.11	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3204.19.20	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.19.25	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.19.30	3¢/kg + 13.2%	2.6¢/kg + 12.5%	2.3¢/kg + 11.8%	2¢/kg + 11%	1.6¢/kg + 10.2%	1.3¢/kg + 9.5%	1¢/kg + 8.8%	0.7¢/kg + 8%	0.3¢/kg + 7.2%	6.5%
3204.19.40	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3204.19.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.20.10	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3204.20.80	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3205.00.15	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3205.00.40	14.2%	13.3%	12.4%	11.6%	10.8%	9.9%	9%	8.2%	7.4%	6.5%
3205.00.50	18.6%	17.3%	16%	14.6%	13.2%	11.9%	10.6%	9.2%	7.8%	6.5%
3206.49.20	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3206.50.00	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3207.40.50	12.9%	12.2%	11.5%	10.8%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
3214.90.50	10.6%	10.1%	9.6%	9.2%	8.8%	8.3%	7.8%	7.4%	7%	6.5%
3301.12.00	5.4%	4.9%	4.4%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
3301.13.00	7.7%	6.9%	6.2%	5.4%	4.6%	3.8%	3.8%	3.8%	3.8%	3.8%
3301.19.10	5.4%	4.9%	4.4%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%
3301.24.00	6.2%	5.8%	5.4%	5%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%
3301.90.10	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%
3302.10.10	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
3302.10.20	5.3¢/kg + 2.4%	4¢/kg + 1.8%	2.6¢/kg + 1.2%	1.3¢/kg + 0.6%	Free	Free	Free	Free	Free	Free
3302.10.30	5%	3.8%	2.5%	1.3%	Free	Free	Free	Free	Free	Free
3302.90.10	9¢/kg + 3.3%	7¢/kg + 2.5%	4¢/kg + 1.6%	2¢/kg + 0.8%	Free	Free	Free	Free	Free	Free
3302.90.20	9¢/kg + 3.8%	7¢/kg + 2.8%	4¢/kg + 1.9%	2¢/kg + 0.9%	Free	Free	Free	Free	Free	Free
3303.00.20	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
3303.00.30	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
3304.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3304.20.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3304.30.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3304.91.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3304.99.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3305.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3305.20.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3305.30.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3305.90.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
3306.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3306.90.00	4.4%	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free	Free
3401.11.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
3401.11.50	0.9¢/kg + 2.9%	0.7¢/kg + 2.2%	0.4¢/kg + 1.4%	0.2¢/kg + 0.7%	Free	Free	Free	Free	Free	Free
3401.19.00	0.7¢/kg + 2.3%	0.5¢/kg + 1.7%	0.4¢/kg + 1.2%	0.2¢/kg + 0.6%	Free	Free	Free	Free	Free	Free
3401.20.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
3402.11.20	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3402.11.40	6.6%	5.9%	5.3%	4.6%	4%	4%	4%	4%	4%	4%
3402.12.10	6.1%	5.6%	5%	4.5%	4%	4%	4%	4%	4%	4%
3402.12.50	5%	4.7%	4.5%	4.2%	4%	4%	4%	4%	4%	4%
3402.13.10	6.6%	6%	5.3%	4.7%	4%	4%	4%	4%	4%	4%
3402.13.20	1.8¢/kg + 4.4%	1.3¢/kg + 4.3%	0.9¢/kg + 4.2%	0.4¢/kg + 4.1%	4%	4%	4%	4%	4%	4%
3402.19.10	6.5%	5.9%	5.2%	4.6%	4%	4%	4%	4%	4%	4%
3402.20.10	6.1%	5.6%	5%	4.5%	4%	4%	4%	4%	4%	4%
3402.90.30	7%	6.2%	5.5%	4.7%	4%	4%	4%	4%	4%	4%
3403.91.50	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3403.99.00	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3404.20.00	11.5%	10.7%	9.8%	9%	8.2%	7.4%	6.6%	5.7%	4.9%	4.1% 1/
3404.90.10	6%	4.5%	3%	1.5%	Free	Free	Free	Free	Free	Free
3405.10.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
3405.20.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free

1/ For subheading 3404.20.00, the rates of duty after 2004 will be as follows:

Effective with respect to articles entered on or after January 1, 2005-- 3.3%;
Effective with respect to articles entered on or after January 1, 2006-- 2.5%;
Effective with respect to articles entered on or after January 1, 2007-- 1.6%;
Effective with respect to articles entered on or after January 1, 2008-- 0.8%; and
Effective with respect to articles entered on or after January 1, 2009-- Free.

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3405.30.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
3405.40.00	0.7¢/kg + 2.3%	0.5¢/kg + 1.7%	0.4¢/kg + 1.2%	0.2¢/kg + 0.6%	Free	Free	Free	Free	Free	Free
3405.90.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
3406.00.00	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
3407.00.40	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
3501.10.10	0.43¢/kg	0.42¢/kg	0.41¢/kg	0.39¢/kg	0.38¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg
3501.90.20	7.2%	7%	6.8%	6.5%	6.2%	6%	6%	6%	6%	6%
3501.90.60	0.43¢/kg	0.42¢/kg	0.41¢/kg	0.39¢/kg	0.38¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg	0.37¢/kg
3502.10.10	57.5¢/kg	55.5¢/kg	53.6¢/kg	51.6¢/kg	49.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg
3502.10.50	11.7¢/kg	11.3¢/kg	10.9¢/kg	10.5¢/kg	10.1¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg
3503.00.10	1.7¢/kg + 2.2%	1.6¢/kg + 2.1%	1.5¢/kg + 2%	1.4¢/kg + 1.8%	1.3¢/kg + 1.6%	1.2¢/kg + 1.5%	1.2¢/kg + 1.5%	1.2¢/kg + 1.5%	1.2¢/kg + 1.5%	1.2¢/kg + 1.5%
3503.00.20	1.7¢/kg + 4.7%	1.6¢/kg + 4.4%	1.5¢/kg + 4.1%	1.4¢/kg + 3.8%	1.3¢/kg + 3.5%	1.2¢/kg + 3.2%	1.2¢/kg + 3.2%	1.2¢/kg + 3.2%	1.2¢/kg + 3.2%	1.2¢/kg + 3.2%
3503.00.40	4.1¢/kg + 5.6%	3.9¢/kg + 5.3%	3.6¢/kg + 4.9%	3.3¢/kg + 4.5%	3.1¢/kg + 4.2%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%
3503.00.55	4.1¢/kg + 5.6%	3.9¢/kg + 5.3%	3.6¢/kg + 4.9%	3.3¢/kg + 4.5%	3.1¢/kg + 4.2%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%	2.8¢/kg + 3.8%
3504.00.10	9.2%	8.3%	7.5%	6.7%	5.8%	5%	5%	5%	5%	5%
3504.00.50	7.2%	6.6%	6%	5.3%	4.6%	4%	4%	4%	4%	4%
3505.10.00	1¢/kg	1¢/kg	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
3505.20.00	2.5¢/kg + 3.5%	2.4¢/kg + 3.4%	2.4¢/kg + 3.3%	2.3¢/kg + 3.1%	2.2¢/kg + 3%	2.1¢/kg + 2.9%	2.1¢/kg + 2.9%	2.1¢/kg + 2.9%	2.1¢/kg + 2.9%	2.1¢/kg + 2.9%
3506.10.10	7.1%	7%	6.8%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3507.90.70	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
3601.00.00	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3604.90.00	7.3%	7.1%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3707.90.32	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3806.30.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3808.10.25	1.4¢/kg + 9.1%	1.1¢/kg + 8.4%	0.7¢/kg + 7.8%	0.4¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3808.20.15	1.4¢/kg + 9.1%	1.1¢/kg + 8.4%	0.7¢/kg + 7.8%	0.4¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3808.30.15	1.4¢/kg + 9.1%	1.1¢/kg + 8.4%	0.7¢/kg + 7.8%	0.4¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3808.40.10	1.4¢/kg + 9.1%	1.1¢/kg + 8.4%	0.7¢/kg + 7.8%	0.4¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3808.90.08	1.4¢/kg + 9.1%	1.1¢/kg + 8.4%	0.7¢/kg + 7.8%	0.4¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3809.10.00	4¢/kg + 5.5%	3.7¢/kg + 5%	3.3¢/kg + 4.5%	2.9¢/kg + 4%	2.6¢/kg + 3.5%	2.2¢/kg + 3%	2.2¢/kg + 3%	2.2¢/kg + 3%	2.2¢/kg + 3%	2.2¢/kg + 3%
3809.92.10	11.4%	10.9%	10.4%	9.8%	9.2%	8.7%	8.2%	7.6%	7%	6.5%
3809.93.10	11.4%	10.9%	10.4%	9.8%	9.2%	8.7%	8.2%	7.6%	7%	6.5%
3810.90.10	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3811.19.00	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3811.21.00	11.4%	10.9%	10.4%	9.8%	9.2%	8.7%	8.2%	7.6%	7%	6.5%
3811.29.00	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3811.90.00	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3812.10.10	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3812.20.10	0.2¢/kg + 16.6%	0.2¢/kg + 15.5%	0.1¢/kg + 14.3%	0.1¢/kg + 13.2%	0.1¢/kg + 12.1%	0.1¢/kg + 11%	0.1¢/kg + 9.9%	8.7%	7.6%	6.5%
3812.30.20	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3812.30.60	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3814.00.10	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3814.00.20	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3815.90.10	7.2%	7%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3817.10.10	1¢/kg + 16.2%	0.9¢/kg + 15.1%	0.8¢/kg + 14.1%	0.7¢/kg + 13%	0.6¢/kg + 11.9%	0.4¢/kg + 10.8%	0.3¢/kg + 9.7%	0.2¢/kg + 8.7%	0.1¢/kg + 7.6%	6.5%
3817.10.50	1¢/kg + 16.2%	0.9¢/kg + 15.1%	0.8¢/kg + 14.1%	0.7¢/kg + 13%	0.6¢/kg + 11.9%	0.4¢/kg + 10.8%	0.3¢/kg + 9.7%	0.2¢/kg + 8.7%	0.1¢/kg + 7.6%	6.5%
3817.20.00	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3819.00.00	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3820.00.00	11.4%	10.9%	10.4%	9.8%	9.2%	8.7%	8.2%	7.6%	7%	6.5%
3822.00.50	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
3823.40.10	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3823.60.00	5.6%	5.5%	5.4%	5.2%	5%	4.9%	4.9%	4.9%	4.9%	4.9%
3823.90.19	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3823.90.22	3.3¢/kg + 15.2%	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
3823.90.25	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3823.90.28	3.3¢/kg + 12.9%	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3823.90.31	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3823.90.32	16.4%	15.3%	14.2%	13.1%	12%	10.9%	9.8%	8.7%	7.6%	6.5%
3823.90.35	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3823.90.36	7.2%	7%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3823.90.45	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3826.90.46	16.8%	15.7%	14.6%	13.4%	12.2%	11.1%	10%	8.8%	7.6%	6.5%
3901.10.00	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
3901.20.00	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
3901.90.50	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3902.10.00	11.9%	11.3%	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3902.20.50	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3902.30.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3902.90.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.11.00	0.7¢/kg + 8.7%	0.5¢/kg + 8.1%	0.4¢/kg + 7.6%	0.2¢/kg + 7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.19.00	0.7¢/kg + 8.7%	0.5¢/kg + 8.1%	0.4¢/kg + 7.6%	0.2¢/kg + 7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.20.00	0.9¢/kg + 8.6%	0.7¢/kg + 8.1%	0.4¢/kg + 7.5%	0.2¢/kg + 7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.30.00	0.6¢/kg + 8.8%	0.4¢/kg + 8.2%	0.3¢/kg + 7.7%	0.1¢/kg + 7.1%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.90.10	7.4%	7.2%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3903.90.50	0.7¢/kg + 8.7%	0.5¢/kg + 8.1%	0.4¢/kg + 7.6%	0.2¢/kg + 7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3904.10.00	9.7%	9.4%	9%	8.7%	8.3%	7.9%	7.6%	7.2%	6.9%	6.5%
3904.21.00	9.7%	9.4%	9%	8.7%	8.3%	7.9%	7.6%	7.2%	6.9%	6.5%
3904.22.00	9.7%	9.4%	9%	8.7%	8.3%	7.9%	7.6%	7.2%	6.9%	6.5%
3904.50.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3904.69.50	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3904.90.50	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3907.10.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3907.20.00	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3907.50.00	2.8¢/kg + 8.8%	2.5¢/kg + 8.5%	2.2¢/kg + 8.2%	1.9¢/kg + 8%	1.6¢/kg + 7.8%	1.2¢/kg + 7.5%	0.9¢/kg + 7.2%	0.6¢/kg + 7%	0.3¢/kg + 6.8%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3907.60.00	2.8¢/kg + 8.8%	2.5¢/kg + 8.5%	2.2¢/kg + 8.2%	1.9¢/kg + 8%	1.6¢/kg + 7.8%	1.2¢/kg + 7.5%	0.9¢/kg + 7.2%	0.6¢/kg + 7%	0.3¢/kg + 6.8%	6.5%
3907.91.50	0.7¢/kg + 8.5%	0.5¢/kg + 8%	0.4¢/kg + 7.5%	0.2¢/kg + 7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3907.99.00	2.8¢/kg + 8.8%	2.5¢/kg + 8.5%	2.2¢/kg + 8.2%	1.9¢/kg + 8%	1.6¢/kg + 7.8%	1.2¢/kg + 7.5%	0.9¢/kg + 7.2%	0.6¢/kg + 7%	0.3¢/kg + 6.8%	6.5%
3908.90.70	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3909.10.00	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3909.20.00	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3909.30.00	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3911.90.90	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3913.90.50	1.8¢/kg + 7.5%	1.3¢/kg + 7.2%	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3916.90.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3916.90.30	7.5%	7.3%	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3917.10.10	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3918.10.32	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3918.90.20	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3919.10.10	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3919.90.10	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3920.51.50	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3920.59.80	8.3%	7.9%	7.4%	7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.12.15	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.12.50	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.13.15	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.14.00	7.8%	7.5%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.19.00	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.90.15	8.1%	7.7%	7.3%	6.9%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3921.90.21	7.1%	6.9%	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3921.90.25	15%	14.1%	13.2%	12.2%	11.2%	10.3%	9.4%	8.4%	7.4%	6.5%
3924.10.20	6.9%	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3926.20.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
3926.20.40	13.2%	12.5%	11.8%	11%	10.2%	9.5%	8.8%	8%	7.2%	6.5%
3926.90.33	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3926.90.35	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3926.90.57	7.7%	7.4%	7.1%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3926.90.85	10.6%	10.1%	9.6%	9.2%	8.8%	8.3%	7.8%	7.4%	7%	6.5%
4006.10.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
4006.90.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4006.90.50	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4007.00.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4008.11.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4008.11.50	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4008.19.20	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4008.19.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4008.19.60	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4008.19.80	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4008.21.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
4008.29.20	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
4008.29.40	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
4009.10.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4009.20.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4009.30.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4009.40.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4009.50.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4010.10.10	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.10.50	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.91.11	4.9%	4.7%	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.91.19	2.3%	2.2%	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4010.91.50	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.99.11	4.9%	4.7%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
4010.99.15	7.7%	7.4%	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.99.19	2.3%	2.2%	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.99.50	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4011.10.50	3.9%	3.8%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4011.20.50	3.9%	3.8%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4011.40.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4011.91.50	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4011.99.80	3.9%	3.8%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4012.10.80	3.9%	3.8%	3.6%	3.5%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4012.20.60	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4012.20.80	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4012.90.90	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4014.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4014.90.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4015.11.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
4015.19.10	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
4015.90.00	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
4016.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4016.91.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4016.93.10	3.3%	3.1%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4016.93.50	3.3%	3.1%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4016.94.00	5.1%	4.9%	4.6%	4.4%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
4016.99.10	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4016.99.15	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4016.99.20	7.7%	6.8%	6%	5.1%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
4016.99.30	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4016.99.35	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4016.99.55	4.7%	4.2%	3.6%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

Annex (con.)
-481-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4016.99.60	4.7%	4.2%	3.6%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4017.00.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4104.10.60	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
4104.10.80	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
4104.22.00	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4104.29.30	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
4104.29.90	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4104.31.20	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4104.31.40	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4104.31.50	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4104.39.20	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
4104.39.40	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4105.11.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
4105.12.00	4.4%	3.8%	3.2%	2.6%	2%	2%	2%	2%	2%	2%
4105.19.10	4.4%	3.8%	3.2%	2.6%	2%	2%	2%	2%	2%	2%
4105.19.20	4.4%	3.8%	3.2%	2.6%	2%	2%	2%	2%	2%	2%
4105.20.30	4.4%	3.8%	3.2%	2.6%	2%	2%	2%	2%	2%	2%
4105.20.60	2.3%	2.2%	2.2%	2.1%	2%	2%	2%	2%	2%	2%
4106.19.20	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
4106.19.30	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
4106.20.30	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
4106.20.60	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4107.29.30	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
4107.29.60	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
4107.90.30	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4107.90.60	2.2%	2.1%	1.9%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
4108.00.00	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4109.00.30	3.3%	3%	2.8%	2.5%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
4109.00.40	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
4109.00.70	2.2%	2.1%	1.9%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4111.00.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
4201.00.60	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4202.12.40	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
4202.12.60	6.4%	6.3%	6.3%	6.2%	6.1%	6%	5.9%	5.9%	5.8%	5.7%
4202.12.80	19.8%	19.5%	19.3%	19%	18.8%	18.6%	18.3%	18.1%	17.8%	17.6%
4202.22.15	19.6%	19.2%	18.8%	18.4%	18%	17.6%	17.2%	16.8%	16.4%	16%
4202.22.40	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%
4202.22.45	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
4202.22.60	6.4%	6.3%	6.3%	6.2%	6.1%	6%	5.9%	5.9%	5.8%	5.7%
4202.22.70	17.4%	14.8%	12.2%	9.6%	7%	7%	7%	7%	7%	7%
4202.22.80	19.8%	19.5%	19.3%	19%	18.8%	18.6%	18.3%	18.1%	17.8%	17.6%
4202.29.20	4.7%	4.4%	4%	3.7%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4202.31.30	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
4202.32.40	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
4202.32.80	6.4%	6.3%	6.3%	6.2%	6.1%	6%	5.9%	5.9%	5.8%	5.7%
4202.32.85	18%	16%	14%	12%	10%	8%	6%	4%	2%	Free
4202.32.95	19.8%	19.5%	19.3%	19%	18.8%	18.6%	18.3%	18.1%	17.8%	17.6%
4202.39.20	4.7%	4.4%	4%	3.7%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4202.91.00	6.3%	5.9%	5.4%	5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
4202.92.15	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
4202.92.20	6.4%	6.3%	6.3%	6.2%	6.1%	6%	5.9%	5.9%	5.8%	5.7%
4202.92.30	19.8%	19.5%	19.3%	19%	18.8%	18.6%	18.3%	18.1%	17.8%	17.6%
4202.92.50	5.1%	4.9%	4.6%	4.4%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
4202.92.60	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
4202.92.90	19.8%	19.5%	19.3%	19%	18.8%	18.6%	18.3%	18.1%	17.8%	17.6%
4202.99.20	6.2%	5.7%	5.3%	4.8%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
4202.99.30	1.8¢/kg + 2.3%	1.3¢/kg + 1.7%	0.9¢/kg + 1.2%	0.4¢/kg + 0.6%	Free	Free	Free	Free	Free	Free
4203.29.05	13.7%	13.4%	13.2%	12.9%	12.6%	12.6%	12.6%	12.6%	12.6%	12.6%
4203.29.20	13.7%	13.4%	13.2%	12.9%	12.6%	12.6%	12.6%	12.6%	12.6%	12.6%
4203.29.40	13.7%	13.4%	13.2%	12.9%	12.6%	12.6%	12.6%	12.6%	12.6%	12.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4203.29.50	13.7%	13.4%	13.2%	12.9%	12.6%	12.6%	12.6%	12.6%	12.6%	12.6%
4203.30.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4203.40.30	5.5%	5.3%	5.2%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
4204.00.30	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
4205.00.40	2.6%	2.4%	2.2%	2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
4205.00.60	5.5%	5.3%	5.2%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
4206.10.90	6.9%	6.2%	5.4%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
4206.90.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4301.60.30	7.5%	7%	6.6%	6.1%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
4302.12.00	3.5%	3.3%	3.1%	2.9%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4302.13.00	2.9%	2.7%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
4302.19.15	7.5%	7%	6.6%	6.1%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
4302.19.30	2%	1.9%	1.7%	1.6%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
4302.19.45	2.9%	2.7%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
4302.19.60	4.7%	4.4%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
4302.19.75	2.3%	2.1%	2%	1.8%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
4302.20.60	4.7%	4.4%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
4302.20.90	2.3%	2.1%	2%	1.8%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
4303.10.00	5.4%	5.1%	4.7%	4.4%	4%	4%	4%	4%	4%	4%
4303.90.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
4304.00.00	10.1%	9.2%	8.3%	7.4%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
4401.30.20	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
4405.00.00	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4409.10.20	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
4409.10.40	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
4409.10.50	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
4409.10.60	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
4409.10.65	7.1%	6.5%	6%	5.4%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
4409.20.50	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
4409.20.65	7.1%	6.5%	6%	5.4%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4410.10.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4411.11.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4411.19.20	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4411.21.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4411.29.20	2.7¢/kg + 2.1%	2.5¢/kg + 2%	2.3¢/kg + 1.8%	2.1¢/kg + 1.7%	1.9¢/kg + 1.5%	1.9¢/kg + 1.5%	1.9¢/kg + 1.5%	1.9¢/kg + 1.5%	1.9¢/kg + 1.5%	1.9¢/kg + 1.5%
4411.29.60	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4411.29.90	5.6%	5.2%	4.7%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
4412.11.10	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.12.10	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.12.15	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.19.10	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
4412.19.30	4.9%	4.5%	4.2%	3.8%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.19.40	17.6%	15.2%	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.19.50	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.21.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.29.10	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.29.50	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.91.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.99.10	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
4412.99.30	4.9%	4.5%	4.2%	3.8%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.99.40	17.6%	15.2%	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.99.50	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.99.90	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4413.00.00	5.4%	5%	4.5%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
4414.00.00	5.6%	5.2%	4.7%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
4415.10.90	15.5%	14.3%	13.1%	11.9%	10.7%	10.7%	10.7%	10.7%	10.7%	10.7%
4415.20.80	15.5%	14.3%	13.1%	11.9%	10.7%	10.7%	10.7%	10.7%	10.7%	10.7%
4416.00.30	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
4416.00.90	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4417.00.60	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free

Annex (con.)
-485-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4417.00.80	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4418.10.00	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4418.20.40	7%	6.4%	5.9%	5.3%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
4418.20.80	7%	6.4%	5.9%	5.3%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
4418.30.00	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
4418.40.00	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4418.90.40	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4419.00.80	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4420.10.00	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4420.90.20	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4420.90.45	6.2%	5.7%	5.3%	4.8%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
4420.90.65	1.8¢/kg + 2.3%	1.3¢/kg + 1.7%	0.9¢/kg + 1.2%	0.4¢/kg + 0.6%	Free	Free	Free	Free	Free	Free
4420.90.80	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4421.10.00	4.7%	4.3%	4%	3.6%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
4421.90.10	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
4421.90.20	7.1%	6.5%	6%	5.4%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
4421.90.30	15.5%	14.3%	13.1%	11.9%	10.7%	10.7%	10.7%	10.7%	10.7%	10.7%
4421.90.40	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4421.90.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
4421.90.60	7.4%	6.8%	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4421.90.80	9.3¢/gross	8.6¢/gross	7.9¢/gross	7.2¢/gross	6.5¢/gross	6.5¢/gross	6.5¢/gross	6.5¢/gross	6.5¢/gross	6.5¢/gross
4421.90.85	7%	6.4%	5.9%	5.3%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
4421.90.98	4.7%	4.4%	4%	3.7%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4501.90.40	1.8¢/kg	1.3¢/kg	0.9¢/kg	0.4¢/kg	Free	Free	Free	Free	Free	Free
4502.00.00	4.4¢/kg	3.3¢/kg	2.2¢/kg	1.1¢/kg	Free	Free	Free	Free	Free	Free
4503.10.20	15¢/kg	11.2¢/kg	7.5¢/kg	3.7¢/kg	Free	Free	Free	Free	Free	Free
4503.10.30	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free	Free	Free	Free	Free	Free
4503.10.40	12.3¢/kg	9.2¢/kg	6.2¢/kg	3.1¢/kg	Free	Free	Free	Free	Free	Free
4503.10.60	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free	Free	Free	Free	Free	Free
4503.90.20	12.3¢/kg	9.2¢/kg	6.2¢/kg	3.1¢/kg	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4503.90.60	17.2%	16.4%	15.6%	14.8%	14%	14%	14%	14%	14%	14%
4504.10.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
4504.10.45	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free	Free	Free	Free	Free	Free
4504.10.47	12.3¢/kg	9.2¢/kg	6.2¢/kg	3.1¢/kg	Free	Free	Free	Free	Free	Free
4601.10.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
4601.20.20	1.8%	1.4%	0.9%	0.5%	Free	Free	Free	Free	Free	Free
4601.20.40	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4601.20.80	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
4601.91.40	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4602.10.16	7%	6.5%	6%	5.5%	5%	5%	5%	5%	5%	5%
4602.10.21	11.2%	10%	8.7%	7.5%	6.2%	6.2%	6.2%	6.2%	6.2%	6.2%
4602.10.23	16.2%	14.4%	12.6%	10.8%	9%	9%	9%	9%	9%	9%
4602.90.00	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
4802.10.00	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.30.20	2.3%	2.1%	1.8%	1.6%	1.3%	1%	0.8%	0.5%	0.3%	Free
4802.30.40	1.8%	1.6%	1.4%	1.2%	1%	0.8%	0.6%	0.4%	0.2%	Free
4802.51.10	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.51.40	1.6%	1.4%	1.3%	1.1%	0.9%	0.7%	0.5%	0.4%	0.2%	Free
4802.52.10	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.52.15	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.52.20	1.4%	1.3%	1.1%	1%	0.8%	0.6%	0.5%	0.3%	0.2%	Free
4802.52.40	1.6%	1.4%	1.3%	1.1%	0.9%	0.7%	0.5%	0.4%	0.2%	Free
4802.53.10	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.53.15	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.53.20	1.4%	1.3%	1.1%	1%	0.8%	0.6%	0.5%	0.3%	0.2%	Free
4802.53.90	1.4%	1.3%	1.1%	1%	0.8%	0.6%	0.5%	0.3%	0.2%	Free
4802.60.10	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4802.60.20	1.4%	1.3%	1.1%	1%	0.8%	0.6%	0.5%	0.3%	0.2%	Free
4803.00.20	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
4804.31.10	1.8%	1.6%	1.4%	1.2%	1%	0.8%	0.6%	0.4%	0.2%	Free

Annex (con.)
-487-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4804.31.20	3.9%	3.4%	3%	2.6%	2.2%	1.7%	1.3%	0.9%	0.4%	Free
4804.31.60	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4804.39.20	3.9%	3.4%	3%	2.6%	2.2%	1.7%	1.3%	0.9%	0.4%	Free
4804.39.60	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4804.41.40	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4804.49.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4804.59.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4805.10.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4805.30.00	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4805.40.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
4805.60.20	3.9%	3.4%	3%	2.6%	2.2%	1.7%	1.3%	0.9%	0.4%	Free
4805.60.50	1.4%	1.2%	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
4805.60.90	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4805.70.20	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4805.80.20	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4807.91.00	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4807.99.20	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4808.10.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4808.90.20	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
4808.90.40	1.8%	1.6%	1.4%	1.2%	1%	0.8%	0.6%	0.4%	0.2%	Free
4808.90.60	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4809.10.20	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4809.20.20	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
4809.90.20	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
4809.90.40	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4809.90.80	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
4810.11.20	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
4810.11.30	1.5%	1.4%	1.2%	1%	0.8%	0.7%	0.5%	0.3%	0.2%	Free
4810.11.90	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
4810.12.00	2.3%	2.1%	1.8%	1.6%	1.3%	1%	0.8%	0.5%	0.3%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4810.21.00	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
4810.29.00	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
4810.39.40	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
4810.91.40	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
4810.99.00	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
4811.21.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
4811.31.40	2.3%	2.1%	1.8%	1.6%	1.3%	1%	0.8%	0.5%	0.3%	Free
4811.39.20	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
4811.40.00	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
4811.90.10	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
4811.90.20	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
4811.90.40	2.6%	2.3%	2%	1.7%	1.4%	1.2%	0.9%	0.6%	0.3%	Free
4811.90.80	1.8%	1.6%	1.4%	1.2%	1%	0.8%	0.6%	0.4%	0.2%	Free
4812.00.00	3.3%	3%	2.6%	2.2%	1.8%	1.5%	1.1%	0.7%	0.4%	Free
4813.10.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4813.20.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4813.90.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4815.00.00	3.3%	3%	2.6%	2.2%	1.8%	1.5%	1.1%	0.7%	0.4%	Free
4816.10.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4816.20.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4816.30.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4816.90.00	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4817.10.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4817.20.20	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
4817.20.40	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
4817.30.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
4818.10.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4818.20.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4818.30.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4818.40.40	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4818.50.00	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
4818.90.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4819.10.00	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4819.20.00	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4819.30.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4819.40.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4819.50.20	3.9%	3.4%	3%	2.6%	2.2%	1.7%	1.3%	0.9%	0.4%	Free
4819.50.30	4¢/kg	3.5¢/kg	3.1¢/kg	2.6¢/kg	2.2¢/kg	1.8¢/kg	1.3¢/kg	0.9¢/kg	0.4¢/kg	Free
4819.50.40	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4819.60.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4820.10.20	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4820.30.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4820.40.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4820.50.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4820.90.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4821.10.20	7.9¢/kg	7¢/kg	6.2¢/kg	5.3¢/kg	4.4¢/kg	3.5¢/kg	2.6¢/kg	1.8¢/kg	0.9¢/kg	Free
4821.10.40	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
4821.90.20	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
4821.90.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4822.10.00	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
4822.90.00	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free
4823.11.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
4823.19.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4823.20.10	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4823.20.90	3.3%	3%	2.6%	2.2%	1.8%	1.5%	1.1%	0.7%	0.4%	Free
4823.30.00	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
4823.40.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4823.51.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4823.59.20	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
4823.59.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
4823.60.00	3.9%	3.4%	3%	2.6%	2.2%	1.7%	1.3%	0.9%	0.4%	Free
4823.90.20	2.8%	2.5%	2.2%	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
4823.90.40	3.4%	3%	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
4823.90.50	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
4823.90.60	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
4823.90.65	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
4823.90.70	3.2%	2.9%	2.5%	2.2%	1.8%	1.4%	1.1%	0.7%	0.4%	Free
4823.90.80	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4823.90.85	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4902.90.10	1.6%	1.4%	1.3%	1.1%	0.9%	0.7%	0.5%	0.4%	0.2%	Free
4905.10.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
4908.10.00	11.9¢/kg + 3.2%	10.6¢/kg + 2.8%	9.2¢/kg + 2.4%	7.9¢/kg + 2.1%	6.6¢/kg + 1.8%	5.3¢/kg + 1.4%	4¢/kg + 1%	2.6¢/kg + 0.7%	1.3¢/kg + 0.4%	Free
4908.90.00	13.9¢/kg	12.3¢/kg	10.8¢/kg	9.2¢/kg	7.7¢/kg	6.2¢/kg	4.6¢/kg	3.1¢/kg	1.5¢/kg	Free
4909.00.20	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
4909.00.40	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
4910.00.40	4¢/kg	3.5¢/kg	3.1¢/kg	2.6¢/kg	2.2¢/kg	1.8¢/kg	1.3¢/kg	0.9¢/kg	0.4¢/kg	Free
4910.00.60	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
4911.91.20	11.9¢/kg	10.6¢/kg	9.2¢/kg	7.9¢/kg	6.6¢/kg	5.3¢/kg	4¢/kg	2.6¢/kg	1.3¢/kg	Free
4911.91.40	2.8%	2.5%	2.2%	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
4911.99.60	0.4%	0.3%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%	Free	Free
4911.99.80	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
5003.90.00	5%	4.5%	4%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%
5004.00.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5005.00.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5006.00.10	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5006.00.90	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5007.10.30	4.6%	4.2%	3.7%	3.3%	2.9%	2.5%	2.1%	1.6%	1.2%	0.8%
5007.10.60	7.4%	7%	6.6%	6.2%	5.8%	5.5%	5.1%	4.7%	4.3%	3.9%
5007.20.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
5007.90.30	4.6%	4.2%	3.7%	3.3%	2.9%	2.5%	2.1%	1.6%	1.2%	0.8%

Annex (con.)
-491-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5007.90.60	7.4%	7%	6.6%	6.2%	5.8%	5.5%	5.1%	4.7%	4.3%	3.9%
5101.11.60	21.4¢/clean kg	20.9¢/clean kg	20.4¢/clean kg	19.8¢/clean kg	19.2¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg
5101.19.60	21.4¢/clean kg	20.9¢/clean kg	20.4¢/clean kg	19.8¢/clean kg	19.2¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg	18.7¢/clean kg
5101.21.40	23.7¢/clean kg	23.1¢/clean kg	22.5¢/clean kg	21.8¢/clean kg	21.2¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg
5101.21.70	7.5¢/kg + 6.1%	7.3¢/kg + 5.9%	7.1¢/kg + 5.8%	6.9¢/kg + 5.6%	6.7¢/kg + 5.5%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%
5101.29.40	23.7¢/clean kg	23.1¢/clean kg	22.5¢/clean kg	21.8¢/clean kg	21.2¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg	20.6¢/clean kg
5101.29.70	7.5¢/kg + 6.1%	7.3¢/kg + 5.9%	7.1¢/kg + 5.8%	6.9¢/kg + 5.6%	6.7¢/kg + 5.5%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%
5101.30.40	28¢/kg	27.3¢/kg	26.6¢/kg	25.8¢/kg	25.1¢/kg	24.4¢/kg	24.4¢/kg	24.4¢/kg	24.4¢/kg	24.4¢/kg
5101.30.70	7.5¢/kg + 6.1%	7.3¢/kg + 5.9%	7.1¢/kg + 5.8%	6.9¢/kg + 5.6%	6.7¢/kg + 5.5%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%	6.5¢/kg + 5.3%
5102.10.20	10¢/clean kg	9¢/clean kg	8¢/clean kg	7¢/clean kg	6¢/clean kg	5¢/clean kg	5¢/clean kg	5¢/clean kg	5¢/clean kg	5¢/clean kg
5102.10.40	7.5¢/clean kg	7¢/clean kg	6.6¢/clean kg	6.1¢/clean kg	5.6¢/clean kg	5.1¢/clean kg	5.1¢/clean kg	5.1¢/clean kg	5.1¢/clean kg	5.1¢/clean kg
5102.10.60	0.8%	0.7%	0.7%	0.6%	0.5%	0.4%	0.4%	0.4%	0.4%	0.4%
5102.10.90	7.2¢/kg + 5.9%	6.8¢/kg + 5.5%	6.3¢/kg + 5.1%	5.8¢/kg + 4.8%	5.4¢/kg + 4.4%	4.9¢/kg + 4%	4.9¢/kg + 4%	4.9¢/kg + 4%	4.9¢/kg + 4%	4.9¢/kg + 4%
5103.10.00	3.8¢/kg	3.5¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg
5103.20.00	3.8¢/kg	3.5¢/kg	3.3¢/kg	3.1¢/kg	2.8¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg
5103.30.00	10.3%	9.7%	9%	8.3%	7.7%	7%	7%	7%	7%	7%
5104.00.00	5¢/kg	4.4¢/kg	3.8¢/kg	3.3¢/kg	2.8¢/kg	2.2¢/kg	1.6¢/kg	1.1¢/kg	0.6¢/kg	Free
5105.10.00	7.6¢/kg + 6.2%	7.5¢/kg + 6.1%	7.3¢/kg + 6%	7.2¢/kg + 5.9%	7.1¢/kg + 5.8%	7¢/kg + 5.7%	6.9¢/kg + 5.6%	6.7¢/kg + 5.5%	6.6¢/kg + 5.4%	6.5¢/kg + 5.3%
5105.21.00	7.3¢/kg + 5.9%	6.9¢/kg + 5.6%	6.5¢/kg + 5.3%	6.1¢/kg + 5%	5.7¢/kg + 4.6%	5.3¢/kg + 4.3%	4.9¢/kg + 4%	4.5¢/kg + 3.6%	4.1¢/kg + 3.3%	3.7¢/kg + 3%
5105.29.00	7.3¢/kg + 5.9%	6.9¢/kg + 5.6%	6.6¢/kg + 5.3%	6.2¢/kg + 5%	5.8¢/kg + 4.7%	5.4¢/kg + 4.4%	5¢/kg + 4%	4.7¢/kg + 3.7%	4.3¢/kg + 3.4%	3.9¢/kg + 3.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5105.30.00	7.6¢/kg + 6.2%	7.5¢/kg + 6.1%	7.4¢/kg + 6%	7.3¢/kg + 6%	7.2¢/kg + 5.9%	7.2¢/kg + 5.8%	7.1¢/kg + 5.7%	7¢/kg + 5.6%	6.9¢/kg + 5.6%	6.8¢/kg + 5.5%
5105.40.00	3.3%	3%	2.6%	2.2%	1.8%	1.5%	1.1%	0.7%	0.4%	Free
5106.10.00	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5106.20.00	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5107.10.00	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5107.20.00	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5108.10.30	4.9%	4.8%	4.7%	4.6%	4.5%	4.4%	4.3%	4.2%	4.1%	4%
5108.10.60	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%	4.5%	4%
5108.20.30	4.9%	4.8%	4.7%	4.6%	4.5%	4.4%	4.3%	4.2%	4.1%	4%
5108.20.60	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%	4.5%	4%
5109.10.40	4.9%	4.8%	4.7%	4.6%	4.5%	4.4%	4.3%	4.2%	4.1%	4%
5109.10.60	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5109.90.40	4.9%	4.8%	4.7%	4.6%	4.5%	4.4%	4.3%	4.2%	4.1%	4%
5109.90.60	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5110.00.00	3.3%	3%	2.6%	2.2%	1.8%	1.5%	1.1%	0.7%	0.4%	Free
5111.11.30	15.8¢/kg + 12.2%	14.1¢/kg + 12%	12.3¢/kg + 11.8%	10.6¢/kg + 11.5%	8.8¢/kg + 11.2%	7¢/kg + 11%	5.3¢/kg + 10.8%	3.5¢/kg + 10.5%	1.8¢/kg + 10.2%	10%
5111.11.70	35%	33.9%	32.8%	31.7%	30.6%	29.4%	28.3%	27.2%	26.1%	25%
5111.19.20	15.8¢/kg + 12.2%	14.1¢/kg + 12%	12.3¢/kg + 11.8%	10.6¢/kg + 11.5%	8.8¢/kg + 11.2%	7¢/kg + 11%	5.3¢/kg + 10.8%	3.5¢/kg + 10.5%	1.8¢/kg + 10.2%	10%
5111.19.60	35%	33.9%	32.8%	31.7%	30.6%	29.4%	28.3%	27.2%	26.1%	25%
5111.20.90	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5111.30.90	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5111.90.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5111.90.90	32.2%	31.4%	30.6%	29.8%	29%	28.2%	27.4%	26.6%	25.8%	25%
5112.11.20	35%	33.9%	32.8%	31.7%	30.6%	29.4%	28.3%	27.2%	26.1%	25%
5112.19.90	35%	33.9%	32.8%	31.7%	30.6%	29.4%	28.3%	27.2%	26.1%	25%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5112.20.30	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5112.30.30	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5112.90.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5112.90.90	32.2%	31.4%	30.6%	29.8%	29%	28.2%	27.4%	26.6%	25.8%	25%
5113.00.00	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5201.00.18	36¢/kg	35.1¢/kg	34.2¢/kg	33.2¢/kg	32.3¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg
5201.00.28	36¢/kg	35.1¢/kg	34.2¢/kg	33.2¢/kg	32.3¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg
5201.00.38	36¢/kg	35.1¢/kg	34.2¢/kg	33.2¢/kg	32.3¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg
5201.00.80	36¢/kg	35.1¢/kg	34.2¢/kg	33.2¢/kg	32.3¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg
5202.91.00	4.9%	4.8%	4.7%	4.5%	4.4%	4.3%	4.3%	4.3%	4.3%	4.3%
5202.99.30	9¢/kg	8.7¢/kg	8.5¢/kg	8.3¢/kg	8¢/kg	7.8¢/kg	7.8¢/kg	7.8¢/kg	7.8¢/kg	7.8¢/kg
5203.00.30	36¢/kg	35.1¢/kg	34.2¢/kg	33.2¢/kg	32.3¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg	31.4¢/kg
5203.00.50	4.9%	4.8%	4.7%	4.5%	4.4%	4.3%	4.3%	4.3%	4.3%	4.3%
5204.11.00	4.9%	4.9%	4.8%	4.8%	4.7%	4.6%	4.6%	4.5%	4.5%	4.4%
5204.19.00	4.9%	4.9%	4.8%	4.8%	4.7%	4.6%	4.6%	4.5%	4.5%	4.4%
5204.20.00	4.9%	4.9%	4.8%	4.8%	4.7%	4.6%	4.6%	4.5%	4.5%	4.4%
5205.11.20	5.7%	5.6%	5.6%	5.5%	5.4%	5.3%	5.2%	5.2%	5.1%	5%
5205.12.20	7.2%	7.1%	7.1%	7%	6.9%	6.8%	6.7%	6.7%	6.6%	6.5%
5205.13.20	8.5%	8.3%	8.2%	8.1%	8%	7.8%	7.7%	7.6%	7.4%	7.3%
5205.14.20	9.8%	9.7%	9.5%	9.4%	9.3%	9.2%	9.1%	8.9%	8.8%	8.7%
5205.41.00	5.7%	5.6%	5.6%	5.5%	5.4%	5.3%	5.2%	5.2%	5.1%	5%
5205.42.00	7.2%	7.1%	7.1%	7%	6.9%	6.8%	6.7%	6.7%	6.6%	6.5%
5206.11.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.12.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.13.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.14.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.15.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.21.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.22.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5206.23.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.24.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.25.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.31.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.32.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.33.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.34.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.35.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.41.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.42.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.43.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.44.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5206.45.00	10.6%	10.5%	10.3%	10.2%	10%	9.8%	9.7%	9.5%	9.4%	9.2%
5207.10.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5208.11.60	6.9¢/kg + 17.3%	6.2¢/kg + 15.4%	5.4¢/kg + 13.4%	4.6¢/kg + 11.5%	3.8¢/kg + 9.6%	3.1¢/kg + 7.7%	2.3¢/kg + 5.8%	1.5¢/kg + 3.8%	0.8¢/kg + 1.9%	Free
5208.11.80	11.9%	11.6%	11.2%	10.9%	10.5%	10.5%	10.5%	10.5%	10.5%	10.5%
5208.12.80	12.1%	11.9%	11.8%	11.6%	11.4%	11.2%	11%	10.9%	10.7%	10.5%
5208.19.80	12.1%	11.9%	11.8%	11.6%	11.4%	11.2%	11%	10.9%	10.7%	10.5%
5208.21.60	13.3%	13.1%	12.9%	12.7%	12.5%	12.3%	12.1%	11.9%	11.7%	11.5%
5208.22.60	10%	9.9%	9.8%	9.6%	9.4%	9.3%	9.2%	9%	8.8%	8.7%
5208.22.80	13.3%	13.1%	12.9%	12.7%	12.5%	12.3%	12.1%	11.9%	11.7%	11.5%
5208.29.20	9%	8.8%	8.7%	8.5%	8.4%	8.3%	8.1%	8%	7.8%	7.7%
5208.31.20	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.31.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5208.31.60	11.2%	11.1%	10.9%	10.7%	10.6%	10.4%	10.2%	10%	9.9%	9.7%
5208.31.80	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%
5208.32.10	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.32.30	9.3%	9.1%	8.8%	8.6%	8.3%	8%	7.8%	7.5%	7.3%	7%
5208.32.40	11.2%	11.1%	10.9%	10.7%	10.6%	10.4%	10.2%	10%	9.9%	9.7%
5208.32.50	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%

Annex (con.)
-495-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5208.39.20	10.2%	10%	9.8%	9.7%	9.6%	9.4%	9.2%	9.1%	9%	8.8%
5208.39.40	9.3%	9.1%	8.8%	8.6%	8.3%	8%	7.8%	7.5%	7.3%	7%
5208.39.60	11.2%	11.1%	10.9%	10.7%	10.6%	10.4%	10.2%	10%	9.9%	9.7%
5208.39.80	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%
5208.41.20	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.41.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5208.42.10	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.42.30	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5208.43.00	9.3%	8.2%	7.2%	6.2%	5.2%	4.1%	3.1%	2.1%	1%	Free
5208.49.20	9.3%	8.2%	7.2%	6.2%	5.2%	4.1%	3.1%	2.1%	1%	Free
5208.49.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5208.49.60	11.2%	11.1%	10.9%	10.7%	10.6%	10.4%	10.2%	10%	9.9%	9.7%
5208.51.20	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.51.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5208.51.80	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%
5208.52.10	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5208.52.30	9.2%	8.9%	8.5%	8.2%	7.8%	7.4%	7.1%	6.7%	6.4%	6%
5208.52.50	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%
5208.53.00	10.2%	10%	9.8%	9.7%	9.6%	9.4%	9.2%	9.1%	9%	8.8%
5208.59.40	9.2%	8.9%	8.5%	8.2%	7.8%	7.4%	7.1%	6.7%	6.4%	6%
5208.59.60	11.2%	11.1%	10.9%	10.7%	10.6%	10.4%	10.2%	10%	9.9%	9.7%
5208.59.80	14.4%	14%	13.7%	13.4%	13%	12.7%	12.4%	12.1%	11.7%	11.4%
5209.31.30	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5209.31.60	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.32.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.39.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.41.30	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5209.41.60	8.8%	8.6%	8.5%	8.3%	8.2%	8.1%	7.9%	7.8%	7.6%	7.5%
5209.42.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.43.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5209.49.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.51.30	5.7%	5.4%	5.1%	4.8%	4.5%	4.2%	3.9%	3.6%	3.3%	3%
5209.51.60	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.52.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5209.59.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5210.19.60	10%	9.9%	9.8%	9.6%	9.4%	9.3%	9.2%	9%	8.8%	8.7%
5210.19.80	13.2%	12.8%	12.5%	12.2%	11.8%	11.5%	11.2%	10.9%	10.5%	10.2%
5210.21.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5210.21.80	14.5%	14.3%	14%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%
5210.29.40	9.4%	9.3%	9.2%	9%	8.8%	8.7%	8.6%	8.4%	8.2%	8.1%
5210.31.40	10.4%	10.3%	10.3%	10.2%	10.2%	10.2%	10.1%	10.1%	10%	10%
5210.32.00	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.39.20	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.39.40	10.2%	10.1%	9.9%	9.8%	9.6%	9.4%	9.3%	9.1%	9%	8.8%
5210.39.80	15.2%	14.9%	14.6%	14.3%	14%	13.6%	13.3%	13%	12.7%	12.4%
5210.41.40	10.4%	10.3%	10.3%	10.2%	10.2%	10.2%	10.1%	10.1%	10%	10%
5210.42.00	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.49.20	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.49.40	10.4%	10.3%	10.3%	10.2%	10.2%	10.2%	10.1%	10.1%	10%	10%
5210.49.60	12%	11.8%	11.7%	11.5%	11.3%	11.1%	10.9%	10.8%	10.6%	10.4%
5210.51.40	10.4%	10.3%	10.3%	10.2%	10.2%	10.2%	10.1%	10.1%	10%	10%
5210.52.00	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.59.20	11%	10.9%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	10%
5210.59.40	10.2%	10.1%	9.9%	9.8%	9.6%	9.4%	9.3%	9.1%	9%	8.8%
5210.59.60	12%	11.8%	11.7%	11.5%	11.3%	11.1%	10.9%	10.8%	10.6%	10.4%
5210.59.80	14.7%	14%	13.2%	12.4%	11.6%	10.9%	10.1%	9.3%	8.6%	7.8%
5211.21.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5211.22.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5211.29.00	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%
5211.31.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5211.32.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.39.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.41.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.42.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.43.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.49.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.51.00	8.7%	7.8%	6.8%	5.8%	4.8%	3.9%	2.9%	1.9%	1%	Free
5211.52.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5211.59.00	9.5%	9.4%	9.2%	9.1%	8.9%	8.7%	8.6%	8.4%	8.3%	8.1%
5212.11.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.12.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.13.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.14.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.15.10	29.7%	26.4%	23.1%	19.8%	16.5%	13.2%	9.9%	6.6%	3.3%	Free
5212.21.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.22.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.23.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.24.10	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5212.25.10	29.7%	26.4%	23.1%	19.8%	16.5%	13.2%	9.9%	6.6%	3.3%	Free
5212.25.60	7%	6.2%	5.5%	4.7%	3.9%	3.1%	2.3%	1.6%	0.8%	Free
5301.21.00	0.4¢/kg	0.3¢/kg	0.3¢/kg	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg	0.2¢/kg
5301.29.00	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%
5306.10.00	5.9%	5.3%	4.6%	4%	3.3%	2.6%	2%	1.3%	0.7%	Free
5306.20.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
5307.10.00	2.1%	1.8%	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
5307.20.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5308.20.00	5.9%	5.3%	4.6%	4%	3.3%	2.6%	2%	1.3%	0.7%	Free
5308.30.00	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5308.90.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
5309.11.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5309.19.00	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5309.21.20	24%	22.9%	21.8%	20.8%	19.8%	18.7%	17.6%	16.6%	15.6%	14.5%
5309.21.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5309.21.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5309.29.20	24%	22.9%	21.8%	20.8%	19.8%	18.7%	17.6%	16.6%	15.6%	14.5%
5309.29.30	7%	6.2%	5.5%	4.7%	3.9%	3.1%	2.3%	1.6%	0.8%	Free
5309.29.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5310.90.00	0.7%	0.6%	0.6%	0.5%	0.4%	0.3%	0.2%	0.2%	0.1%	Free
5311.00.20	24%	22.9%	21.8%	20.8%	19.8%	18.7%	17.6%	16.6%	15.6%	14.5%
5311.00.30	7%	6.2%	5.5%	4.7%	3.9%	3.1%	2.3%	1.6%	0.8%	Free
5311.00.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5311.00.60	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5401.10.00	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
5401.20.00	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
5402.10.30	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.10.60	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5402.20.30	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.20.60	8.9%	8.8%	8.6%	8.5%	8.3%	8.1%	8%	7.8%	7.7%	7.5%
5402.31.30	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.31.60	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5402.32.30	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5402.32.60	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5402.33.30	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.33.60	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5402.39.30	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.39.60	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5402.41.90	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5402.42.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.43.10	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5402.43.90	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5402.49.90	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5402.51.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.52.10	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.52.90	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5402.59.00	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5402.61.00	8.9%	8.8%	8.6%	8.5%	8.3%	8.1%	8%	7.8%	7.7%	7.5%
5402.62.00	8.9%	8.8%	8.6%	8.5%	8.3%	8.1%	8%	7.8%	7.7%	7.5%
5402.69.00	8.9%	8.8%	8.6%	8.5%	8.3%	8.1%	8%	7.8%	7.7%	7.5%
5403.33.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5403.39.00	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5403.42.00	9%	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%
5403.49.00	8.9%	8.8%	8.6%	8.5%	8.3%	8.1%	8%	7.8%	7.7%	7.5%
5404.10.10	3.1%	3%	3%	2.9%	2.9%	2.9%	2.8%	2.8%	2.7%	2.7%
5404.10.40	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5404.10.80	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5404.90.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
5405.00.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5405.00.60	6.5%	6.4%	6.4%	6.3%	6.2%	6.1%	6%	6%	5.9%	5.8%
5406.10.00	12.4%	11.9%	11.4%	10.8%	10.2%	9.7%	9.2%	8.6%	8%	7.5%
5406.20.00	12.4%	11.9%	11.4%	10.8%	10.2%	9.7%	9.2%	8.6%	8%	7.5%
5407.10.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
5407.20.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5407.30.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5407.30.90	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5407.41.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
5407.42.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.43.10	23.1¢/kg + 21.4%	21.9¢/kg + 20.3%	20.7¢/kg + 19.1%	19.5¢/kg + 18%	18.2¢/kg + 16.9%	17¢/kg + 15.8%	15.8¢/kg + 14.7%	14.6¢/kg + 13.5%	13.4¢/kg + 12.4%	12.2¢/kg + 11.3%
5407.43.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5407.44.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5407.51.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5407.52.05	23.8¢/kg + 22%	23.2¢/kg + 21.5%	22.7¢/kg + 21%	22.1¢/kg + 20.5%	21.6¢/kg + 20%	21.1¢/kg + 19.6%	20.5¢/kg + 19.1%	20¢/kg + 18.6%	19.4¢/kg + 18.1%	18.9¢/kg + 17.6%
5407.52.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.53.10	23.8¢/kg + 22%	23.2¢/kg + 21.5%	22.6¢/kg + 21%	22.1¢/kg + 20.5%	21.6¢/kg + 20%	21¢/kg + 19.4%	20.4¢/kg + 18.9%	19.9¢/kg + 18.4%	19.4¢/kg + 17.9%	18.8¢/kg + 17.4%
5407.53.20	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5407.54.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.60.11	23.8¢/kg + 22%	23.3¢/kg + 21.6%	22.8¢/kg + 21.2%	22.3¢/kg + 20.7%	21.8¢/kg + 20.2%	21.4¢/kg + 19.8%	20.9¢/kg + 19.4%	20.4¢/kg + 18.9%	19.9¢/kg + 18.4%	19.4¢/kg + 18%
5407.60.19	23.8¢/kg + 22%	23.3¢/kg + 21.6%	22.8¢/kg + 21.2%	22.3¢/kg + 20.7%	21.8¢/kg + 20.2%	21.4¢/kg + 19.8%	20.9¢/kg + 19.4%	20.4¢/kg + 18.9%	19.9¢/kg + 18.4%	19.4¢/kg + 18%
5407.60.21	23.1¢/kg + 21.4%	21.9¢/kg + 20.3%	20.7¢/kg + 19.1%	19.5¢/kg + 18%	18.2¢/kg + 16.9%	17¢/kg + 15.8%	15.8¢/kg + 14.7%	14.6¢/kg + 13.5%	13.4¢/kg + 12.4%	12.2¢/kg + 11.3%
5407.60.29	23.1¢/kg + 21.4%	21.9¢/kg + 20.3%	20.7¢/kg + 19.1%	19.5¢/kg + 18%	18.2¢/kg + 16.9%	17¢/kg + 15.8%	15.8¢/kg + 14.7%	14.6¢/kg + 13.5%	13.4¢/kg + 12.4%	12.2¢/kg + 11.3%
5407.60.91	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.60.99	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.71.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.72.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.73.10	21.9¢/kg + 20.2%	19.4¢/kg + 18%	17¢/kg + 15.8%	14.6¢/kg + 13.5%	12.2¢/kg + 11.2%	9.7¢/kg + 9%	7.3¢/kg + 6.8%	4.9¢/kg + 4.5%	2.4¢/kg + 2.2%	Free
5407.73.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5407.74.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.81.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.82.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.83.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5407.84.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.91.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5407.91.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5407.91.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%

99-194 O - 95 - 19 : QL 3 Part 2

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5407.92.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5407.92.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5407.92.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.93.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5407.93.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5407.93.15	21.9¢/kg + 20.2%	19.4¢/kg + 18%	17¢/kg + 15.8%	14.6¢/kg + 13.5%	12.2¢/kg + 11.2%	9.7¢/kg + 9%	7.3¢/kg + 6.8%	4.9¢/kg + 4.5%	2.4¢/kg + 2.2%	Free
5407.93.20	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5407.94.05	43.6¢/kg + 34.2%	38.8¢/kg + 30.4%	34¢/kg + 26.6%	29.1¢/kg + 22.8%	24.2¢/kg + 19%	19.4¢/kg + 15.2%	14.6¢/kg + 11.4%	9.7¢/kg + 7.6%	4.8¢/kg + 3.8%	Free
5407.94.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5407.94.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.10.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.21.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.22.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.22.90	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.23.11	21.9¢/kg + 20.2%	19.4¢/kg + 18%	17¢/kg + 15.8%	14.6¢/kg + 13.5%	12.2¢/kg + 11.2%	9.7¢/kg + 9%	7.3¢/kg + 6.8%	4.9¢/kg + 4.5%	2.4¢/kg + 2.2%	Free
5408.23.19	21.9¢/kg + 20.2%	19.4¢/kg + 18%	17¢/kg + 15.8%	14.6¢/kg + 13.5%	12.2¢/kg + 11.2%	9.7¢/kg + 9%	7.3¢/kg + 6.8%	4.9¢/kg + 4.5%	2.4¢/kg + 2.2%	Free
5408.23.21	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5408.23.29	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5408.24.10	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5408.24.90	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5408.31.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5408.31.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5408.31.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5408.32.05	43.6¢/kg + 36.2%	38.8¢/kg + 34.3%	34¢/kg + 32.5%	29.1¢/kg + 30.7%	24.2¢/kg + 28.8%	19.4¢/kg + 27%	14.6¢/kg + 25.2%	9.7¢/kg + 23.4%	4.8¢/kg + 21.5%	19.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5408.32.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5408.32.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5408.32.90	16.8%	16.6%	16.4%	16.2%	16%	15.8%	15.6%	15.4%	15.2%	15%
5408.33.05	43.6¢/kg + 36.2%	38.8¢/kg + 34.3%	34¢/kg + 32.5%	29.1¢/kg + 30.6%	24.2¢/kg + 28.8%	19.4¢/kg + 27%	14.6¢/kg + 25.1%	9.7¢/kg + 23.3%	4.8¢/kg + 21.4%	19.6%
5408.33.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5408.33.15	23.1¢/kg + 21.4%	21.9¢/kg + 20.3%	20.7¢/kg + 19.2%	19.5¢/kg + 18.1%	18.3¢/kg + 17%	17.1¢/kg + 15.8%	15.9¢/kg + 14.7%	14.7¢/kg + 13.6%	13.5¢/kg + 12.5%	12.3¢/kg + 11.4%
5408.33.30	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%	7.1%	7%	6.9%
5408.33.90	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5408.34.05	43.6¢/kg + 34.2%	38.8¢/kg + 30.4%	34¢/kg + 26.6%	29.1¢/kg + 22.8%	24.2¢/kg + 19%	19.4¢/kg + 15.2%	14.6¢/kg + 11.4%	9.7¢/kg + 7.6%	4.8¢/kg + 3.8%	Free
5408.34.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5408.34.30	7%	6.2%	5.5%	4.7%	3.9%	3.1%	2.3%	1.6%	0.8%	Free
5408.34.90	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5501.10.00	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.2%	8%	7.8%	7.5%
5501.20.00	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.2%	8%	7.8%	7.5%
5501.30.00	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.2%	8%	7.8%	7.5%
5501.90.00	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.2%	8%	7.8%	7.5%
5502.00.00	9.8%	9.5%	9.2%	9%	8.8%	8.5%	8.2%	8%	7.8%	7.5%
5503.10.90	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5503.20.00	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5503.30.00	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5503.40.00	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5503.90.90	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5504.10.00	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5504.90.00	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5505.10.00	1.9%	1.7%	1.5%	1.3%	1%	0.8%	0.6%	0.4%	0.2%	Free
5505.20.00	1.9%	1.7%	1.5%	1.3%	1%	0.8%	0.6%	0.4%	0.2%	Free
5506.10.00	6.4%	6.2%	6%	5.9%	5.8%	5.6%	5.4%	5.3%	5.2%	5%
5506.20.00	6.4%	6.3%	6.3%	6.2%	6.1%	6%	5.9%	5.9%	5.8%	5.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5506.30.00	6.4%	6.2%	6%	5.9%	5.8%	5.6%	5.4%	5.3%	5.2%	5%
5506.90.00	6.4%	6.2%	6%	5.9%	5.8%	5.6%	5.4%	5.3%	5.2%	5%
5507.00.00	6.4%	6.2%	6%	5.9%	5.8%	5.6%	5.4%	5.3%	5.2%	5%
5508.10.00	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
5508.20.00	12.8%	12.6%	12.4%	12.2%	12%	11.8%	11.6%	11.4%	11.2%	11%
5509.11.00	10.8%	10.7%	10.5%	10.4%	10.2%	10%	9.9%	9.7%	9.6%	9.4%
5509.12.00	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%
5509.21.00	10.9%	10.7%	10.6%	10.5%	10.4%	10.2%	10.1%	10%	9.8%	9.7%
5509.22.00	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%
5509.31.00	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5509.32.00	11.8%	11.6%	11.4%	11.2%	11%	10.8%	10.6%	10.4%	10.2%	10%
5509.41.00	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5509.42.00	11.5%	11%	10.5%	10%	9.5%	9%	8.5%	8%	7.5%	7%
5509.51.30	10.9%	10.7%	10.6%	10.5%	10.4%	10.2%	10.1%	10%	9.8%	9.7%
5509.51.60	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%
5509.52.00	14.7%	14.4%	14.1%	13.8%	13.5%	13.2%	12.9%	12.6%	12.3%	12%
5509.53.00	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5509.59.00	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5509.61.00	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5509.62.00	14.7%	14.4%	14.1%	13.8%	13.5%	13.2%	12.9%	12.6%	12.3%	12%
5509.69.20	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5509.69.40	11.8%	11.6%	11.4%	11.2%	11%	10.8%	10.6%	10.4%	10.2%	10%
5509.69.60	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5509.91.00	14.7%	14.4%	14.1%	13.8%	13.5%	13.2%	12.9%	12.6%	12.3%	12%
5509.92.00	14.2%	13.5%	12.8%	12%	11.2%	10.5%	9.8%	9%	8.2%	7.5%
5509.99.20	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5509.99.40	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%
5509.99.60	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5510.11.00	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5510.12.00	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5510.20.00	14.5%	14%	13.6%	13.1%	12.6%	12.1%	11.6%	11.2%	10.7%	10.2%
5510.30.00	14.2%	13.5%	12.8%	12%	11.2%	10.5%	9.8%	9%	8.2%	7.5%
5510.90.20	10.8%	10.6%	10.4%	10.2%	10%	9.8%	9.6%	9.4%	9.2%	9%
5510.90.40	11.9%	11.7%	11.6%	11.4%	11.3%	11.2%	11%	10.9%	10.7%	10.6%
5510.90.60	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5511.10.00	12.4%	11.9%	11.4%	10.8%	10.2%	9.7%	9.2%	8.6%	8%	7.5%
5511.20.00	12.4%	11.9%	11.4%	10.8%	10.2%	9.7%	9.2%	8.6%	8%	7.5%
5511.30.00	12.4%	11.9%	11.4%	10.8%	10.2%	9.7%	9.2%	8.6%	8%	7.5%
5512.11.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5512.19.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
5512.21.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5512.29.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5512.91.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5512.99.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5513.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.12.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.13.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.19.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.21.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.22.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.23.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.29.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.31.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.32.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.33.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.39.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.41.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.42.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
5513.43.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5513.49.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5514.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.12.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.13.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.19.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5514.21.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.22.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.23.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.29.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5514.31.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.32.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.33.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5514.39.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5514.41.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.42.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5514.43.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5514.49.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5515.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5515.12.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5515.13.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5515.13.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5515.19.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5515.21.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5515.22.05	43.6¢/kg + 36.2%	38.8¢/kg + 34.4%	34¢/kg + 32.6%	29.1¢/kg + 30.8%	24.2¢/kg + 29%	19.4¢/kg + 27.3%	14.6¢/kg + 25.5%	9.7¢/kg + 23.7%	4.8¢/kg + 21.9%	20.1%
5515.22.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5515.29.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5515.91.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5515.92.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5515.92.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5515.99.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5516.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.12.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.13.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.14.00	16.3%	15.6%	14.9%	14.2%	13.5%	12.8%	12.1%	11.4%	10.7%	10%
5516.21.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.22.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.23.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5516.24.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.31.05	43.6¢/kg + 36.2%	38.8¢/kg + 34.4%	34¢/kg + 32.5%	29.1¢/kg + 30.7%	24.2¢/kg + 28.9%	19.4¢/kg + 27.1%	14.6¢/kg + 25.3%	9.7¢/kg + 23.4%	4.8¢/kg + 21.6%	19.8%
5516.31.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5516.32.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5516.32.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5516.33.05	43.6¢/kg + 36.7%	38.8¢/kg + 35.4%	34¢/kg + 34.1%	29.1¢/kg + 32.8%	24.2¢/kg + 31.5%	19.4¢/kg + 30.2%	14.6¢/kg + 28.9%	9.7¢/kg + 27.6%	4.8¢/kg + 26.3%	25%
5516.33.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5516.34.05	43.6¢/kg + 36.2%	38.8¢/kg + 34.3%	34¢/kg + 32.5%	29.1¢/kg + 30.7%	24.2¢/kg + 28.8%	19.4¢/kg + 27%	14.6¢/kg + 25.2%	9.7¢/kg + 23.4%	4.8¢/kg + 21.5%	19.7%
5516.34.10	14.1%	13.8%	13.6%	13.4%	13.2%	12.9%	12.7%	12.5%	12.2%	12%
5516.41.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5516.42.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5516.43.00	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5516.44.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5516.91.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5516.92.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5516.93.00	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5516.94.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
5601.10.10	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5601.10.20	11.9%	11.3%	10.6%	10%	9.4%	8.8%	8.2%	7.5%	6.9%	6.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5601.21.00	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5601.22.00	11.9%	11.3%	10.6%	10%	9.4%	8.8%	8.2%	7.5%	6.9%	6.3%
5601.29.00	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
5601.30.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
5602.10.10	15.6%	15.2%	14.8%	14.4%	14%	13.6%	13.2%	12.8%	12.4%	12%
5602.10.90	12.3%	12.1%	11.9%	11.7%	11.6%	11.4%	11.2%	11%	10.8%	10.6%
5602.21.00	64.4¢/kg + 9.8%	62.8¢/kg + 9.5%	61.1¢/kg + 9.2%	59.5¢/kg + 9%	57.8¢/kg + 8.8%	56.1¢/kg + 8.5%	54.5¢/kg + 8.2%	52.8¢/kg + 8%	51.2¢/kg + 7.8%	49.5¢/kg + 7.5%
5602.29.00	11.9%	11.3%	10.6%	10%	9.4%	8.8%	8.2%	7.5%	6.9%	6.3%
5602.90.30	14.4%	12.8%	11.2%	9.6%	8%	6.4%	4.8%	3.2%	1.6%	Free
5602.90.60	11.9%	11.3%	10.6%	10%	9.4%	8.8%	8.2%	7.5%	6.9%	6.3%
5602.90.90	64.8¢/kg + 9.8%	63.5¢/kg + 9.6%	62.1¢/kg + 9.4%	60.8¢/kg + 9.2%	59.5¢/kg + 9%	58.2¢/kg + 8.8%	56.9¢/kg + 8.6%	55.5¢/kg + 8.4%	54.2¢/kg + 8.2%	52.9¢/kg + 8%
5603.00.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5603.00.30	12.8%	9.6%	6.4%	3.2%	Free	Free	Free	Free	Free	Free
5603.00.90	10%	7.5%	5%	2.5%	Free	Free	Free	Free	Free	Free
5604.10.00	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
5604.20.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5604.90.00	9.5%	9%	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%
5605.00.10	14.2%	13.5%	12.8%	12%	11.2%	10.5%	9.8%	9%	8.2%	7.5%
5605.00.90	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5606.00.00	11.2%	10.8%	10.4%	10.1%	9.8%	9.4%	9%	8.7%	8.4%	8%
5607.10.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
5607.29.00	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5607.30.20	6.5%	6.1%	5.8%	5.4%	5.1%	4.8%	4.4%	4.1%	3.7%	3.4%
5607.41.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5607.41.30	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
5607.49.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5607.49.15	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
5607.49.25	25.8¢/kg + 14%	24¢/kg + 13.1%	22.3¢/kg + 12.1%	20.5¢/kg + 11.1%	18.7¢/kg + 10.2%	16.9¢/kg + 9.2%	15.1¢/kg + 8.2%	13.4¢/kg + 7.2%	11.6¢/kg + 6.3%	9.8¢/kg + 5.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5607.49.30	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5607.50.20	26.8¢/kg + 14.6%	26.1¢/kg + 14.2%	25.3¢/kg + 13.7%	24.5¢/kg + 13.3%	23.8¢/kg + 12.9%	23¢/kg + 12.5%	22.2¢/kg + 12.1%	21.4¢/kg + 11.6%	20.7¢/kg + 11.2%	19.9¢/kg + 10.8%
5607.50.40	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5607.90.20	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
5608.11.00	16.1%	15.2%	14.3%	13.4%	12.5%	11.6%	10.7%	9.8%	8.9%	8%
5608.19.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5608.19.20	9.5%	9%	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%
5608.90.10	16.1%	15.2%	14.3%	13.4%	12.5%	11.6%	10.7%	9.8%	8.9%	8%
5608.90.23	15.8%	15.6%	15.4%	15.2%	15%	14.9%	14.7%	14.5%	14.3%	14.1%
5608.90.27	15.8%	15.6%	15.4%	15.2%	15%	14.9%	14.7%	14.5%	14.3%	14.1%
5608.90.30	9.5%	9%	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%
5609.00.10	5.5%	5.2%	4.9%	4.6%	4.4%	4.1%	3.8%	3.5%	3.2%	2.9%
5609.00.20	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
5609.00.30	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
5609.00.40	7.4%	7%	6.6%	6.2%	5.8%	5.5%	5.1%	4.7%	4.3%	3.9%
5701.10.13	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
5701.10.16	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
5701.10.40	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
5701.10.90	5%	5%	4.9%	4.9%	4.8%	4.7%	4.7%	4.6%	4.6%	4.5%
5701.90.10	4.3%	3.8%	3.4%	2.9%	2.4%	1.9%	1.4%	1%	0.5%	Free
5701.90.20	5.9%	5.3%	4.6%	4%	3.3%	2.6%	2%	1.3%	0.7%	Free
5702.10.10	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
5702.10.90	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
5702.20.10	19.4¢/m^2	17.2¢/m^2	15¢/m^2	12.9¢/m^2	10.8¢/m^2	8.6¢/m^2	6.4¢/m^2	4.3¢/m^2	2.2¢/m^2	Free
5702.31.10	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5702.31.20	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
5702.32.10	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5702.32.20	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
5702.39.10	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
5702.39.20	6.8%	6.4%	6%	5.7%	5.4%	5%	4.6%	4.3%	4%	3.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5702.41.10	9%	8%	7%	6%	5%	4%	3%	2%	1%	Free
5702.41.20	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
5702.42.10	9%	8%	7%	6%	5%	4%	3%	2%	1%	Free
5702.42.20	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
5702.49.10	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5702.49.15	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
5702.49.20	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
5702.51.20	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5702.51.40	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
5702.52.00	5.2%	5.2%	5.1%	5.1%	5%	4.9%	4.9%	4.8%	4.8%	4.7%
5702.59.10	7.6%	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%
5702.59.20	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5702.91.20	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
5702.91.30	4.8%	4.8%	4.7%	4.7%	4.6%	4.5%	4.5%	4.4%	4.4%	4.3%
5702.91.40	6.8%	6.5%	6.1%	5.8%	5.4%	5%	4.7%	4.3%	4%	3.6%
5702.92.00	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5702.99.10	7.6%	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%
5702.99.20	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5703.10.00	6.9%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%	6.2%	6.1%	6%
5703.20.10	6.5%	6.4%	6.4%	6.3%	6.2%	6.1%	6%	6%	5.9%	5.8%
5703.20.20	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%	6.7%
5703.30.00	7.4%	7.3%	7.1%	7%	6.8%	6.6%	6.5%	6.3%	6.2%	6%
5703.90.00	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
5704.10.00	5.2%	5.2%	5.1%	5.1%	5%	4.9%	4.9%	4.8%	4.8%	4.7%
5704.90.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
5705.00.20	6.2%	5.9%	5.5%	5.2%	4.9%	4.6%	4.3%	3.9%	3.6%	3.3%
5801.10.00	4.9%	4.3%	3.8%	3.2%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
5801.21.00	22.7%	22.4%	22.2%	21.9%	21.6%	21.3%	21%	20.8%	20.5%	20.2%
5801.22.10	21.7%	20.4%	19.1%	17.8%	16.5%	15.2%	13.9%	12.6%	11.3%	10%
5801.22.90	22.7%	22.4%	22.2%	21.9%	21.6%	21.3%	21%	20.8%	20.5%	20.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5801.23.00	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
5801.24.00	20%	18.9%	17.8%	16.8%	15.8%	14.7%	13.6%	12.6%	11.6%	10.5%
5801.25.00	20.8%	20.5%	20.2%	20%	19.8%	19.5%	19.2%	19%	18.8%	18.5%
5801.26.00	11.3%	10.1%	8.8%	7.6%	6.3%	5%	3.8%	2.5%	1.3%	Free
5801.31.00	19.3%	19%	18.8%	18.6%	18.4%	18.1%	17.9%	17.7%	17.4%	17.2%
5801.32.00	19%	18.4%	17.8%	17.3%	16.8%	16.2%	15.6%	15.1%	14.6%	14%
5801.33.00	18.5%	17.6%	16.6%	15.6%	14.6%	13.7%	12.7%	11.7%	10.8%	9.8%
5801.34.00	19%	18.4%	17.8%	17.3%	16.8%	16.2%	15.6%	15.1%	14.6%	14%
5801.35.00	19.3%	19%	18.8%	18.6%	18.4%	18.1%	17.9%	17.7%	17.4%	17.2%
5801.36.00	18.5%	17.6%	16.6%	15.6%	14.6%	13.7%	12.7%	11.7%	10.8%	9.8%
5801.90.10	4.2%	4.1%	4%	4%	4%	3.9%	3.8%	3.8%	3.8%	3.7%
5801.90.20	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5802.11.00	11%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	9.9%	9.8%
5802.19.00	10.9%	10.8%	10.6%	10.4%	10.2%	10.1%	9.9%	9.7%	9.6%	9.4%
5802.20.00	19%	18.4%	17.8%	17.3%	16.8%	16.2%	15.6%	15.1%	14.6%	14%
5802.30.00	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.4%	6.3%	6.2%
5803.10.00	10.2%	9%	7.9%	6.8%	5.6%	4.5%	3.4%	2.3%	1.1%	Free
5803.90.12	31.4%	29.7%	28%	26.4%	24.8%	23.1%	21.4%	19.8%	18.2%	16.5%
5803.90.20	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5803.90.30	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
5803.90.40	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5804.10.10	11.4%	10.8%	10.2%	9.6%	9%	8.4%	7.8%	7.2%	6.6%	6%
5804.10.90	10.8%	9.6%	8.4%	7.2%	6%	4.8%	3.6%	2.4%	1.2%	Free
5804.21.00	15.6%	15.2%	14.8%	14.4%	14%	13.6%	13.2%	12.8%	12.4%	12%
5804.29.10	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
5804.29.90	9.5%	9%	8.5%	8%	7.5%	7%	6.5%	6%	5.5%	5%
5804.30.00	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5805.00.20	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
5805.00.25	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
5805.00.30	6.5%	5.8%	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5805.00.40	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
5806.10.10	8.8%	8.7%	8.6%	8.5%	8.4%	8.2%	8.1%	8%	7.9%	7.8%
5806.10.28	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
5806.10.30	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
5806.20.00	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
5806.31.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
5806.32.10	8.7%	8.4%	8.1%	7.8%	7.5%	7.2%	6.9%	6.6%	6.3%	6%
5806.32.20	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.4%	6.3%	6.2%
5806.39.10	7.4%	7.3%	7.2%	7.1%	7%	7%	6.9%	6.8%	6.7%	6.6%
5806.39.20	5.5%	5.5%	5.4%	5.3%	5.2%	5.2%	5.1%	5%	5%	4.9%
5806.39.30	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
5806.40.00	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5807.10.05	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%	7.9%
5807.10.15	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
5807.10.20	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
5807.90.05	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%	7.9%
5807.90.15	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
5807.90.20	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
5808.10.40	3.6%	3.5%	3.5%	3.4%	3.4%	3.4%	3.3%	3.3%	3.2%	3.2%
5808.10.50	3.2%	2.9%	2.5%	2.2%	1.8%	1.4%	1.1%	0.7%	0.4%	Free
5808.10.70	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%
5808.10.90	8%	7.6%	7.1%	6.7%	6.3%	5.9%	5.5%	5%	4.6%	4.2%
5808.90.00	7.4%	7%	6.6%	6.2%	5.8%	5.5%	5.1%	4.7%	4.3%	3.9%
5809.00.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5810.10.00	15.8%	15.6%	15.4%	15.2%	15%	14.9%	14.7%	14.5%	14.3%	14.1%
5811.00.10	14.8%	14.6%	14.5%	14.3%	14.1%	13.9%	13.7%	13.6%	13.4%	13.2%
5811.00.20	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
5811.00.30	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5811.00.40	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
5901.10.10	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5901.10.20	4.6%	4.6%	4.5%	4.5%	4.4%	4.3%	4.3%	4.2%	4.2%	4.1%
5901.90.20	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
5901.90.40	4.6%	4.6%	4.5%	4.5%	4.4%	4.3%	4.3%	4.2%	4.2%	4.1%
5902.10.00	6.5%	6.4%	6.4%	6.3%	6.2%	6.1%	6%	6%	5.9%	5.8%
5902.20.00	6.5%	6.4%	6.4%	6.3%	6.2%	6.1%	6%	6%	5.9%	5.8%
5902.90.00	5.9%	5.3%	4.6%	4%	3.3%	2.6%	2%	1.3%	0.7%	Free
5903.10.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5903.10.15	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5903.10.18	15.8%	15.6%	15.4%	15.2%	15%	14.9%	14.7%	14.5%	14.3%	14.1%
5903.10.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5903.10.25	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%
5903.10.30	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5903.20.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5903.20.15	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5903.20.18	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5903.20.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5903.20.25	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%
5903.20.30	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5903.90.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5903.90.15	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5903.90.18	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5903.90.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5903.90.25	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%
5903.90.30	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5904.10.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5904.91.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5904.92.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5905.00.90	11.2%	10%	8.8%	7.5%	6.2%	5%	3.8%	2.5%	1.2%	Free
5906.10.00	5.5%	5.2%	4.9%	4.6%	4.4%	4.1%	3.8%	3.5%	3.2%	2.9%
5906.91.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
5906.91.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5906.91.25	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%
5906.91.30	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5906.99.10	5%	4.8%	4.5%	4.3%	4%	3.7%	3.5%	3.2%	3%	2.7%
5906.99.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
5906.99.25	7.6%	6.8%	6%	5.1%	4.2%	3.4%	2.6%	1.7%	0.8%	Free
5906.99.30	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
5907.00.15	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5907.00.35	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
5907.00.60	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
5907.00.80	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
5908.00.00	6.5%	6.1%	5.8%	5.4%	5.1%	4.8%	4.4%	4.1%	3.7%	3.4%
5909.00.10	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free
5909.00.20	6.2%	5.9%	5.5%	5.2%	4.9%	4.6%	4.3%	3.9%	3.6%	3.3%
5910.00.10	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
5910.00.90	4.8%	4.6%	4.4%	4.1%	3.8%	3.6%	3.4%	3.1%	2.8%	2.6%
5911.10.10	5.5%	5.2%	4.9%	4.6%	4.4%	4.1%	3.8%	3.5%	3.2%	2.9%
5911.10.20	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
5911.20.10	6.2%	5.9%	5.5%	5.2%	4.9%	4.6%	4.3%	3.9%	3.6%	3.3%
5911.20.30	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
5911.31.00	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
5911.32.00	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
5911.40.00	12.5%	12%	11.5%	11%	10.5%	10%	9.5%	9%	8.5%	8%
5911.90.00	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
6001.10.20	19.3%	19%	18.8%	18.6%	18.4%	18.1%	17.9%	17.7%	17.4%	17.2%
6001.10.60	10.9%	10.7%	10.5%	10.3%	10%	9.8%	9.6%	9.4%	9.2%	9%
6001.21.00	11%	10.8%	10.7%	10.6%	10.4%	10.3%	10.2%	10.1%	9.9%	9.8%
6001.22.00	19.3%	19%	18.8%	18.6%	18.4%	18.1%	17.9%	17.7%	17.4%	17.2%
6001.29.00	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
6001.91.00	20.8%	20.5%	20.2%	20%	19.8%	19.5%	19.2%	19%	18.8%	18.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6001.92.00	19.3%	19%	18.8%	18.6%	18.4%	18.1%	17.9%	17.7%	17.4%	17.2%
6001.99.10	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
6001.99.90	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
6002.10.40	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
6002.10.80	9.2%	9%	8.9%	8.8%	8.6%	8.5%	8.4%	8.3%	8.1%	8%
6002.20.10	15.8%	15.6%	15.4%	15.2%	15%	14.9%	14.7%	14.5%	14.3%	14.1%
6002.20.30	9.8%	9.6%	9.4%	9.2%	9%	8.8%	8.6%	8.4%	8.2%	8%
6002.20.60	8.5%	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%
6002.20.90	7.4%	7.3%	7.2%	7.1%	7%	7%	6.9%	6.8%	6.7%	6.6%
6002.30.20	13.8%	13.7%	13.5%	13.3%	13.2%	13%	12.8%	12.6%	12.5%	12.3%
6002.30.90	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%	7.2%	7.1%	7%
6002.41.00	18.1%	17.2%	16.3%	15.4%	14.5%	13.6%	12.7%	11.8%	10.9%	10%
6002.42.00	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.43.00	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.49.00	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.91.00	18.1%	17.2%	16.3%	15.4%	14.5%	13.6%	12.7%	11.8%	10.9%	10%
6002.92.10	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.92.90	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.93.00	13.6%	13.2%	12.8%	12.4%	12%	11.6%	11.2%	10.8%	10.4%	10%
6002.99.10	13.3%	12.6%	11.9%	11.2%	10.5%	9.8%	9.1%	8.4%	7.7%	7%
6002.99.90	12.6%	11.2%	9.8%	8.4%	7%	5.6%	4.2%	2.8%	1.4%	Free
6101.10.00	75.6¢/kg + 19.6%	74.1¢/kg + 19.2%	72.6¢/kg + 18.8%	71¢/kg + 18.4%	69.4¢/kg + 18%	67.9¢/kg + 17.6%	66.4¢/kg + 17.2%	64.8¢/kg + 16.8%	63.2¢/kg + 16.4%	61.7¢/kg + 16%
6101.20.00	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%	15.9%
6101.30.10	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6101.30.15	73.3¢/kg + 19%	69.5¢/kg + 18%	65.6¢/kg + 17%	61.8¢/kg + 16%	57.9¢/kg + 15%	54¢/kg + 14%	50.2¢/kg + 13%	46.3¢/kg + 12%	42.5¢/kg + 11%	38.6¢/kg + 10%
6101.30.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6101.90.10	5.6%	5.1%	4.5%	4%	3.5%	3%	2.5%	1.9%	1.4%	0.9%
6101.90.90	6.1%	6%	6%	5.9%	5.9%	5.9%	5.8%	5.8%	5.7%	5.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6102.10.00	67.1¢/kg + 19.6%	65.8¢/kg + 19.3%	64.6¢/kg + 18.9%	63.3¢/kg + 18.6%	62.1¢/kg + 18.2%	60.9¢/kg + 17.8%	59.6¢/kg + 17.5%	58.4¢/kg + 17.1%	57.1¢/kg + 16.8%	55.9¢/kg + 16.4%
6102.20.00	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%	15.9%
6102.30.05	5.9%	5.9%	5.8%	5.7%	5.6%	5.6%	5.5%	5.4%	5.4%	5.3%
6102.30.10	67.9¢/kg + 19.9%	67.5¢/kg + 19.8%	67.1¢/kg + 19.6%	66.7¢/kg + 19.5%	66.4¢/kg + 19.4%	66¢/kg + 19.3%	65.6¢/kg + 19.2%	65.2¢/kg + 19%	64.8¢/kg + 18.9%	64.4¢/kg + 18.8%
6102.30.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6102.90.10	5.6%	5.1%	4.5%	4%	3.5%	3%	2.5%	1.9%	1.4%	0.9%
6102.90.90	6.1%	6%	6%	5.9%	5.9%	5.9%	5.8%	5.8%	5.7%	5.7%
6103.11.00	73.4¢/kg + 19%	69.5¢/kg + 18%	65.7¢/kg + 17%	61.8¢/kg + 16%	58¢/kg + 15%	54.2¢/kg + 14%	50.3¢/kg + 13%	46.5¢/kg + 12%	42.6¢/kg + 11%	38.8¢/kg + 10%
6103.12.10	75.5¢/kg + 19.6%	73.8¢/kg + 19.1%	72.1¢/kg + 18.7%	70.4¢/kg + 18.2%	68.8¢/kg + 17.8%	67.1¢/kg + 17.4%	65.4¢/kg + 16.9%	63.7¢/kg + 16.5%	62¢/kg + 16%	60.3¢/kg + 15.6%
6103.12.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6103.19.10	69.5¢/kg + 18%	61.8¢/kg + 16%	54¢/kg + 14%	46.3¢/kg + 12%	38.6¢/kg + 10%	30.9¢/kg + 8%	23.2¢/kg + 6%	15.4¢/kg + 4%	7.7¢/kg + 2%	Free
6103.19.15	27%	24%	21%	18%	15%	12%	9%	6%	3%	Free
6103.19.20	17.8%	16.8%	15.9%	15%	14%	13.1%	12.2%	11.3%	10.3%	9.4%
6103.19.60	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6103.19.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6103.31.00	73.3¢/kg + 19%	69.5¢/kg + 18%	65.6¢/kg + 17%	61.8¢/kg + 16%	57.9¢/kg + 15%	54¢/kg + 14%	50.2¢/kg + 13%	46.3¢/kg + 12%	42.5¢/kg + 11%	38.6¢/kg + 10%
6103.32.00	16.6%	16.2%	15.9%	15.5%	15.2%	14.9%	14.5%	14.2%	13.8%	13.5%
6103.33.10	73.3¢/kg + 19%	69.5¢/kg + 18%	65.6¢/kg + 17%	61.8¢/kg + 16%	57.9¢/kg + 15%	54¢/kg + 14%	50.2¢/kg + 13%	46.3¢/kg + 12%	42.5¢/kg + 11%	38.6¢/kg + 10%
6103.33.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6103.39.10	28.5%	27%	25.5%	24%	22.4%	20.9%	19.4%	17.9%	16.4%	14.9%
6103.39.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6103.39.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6103.41.10	75.6¢/kg + 19.6%	74¢/kg + 19.2%	72.4¢/kg + 18.7%	70.8¢/kg + 18.3%	69.2¢/kg + 17.9%	67.5¢/kg + 17.5%	65.9¢/kg + 17.1%	64.3¢/kg + 16.6%	62.7¢/kg + 16.2%	61.1¢/kg + 15.8%
6103.41.20	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6103.42.10	17%	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%
6103.42.20	10.9%	10.9%	10.8%	10.7%	10.6%	10.6%	10.5%	10.4%	10.4%	10.3%
6103.43.10	75.3¢/kg + 19.5%	73.5¢/kg + 19%	71.6¢/kg + 18.6%	69.7¢/kg + 18.1%	67.8¢/kg + 17.6%	66¢/kg + 17.1%	64.1¢/kg + 16.6%	62.2¢/kg + 16.2%	60.4¢/kg + 15.7%	58.5¢/kg + 15.2%
6103.43.15	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6103.43.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6103.49.10	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6103.49.20	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6103.49.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6103.49.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6104.11.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6104.12.00	17.9%	16.9%	16%	15%	14.1%	13.2%	12.2%	11.3%	10.3%	9.4%
6104.13.10	15.3%	13.6%	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
6104.13.20	28.5%	27%	25.5%	24%	22.4%	20.9%	19.4%	17.9%	16.4%	14.9%
6104.19.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6104.19.15	27%	24%	21%	18%	15%	12%	9%	6%	3%	Free
6104.19.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6104.19.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6104.31.00	67¢/kg + 19.6%	65.6¢/kg + 19.2%	64.2¢/kg + 18.8%	62.9¢/kg + 18.4%	61.6¢/kg + 18%	60.2¢/kg + 17.6%	58.8¢/kg + 17.2%	57.5¢/kg + 16.8%	56.2¢/kg + 16.4%	54.8¢/kg + 16%
6104.32.00	16.7%	16.5%	16.3%	16.1%	15.9%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.33.10	67.1¢/kg + 19.6%	65.9¢/kg + 19.3%	64.7¢/kg + 19%	63.5¢/kg + 18.6%	62.4¢/kg + 18.2%	61.2¢/kg + 17.9%	60¢/kg + 17.6%	58.8¢/kg + 17.2%	57.6¢/kg + 16.8%	56.4¢/kg + 16.5%
6104.33.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6104.39.10	29.4%	28.8%	28.2%	27.6%	27%	26.4%	25.8%	25.2%	24.6%	24%
6104.39.20	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
6104.41.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6104.42.00	12.1%	12.1%	12%	11.9%	11.8%	11.8%	11.7%	11.6%	11.6%	11.5%
6104.43.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.43.20	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6104.44.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6104.44.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.49.10	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6104.49.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6104.51.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.52.00	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%	8.4%	8.3%
6104.53.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.53.20	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6104.59.10	16.1%	15.2%	14.3%	13.4%	12.5%	11.6%	10.7%	9.8%	8.9%	8%
6104.59.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6104.59.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6104.61.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.62.10	10.9%	10.9%	10.8%	10.7%	10.6%	10.6%	10.5%	10.4%	10.4%	10.3%
6104.62.20	16.5%	16.3%	16.2%	16%	15.8%	15.6%	15.4%	15.3%	15.1%	14.9%
6104.63.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.63.15	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6104.63.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6104.69.10	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6104.69.20	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6104.69.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6104.69.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6105.10.00	20.9%	20.7%	20.6%	20.5%	20.4%	20.2%	20.1%	20%	19.8%	19.7%
6105.20.10	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6105.20.20	34.3%	34.1%	33.8%	33.6%	33.3%	33%	32.8%	32.5%	32.3%	32%
6105.90.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6105.90.40	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6105.90.80	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6106.10.00	20.9%	20.7%	20.6%	20.5%	20.4%	20.2%	20.1%	20%	19.8%	19.7%
6106.20.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6106.20.20	34.3%	34.1%	33.8%	33.6%	33.3%	33%	32.8%	32.5%	32.3%	32%
6106.90.10	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6106.90.15	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6106.90.25	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6106.90.30	5%	4.9%	4.9%	4.9%	4.8%	4.8%	4.8%	4.8%	4.7%	4.7%
6107.11.00	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%	7.4%	7.4%
6107.12.00	15.9%	15.8%	15.7%	15.6%	15.4%	15.3%	15.2%	15.1%	15%	14.9%
6107.19.10	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6107.19.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6107.21.00	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6107.22.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6107.29.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6107.29.50	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6107.29.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6107.91.00	9.2%	9.2%	9.1%	9.1%	9%	8.9%	8.9%	8.8%	8.8%	8.7%
6107.92.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6107.99.20	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6107.99.50	4.7%	4.2%	3.8%	3.4%	3%	2.5%	2.1%	1.7%	1.2%	0.8%
6107.99.90	5.1%	5%	5%	5%	5%	4.9%	4.9%	4.9%	4.8%	4.8%
6108.11.00	16.1%	15.9%	15.8%	15.7%	15.6%	15.4%	15.3%	15.2%	15%	14.9%
6108.19.10	6.4%	5.8%	5.2%	4.6%	4%	3.5%	2.9%	2.3%	1.7%	1.1%
6108.19.90	7%	6.9%	6.9%	6.8%	6.8%	6.8%	6.7%	6.7%	6.6%	6.6%
6108.21.00	8%	8%	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%
6108.22.10	15.8%	14.9%	14.1%	13.3%	12.4%	11.6%	10.8%	10%	9.1%	8.3%
6108.22.90	16.5%	16.4%	16.3%	16.2%	16.1%	16%	15.9%	15.8%	15.7%	15.6%
6108.29.10	12.9%	11.7%	10.5%	9.3%	8.1%	6.9%	5.7%	4.5%	3.3%	2.1%
6108.29.90	14%	13.9%	13.9%	13.8%	13.7%	13.6%	13.5%	13.5%	13.4%	13.3%
6108.31.00	9%	8.9%	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%
6108.32.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6108.39.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6108.39.40	3.7%	3.3%	3%	2.6%	2.3%	2%	1.6%	1.3%	0.9%	0.6%
6108.39.80	4%	4%	3.9%	3.9%	3.9%	3.9%	3.9%	3.8%	3.8%	3.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6108.91.00	9%	8.9%	8.8%	8.8%	8.8%	8.7%	8.6%	8.6%	8.6%	8.5%
6108.92.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6108.99.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6108.99.50	3.7%	3.3%	3%	2.6%	2.3%	2%	1.6%	1.3%	0.9%	0.6%
6108.99.90	4%	4%	3.9%	3.9%	3.9%	3.9%	3.9%	3.8%	3.8%	3.8%
6109.10.00	20.6%	20.1%	19.6%	19.2%	18.8%	18.3%	17.8%	17.4%	17%	16.5%
6109.90.10	33.8%	33.6%	33.4%	33.2%	33%	32.8%	32.6%	32.4%	32.2%	32%
6109.90.15	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6109.90.40	15.6%	14.1%	12.7%	11.2%	9.8%	8.4%	6.9%	5.5%	4%	2.6%
6109.90.80	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6110.10.10	7.2%	6.8%	6.4%	6.1%	5.8%	5.4%	5%	4.7%	4.4%	4%
6110.10.20	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6110.20.20	20.3%	19.9%	19.4%	19%	18.6%	18.2%	17.8%	17.3%	16.9%	16.5%
6110.30.30	34%	33.8%	33.5%	33.3%	33.1%	32.9%	32.7%	32.4%	32.2%	32%
6110.90.10	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6111.10.00	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6111.20.10	20.9%	20.7%	20.6%	20.5%	20.4%	20.2%	20.1%	20%	19.8%	19.7%
6111.20.20	20.4%	19.8%	19.2%	18.6%	18%	17.3%	16.7%	16.1%	15.5%	14.9%
6111.20.30	20.4%	19.8%	19.2%	18.6%	18%	17.3%	16.7%	16.1%	15.5%	14.9%
6111.20.40	12.1%	12.1%	12%	11.9%	11.8%	11.8%	11.7%	11.6%	11.6%	11.5%
6111.20.50	16.5%	16.3%	16.2%	16%	15.8%	15.6%	15.4%	15.3%	15.1%	14.9%
6111.20.60	8.6%	8.5%	8.4%	8.4%	8.4%	8.3%	8.2%	8.2%	8.2%	8.1%
6111.30.10	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6111.30.20	34.3%	34.1%	33.8%	33.6%	33.3%	33%	32.8%	32.5%	32.3%	32%
6111.30.30	34.3%	34.1%	33.8%	33.6%	33.3%	33%	32.8%	32.5%	32.3%	32%
6111.30.40	34.1%	33.7%	33.2%	32.8%	32.3%	31.8%	31.4%	30.9%	30.5%	30%
6111.30.50	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6111.90.10	28.5%	27%	25.5%	24%	22.4%	20.9%	19.4%	17.9%	16.4%	14.9%
6111.90.20	32.9%	31.1%	29.4%	27.7%	26%	24.2%	22.5%	20.8%	19%	17.3%
6111.90.30	31.1%	27.7%	24.2%	20.8%	17.3%	13.8%	10.4%	6.9%	3.5%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6111.90.40	33.7%	32.9%	32%	31.2%	30.3%	29.4%	28.6%	27.7%	26.9%	26%
6111.90.50	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6111.90.70	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6111.90.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6112.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6112.12.00	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6112.19.10	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6112.19.40	21%	19.1%	17.2%	15.2%	13.2%	11.3%	9.4%	7.4%	5.4%	3.5%
6112.19.80	22.9%	22.7%	22.6%	22.4%	22.3%	22.2%	22%	21.9%	21.7%	21.6%
6112.20.10	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6112.20.20	15.7%	14.9%	14%	13.2%	12.4%	11.6%	10.8%	9.9%	9.1%	8.3%
6112.31.00	27.4%	27.3%	27.1%	26.9%	26.8%	26.6%	26.4%	26.2%	26.1%	25.9%
6112.39.00	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6112.41.00	26.3%	26.2%	26%	25.9%	25.7%	25.5%	25.4%	25.2%	25.1%	24.9%
6112.49.00	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6113.00.10	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6113.00.90	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6114.10.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
6114.20.00	11.4%	11.4%	11.3%	11.2%	11.2%	11.1%	11%	10.9%	10.9%	10.8%
6114.30.10	29.8%	29.6%	29.5%	29.3%	29.1%	28.9%	28.7%	28.6%	28.4%	28.2%
6114.30.20	34.1%	33.8%	33.6%	33.4%	33.2%	32.9%	32.7%	32.5%	32.2%	32%
6114.30.30	16%	15.9%	15.7%	15.6%	15.5%	15.4%	15.3%	15.1%	15%	14.9%
6114.90.10	5.5%	5%	4.5%	4%	3.4%	2.9%	2.4%	1.9%	1.4%	0.9%
6114.90.90	6%	5.9%	5.9%	5.8%	5.8%	5.8%	5.7%	5.7%	5.6%	5.6%
6115.11.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6115.12.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6115.19.10	15.6%	14.1%	12.7%	11.2%	9.8%	8.4%	6.9%	5.5%	4%	2.6%
6115.19.90	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6115.20.10	16.7%	15.2%	13.6%	12.1%	10.5%	8.9%	7.4%	5.8%	4.3%	2.7%
6115.20.90	17.9%	17.6%	17.2%	16.8%	16.4%	16.1%	15.7%	15.3%	15%	14.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6115.91.00	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6115.92.10	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
6115.92.20	14.3%	14.2%	14.1%	14%	14%	13.9%	13.8%	13.7%	13.6%	13.5%
6115.93.10	19.9%	19.8%	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6115.93.15	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
6115.93.20	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6115.99.14	19.9%	19.8%	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6115.99.18	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6115.99.40	9.6%	8.7%	7.8%	6.9%	6%	5.2%	4.3%	3.4%	2.5%	1.6%
6115.99.80	10.4%	10.4%	10.3%	10.3%	10.2%	10.1%	10.1%	10%	10%	9.9%
6116.10.08	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6116.10.13	23.8%	22.5%	21.2%	20%	18.8%	17.5%	16.2%	15%	13.8%	12.5%
6116.10.17	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6116.10.44	18.8%	17.8%	16.8%	15.8%	14.8%	13.9%	12.9%	11.9%	10.9%	9.9%
6116.10.48	19.7%	19.6%	19.4%	19.3%	19.2%	19.1%	19%	18.8%	18.7%	18.6%
6116.10.55	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6116.10.65	13.3%	12.6%	11.9%	11.2%	10.5%	9.8%	9.1%	8.4%	7.7%	7%
6116.10.75	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6116.10.95	13.3%	12.6%	11.9%	11.2%	10.5%	9.8%	9.1%	8.4%	7.7%	7%
6116.91.00	32.9¢/kg + 7.4%	32.7¢/kg + 7.3%	32.5¢/kg + 7.3%	32.3¢/kg + 7.2%	32.2¢/kg + 7.2%	32¢/kg + 7.2%	31.8¢/kg + 7.1%	31.6¢/kg + 7.1%	31.4¢/kg + 7%	31.2¢/kg + 7%
6116.92.08	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6116.92.64	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6116.92.74	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6116.92.88	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6116.92.94	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6116.93.08	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6116.93.64	32.9¢/kg + 7.4%	32.7¢/kg + 7.3%	32.5¢/kg + 7.2%	32.3¢/kg + 7.2%	32¢/kg + 7.2%	31.8¢/kg + 7.1%	31.6¢/kg + 7%	31.4¢/kg + 7%	31.2¢/kg + 7%	31¢/kg + 6.9%
6116.93.74	32.9¢/kg + 7.4%	32.7¢/kg + 7.3%	32.5¢/kg + 7.2%	32.3¢/kg + 7.2%	32¢/kg + 7.2%	31.8¢/kg + 7.1%	31.6¢/kg + 7%	31.4¢/kg + 7%	31.2¢/kg + 7%	31¢/kg + 6.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6116.93.88	19.7%	19.6%	19.4%	19.3%	19.2%	19.1%	19%	18.8%	18.7%	18.6%
6116.93.94	19.7%	19.6%	19.4%	19.3%	19.2%	19.1%	19%	18.8%	18.7%	18.6%
6116.99.35	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6116.99.48	19.9%	19.8%	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6116.99.54	19.9%	19.8%	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6116.99.75	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
6116.99.95	4%	4%	3.9%	3.9%	3.9%	3.9%	3.9%	3.8%	3.8%	3.8%
6117.10.10	10.1%	10.1%	10%	10%	9.9%	9.8%	9.8%	9.7%	9.7%	9.6%
6117.10.20	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6117.10.40	9.2%	8.4%	7.5%	6.7%	5.8%	4.9%	4.1%	3.2%	2.4%	1.5%
6117.10.60	10%	10%	9.9%	9.9%	9.8%	9.7%	9.7%	9.6%	9.6%	9.5%
6117.20.10	7.5%	6.8%	6.1%	5.4%	4.7%	4%	3.3%	2.6%	1.9%	1.2%
6117.20.90	7.9%	7.6%	7.2%	6.9%	6.6%	6.3%	6%	5.6%	5.3%	5%
6117.80.10	14.2%	12.9%	11.5%	10.2%	8.9%	7.6%	6.3%	4.9%	3.6%	2.3%
6117.80.90	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6117.90.10	14.2%	12.9%	11.5%	10.2%	8.9%	7.6%	6.3%	4.9%	3.6%	2.3%
6117.90.90	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6201.11.00	51.7¢/kg + 20.5%	50.5¢/kg + 20.1%	49.3¢/kg + 19.6%	48.1¢/kg + 19.1%	47¢/kg + 18.6%	45.8¢/kg + 18.2%	44.6¢/kg + 17.7%	43.4¢/kg + 17.2%	42.2¢/kg + 16.8%	41¢/kg + 16.3%
6201.12.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6201.12.20	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6201.13.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6201.13.30	52.6¢/kg + 20.9%	52.3¢/kg + 20.7%	51.9¢/kg + 20.6%	51.6¢/kg + 20.5%	51.3¢/kg + 20.4%	51¢/kg + 20.2%	50.7¢/kg + 20.1%	50.3¢/kg + 20%	50¢/kg + 19.8%	49.7¢/kg + 19.7%
6201.13.40	29.3%	29.1%	29%	28.8%	28.6%	28.4%	28.2%	28.1%	27.9%	27.7%
6201.19.10	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
6201.19.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6201.91.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6201.91.20	52.6¢/kg + 20.9%	52.3¢/kg + 20.7%	51.9¢/kg + 20.6%	51.6¢/kg + 20.5%	51.3¢/kg + 20.4%	51¢/kg + 20.2%	50.7¢/kg + 20.1%	50.3¢/kg + 20%	50¢/kg + 19.8%	49.7¢/kg + 19.7%
6201.92.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6201.92.15	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6201.92.20	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6201.93.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6201.93.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6201.93.25	52.6¢/kg + 20.9%	52.2¢/kg + 20.7%	51.9¢/kg + 20.6%	51.5¢/kg + 20.4%	51.2¢/kg + 20.3%	50.9¢/kg + 20.2%	50.5¢/kg + 20%	50.2¢/kg + 19.9%	49.8¢/kg + 19.7%	49.5¢/kg + 19.6%
6201.93.30	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6201.93.35	29.3%	29.1%	29%	28.8%	28.6%	28.4%	28.2%	28.1%	27.9%	27.7%
6201.99.10	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free
6201.99.90	4.5%	4.4%	4.4%	4.4%	4.4%	4.3%	4.3%	4.3%	4.2%	4.2%
6202.11.00	45.8¢/kg + 20.5%	45.2¢/kg + 20.1%	44.7¢/kg + 19.6%	44.2¢/kg + 19.1%	43.6¢/kg + 18.6%	43.1¢/kg + 18.2%	42.6¢/kg + 17.7%	42.1¢/kg + 17.2%	41.5¢/kg + 16.8%	41¢/kg + 16.3%
6202.12.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6202.12.20	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6202.13.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6202.13.30	46¢/kg + 20.9%	45.7¢/kg + 20.7%	45.5¢/kg + 20.6%	45.2¢/kg + 20.5%	44.9¢/kg + 20.4%	44.6¢/kg + 20.2%	44.3¢/kg + 20.1%	44.1¢/kg + 20%	43.8¢/kg + 19.8%	43.5¢/kg + 19.7%
6202.13.40	29.3%	29.1%	29%	28.8%	28.6%	28.4%	28.2%	28.1%	27.9%	27.7%
6202.19.10	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
6202.19.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6202.91.10	16.7%	16.4%	16.1%	15.8%	15.5%	15.2%	14.9%	14.6%	14.3%	14%
6202.91.20	45.3¢/kg + 20.5%	44.2¢/kg + 20.1%	43.2¢/kg + 19.6%	42.2¢/kg + 19.1%	41.2¢/kg + 18.6%	40.1¢/kg + 18.2%	39.1¢/kg + 17.7%	38.1¢/kg + 17.2%	37¢/kg + 16.8%	36¢/kg + 16.3%
6202.92.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6202.92.15	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6202.92.20	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6202.93.10	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6202.93.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6202.93.40	46¢/kg + 20.9%	45.7¢/kg + 20.7%	45.4¢/kg + 20.6%	45.1¢/kg + 20.5%	44.8¢/kg + 20.4%	44.6¢/kg + 20.2%	44.3¢/kg + 20.1%	44¢/kg + 20%	43.7¢/kg + 19.8%	43.4¢/kg + 19.7%
6202.93.45	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6202.93.50	29.3%	29.1%	29%	28.8%	28.6%	28.4%	28.2%	28.1%	27.9%	27.7%
6202.99.10	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
6202.99.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6203.11.20	47.6¢/kg + 20.6%	42.3¢/kg + 20.3%	37¢/kg + 20%	31.7¢/kg + 19.6%	26.4¢/kg + 19.2%	21.2¢/kg + 18.9%	18.6%	10.6¢/kg + 18.2%	5.3¢/kg + 17.8%	17.5%
6203.12.10	47.6¢/kg + 20.6%	42.3¢/kg + 20.3%	37¢/kg + 20%	31.7¢/kg + 19.6%	26.4¢/kg + 19.2%	21.2¢/kg + 18.9%	15.9¢/kg + 18.6%	10.6¢/kg + 18.2%	5.3¢/kg + 17.8%	17.5%
6203.12.20	28.8%	28.7%	28.5%	28.3%	28.2%	28%	27.8%	27.6%	27.5%	27.3%
6203.19.10	16.2%	15.8%	15.5%	15.2%	14.8%	14.5%	14.2%	13.9%	13.5%	13.2%
6203.19.30	27.6%	26.2%	24.8%	23.4%	22%	20.5%	19.1%	17.7%	16.3%	14.9%
6203.19.50	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
6203.19.90	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6203.22.10	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6203.31.00	21.6%	21.1%	20.6%	20.2%	19.8%	19.3%	18.8%	18.4%	18%	17.5%
6203.32.10	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6203.32.20	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6203.33.20	28.8%	28.7%	28.5%	28.3%	28.2%	28%	27.8%	27.6%	27.5%	27.3%
6203.39.20	28.8%	28.7%	28.5%	28.3%	28.2%	28%	27.8%	27.6%	27.5%	27.3%
6203.39.50	6.3%	5.7%	5.1%	4.5%	4%	3.4%	2.8%	2.2%	1.6%	1%
6203.39.90	6.9%	6.8%	6.8%	6.7%	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%
6203.41.15	51.8¢/kg + 20.5%	50.7¢/kg + 20.1%	49.6¢/kg + 19.6%	48.5¢/kg + 19.1%	47.4¢/kg + 18.6%	46.3¢/kg + 18.2%	45.2¢/kg + 17.7%	44.1¢/kg + 17.2%	43¢/kg + 16.8%	41.9¢/kg + 16.3%
6203.41.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6203.42.10	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
6203.42.20	10.9%	10.9%	10.8%	10.7%	10.6%	10.6%	10.5%	10.4%	10.4%	10.3%
6203.42.40	17.6%	17.5%	17.4%	17.3%	17.2%	17%	16.9%	16.8%	16.7%	16.6%
6203.43.10	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
6203.43.15	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6203.43.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6203.43.25	12.9%	12.8%	12.8%	12.7%	12.6%	12.5%	12.4%	12.4%	12.3%	12.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6203.43.30	52.6¢/kg + 20.9%	52.2¢/kg + 20.7%	51.9¢/kg + 20.6%	51.6¢/kg + 20.5%	51.2¢/kg + 20.4%	50.9¢/kg + 20.2%	50.6¢/kg + 20.1%	50.3¢/kg + 20%	49.9¢/kg + 19.8%	49.6¢/kg + 19.7%
6203.43.35	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6203.43.40	29.5%	29.3%	29.2%	29%	28.8%	28.6%	28.4%	28.3%	28.1%	27.9%
6203.49.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6203.49.15	12.9%	12.8%	12.8%	12.7%	12.6%	12.5%	12.4%	12.4%	12.3%	12.2%
6203.49.20	29.5%	29.3%	29.2%	29%	28.8%	28.6%	28.4%	28.3%	28.1%	27.9%
6203.49.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
6203.49.80	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6204.11.00	16.7%	16.4%	16.1%	15.8%	15.5%	15.2%	14.9%	14.6%	14.3%	14%
6204.12.00	16.9%	16.7%	16.4%	16.2%	16%	15.8%	15.6%	15.3%	15.1%	14.9%
6204.13.20	37.3¢/kg + 27.3%	37.1¢/kg + 27.2%	36.8¢/kg + 27%	36.6¢/kg + 26.9%	36.4¢/kg + 26.7%	36.2¢/kg + 26.5%	36¢/kg + 26.4%	35.7¢/kg + 26.2%	35.5¢/kg + 26.1%	35.3¢/kg + 25.9%
6204.19.20	37.3¢/kg + 27.3%	37.1¢/kg + 27.2%	36.8¢/kg + 27%	36.6¢/kg + 26.9%	36.4¢/kg + 26.7%	36.2¢/kg + 26.5%	36¢/kg + 26.4%	35.7¢/kg + 26.2%	35.5¢/kg + 26.1%	35.3¢/kg + 25.9%
6204.19.40	6.3%	5.7%	5.1%	4.5%	4%	3.4%	2.8%	2.2%	1.6%	1%
6204.19.80	6.9%	6.8%	6.8%	6.7%	6.7%	6.7%	6.6%	6.6%	6.5%	6.5%
6204.22.10	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6204.31.20	41.7¢/kg + 20.6%	37¢/kg + 20.3%	32.4¢/kg + 20%	27.8¢/kg + 19.6%	23.2¢/kg + 19.2%	18.5¢/kg + 18.9%	13.9¢/kg + 18.6%	9.3¢/kg + 18.2%	4.6¢/kg + 17.8%	17.5%
6204.32.10	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6204.32.20	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6204.33.10	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6204.33.20	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6204.33.50	28.8%	28.7%	28.5%	28.3%	28.2%	28%	27.8%	27.6%	27.5%	27.3%
6204.39.20	45.4¢/kg + 20.6%	44.5¢/kg + 20.2%	43.5¢/kg + 19.7%	42.6¢/kg + 19.3%	41.7¢/kg + 18.9%	40.8¢/kg + 18.5%	39.9¢/kg + 18.1%	38.9¢/kg + 17.6%	38¢/kg + 17.2%	37.1¢/kg + 16.8%
6204.39.30	28.8%	28.7%	28.5%	28.3%	28.2%	28%	27.8%	27.6%	27.5%	27.3%
6204.39.60	6.1%	5.6%	5%	4.4%	3.8%	3.3%	2.7%	2.1%	1.6%	1%
6204.39.80	6.7%	6.6%	6.6%	6.5%	6.5%	6.5%	6.4%	6.4%	6.3%	6.3%
6204.41.10	7.6%	7.6%	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6204.41.20	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6204.42.10	12.4%	12.4%	12.3%	12.2%	12.2%	12.1%	12%	11.9%	11.9%	11.8%
6204.42.20	5.9%	5.8%	5.8%	5.7%	5.7%	5.7%	5.6%	5.6%	5.5%	5.5%
6204.42.30	12.2%	11.8%	11.3%	10.9%	10.5%	10.1%	9.7%	9.2%	8.8%	8.4%
6204.43.10	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6204.43.20	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6204.43.30	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6204.43.40	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6204.44.20	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6204.44.30	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6204.44.40	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6204.49.10	7.4%	7.4%	7.3%	7.3%	7.2%	7.1%	7.1%	7%	7%	6.9%
6204.49.50	7.4%	7.4%	7.3%	7.3%	7.2%	7.1%	7.1%	7%	7%	6.9%
6204.51.00	16.7%	16.4%	16.1%	15.8%	15.5%	15.2%	14.9%	14.6%	14.3%	14%
6204.52.10	8.4%	8.4%	8.4%	8.3%	8.2%	8.2%	8.2%	8.1%	8%	8%
6204.52.20	8.6%	8.6%	8.6%	8.5%	8.4%	8.4%	8.4%	8.3%	8.2%	8.2%
6204.53.10	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6204.53.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6204.53.30	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6204.59.10	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6204.59.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6204.59.30	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6204.59.40	7.1%	7.1%	7%	7%	6.9%	6.8%	6.8%	6.7%	6.7%	6.6%
6204.61.90	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6204.62.10	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
6204.62.20	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6204.62.30	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6204.62.40	17.6%	17.5%	17.4%	17.3%	17.2%	17%	16.9%	16.8%	16.7%	16.6%
6204.63.10	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
6204.63.12	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6204.63.15	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6204.63.20	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6204.63.25	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6204.63.30	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6204.63.35	30.2%	30%	29.9%	29.7%	29.5%	29.3%	29.1%	29%	28.8%	28.6%
6204.69.10	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6204.69.20	16.7%	16.3%	16%	15.6%	15.3%	15%	14.6%	14.3%	13.9%	13.6%
6204.69.25	30.2%	30%	29.9%	29.7%	29.5%	29.3%	29.1%	29%	28.8%	28.6%
6204.69.40	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6204.69.60	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6204.69.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6205.10.10	9.7%	9.7%	9.6%	9.6%	9.5%	9.4%	9.4%	9.3%	9.3%	9.2%
6205.10.20	47.6¢/kg + 20.6%	42.3¢/kg + 20.3%	37¢/kg + 20%	31.7¢/kg + 19.6%	26.4¢/kg + 19.2%	21.2¢/kg + 18.9%	15.9¢/kg + 18.6%	10.6¢/kg + 18.2%	5.3¢/kg + 17.8%	17.5%
6205.20.10	9.2%	9.2%	9.1%	9.1%	9%	8.9%	8.9%	8.8%	8.8%	8.7%
6205.20.20	20.9%	20.7%	20.6%	20.5%	20.4%	20.2%	20.1%	20%	19.8%	19.7%
6205.30.10	12.9%	12.8%	12.8%	12.7%	12.6%	12.5%	12.4%	12.4%	12.3%	12.2%
6205.30.15	52.6¢/kg + 20.9%	52.2¢/kg + 20.7%	51.9¢/kg + 20.6%	51.6¢/kg + 20.5%	51.2¢/kg + 20.4%	50.9¢/kg + 20.2%	50.6¢/kg + 20.1%	50.3¢/kg + 20%	49.9¢/kg + 19.8%	49.6¢/kg + 19.7%
6205.30.20	30.7¢/kg + 27.3%	30.5¢/kg + 27.2%	30.4¢/kg + 27%	30.2¢/kg + 26.9%	30¢/kg + 26.7%	29.8¢/kg + 26.5%	29.6¢/kg + 26.4%	29.5¢/kg + 26.2%	29.3¢/kg + 26.1%	29.1¢/kg + 25.9%
6205.90.10	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6205.90.30	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6205.90.40	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6206.10.00	7.4%	7.4%	7.3%	7.3%	7.2%	7.1%	7.1%	7%	7%	6.9%
6206.20.10	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6206.20.20	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6206.20.30	74.4¢/kg + 20.6%	66.2¢/kg + 20.2%	57.9¢/kg + 19.8%	49.6¢/kg + 19.4%	41.4¢/kg + 19%	33.1¢/kg + 18.6%	24.8¢/kg + 18.2%	16.5¢/kg + 17.8%	8.3¢/kg + 17.4%	17%
6206.30.10	9.5%	9.5%	9.4%	9.4%	9.3%	9.2%	9.2%	9.1%	9.1%	9%
6206.30.20	3.7%	3.7%	3.6%	3.6%	3.6%	3.6%	3.6%	3.5%	3.5%	3.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6206.30.30	16.3%	16.2%	16.1%	16%	15.9%	15.8%	15.7%	15.6%	15.5%	15.4%
6206.40.10	11.9%	11.9%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.4%	11.3%
6206.40.20	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
6206.40.25	80.1¢/kg + 20.3%	77.4¢/kg + 19.7%	74.8¢/kg + 19%	72.1¢/kg + 18.3%	69.5¢/kg + 17.6%	66.9¢/kg + 17%	64.2¢/kg + 16.3%	61.6¢/kg + 15.6%	58.9¢/kg + 15%	56.3¢/kg + 14.3%
6206.40.30	28.4%	28.3%	28.1%	27.9%	27.8%	27.6%	27.4%	27.2%	27.1%	26.9%
6206.90.00	7.1%	7%	7%	6.9%	6.9%	6.9%	6.8%	6.8%	6.7%	6.7%
6207.11.00	6.5%	6.4%	6.4%	6.3%	6.3%	6.3%	6.2%	6.2%	6.1%	6.1%
6207.19.10	10.2%	9.3%	8.4%	7.4%	6.4%	5.5%	4.6%	3.6%	2.6%	1.7%
6207.19.90	11.1%	11.1%	11%	10.9%	10.8%	10.8%	10.7%	10.6%	10.6%	10.5%
6207.21.00	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6207.22.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6207.29.10	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6207.29.90	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6207.91.10	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6207.91.30	6.5%	6.4%	6.4%	6.3%	6.3%	6.3%	6.2%	6.2%	6.1%	6.1%
6207.92.20	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6207.92.40	11.1%	11.1%	11%	10.9%	10.8%	10.8%	10.7%	10.6%	10.6%	10.5%
6207.99.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6207.99.40	6.5%	6.4%	6.4%	6.3%	6.3%	6.3%	6.2%	6.2%	6.1%	6.1%
6207.99.70	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6207.99.90	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6208.11.00	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6208.19.20	11.8%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.3%	11.3%	11.2%
6208.19.50	8.5%	7.7%	6.9%	6.1%	5.4%	4.6%	3.8%	3%	2.2%	1.4%
6208.19.90	9.2%	9.2%	9.1%	9.1%	9%	8.9%	8.9%	8.8%	8.8%	8.7%
6208.21.00	9.4%	9.4%	9.3%	9.3%	9.2%	9.1%	9.1%	9%	9%	8.9%
6208.22.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6208.29.10	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6208.29.90	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6208.91.10	8.4%	8.3%	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6208.91.30	11.8%	11.8%	11.7%	11.6%	11.6%	11.5%	11.4%	11.3%	11.3%	11.2%
6208.92.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6208.99.20	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6208.99.30	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6208.99.50	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6208.99.80	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6209.10.00	44.8¢/kg + 20.3%	43.4¢/kg + 19.7%	42¢/kg + 19%	40.5¢/kg + 18.4%	39¢/kg + 17.7%	37.6¢/kg + 17%	36.2¢/kg + 16.4%	34.7¢/kg + 15.7%	33.2¢/kg + 15.1%	31.8¢/kg + 14.4%
6209.20.10	12.5%	12.4%	12.4%	12.3%	12.2%	12.1%	12%	12%	11.9%	11.8%
6209.20.20	16.3%	16.2%	16%	15.9%	15.7%	15.5%	15.4%	15.2%	15.1%	14.9%
6209.20.30	17.4%	17.1%	16.9%	16.6%	16.3%	16%	15.7%	15.5%	15.2%	14.9%
6209.20.50	9.8%	9.8%	9.7%	9.7%	9.6%	9.5%	9.5%	9.4%	9.4%	9.3%
6209.30.10	27.9%	27.3%	26.6%	26%	25.3%	24.6%	24%	23.3%	22.7%	22%
6209.30.20	30.2%	30%	29.9%	29.7%	29.5%	29.3%	29.1%	29%	28.8%	28.6%
6209.30.30	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6209.90.10	27.9%	27.3%	26.6%	26%	25.3%	24.6%	24%	23.3%	22.7%	22%
6209.90.20	28.8%	27.3%	25.8%	24.2%	22.6%	21.1%	19.6%	18%	16.4%	14.9%
6209.90.30	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6209.90.50	2.7%	2.4%	2.1%	1.8%	1.5%	1.2%	0.9%	0.6%	0.3%	Free
6209.90.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6210.10.20	5.3%	5%	4.8%	4.5%	4.2%	3.9%	3.6%	3.4%	3.1%	2.8%
6210.10.50	5.6%	5%	4.4%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
6210.10.70	16.2%	15.3%	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
6210.10.90	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6210.20.30	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6210.20.50	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6210.20.70	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
6210.20.90	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6210.30.30	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6210.30.50	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6210.30.70	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6210.30.90	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6210.40.30	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6210.40.50	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6210.40.70	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
6210.40.90	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6210.50.30	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6210.50.50	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6210.50.70	6.3%	5.9%	5.6%	5.3%	5%	4.6%	4.3%	4%	3.6%	3.3%
6210.50.90	6.6%	6.5%	6.5%	6.4%	6.4%	6.4%	6.3%	6.3%	6.2%	6.2%
6211.11.10	29.4%	29.2%	29.1%	28.9%	28.7%	28.5%	28.3%	28.2%	28%	27.8%
6211.11.40	7.6%	7.2%	6.8%	6.4%	6%	5.6%	5.2%	4.8%	4.4%	4%
6211.11.80	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6211.12.10	22.3%	21.2%	20%	18.8%	17.6%	16.5%	15.3%	14.1%	13%	11.8%
6211.12.40	7.3%	6.6%	6%	5.3%	4.6%	3.9%	3.2%	2.6%	1.9%	1.2%
6211.12.80	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6211.20.04	4.3%	3.9%	3.5%	3.1%	2.7%	2.3%	1.9%	1.5%	1.1%	0.7%
6211.20.08	4.7%	4.6%	4.6%	4.6%	4.6%	4.5%	4.5%	4.5%	4.4%	4.4%
6211.20.15	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%	7.2%	7.2%	7.2%	7.1%
6211.20.24	28.3%	27.1%	25.9%	24.7%	23.5%	22.3%	21.1%	19.9%	18.7%	17.5%
6211.20.28	29.3%	29.1%	29%	28.8%	28.6%	28.4%	28.2%	28.1%	27.9%	27.7%
6211.20.34	28.7%	27.4%	26.2%	24.9%	23.7%	22.5%	21.2%	20%	18.7%	17.5%
6211.20.38	29.7%	29.5%	29.4%	29.2%	29%	28.8%	28.6%	28.5%	28.3%	28.1%
6211.20.44	16.7%	16.4%	16.1%	15.8%	15.5%	15.2%	14.9%	14.6%	14.3%	14%
6211.20.48	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6211.20.54	28.6%	27.3%	26.1%	24.9%	23.6%	22.4%	21.2%	20%	18.7%	17.5%
6211.20.58	29.6%	29.4%	29.3%	29.1%	28.9%	28.7%	28.5%	28.4%	28.2%	28%
6211.20.64	29.1%	27.8%	26.5%	25.2%	24%	22.7%	21.4%	20.1%	18.8%	17.5%
6211.20.68	30.2%	30%	29.9%	29.7%	29.5%	29.3%	29.1%	29%	28.8%	28.6%
6211.20.74	16.7%	16.4%	16.1%	15.8%	15.5%	15.2%	14.9%	14.6%	14.3%	14%
6211.20.78	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6211.31.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
6211.32.00	8.6%	8.5%	8.4%	8.4%	8.4%	8.3%	8.2%	8.2%	8.2%	8.1%
6211.33.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6211.39.10	2.8%	2.5%	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%
6211.39.90	3%	3%	2.9%	2.9%	2.9%	2.9%	2.9%	2.8%	2.8%	2.8%
6211.41.00	16.5%	16%	15.5%	15%	14.5%	14%	13.5%	13%	12.5%	12%
6211.42.00	8.6%	8.5%	8.4%	8.4%	8.4%	8.3%	8.2%	8.2%	8.2%	8.1%
6211.43.00	16.9%	16.8%	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6211.49.10	7.1%	6.5%	5.8%	5.2%	4.5%	3.8%	3.2%	2.5%	1.9%	1.2%
6211.49.90	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%	7.4%	7.4%	7.4%	7.3%
6212.10.30	29.3%	26.6%	23.8%	21.1%	18.4%	15.7%	13%	10.2%	7.5%	4.8%
6212.10.50	17.9%	17.8%	17.7%	17.6%	17.4%	17.3%	17.2%	17.1%	17%	16.9%
6212.10.70	16.5%	14.9%	13.4%	11.9%	10.4%	8.8%	7.3%	5.8%	4.2%	2.7%
6212.10.90	17.9%	17.8%	17.7%	17.6%	17.4%	17.3%	17.2%	17.1%	17%	16.9%
6212.20.00	24.5%	24%	23.5%	23%	22.5%	22%	21.5%	21%	20.5%	20%
6212.30.00	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6212.90.00	7%	6.9%	6.9%	6.8%	6.8%	6.8%	6.7%	6.7%	6.6%	6.6%
6213.10.10	6.9%	6.2%	5.6%	4.9%	4.3%	3.7%	3%	2.4%	1.7%	1.1%
6213.10.20	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
6213.20.10	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6213.20.20	7.5%	7.4%	7.4%	7.3%	7.3%	7.3%	7.2%	7.2%	7.1%	7.1%
6213.90.10	11.4%	11.4%	11.3%	11.2%	11.2%	11.1%	11%	10.9%	10.9%	10.8%
6213.90.20	10.2%	9.6%	9.1%	8.5%	8%	7.5%	6.9%	6.4%	5.8%	5.3%
6214.10.10	6.4%	5.1%	3.8%	2.5%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%
6214.10.20	6.9%	6.2%	5.4%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
6214.20.00	12%	10.7%	9.3%	8%	6.7%	6.7%	6.7%	6.7%	6.7%	6.7%
6214.30.00	9.5%	8.5%	7.4%	6.4%	5.3%	5.3%	5.3%	5.3%	5.3%	5.3%
6214.40.00	9.5%	8.5%	7.4%	6.4%	5.3%	5.3%	5.3%	5.3%	5.3%	5.3%
6214.90.00	11.9%	11.7%	11.6%	11.4%	11.3%	11.3%	11.3%	11.3%	11.3%	11.3%
6215.10.00	7.9%	7.8%	7.8%	7.7%	7.6%	7.5%	7.4%	7.4%	7.3%	7.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6215.20.00	26.3¢/kg + 13.4%	26.2¢/kg + 13.3%	26¢/kg + 13.3%	25.8¢/kg + 13.2%	25.6¢/kg + 13.1%	25.5¢/kg + 13%	25.3¢/kg + 12.9%	25.1¢/kg + 12.9%	25¢/kg + 12.8%	24.8¢/kg + 12.7%
6215.90.00	7.7%	7.4%	7.1%	6.8%	6.5%	6.2%	5.9%	5.6%	5.3%	5%
6216.00.08	5%	4.6%	4.1%	3.6%	3.2%	2.7%	2.2%	1.7%	1.3%	0.8%
6216.00.13	23.8%	22.5%	21.2%	20%	18.8%	17.5%	16.2%	15%	13.8%	12.5%
6216.00.17	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6216.00.19	20.9¢/kg + 10.4%	19.8¢/kg + 9.9%	18.7¢/kg + 9.4%	17.6¢/kg + 8.8%	16.6¢/kg + 8.2%	15.5¢/kg + 7.7%	14.4¢/kg + 7.2%	13.3¢/kg + 6.6%	12.2¢/kg + 6%	11.1¢/kg + 5.5%
6216.00.21	21.9¢/kg + 10.9%	21.7¢/kg + 10.9%	21.6¢/kg + 10.8%	21.4¢/kg + 10.7%	21.3¢/kg + 10.6%	21.2¢/kg + 10.6%	21¢/kg + 10.5%	20.9¢/kg + 10.4%	20.7¢/kg + 10.4%	20.6¢/kg + 10.3%
6216.00.24	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13.2%
6216.00.26	13.3%	12.6%	11.9%	11.2%	10.5%	9.8%	9.1%	8.4%	7.7%	7%
6216.00.29	13.9%	13.8%	13.8%	13.7%	13.6%	13.5%	13.4%	13.4%	13.3%	13%
6216.00.31	13.3%	12.6%	11.9%	11.2%	10.5%	9.8%	9.1%	8.4%	7.7%	7%
6216.00.35	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6216.00.38	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6216.00.41	24.8%	24.7%	24.6%	24.4%	24.2%	24.1%	24%	23.8%	23.6%	23.5%
6216.00.46	5.2%	5%	4.7%	4.4%	4.2%	3.9%	3.6%	3.3%	3.1%	2.8%
6216.00.54	21.9¢/kg + 10.9%	21.7¢/kg + 10.9%	21.6¢/kg + 10.8%	21.5¢/kg + 10.8%	21.4¢/kg + 10.7%	21.2¢/kg + 10.6%	21.1¢/kg + 10.6%	21¢/kg + 10.5%	20.8¢/kg + 10.5%	20.7¢/kg + 10.4%
6216.00.58	21.9¢/kg + 10.9%	21.7¢/kg + 10.9%	21.6¢/kg + 10.8%	21.5¢/kg + 10.8%	21.4¢/kg + 10.7%	21.2¢/kg + 10.6%	21.1¢/kg + 10.6%	21¢/kg + 10.5%	20.8¢/kg + 10.5%	20.7¢/kg + 10.4%
6216.00.80	3.7%	3.7%	3.6%	3.6%	3.6%	3.6%	3.6%	3.5%	3.5%	3.5%
6216.00.90	4%	4%	3.9%	3.9%	3.9%	3.9%	3.9%	3.8%	3.8%	3.8%
6217.10.10	14.2%	12.9%	11.5%	10.2%	8.9%	7.6%	6.3%	4.9%	3.6%	2.3%
6217.10.90	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6217.90.10	14.2%	12.9%	11.5%	10.2%	8.9%	7.6%	6.3%	4.9%	3.6%	2.3%
6217.90.90	15.4%	15.3%	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%
6301.10.00	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
6301.20.00	4¢/kg + 13.5%	3.5¢/kg + 12%	3.1¢/kg + 10.5%	2.6¢/kg + 9%	2.2¢/kg + 7.5%	1.8¢/kg + 6%	1.3¢/kg + 4.5%	0.9¢/kg + 3%	0.4¢/kg + 1.5%	Free

99-194 O - 95 - 20 : QL 3 Part 2

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6301.30.00	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6301.40.00	12.6%	12.1%	11.6%	11.2%	10.8%	10.3%	9.8%	9.4%	9%	8.5%
6301.90.00	13.6%	12.9%	12.2%	11.5%	10.8%	10%	9.3%	8.6%	7.9%	7.2%
6302.10.00	7.4%	7.3%	7.1%	7%	6.8%	6.6%	6.5%	6.3%	6.2%	6%
6302.21.30	22.6%	21.4%	20.2%	19%	17.8%	16.7%	15.5%	14.3%	13.1%	11.9%
6302.21.50	23.5%	23.2%	22.9%	22.6%	22.4%	22.1%	21.8%	21.5%	21.2%	20.9%
6302.21.70	7.1%	6.6%	6.1%	5.6%	5%	4.5%	4%	3.5%	3%	2.5%
6302.21.90	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%	6.7%
6302.22.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6302.22.20	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
6302.29.00	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6302.31.30	22.6%	21.4%	20.2%	19%	17.8%	16.7%	15.5%	14.3%	13.1%	11.9%
6302.31.50	23.5%	23.2%	22.9%	22.6%	22.4%	22.1%	21.8%	21.5%	21.2%	20.9%
6302.31.70	7.2%	6.8%	6.5%	6.1%	5.7%	5.3%	4.9%	4.6%	4.2%	3.8%
6302.31.90	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%	6.7%
6302.32.10	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6302.32.20	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
6302.39.00	8.2%	7.7%	7.3%	6.9%	6.4%	6%	5.6%	5.2%	4.7%	4.3%
6302.40.10	12.2%	11.5%	10.9%	10.2%	9.6%	9%	8.3%	7.7%	7%	6.4%
6302.40.20	7.6%	7.5%	7.4%	7.3%	7.2%	7.2%	7.1%	7%	6.9%	6.8%
6302.51.10	6.8%	6.7%	6.7%	6.6%	6.5%	6.4%	6.3%	6.3%	6.2%	6.1%
6302.51.20	5.4%	5.4%	5.3%	5.2%	5.2%	5.1%	5%	4.9%	4.9%	4.8%
6302.51.30	6.5%	6.4%	6.4%	6.3%	6.2%	6.1%	6%	6%	5.9%	5.8%
6302.51.40	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
6302.52.10	9.7%	9.2%	8.7%	8.2%	7.6%	7.1%	6.6%	6.1%	5.6%	5.1%
6302.52.20	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
6302.53.00	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6302.59.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
6302.60.00	10.2%	10.1%	9.9%	9.8%	9.7%	9.6%	9.5%	9.3%	9.2%	9.1%
6302.91.00	10.4%	10.2%	10.1%	10%	9.8%	9.7%	9.6%	9.5%	9.3%	9.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6302.92.00	2.2%	2%	1.8%	1.5%	1.2%	1%	0.8%	0.5%	0.2%	Free
6302.93.10	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.4%	6.3%	6.2%
6302.93.20	11.2%	11%	10.9%	10.7%	10.6%	10.5%	10.3%	10.2%	10%	9.9%
6302.99.10	5.1%	4.9%	4.6%	4.3%	4%	3.8%	3.5%	3.2%	3%	2.7%
6302.99.20	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6303.11.00	11.6%	11.4%	11.3%	11.1%	11%	10.9%	10.7%	10.6%	10.4%	10.3%
6303.12.00	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6303.19.00	12.2%	11.5%	10.9%	10.2%	9.6%	9%	8.3%	7.7%	7%	6.4%
6303.91.00	11.6%	11.4%	11.3%	11.1%	11%	10.9%	10.7%	10.6%	10.4%	10.3%
6303.92.10	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6303.92.20	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6303.99.00	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6304.11.10	13.4%	13.3%	13.1%	13%	12.8%	12.6%	12.5%	12.3%	12.2%	12%
6304.11.20	12.4%	11.7%	11%	10.4%	9.8%	9.1%	8.4%	7.8%	7.2%	6.5%
6304.11.30	11.1%	10.5%	10%	9.4%	8.8%	8.2%	7.6%	7.1%	6.5%	5.9%
6304.19.05	13.4%	13.3%	13.1%	13%	12.8%	12.6%	12.5%	12.3%	12.2%	12%
6304.19.10	4.9%	4.9%	4.8%	4.8%	4.7%	4.6%	4.6%	4.5%	4.5%	4.4%
6304.19.15	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6304.19.20	12.4%	11.7%	11%	10.4%	9.8%	9.1%	8.4%	7.8%	7.2%	6.5%
6304.19.30	11.9%	11.3%	10.6%	10%	9.4%	8.8%	8.2%	7.5%	6.9%	6.3%
6304.91.00	10.9%	10.4%	9.8%	9.2%	8.6%	8.1%	7.5%	6.9%	6.4%	5.8%
6304.92.00	7.1%	7%	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.3%
6304.93.00	10.5%	10.3%	10.2%	10.1%	10%	9.8%	9.7%	9.6%	9.4%	9.3%
6304.99.10	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
6304.99.15	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6304.99.25	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6304.99.35	12.6%	12.5%	12.4%	12.2%	12%	11.9%	11.8%	11.6%	11.4%	11.3%
6304.99.40	7.1%	6.8%	6.4%	6%	5.6%	5.3%	4.9%	4.5%	4.2%	3.8%
6304.99.60	6.1%	5.8%	5.4%	5.1%	4.8%	4.5%	4.2%	3.8%	3.5%	3.2%
6305.20.00	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.4%	6.3%	6.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6305.31.00	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6305.39.00	9.4%	9.3%	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6305.90.00	6.9%	6.8%	6.8%	6.7%	6.6%	6.5%	6.4%	6.4%	6.3%	6.2%
6306.11.00	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
6306.12.00	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
6306.19.00	5.7%	5.7%	5.6%	5.5%	5.4%	5.4%	5.3%	5.2%	5.2%	5.1%
6306.21.00	15.2%	14.4%	13.6%	12.8%	12%	11.2%	10.4%	9.6%	8.8%	8%
6306.22.10	4.2%	3.7%	3.2%	2.8%	2.3%	1.9%	1.4%	0.9%	0.5%	Free
6306.22.90	9.9%	9.8%	9.6%	9.5%	9.4%	9.3%	9.2%	9%	8.9%	8.8%
6306.29.00	5.5%	5.2%	4.9%	4.6%	4.4%	4.1%	3.8%	3.5%	3.2%	2.9%
6306.31.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
6306.39.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
6306.41.00	4.2%	4.1%	4%	4%	4%	3.9%	3.8%	3.8%	3.8%	3.7%
6306.49.00	4.2%	4.1%	4%	4%	4%	3.9%	3.8%	3.8%	3.8%	3.7%
6306.91.00	6.6%	6.3%	6%	5.6%	5.2%	4.9%	4.6%	4.2%	3.8%	3.5%
6306.99.00	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6307.10.10	4.6%	4.6%	4.5%	4.5%	4.4%	4.3%	4.3%	4.2%	4.2%	4.1%
6307.10.20	10%	9.5%	8.9%	8.4%	7.9%	7.4%	6.9%	6.3%	5.8%	5.3%
6307.20.00	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6307.90.30	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%	7.9%
6307.90.40	6.5%	5.8%	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
6307.90.50	7.1%	6.3%	5.5%	4.7%	4%	3.2%	2.4%	1.6%	0.8%	Free
6307.90.60	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
6307.90.68	5.6%	5%	4.4%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
6307.90.72	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6307.90.75	8.1%	7.7%	7.2%	6.8%	6.4%	6%	5.6%	5.1%	4.7%	4.3%
6307.90.85	11%	10.4%	9.9%	9.3%	8.7%	8.1%	7.5%	7%	6.4%	5.8%
6308.00.00	12.8%	12.7%	12.5%	12.4%	12.2%	12%	11.9%	11.7%	11.6%	11.4%
6309.00.00	1.6%	1.4%	1.3%	1.1%	0.9%	0.7%	0.5%	0.4%	0.2%	Free
6310.10.10	5.6¢/kg	5¢/kg	4.3¢/kg	3.7¢/kg	3.1¢/kg	2.5¢/kg	1.9¢/kg	1.2¢/kg	0.6¢/kg	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6310.90.10	6.1¢/kg	6.1¢/kg	6¢/kg	5.9¢/kg	5.8¢/kg	5.8¢/kg	5.7¢/kg	5.6¢/kg	5.6¢/kg	5.5¢/kg
6401.92.30	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6401.92.60	6.2%	5.8%	5.4%	5%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
6401.99.80	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6402.11.00	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6402.19.15	5.8%	5.6%	5.5%	5.3%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
6402.19.30	38.4%	28.8%	19.2%	9.6%	Free	Free	Free	Free	Free	Free
6402.19.50	87.2¢/pr. + 36.4%	84.4¢/pr. + 35.3%	81.6¢/pr. + 34.2%	78.8¢/pr. + 33.1%	76¢/pr. + 32%	76¢/pr. + 32%	76¢/pr. + 32%	76¢/pr. + 32%	76¢/pr. + 32%	76¢/pr. + 32%
6402.19.70	87.2¢/pr. + 19.4%	84.4¢/pr. + 18.8%	81.6¢/pr. + 18.2%	78.8¢/pr. + 17.6%	76¢/pr. + 17%	76¢/pr. + 17%	76¢/pr. + 17%	76¢/pr. + 17%	76¢/pr. + 17%	76¢/pr. + 17%
6402.19.90	17.8%	15.6%	13.4%	11.2%	9%	9%	9%	9%	9%	9%
6402.20.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
6402.30.60	43.2%	38.4%	33.6%	28.8%	24%	24%	24%	24%	24%	24%
6402.99.14	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
6403.11.60	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
6403.19.20	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
6403.19.40	7.7%	6.8%	6%	5.1%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
6403.19.70	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
6403.20.00	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
6403.30.00	6.4%	4.8%	3.2%	1.6%	Free	Free	Free	Free	Free	Free
6403.99.75	13.4%	11.8%	10.2%	8.6%	7%	7%	7%	7%	7%	7%
6404.19.90	17.8%	15.6%	13.4%	11.2%	9%	9%	9%	9%	9%	9%
6405.20.60	2.8%	2.7%	2.7%	2.7%	2.6%	2.6%	2.6%	2.6%	2.5%	2.5%
6405.90.20	6.8%	6%	5.3%	4.5%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
6406.10.25	45.1%	42.2%	39.4%	36.5%	33.6%	33.6%	33.6%	33.6%	33.6%	33.6%
6406.10.30	84.6¢/pr. + 35.2%	79.2¢/pr. + 33%	73.8¢/pr. + 30.7%	68.4¢/pr. + 28.5%	63¢/pr. + 26.2%	63¢/pr. + 26.2%	63¢/pr. + 26.2%	63¢/pr. + 26.2%	63¢/pr. + 26.2%	63¢/pr. + 26.2%
6406.10.35	84.4¢/pr. + 18.7%	78.8¢/pr. + 17.5%	73.2¢/pr. + 16.2%	67.6¢/pr. + 15%	62¢/pr. + 13.7%	62¢/pr. + 13.7%	62¢/pr. + 13.7%	62¢/pr. + 13.7%	62¢/pr. + 13.7%	62¢/pr. + 13.7%
6406.10.40	17.5%	15%	12.5%	10%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6406.10.50	35.2%	33%	30.7%	28.5%	26.2%	26.2%	26.2%	26.2%	26.2%	26.2%
6406.10.65	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
6406.10.85	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6406.10.90	8.6%	8.1%	7.6%	7.2%	6.8%	6.3%	5.8%	5.4%	5%	4.5%
6406.20.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
6406.91.00	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
6406.99.15	16.8%	16.6%	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6406.99.60	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
6406.99.90	14.4%	10.8%	7.2%	3.6%	Free	Free	Free	Free	Free	Free
6501.00.30	88¢/doz. + 1.3%	66¢/doz. + 1%	44¢/doz. + 0.6%	22¢/doz. + 0.3%	Free	Free	Free	Free	Free	Free
6501.00.60	$1.73/doz. + 2.5%	$1.54/doz. + 2.2%	$1.34/doz. + 2%	$1.15/doz. + 1.7%	96¢/doz. + 1.4%	96¢/doz. + 1.4%	96¢/doz. + 1.4%	96¢/doz. + 1.4%	96¢/doz. + 1.4%	96¢/doz. + 1.4%
6501.00.90	10.9¢/kg + 10.9%	10.9¢/kg + 10.9%	10.8¢/kg + 10.8%	10.7¢/kg + 10.7%	10.6¢/kg + 10.6%	10.6¢/kg + 10.6%	10.5¢/kg + 10.5%	10.4¢/kg + 10.4%	10.4¢/kg + 10.4%	10.3¢/kg + 10.3%
6502.00.60	1.9¢/doz. + 1.6%	1.4¢/doz. + 1.2%	1¢/doz. + 0.8%	0.5¢/doz. + 0.4%	Free	Free	Free	Free	Free	Free
6502.00.90	7.2%	7.1%	7.1%	7%	7%	7%	6.9%	6.9%	6.8%	6.8%
6503.00.30	88¢/doz. + 1.3%	66¢/doz. + 1%	44¢/doz. + 0.6%	22¢/doz. + 0.3%	Free	Free	Free	Free	Free	Free
6503.00.60	$1.54/doz. + 2.2%	$1.15/doz. + 1.7%	76.8¢/doz. + 1.1%	38.4¢/doz. + 0.6%	Free	Free	Free	Free	Free	Free
6503.00.90	14.2¢/kg + 6.7% + 2¢/article	14.1¢/kg + 6.6% + 2¢/article	14.1¢/kg + 6.6% + 2¢/article	14¢/kg + 6.5% + 2¢/article	13.9¢/kg + 6.5% + 2¢/article	13.8¢/kg + 6.5% + 1.9¢/ article	13.7¢/kg + 6.4% + 1.9¢/ article	13.7¢/kg + 6.4% + 1.9¢/ article	13.6¢/kg + 6.3% + 1.9¢/ article	13.5¢/kg + 6.3% + 1.9¢/ article
6504.00.30	6.4%	6.3%	6.3%	6.2%	6.2%	6.2%	6.1%	6.1%	6%	6%
6504.00.60	$1.01/doz. + 5%	$1/doz. + 4.9%	99.6¢/doz. + 4.9%	98.8¢/doz. + 4.8%	98¢/doz. + 4.8%	97.2¢/doz. + 4.8%	96.4¢/doz. + 4.7%	95.6¢/doz. + 4.7%	94.8¢/doz. + 4.6%	94¢/doz. + 4.6%
6504.00.90	7.2%	7.1%	7.1%	7%	7%	7%	6.9%	6.9%	6.8%	6.8%
6505.10.00	9.9%	9.9%	9.8%	9.8%	9.7%	9.6%	9.6%	9.5%	9.5%	9.4%
6505.90.15	8.4%	8.3%	8.2%	8.2%	8.2%	8.1%	8%	8%	8%	7.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6505.90.20	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6505.90.25	8%	7.9%	7.8%	7.8%	7.8%	7.7%	7.6%	7.6%	7.6%	7.5%
6505.90.30	48.2¢/kg + 14.6%	45.6¢/kg + 13.9%	43.1¢/kg + 13.1%	40.6¢/kg + 12.3%	38¢/kg + 11.6%	35.5¢/kg + 10.8%	33¢/kg + 10%	30.5¢/kg + 9.2%	27.9¢/kg + 8.5%	25.4¢/kg + 7.7%
6505.90.40	32.9¢/kg + 8.4%	32.7¢/kg + 8.3%	32.5¢/kg + 8.2%	32.3¢/kg + 8.2%	32¢/kg + 8.2%	31.8¢/kg + 8.1%	31.6¢/kg + 8%	31.4¢/kg + 8%	31.2¢/kg + 8%	31¢/kg + 7.9%
6505.90.50	7.2%	7.1%	7.1%	7%	7%	7%	6.9%	6.9%	6.8%	6.8%
6505.90.60	37.7¢/kg + 13.4%	35.8¢/kg + 12.7%	33.8¢/kg + 12%	31.8¢/kg + 11.3%	29.8¢/kg + 10.6%	27.9¢/kg + 9.8%	25.9¢/kg + 9.1%	23.9¢/kg + 8.4%	22¢/kg + 7.7%	20¢/kg + 7%
6505.90.70	7.2%	7.1%	7.1%	7%	7%	7%	6.9%	6.9%	6.8%	6.8%
6505.90.80	21.7¢/kg + 7.9%	21.3¢/kg + 7.8%	21¢/kg + 7.6%	20.7¢/kg + 7.5%	20.4¢/kg + 7.4%	20¢/kg + 7.3%	19.7¢/kg + 7.2%	19.4¢/kg + 7%	19¢/kg + 6.9%	18.7¢/kg + 6.8%
6505.90.90	21.9¢/kg + 8%	21.7¢/kg + 7.9%	21.6¢/kg + 7.8%	21.5¢/kg + 7.8%	21.4¢/kg + 7.8%	21.2¢/kg + 7.7%	21.1¢/kg + 7.6%	21¢/kg + 7.6%	20.8¢/kg + 7.6%	20.7¢/kg + 7.5%
6506.10.30	7¢/kg + 2.7%	5.3¢/kg + 2%	3.5¢/kg + 1.4%	1.8¢/kg + 0.7%	Free	Free	Free	Free	Free	Free
6506.10.60	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
6506.91.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
6506.92.00	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
6507.00.00	1%	0.8%	0.5%	0.3%	Free	Free	Free	Free	Free	Free
6601.10.00	7.9%	7.5%	7.2%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
6601.91.00	6.6%	4.9%	3.3%	1.6%	Free	Free	Free	Free	Free	Free
6602.00.00	5.4%	5.1%	4.7%	4.4%	4%	4%	4%	4%	4%	4%
6603.10.80	7%	6.6%	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
6603.90.80	7%	6.6%	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
6703.00.30	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
6703.00.60	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
6704.11.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
6704.19.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
6704.20.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
6704.90.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6801.00.00	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
6802.10.00	6.5%	6.1%	5.6%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
6802.21.10	5.6%	5.3%	4.9%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
6802.21.50	2.1%	2%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
6802.22.00	5.8%	5.6%	5.3%	5.1%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
6802.23.00	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
6802.29.00	7.2%	6.9%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
6802.91.05	2.7%	2.7%	2.6%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
6802.91.15	5.8%	5.6%	5.3%	5.1%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
6802.91.20	5.6%	5.3%	4.9%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
6802.91.25	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
6802.91.30	5.2%	5.1%	4.9%	4.8%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
6802.92.00	5.8%	5.6%	5.3%	5.1%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
6802.93.00	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
6803.00.10	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
6803.00.50	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
6804.21.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6804.22.10	8.9¢/kg + 3.5%	7.9¢/kg + 3.1%	7¢/kg + 2.8%	6¢/kg + 2.4%	5¢/kg + 2%	5¢/kg + 2%	5¢/kg + 2%	5¢/kg + 2%	5¢/kg + 2%	5¢/kg + 2%
6804.22.40	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
6804.22.60	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6805.10.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
6805.20.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
6805.30.10	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
6806.10.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
6806.20.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6806.90.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6807.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6807.90.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
6809.11.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
6809.19.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6809.90.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
6810.11.00	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
6810.19.14	18.6%	16.2%	13.8%	11.4%	9%	9%	9%	9%	9%	9%
6810.19.50	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
6810.20.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
6810.91.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6810.99.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6811.30.00	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
6812.50.10	11.7%	10.8%	10%	9.1%	8.3%	8.3%	8.3%	8.3%	8.3%	8.3%
6812.50.50	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
6814.10.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
6814.90.00	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
6815.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6815.91.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6815.99.40	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
6901.00.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6902.10.50	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6902.20.50	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6902.90.50	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6903.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6903.20.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6903.90.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6904.90.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6905.90.00	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
6906.00.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
6907.10.00	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
6907.90.00	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
6908.10.10	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
6908.10.20	19%	18%	17%	16%	15%	14%	13%	12%	11%	10%
6908.10.50	18%	16.9%	15.8%	14.8%	13.8%	12.7%	11.6%	10.6%	9.6%	8.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6908.90.00	18%	16.9%	15.8%	14.8%	13.8%	12.7%	11.6%	10.6%	9.6%	8.5%
6909.11.20	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
6909.11.40	8.1%	7.2%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
6909.19.10	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
6909.19.50	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
6909.90.00	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
6910.10.00	6.9%	6.6%	6.4%	6.1%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
6910.90.00	6.9%	6.6%	6.3%	6%	5.7%	5.7%	5.7%	5.7%	5.7%	5.7%
6911.10.10	34%	33%	32%	31%	30%	29%	28%	27%	26%	25%
6911.10.25	7.6%	7.2%	6.8%	6.4%	6%	6%	6%	6%	6%	6%
6911.10.38	7.6%	7.2%	6.8%	6.4%	6%	6%	6%	6%	6%	6%
6911.10.41	8.5%	7.9%	7.4%	6.8%	6.3%	6.3%	6.3%	6.3%	6.3%	6.3%
6911.10.45	17.2%	16.8%	16.4%	16.1%	15.8%	15.4%	15%	14.7%	14.4%	14%
6911.10.58	7.6%	7.2%	6.8%	6.4%	6%	6%	6%	6%	6%	6%
6911.10.60	25.5%	25%	24.4%	23.9%	23.4%	22.9%	22.4%	21.8%	21.3%	20.8%
6911.10.80	25.5%	25%	24.4%	23.9%	23.4%	22.9%	22.4%	21.8%	21.3%	20.8%
6911.90.00	8.3%	7.6%	6.8%	6.1%	5.4%	5.4%	5.4%	5.4%	5.4%	5.4%
6912.00.10	1.3%	1.1%	1%	0.8%	0.7%	0.7%	0.7%	0.7%	0.7%	0.7%
6912.00.20	34.3%	33.6%	32.9%	32.2%	31.5%	30.8%	30.1%	29.4%	28.7%	28%
6912.00.35	11.2%	10.8%	10.5%	10.1%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%
6912.00.41	5.2%	4.9%	4.5%	4.2%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
6912.00.44	12.8%	12.1%	11.4%	10.7%	10%	10%	10%	10%	10%	10%
6912.00.46	11.2%	10.8%	10.5%	10.1%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%
6912.00.48	11.2%	10.8%	10.5%	10.1%	9.8%	9.8%	9.8%	9.8%	9.8%	9.8%
6912.00.50	6.8%	6.6%	6.4%	6.2%	6%	6%	6%	6%	6%	6%
6913.10.10	2.6%	2%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
6913.10.20	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
6913.90.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
6913.90.20	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6913.90.30	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
6913.90.50	6.8%	6.6%	6.4%	6.2%	6%	6%	6%	6%	6%	6%
6914.90.80	7.5%	7%	6.6%	6.1%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
7001.00.10	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7001.00.20	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7002.10.10	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7002.10.20	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
7002.20.10	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
7002.20.50	7.2%	6.9%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
7002.31.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
7002.32.00	7.2%	6.9%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
7002.39.00	7.2%	6.9%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
7003.11.00	1.7%	1.6%	1.6%	1.5%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
7003.19.00	1.6%	1.5%	1.5%	1.4%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
7003.20.00	1.6%	1.5%	1.3%	1.2%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
7004.10.10	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7004.10.20	1.2¢/kg + 1.9%	1.2¢/kg + 1.8%	1.1¢/kg + 1.8%	1.1¢/kg + 1.7%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%
7004.90.05	1.2¢/kg	0.9¢/kg	0.6¢/kg	0.3¢/kg	Free	Free	Free	Free	Free	Free
7004.90.10	1.6¢/kg	1.2¢/kg	0.8¢/kg	0.4¢/kg	Free	Free	Free	Free	Free	Free
7004.90.15	1.8¢/kg	1.3¢/kg	0.9¢/kg	0.4¢/kg	Free	Free	Free	Free	Free	Free
7004.90.20	2¢/kg	1.5¢/kg	1¢/kg	0.5¢/kg	Free	Free	Free	Free	Free	Free
7004.90.25	0.9¢/kg	0.8¢/kg	0.8¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg	0.7¢/kg
7004.90.30	0.9¢/kg	0.7¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
7004.90.40	1¢/kg	0.8¢/kg	0.5¢/kg	0.3¢/kg	Free	Free	Free	Free	Free	Free
7004.90.50	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
7005.10.80	4.8%	4.7%	4.6%	4.5%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
7005.21.10	15.8¢/m^2 + 0.4%	15.5¢/m^2 + 0.4%	15.1¢/m^2 + 0.4%	14.8¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%	14.5¢/m^2 + 0.4%
7005.21.20	6.2%	6%	5.9%	5.7%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
7005.29.08	20.4¢/m^2	20¢/m^2	19.5¢/m^2	19.1¢/m^2	18.7¢/m^2	18.7¢/m^2	18.7¢/m^2	18.7¢/m^2	18.7¢/m^2	18.7¢/m^2

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7005.29.18	15.8¢/m^2	15.5¢/m^2	15.1¢/m^2	14.8¢/m^2	14.5¢/m^2	14.5¢/m^2	14.5¢/m^2	14.5¢/m^2	14.5¢/m^2	14.5¢/m^2
7005.29.25	5.4%	5.3%	5.1%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7005.30.00	31.7¢/m^2	31¢/m^2	30.4¢/m^2	29.7¢/m^2	29.1¢/m^2	29.1¢/m^2	29.1¢/m^2	29.1¢/m^2	29.1¢/m^2	29.1¢/m^2
7006.00.20	7%	6.9%	6.7%	6.6%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
7007.11.00	6.1%	5.9%	5.8%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7007.19.00	6%	5.7%	5.5%	5.2%	5%	5%	5%	5%	5%	5%
7007.21.10	5.4%	5.3%	5.1%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7007.21.50	5.4%	5.3%	5.1%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7007.29.00	5.4%	5.3%	5.1%	5%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7008.00.00	4.3%	4.2%	4.1%	4%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7009.10.00	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7009.91.50	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
7009.92.50	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
7010.10.00	10¢/gross	7.5¢/gross	5¢/gross	2.5¢/gross	Free	Free	Free	Free	Free	Free
7010.90.20	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.90.30	7%	6.6%	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7011.10.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
7011.10.50	6.2%	5.8%	5.4%	5%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
7011.20.10	6.3%	6%	5.8%	5.5%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7011.20.80	6.3%	6%	5.8%	5.5%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7012.00.00	3.2¢ each + 7.7%	2.4¢ each + 7.4%	1.6¢ each + 7.2%	0.8¢ each + 6.9%	6.6%	6.6%	6.6%	6.6%	6.6%	6.6%
7013.21.10	19.5%	19%	18.5%	18%	17.5%	17%	16.5%	16%	15.5%	15%
7013.21.30	9.9%	9.2%	8.6%	7.9%	7.3%	7.3%	7.3%	7.3%	7.3%	7.3%
7013.21.50	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7013.29.10	37%	36.1%	35.2%	34.2%	33.2%	32.3%	31.4%	30.4%	29.4%	28.5%
7013.29.20	29.2%	28.5%	27.8%	27%	26.2%	25.5%	24.8%	24%	23.2%	22.5%
7013.29.30	14.3%	13.5%	12.8%	12%	11.3%	11.3%	11.3%	11.3%	11.3%	11.3%
7013.29.40	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
7013.29.50	14.2%	13.5%	12.8%	12%	11.2%	10.5%	9.8%	9%	8.2%	7.5%
7013.29.60	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7013.31.10	19.5%	19%	18.5%	18%	17.5%	17%	16.5%	16%	15.5%	15%
7013.32.20	29.2%	28.5%	27.8%	27%	26.2%	25.5%	24.8%	24%	23.2%	22.5%
7013.32.30	14.6%	14.3%	13.9%	13.5%	13.2%	12.8%	12.4%	12%	11.7%	11.3%
7013.39.20	29.2%	28.5%	27.8%	27%	26.2%	25.5%	24.8%	24%	23.2%	22.5%
7013.39.30	14.6%	14.3%	13.9%	13.5%	13.2%	12.8%	12.4%	12%	11.7%	11.3%
7013.99.10	19.5%	19%	18.5%	18%	17.5%	17%	16.5%	16%	15.5%	15%
7013.99.80	14.6%	14.3%	13.9%	13.5%	13.2%	12.8%	12.4%	12%	11.7%	11.3%
7014.00.10	7.4%	6.6%	5.7%	4.9%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
7014.00.20	9%	8%	7%	6%	5%	5%	5%	5%	5%	5%
7014.00.30	6%	5.4%	4.7%	4.1%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
7014.00.50	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7015.10.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
7015.90.10	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7015.90.50	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
7016.10.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
7016.90.10	11.2%	10.4%	9.6%	8.8%	8%	8%	8%	8%	8%	8%
7016.90.50	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
7017.10.00	5.6%	5.3%	5.1%	4.8%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
7017.20.00	8.1%	7.7%	7.4%	7%	6.7%	6.7%	6.7%	6.7%	6.7%	6.7%
7017.90.10	6.7%	5%	3.4%	1.7%	Free	Free	Free	Free	Free	Free
7017.90.50	8.1%	7.7%	7.4%	7%	6.7%	6.7%	6.7%	6.7%	6.7%	6.7%
7018.10.10	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
7018.10.20	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
7018.10.50	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
7018.20.00	15%	12.5%	10%	7.5%	5%	5%	5%	5%	5%	5%
7018.90.10	5.8%	5.1%	4.5%	3.8%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7019.10.15	7.3%	7.2%	7.1%	7%	7%	6.9%	6.8%	6.7%	6.6%	6.5%
7019.10.28	9.3%	9.1%	8.8%	8.6%	8.3%	8%	7.8%	7.5%	7.3%	7%
7019.10.30	5.9%	5.7%	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.10.40	5.8%	5.5%	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7019.20.40	8.2%	8.1%	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.20.90	10.7%	10.3%	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%
7019.31.00	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.32.00	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.39.10	5.9%	5.7%	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.39.50	5.9%	5.7%	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.90.10	6.5%	6.1%	5.6%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
7019.90.50	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7020.00.00	6.3%	6%	5.6%	5.3%	5%	5%	5%	5%	5%	5%
7101.21.00	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7101.22.00	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7102.21.30	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7103.10.40	18.9%	16.8%	14.7%	12.6%	10.5%	10.5%	10.5%	10.5%	10.5%	10.5%
7103.99.10	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7103.99.50	18.9%	16.8%	14.7%	12.6%	10.5%	10.5%	10.5%	10.5%	10.5%	10.5%
7104.10.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7104.20.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7104.90.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7104.90.50	11.5%	10.2%	9%	7.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
7105.90.00	0.6¢/kg	0.4¢/kg	0.3¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
7106.91.50	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7106.92.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7107.00.00	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7108.12.50	7.4%	6.6%	5.7%	4.9%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
7108.13.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7108.13.50	7.4%	6.6%	5.7%	4.9%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
7109.00.00	17.2%	14.4%	11.6%	8.8%	6%	6%	6%	6%	6%	6%
7111.00.00	18%	16%	14%	12%	10%	10%	10%	10%	11%	10%
7113.11.10	6.9%	6.7%	6.6%	6.4%	6.3%	6.3%	6.3%	6.3%	6.3%	6.3%
7113.11.20	24.7%	21.9%	19.1%	16.3%	13.5%	13.5%	13.5%	13.5%	13.5%	13.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7113.11.50	6.2%	5.9%	5.6%	5.3%	5%	5%	5%	5%	5%	5%
7113.19.21	6.2%	5.9%	5.6%	5.3%	5%	5%	5%	5%	5%	5%
7113.19.25	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
7113.19.29	6.3%	6.1%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7113.19.30	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
7113.19.50	6.3%	6.1%	5.9%	5.7%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7113.20.21	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
7113.20.25	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
7113.20.29	6.2%	6%	5.7%	5.5%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7113.20.30	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
7113.20.50	6.2%	6%	5.7%	5.5%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7114.11.10	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
7114.11.20	4.9%	4.3%	3.8%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
7114.11.30	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7114.11.40	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
7114.11.45	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7114.11.50	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7114.11.60	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7114.11.70	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7114.20.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7115.10.00	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
7115.90.10	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7115.90.20	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7115.90.50	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
7116.10.10	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7116.10.15	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7116.10.20	9.9%	8.8%	7.7%	6.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7116.20.05	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7116.20.40	18.9%	16.8%	14.7%	12.6%	10.5%	10.5%	10.5%	10.5%	10.5%	10.5%
7116.20.50	5.4%	4%	2.7%	1.3%	Free	Free	Free	Free	Free	Free

Annex (con.)
-547-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7117.11.00	10.4%	9.8%	9.2%	8.6%	8%	8%	8%	8%	8%	8%
7117.19.30	5.4%	5%	4.7%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7117.90.20	4.6%	4.3%	3.9%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7117.90.30	5.4%	5%	4.7%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7201.40.00	0.2%	0.1%	0.1%	Free	Free	Free	Free	Free	Free	Free
7205.10.00	0.8%	0.6%	0.4%	0.2%	Free	Free	Free	Free	Free	Free
7205.21.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
7206.10.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7206.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7207.11.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7207.12.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7207.19.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7207.20.00	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7208.11.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.12.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.13.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.13.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.14.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.14.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.21.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.21.50	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.22.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.22.50	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.23.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.23.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.24.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.24.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.31.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.32.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.33.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7208.33.50	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.34.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.34.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.35.10	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.35.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.41.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.42.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.43.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.44.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.45.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.90.00	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.11.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.12.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.13.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.14.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.21.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.22.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.23.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.24.10	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7209.24.50	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.31.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.32.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.33.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.34.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.41.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.42.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.43.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.44.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.90.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7210.11.00	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7210.12.00	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
7210.20.00	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
7210.31.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.39.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.41.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.49.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.50.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7210.60.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.70.30	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7210.70.60	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.90.10	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.90.60	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7210.90.90	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7211.11.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.12.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.19.10	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.19.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.21.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.22.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.29.10	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.29.30	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.29.50	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.29.70	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.30.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.30.30	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.30.50	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.41.10	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.41.30	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.41.50	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.41.70	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7211.49.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.49.30	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.49.50	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.90.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7212.10.00	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
7212.21.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7212.29.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7212.30.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7212.30.30	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7212.30.50	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7212.40.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7212.40.50	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7212.50.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7212.60.00	5.8%	5.2%	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7213.10.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7213.20.00	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.31.30	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.31.60	2.1%	1.8%	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
7213.39.00	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.41.30	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.41.60	2.1%	1.8%	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
7213.49.00	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.50.00	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7214.10.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.20.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7214.30.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.40.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.50.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.60.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7215.10.00	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7215.20.00	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7215.30.00	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7215.40.00	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7215.90.10	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7215.90.30	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7215.90.50	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7216.10.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.21.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.22.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.31.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.32.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.33.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.40.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.50.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7216.60.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7216.90.00	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7217.11.10	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7217.11.20	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.11.30	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.11.50	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.11.70	1.4%	1.2%	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.11.90	5%	4.4%	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.12.10	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.12.30	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.12.50	1.4%	1.2%	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.12.70	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
7217.13.10	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.13.30	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.13.50	1.4%	1.2%	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.13.70	5%	4.5%	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7217.19.10	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7217.19.50	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.21.10	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.21.30	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.21.50	5%	4.4%	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.22.10	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.22.50	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.23.10	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.23.50	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.29.10	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7217.29.50	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.31.10	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.31.30	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.31.50	5%	4.4%	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.32.10	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.32.50	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.33.10	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.33.50	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.39.10	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7217.39.50	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7218.10.00	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7218.90.00	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7219.11.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.12.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.13.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.14.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.21.00	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7219.22.00	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7219.23.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.24.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7219.31.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.32.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.33.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.34.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.35.00	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7219.90.00	5.3%	4.7%	4.1%	3.5%	3%	2.4%	1.8%	1.2%	0.6%	Free
7220.11.00	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7220.12.10	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7220.12.50	10.4%	9.3%	8.1%	7%	5.8%	4.6%	3.5%	2.3%	1.2%	Free
7220.20.10	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7220.20.60	10.4%	9.3%	8.1%	7%	5.8%	4.6%	3.5%	2.3%	1.2%	Free
7220.20.70	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7220.20.80	4.7%	4.2%	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7220.20.90	7.3%	6.5%	5.7%	4.9%	4%	3.2%	2.4%	1.6%	0.8%	Free
7220.90.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7221.00.00	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7222.10.00	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7222.20.00	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7222.30.00	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7222.40.30	1.9%	1.7%	1.5%	1.3%	1%	0.8%	0.6%	0.4%	0.2%	Free
7222.40.60	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7223.00.10	8.2%	7.3%	6.4%	5.5%	4.6%	3.6%	2.7%	1.8%	0.9%	Free
7223.00.50	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7223.00.90	5.7%	5%	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7224.10.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7224.90.00	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7225.10.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.20.00	9.4%	8.4%	7.4%	6.3%	5.2%	4.2%	3.2%	2.1%	1%	Free
7225.30.10	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7225.30.30	3.4%	3%	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7225.30.50	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7225.30.70	8.6%	7.6%	6.6%	5.7%	4.8%	3.8%	2.8%	1.9%	1%	Free
7225.40.10	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7225.40.30	3.4%	3%	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
7225.40.50	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7225.40.70	8.6%	7.6%	6.6%	5.7%	4.8%	3.8%	2.8%	1.9%	1%	Free
7225.50.10	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7225.50.60	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.50.70	3.7%	3.3%	2.9%	2.5%	2%	1.6%	1.2%	0.8%	0.4%	Free
7225.50.80	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
7225.90.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.10.10	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.10.50	6.3%	5.6%	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7226.20.00	11.2%	10%	8.8%	7.5%	6.2%	5%	3.8%	2.5%	1.2%	Free
7226.91.15	8.6%	7.7%	6.7%	5.8%	4.8%	3.8%	2.9%	1.9%	1%	Free
7226.91.25	10.4%	9.3%	8.1%	7%	5.8%	4.6%	3.5%	2.3%	1.2%	Free
7226.91.50	3.4%	3%	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
7226.91.70	8.6%	7.6%	6.6%	5.7%	4.8%	3.8%	2.8%	1.9%	1%	Free
7226.91.80	5.7%	5%	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7226.92.10	9.1%	8.1%	7.1%	6.1%	5%	4%	3%	2%	1%	Free
7226.92.30	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7226.92.50	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
7226.92.70	4.6%	4.1%	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7226.92.80	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7226.99.00	5.7%	5%	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7227.10.00	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7227.20.00	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free
7227.90.10	1.9%	1.7%	1.5%	1.3%	1%	0.8%	0.6%	0.4%	0.2%	Free
7227.90.20	3.8%	3.4%	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7227.90.60	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7228.10.00	10.4%	9.2%	8%	6.9%	5.8%	4.6%	3.4%	2.3%	1.2%	Free
7228.20.10	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7228.20.50	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7228.30.20	5.5%	4.9%	4.3%	3.7%	3%	2.4%	1.8%	1.2%	0.6%	Free
7228.30.60	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7228.30.80	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7228.40.00	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7228.50.10	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7228.50.50	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7228.60.10	9.5%	8.5%	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7228.60.60	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7228.60.80	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7228.70.30	1.9%	1.7%	1.5%	1.3%	1%	0.8%	0.6%	0.4%	0.2%	Free
7228.70.60	4.8%	4.2%	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7228.80.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7229.10.00	9%	8%	7%	6%	5%	4%	3%	2%	1%	Free
7229.20.00	8.1%	7.2%	6.3%	5.4%	4.5%	3.6%	2.7%	1.8%	0.9%	Free
7229.90.10	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7229.90.50	8.1%	7.2%	6.3%	5.4%	4.5%	3.6%	2.7%	1.8%	0.9%	Free
7229.90.90	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7301.10.00	0.7%	0.6%	0.6%	0.5%	0.4%	0.3%	0.2%	0.2%	0.1%	Free
7301.20.10	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
7301.20.50	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
7302.10.10	0.3%	0.2%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%	Free	Free
7302.10.50	3.2%	2.8%	2.4%	2.1%	1.8%	1.4%	1%	0.7%	0.4%	Free
7302.20.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7302.30.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7302.40.00	0.8%	0.7%	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free
7302.90.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7303.00.00	5.2%	3.9%	2.6%	1.3%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7304.10.10	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.10.50	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.20.10	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7304.20.20	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7304.20.30	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7304.20.40	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7304.20.50	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.20.60	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.20.70	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.20.80	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.31.30	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7304.31.60	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.39.00	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.41.30	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7304.41.60	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7304.49.00	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7304.51.10	6.1%	5.4%	4.8%	4.1%	3.4%	2.7%	2%	1.4%	0.7%	Free
7304.51.50	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.59.10	6.1%	5.4%	4.8%	4.1%	3.4%	2.7%	2%	1.4%	0.7%	Free
7304.59.20	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.59.60	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7304.59.80	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.90.10	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7304.90.30	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7304.90.50	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.90.70	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7305.11.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7305.11.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7305.12.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7305.12.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7305.19.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7305.19.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7305.20.20	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7305.20.40	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7305.20.60	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7305.20.80	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7305.31.20	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7305.31.40	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	-0.2%	Free
7305.31.60	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7305.39.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7305.39.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7305.90.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7305.90.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7306.10.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7306.10.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7306.20.10	5.4%	4.8%	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7306.20.20	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7306.20.30	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7306.20.40	3%	2.6%	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7306.20.60	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7306.20.80	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7306.30.10	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7306.30.30	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7306.30.50	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7306.40.10	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7306.40.50	4.5%	4%	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
7306.50.10	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7306.50.30	6.8%	6.1%	5.3%	4.6%	3.8%	3%	2.3%	1.5%	0.8%	Free
7306.50.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7306.60.10	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7306.60.30	4%	3.6%	3.2%	2.7%	2.2%	1.8%	1.4%	0.9%	0.4%	Free
7306.60.50	7.2%	6.4%	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7306.60.70	6.8%	6%	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7306.90.10	1.7%	1.5%	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7306.90.50	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7307.19.30	6.1%	6%	5.8%	5.7%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
7307.21.10	3.9%	3.8%	3.6%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7307.21.50	6.1%	6%	5.8%	5.7%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
7307.22.10	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7307.23.00	6%	5.7%	5.5%	5.2%	5%	5%	5%	5%	5%	5%
7307.29.00	6%	5.7%	5.5%	5.2%	5%	5%	5%	5%	5%	5%
7307.91.10	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
7307.91.30	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7307.91.50	6.1%	5.9%	5.8%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7307.92.30	5.6%	5%	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7307.93.60	6.1%	5.9%	5.8%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7307.93.90	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7307.99.10	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
7307.99.30	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7307.99.50	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7308.10.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7308.20.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7308.30.10	3.1%	2.7%	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7308.30.50	2.2%	1.9%	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7308.40.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7308.90.30	2.5%	2.2%	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
7308.90.60	3.5%	3.1%	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
7308.90.70	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7308.90.95	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7309.00.00	2.1%	1.6%	1%	0.5%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7311.00.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
7312.10.05	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7312.10.10	5.2%	4.6%	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7312.10.20	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7312.10.30	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7312.10.50	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7312.10.60	4%	3.5%	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7312.10.70	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7312.10.80	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
7312.10.90	3.6%	3.2%	2.8%	2.4%	2%	1.6%	1.2%	0.8%	0.4%	Free
7312.90.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.11.10	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.11.20	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.11.60	9%	8%	7%	6%	5%	4%	3%	2%	1%	Free
7314.11.90	6.5%	5.8%	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
7314.19.00	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.20.00	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.30.10	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.30.50	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.41.00	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.42.00	0.2¢/kg	0.2¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.49.30	5.1%	4.6%	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.49.60	4.2%	3.8%	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7314.50.00	3.4%	3%	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
7315.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7315.12.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7315.19.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7315.20.10	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
7315.82.10	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
7315.82.50	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7315.89.50	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7315.90.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7316.00.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7317.00.10	1.3%	1.1%	1%	0.8%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7317.00.30	4.4%	3.9%	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7317.00.55	0.4%	0.4%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7317.00.65	2.9%	2.6%	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7317.00.75	2.1%	1.8%	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
7318.14.50	9.3%	9.1%	9%	8.8%	8.6%	8.6%	8.6%	8.6%	8.6%	8.6%
7318.15.20	0.6%	0.4%	0.3%	0.1%	Free	Free	Free	Free	Free	Free
7318.15.40	0.8¢/kg	0.6¢/kg	0.4¢/kg	0.2¢/kg	Free	Free	Free	Free	Free	Free
7318.15.50	3.6%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
7318.15.80	9.3%	9.1%	8.9%	8.7%	8.5%	8.5%	8.5%	8.5%	8.5%	8.5%
7318.16.00	0.2%	0.1%	0.1%	Free	Free	Free	Free	Free	Free	Free
7318.23.00	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
7318.24.00	5.3%	4.9%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
7318.29.00	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
7319.20.00	8.1%	7.2%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
7319.30.10	7.4%	6.6%	5.7%	4.9%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
7319.30.50	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
7319.90.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7320.10.30	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7320.10.60	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7320.10.90	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7320.20.10	3.8%	3.7%	3.5%	3.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
7320.20.50	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7320.90.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
7320.90.50	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7321.11.30	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.11.60	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7321.12.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.13.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.81.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7321.81.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.82.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7321.82.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.83.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.90.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.90.20	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.90.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.90.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7321.90.60	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7322.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7322.19.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7322.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7323.10.00	1.8¢/kg + 2%	1.3¢/kg + 1.5%	0.9¢/kg + 1%	0.4¢/kg + 0.5%	Free	Free	Free	Free	Free	Free
7323.92.00	2.2%	1.6%	1.1%	0.5%	Free	Free	Free	Free	Free	Free
7323.93.00	3.1%	2.8%	2.6%	2.3%	2%	2%	2%	2%	2%	2%
7323.99.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
7323.99.50	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7324.21.50	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7324.29.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
7324.90.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
7325.91.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7325.99.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7325.99.50	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7326.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
7326.19.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7326.20.00	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
7326.90.10	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7326.90.85	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
7401.10.00	0.6¢/kg on copper content + 0.6¢/kg on lead content	0.4¢/kg on copper content + 0.4¢/kg on lead content	0.3¢/kg on copper content + 0.3¢/kg on lead content	0.1¢/kg on copper content + 0.1¢/kg on lead content	Free	Free	Free	Free	Free	Free
7401.20.00	1.4% on the value of the copper content	1% on the value of the copper content	0.7% on the value of the copper content	0.3% on the value of the copper content	Free	Free	Free	Free	Free	Free
7402.00.00	0.8% on the value of the copper content	0.6% on the value of the copper content	0.4% on the value of the copper content	0.2% on the value of the copper content	Free	Free	Free	Free	Free	Free
7405.00.10	2.1%	1.6%	1%	0.5%	Free	Free	Free	Free	Free	Free
7405.00.60	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
7406.10.00	4.3%	3.2%	2.2%	1.1%	Free	Free	Free	Free	Free	Free
7406.20.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
7407.10.15	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7407.10.30	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7407.21.15	3%	2.8%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
7407.21.30	3%	2.8%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
7407.22.15	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7407.22.30	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7407.22.50	5.6%	4.9%	4.3%	3.6%	3%	3%	3%	3%	3%	3%
7407.29.15	4.8%	4.3%	3.9%	3.4%	3%	3%	3%	3%	3%	3%
7407.29.30	4.8%	4.3%	3.9%	3.4%	3%	3%	3%	3%	3%	3%
7408.11.60	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7408.19.00	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7408.21.00	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7408.22.10	4.1%	3.8%	3.6%	3.3%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7408.22.50	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7408.29.10	4.1%	3.8%	3.6%	3.3%	3%	3%	3%	3%	3%	3%
7408.29.50	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7409.11.10	6%	5.2%	4.5%	3.7%	3%	3%	3%	3%	3%	3%
7409.19.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7409.19.90	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7409.31.10	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7409.31.90	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7409.39.10	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7409.39.90	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7409.40.00	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7409.90.10	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7409.90.90	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7410.21.30	4.8%	4.4%	3.9%	3.5%	3%	3%	3%	3%	3%	3%
7411.10.50	4.6%	4.2%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7411.21.50	4.2%	3.9%	3.6%	3.3%	3%	3%	3%	3%	3%	3%
7411.22.00	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7411.29.50	4.2%	3.9%	3.6%	3.3%	3%	3%	3%	3%	3%	3%
7412.10.00	9.6%	7.9%	6.3%	4.6%	3%	3%	3%	3%	3%	3%
7412.20.00	3.2%	3.1%	3.1%	3%	3%	3%	3%	3%	3%	3%
7413.00.10	4.5%	4.1%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7413.00.50	3.6%	3.2%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
7413.00.90	5.2%	4.6%	4.1%	3.5%	3%	3%	3%	3%	3%	3%
7414.10.60	8.6%	7.2%	5.8%	4.4%	3%	3%	3%	3%	3%	3%
7414.10.90	3.9%	3.7%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7414.90.00	4.5%	4.1%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7415.10.00	4.6%	4.1%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7415.21.00	5.3%	4.7%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
7415.29.00	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7415.31.00	5%	4.5%	4%	3.5%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7415.32.50	5%	4.5%	4%	3.5%	3%	3%	3%	3%	3%	3%
7415.32.90	5.6%	5%	4.3%	3.7%	3%	3%	3%	3%	3%	3%
7415.39.00	5.2%	4.6%	4.1%	3.5%	3%	3%	3%	3%	3%	3%
7416.00.00	5.2%	4.6%	4.1%	3.5%	3%	3%	3%	3%	3%	3%
7417.00.00	4%	3.7%	3.5%	3.2%	3%	3%	3%	3%	3%	3%
7418.10.10	3.8%	3.6%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7418.10.20	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.10.50	4.5%	4.1%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7418.20.10	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.20.50	4.5%	4.1%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7419.10.00	4.7%	4.3%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7419.91.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
7419.99.15	6.8%	5.9%	4.9%	4%	3%	3%	3%	3%	3%	3%
7419.99.30	8.6%	7.2%	5.8%	4.4%	3%	3%	3%	3%	3%	3%
7419.99.50	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
7505.11.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7505.11.30	3.5%	3.3%	3%	2.8%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
7505.11.50	5%	4.5%	4%	3.5%	3%	3%	3%	3%	3%	3%
7505.12.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7505.12.30	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7505.12.50	5%	4.5%	4%	3.5%	3%	3%	3%	3%	3%	3%
7505.21.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7505.21.50	3.5%	3.3%	3%	2.8%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
7505.22.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7505.22.50	3.5%	3.3%	3%	2.8%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
7506.10.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7506.10.30	3.3%	3.1%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7506.10.45	3.4%	3.2%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7506.10.60	3.4%	3.2%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7506.20.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%

99-194 O - 95 - 21 : QL 3 Part 2

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7506.20.30	3.3%	3.1%	2.9%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7506.20.45	3.5%	3.4%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
7506.20.60	3.5%	3.4%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
7507.11.00	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
7507.12.00	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
7507.20.00	3.5%	3.4%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
7508.00.10	4.4%	4%	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7508.00.50	5%	4.5%	4%	3.5%	3%	3%	3%	3%	3%	3%
7603.10.00	5.6%	5.4%	5.3%	5.1%	5%	5%	5%	5%	5%	5%
7615.10.10	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.10.30	5.2%	4.7%	4.1%	3.6%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.10.50	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.10.70	3.6%	3.6%	3.5%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.10.90	3.7%	3.5%	3.4%	3.2%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7616.10.90	6.2%	6.2%	6.1%	6.1%	6%	6%	6%	6%	6%	6%
7616.90.50	5.1%	4.4%	3.8%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7801.10.00	3.3% on the value of the lead content	3.1% on the value of the lead content	2.9% on the value of the lead content	2.7% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content
7801.91.00	3.3% on the value of the lead content	3.1% on the value of the lead content	2.9% on the value of the lead content	2.7% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content
7801.99.30	3.3% on the value of the lead content	3.1% on the value of the lead content	2.9% on the value of the lead content	2.7% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content
7801.99.90	3.3% on the value of the lead content	3.1% on the value of the lead content	2.9% on the value of the lead content	2.7% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content	2.5% on the value of the lead content

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7802.00.00	1.8% on the value of the lead content	1.4% on the value of the lead content	0.9% on the value of the lead content	0.5% on the value of the lead content	Free	Free	Free	Free	Free	Free
7804.19.00	3.3%	3.2%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
7804.20.00	9%	6.8%	4.5%	2.2%	Free	Free	Free	Free	Free	Free
7806.00.00	3.7%	3.5%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7901.12.10	15.8%	12.6%	9.4%	6.2%	3%	3%	3%	3%	3%	3%
7901.20.00	15.8%	12.6%	9.4%	6.2%	3%	3%	3%	3%	3%	3%
7903.90.30	0.7¢/kg	0.6¢/kg	0.6¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg	0.5¢/kg
7903.90.60	8.2%	6.9%	5.6%	4.3%	3%	3%	3%	3%	3%	3%
7905.00.00	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
7906.00.00	3.6%	3.5%	3.3%	3.2%	3%	3%	3%	3%	3%	3%
7907.10.00	5.2%	4.6%	4.1%	3.5%	3%	3%	3%	3%	3%	3%
7907.90.30	3.3%	3.2%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
7907.90.60	5.2%	4.6%	4.1%	3.5%	3%	3%	3%	3%	3%	3%
8003.00.00	4%	3.7%	3.5%	3.2%	3%	3%	3%	3%	3%	3%
8005.10.00	6.2%	5.4%	4.6%	3.8%	3%	3%	3%	3%	3%	3%
8005.20.00	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8007.00.10	2.9%	2.7%	2.5%	2.3%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8007.00.50	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8101.10.00	9.8%	9.1%	8.4%	7.7%	7%	7%	7%	7%	7%	7%
8101.91.10	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8101.93.00	6.1%	5.7%	5.2%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8101.99.00	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8102.10.00	12.9¢/kg on molybdenum content + 1.8%	12¢/kg on molybdenum content + 1.6%	11¢/kg on molybdenum content + 1.5%	10.1¢/kg on molybdenum content + 1.3%	9.1¢/kg on molybdenum content + 1.2%	9.1¢/kg on molybdenum content + 1.2%	9.1¢/kg on molybdenum content + 1.2%	9.1¢/kg on molybdenum content + 1.2%	9.1¢/kg on molybdenum content + 1.2%	9.1¢/kg on molybdenum content + 1.2%
8102.93.00	6.2%	5.7%	5.3%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8102.99.00	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8103.10.60	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8103.90.00	5.3%	5.1%	4.8%	4.6%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8104.30.00	6.1%	5.7%	5.2%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8105.10.30	5.3%	5.1%	4.8%	4.6%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8105.90.00	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8107.90.00	5.3%	5.1%	4.8%	4.6%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8109.90.00	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8111.00.60	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8112.20.60	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
8112.30.60	3.5%	3.3%	3%	2.8%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8112.30.90	5.3%	5.1%	4.8%	4.6%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8112.40.60	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8112.91.10	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
8112.91.50	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
8112.91.60	5.2%	4.9%	4.6%	4.3%	4%	4%	4%	4%	4%	4%
8112.99.00	5.2%	4.9%	4.6%	4.3%	4%	4%	4%	4%	4%	4%
8113.00.00	5.1%	4.8%	4.4%	4.1%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8201.10.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8201.20.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
8201.30.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8202.20.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8202.31.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8202.32.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8202.40.60	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8202.91.30	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8202.91.60	6.4¢/gross	4.8¢/gross	3.2¢/gross	1.6¢/gross	Free	Free	Free	Free	Free	Free
8203.10.30	7.2¢/doz.	5.4¢/doz.	3.6¢/doz.	1.8¢/doz.	Free	Free	Free	Free	Free	Free
8203.10.60	9.6¢/doz.	7.2¢/doz.	4.8¢/doz.	2.4¢/doz.	Free	Free	Free	Free	Free	Free
8203.10.90	5.6¢/doz.	4.2¢/doz.	2.8¢/doz.	1.4¢/doz.	Free	Free	Free	Free	Free	Free
8203.20.20	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8203.20.80	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8203.30.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8203.40.60	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8205.20.60	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8205.30.30	6.9%	6.6%	6.3%	6%	5.7%	5.7%	5.7%	5.7%	5.7%	5.7%
8205.30.60	6%	5.7%	5.5%	5.2%	5%	5%	5%	5%	5%	5%
8205.51.15	0.6¢ each + 3.3%	0.4¢ each + 2.5%	0.3¢ each + 1.6%	0.1¢ each + 0.8%	Free	Free	Free	Free	Free	Free
8205.51.30	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8205.51.45	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8205.51.75	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8205.59.10	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
8205.59.30	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
8205.59.60	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8205.59.70	2.1¢/kg + 4.7%	1.9¢/kg + 4.4%	1.8¢/kg + 4.1%	1.6¢/kg + 3.8%	1.5¢/kg + 3.5%	1.5¢/kg + 3.5%	1.5¢/kg + 3.5%	1.5¢/kg + 3.5%	1.5¢/kg + 3.5%	1.5¢/kg + 3.5%
8205.59.80	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8205.60.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8205.80.00	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
8207.11.00	6.5%	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8207.12.30	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.12.60	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8207.20.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8207.30.30	6.9%	6.6%	6.3%	6%	5.7%	5.7%	5.7%	5.7%	5.7%	5.7%
8207.30.60	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8207.40.30	6.9%	6.6%	6.3%	6%	5.7%	5.7%	5.7%	5.7%	5.7%	5.7%
8207.40.60	5.8%	5.5%	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
8207.50.20	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.50.60	6%	5.8%	5.6%	5.4%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
8207.50.80	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8207.60.00	6.7%	6.2%	5.8%	5.3%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8207.70.30	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.70.60	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8207.80.30	6.7%	6.2%	5.8%	5.3%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
8207.90.15	2.3%	2.1%	2%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8207.90.30	6.8%	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.90.45	5.8%	5.5%	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
8207.90.60	5.8%	5.4%	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
8208.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8208.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8208.30.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8208.40.30	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8208.90.60	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8209.00.00	6.5%	6%	5.6%	5.1%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
8210.00.00	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8211.91.10	0.5¢ each + 3.8%	0.4¢ each + 2.8%	0.2¢ each + 1.9%	0.1¢ each + 0.9%	Free	Free	Free	Free	Free	Free
8211.91.20	0.9¢ each + 15.3%	0.8¢ each + 13.1%	0.6¢ each + 10.8%	0.5¢ each + 8.6%	0.4¢ each + 6.4%	0.4¢ each + 6.4%	0.4¢ each + 6.4%	0.4¢ each + 6.4%	0.4¢ each + 6.4%	0.4¢ each + 6.4%
8211.91.25	0.5¢ each + 8.2%	0.5¢ each + 7.8%	0.4¢ each + 7.5%	0.4¢ each + 7.1%	0.4¢ each + 6.8%	0.4¢ each + 6.8%	0.4¢ each + 6.8%	0.4¢ each + 6.8%	0.4¢ each + 6.8%	0.4¢ each + 6.8%
8211.91.30	1¢ each + 12.1%	1¢ each + 11.7%	0.9¢ each + 11.4%	0.9¢ each + 11%	0.9¢ each + 10.6%	0.9¢ each + 10.6%	0.9¢ each + 10.6%	0.9¢ each + 10.6%	0.9¢ each + 10.6%	0.9¢ each + 10.6%
8211.91.40	0.5¢ each + 5.5%	0.4¢ each + 5.1%	0.4¢ each + 4.6%	0.3¢ each + 4.2%	0.3¢ each + 3.7%	0.3¢ each + 3.7%	0.3¢ each + 3.7%	0.3¢ each + 3.7%	0.3¢ each + 3.7%	0.3¢ each + 3.7%
8211.91.50	0.9¢ each + 5.3%	0.9¢ each + 4.9%	0.8¢ each + 4.5%	0.8¢ each + 4.1%	0.7¢ each + 3.7%	0.7¢ each + 3.7%	0.7¢ each + 3.7%	0.7¢ each + 3.7%	0.7¢ each + 3.7%	0.7¢ each + 3.7%
8211.91.60	0.4¢ each + 5.9%	0.4¢ each + 5.6%	0.3¢ each + 5.4%	0.3¢ each + 5.1%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%
8211.92.20	1¢ each + 5.5%	0.9¢ each + 5.3%	0.9¢ each + 5%	0.8¢ each + 4.8%	0.8¢ each + 4.6%	0.8¢ each + 4.6%	0.8¢ each + 4.6%	0.8¢ each + 4.6%	0.8¢ each + 4.6%	0.8¢ each + 4.6%
8211.94.10	0.19¢ each + 2.7%	0.18¢ each + 2.6%	0.18¢ each + 2.4%	0.17¢ each + 2.3%	0.16¢ each + 2.2%	0.16¢ each + 2.2%	0.16¢ each + 2.2%	0.16¢ each + 2.2%	0.16¢ each + 2.2%	0.16¢ each + 2.2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8212.10.00	0.3¢ each + 0.8%	0.2¢ each + 0.6%	0.2¢ each + 0.4%	0.1¢ each + 0.2%	Free	Free	Free	Free	Free	Free
8212.20.00	0.05¢ each + 1.4%	0.04¢ each + 1.1%	0.02¢ each + 0.7%	0.01¢ each + 0.4%	Free	Free	Free	Free	Free	Free
8212.90.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8213.00.30	1.9¢ each + 4.9%	1.9¢ each + 4.8%	1.8¢ each + 4.6%	1.8¢ each + 4.5%	1.7¢ each + 4.3%	1.7¢ each + 4.3%	1.7¢ each + 4.3%	1.7¢ each + 4.3%	1.7¢ each + 4.3%	1.7¢ each + 4.3%
8213.00.60	9.6¢ each + 9.6%	9.2¢ each + 9.2%	8.8¢ each + 8.8%	8.4¢ each + 8.4%	8¢ each + 8%	8¢ each + 8%	8¢ each + 8%	8¢ each + 8%	8¢ each + 8%	8¢ each + 8%
8213.00.90	9.3¢ each + 9.3%	8.6¢ each + 8.6%	7.9¢ each + 7.9%	7.2¢ each + 7.2%	6.5¢ each + 6.5%	5.8¢ each + 5.8%	5.1¢ each + 5.1%	4.4¢ each + 4.4%	3.7¢ each + 3.7%	3¢ each + 3%
8214.10.00	0.4¢ each + 5.7%	0.4¢ each + 5.3%	0.3¢ each + 5%	0.3¢ each + 4.6%	0.3¢ each + 4.2%	0.3¢ each + 4.2%	0.3¢ each + 4.2%	0.3¢ each + 4.2%	0.3¢ each + 4.2%	0.3¢ each + 4.2%
8214.20.30	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
8214.20.60	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8214.20.90	7.3%	6.5%	5.7%	4.9%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
8214.90.60	0.4¢ each + 5.5%	0.3¢ each + 4.9%	0.3¢ each + 4.3%	0.2¢ each + 3.7%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%
8214.90.90	1.9¢ each + 4.3%	1.8¢ each + 4%	1.6¢ each + 3.8%	1.5¢ each + 3.5%	1.4¢ each + 3.2%	1.4¢ each + 3.2%	1.4¢ each + 3.2%	1.4¢ each + 3.2%	1.4¢ each + 3.2%	1.4¢ each + 3.2%
8215.91.30	0.2¢ each + 3.2%	0.2¢ each + 2.4%	0.1¢ each + 1.6%	0.1¢ each + 0.8%	Free	Free	Free	Free	Free	Free
8215.91.60	5.6%	5.3%	4.9%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
8215.91.90	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8215.99.01	1¢ each + 17.2%	1¢ each + 16.8%	0.9¢ each + 16.5%	0.9¢ each + 16.1%	0.9¢ each + 15.8%	0.9¢ each + 15.8%	0.9¢ each + 15.8%	0.9¢ each + 15.8%	0.9¢ each + 15.8%	0.9¢ each + 15.8%
8215.99.10	0.9¢ each + 11.3%	0.8¢ each + 10%	0.7¢ each + 8.8%	0.6¢ each + 7.5%	0.5¢ each + 6.3%	0.5¢ each + 6.3%	0.5¢ each + 6.3%	0.5¢ each + 6.3%	0.5¢ each + 6.3%	0.5¢ each + 6.3%
8215.99.15	0.5¢ each + 5.8%	0.5¢ each + 5.5%	0.4¢ each + 5.3%	0.4¢ each + 5%	0.4¢ each + 4.8%	0.4¢ each + 4.8%	0.4¢ each + 4.8%	0.4¢ each + 4.8%	0.4¢ each + 4.8%	0.4¢ each + 4.8%
8215.99.22	0.2¢ each + 2.6%	0.2¢ each + 1.9%	0.1¢ each + 1.3%	0.1¢ each + 0.6%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8215.99.26	0.3¢ each + 4.2%	0.3¢ each + 3.9%	0.2¢ each + 3.7%	0.2¢ each + 3.4%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%	0.2¢ each + 3.1%
8215.99.30	16.4%	15.8%	15.2%	14.6%	14%	14%	14%	14%	14%	14%
8215.99.35	8.2%	7.8%	7.5%	7.1%	6.8%	6.8%	6.8%	6.8%	6.8%	6.8%
8215.99.40	7%	6.5%	6%	5.5%	5%	5%	5%	5%	5%	5%
8215.99.45	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8301.10.50	4.4%	4.2%	4%	3.8%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8301.40.30	5.6%	5%	4.3%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8301.50.00	5.6%	5%	4.3%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8301.60.00	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8301.70.00	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8302.10.30	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8302.10.60	5.3%	4.8%	4.4%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8302.10.90	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8302.30.30	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8302.30.60	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8302.41.60	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8302.41.90	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8302.42.30	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8302.42.60	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8302.49.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8302.49.80	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8302.50.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8302.60.90	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8303.00.00	5.3%	4.9%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8304.00.00	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8305.10.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8305.20.00	0.7%	0.5%	0.4%	0.2%	Free	Free	Free	Free	Free	Free
8305.90.30	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
8306.21.00	6.1%	5.7%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8306.29.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8306.30.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8307.10.30	5.4%	5%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8307.10.60	5.4%	5%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8307.90.30	5.4%	5%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8307.90.60	5.4%	5%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8308.10.00	2¢/kg + 5.2%	1.8¢/kg + 4.6%	1.5¢/kg + 4.1%	1.3¢/kg + 3.5%	1.1¢/kg + 2.9%	1.1¢/kg + 2.9%	1.1¢/kg + 2.9%	1.1¢/kg + 2.9%	1.1¢/kg + 2.9%	1.1¢/kg + 2.9%
8308.20.30	0.3¢/kg	0.2¢/kg	0.2¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
8308.20.60	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8308.90.30	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8308.90.60	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8308.90.90	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8309.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8309.90.00	4.7%	4.2%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8310.00.00	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
8311.30.30	0.9¢/kg on lead content	0.7¢/kg on lead content	0.4¢/kg on lead content	0.2¢/kg on lead content	Free	Free	Free	Free	Free	Free
8401.20.00	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8403.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8403.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8405.10.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
8405.90.00	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
8406.11.90	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8406.19.90	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8407.32.20	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8407.33.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8407.34.14	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8407.34.18	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8407.34.44	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8407.34.48	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8408.10.00	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8408.20.20	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8408.20.90	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8408.90.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8409.91.30	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.91.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.91.92	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.91.99	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.99.91	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.99.92	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8409.99.99	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8411.91.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8411.99.90	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8412.21.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8412.29.40	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8412.29.80	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8412.31.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8412.39.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8412.80.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8412.80.90	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8412.90.10	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8412.90.90	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8413.11.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.19.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.20.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.30.90	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8413.40.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.50.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.60.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.70.20	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8413.81.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.82.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.91.90	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8413.92.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8414.10.00	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8414.30.40	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.30.80	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.40.00	3.3%	3.1%	3%	2.8%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8414.59.30	4.2%	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8414.59.60	4.2%	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8414.60.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8414.80.05	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.80.15	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.80.20	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.90.30	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.90.40	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8414.90.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8415.10.00	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8415.81.00	2%	1.7%	1.5%	1.2%	1%	1%	1%	1%	1%	1%
8415.83.00	2%	1.9%	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8415.90.40	2%	1.9%	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8415.90.80	2%	1.9%	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8416.10.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8416.20.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8416.30.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8416.90.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8417.10.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8417.80.00	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8417.90.00	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8418.10.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free

Annex (con.)
-575-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8418.21.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.22.00	2.5%	2.1%	1.8%	1.4%	1%	1%	1%	1%	1%	1%
8418.29.00	2.7%	2.5%	2.3%	2.1%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8418.30.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.40.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.50.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.61.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.69.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.91.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.99.40	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8418.99.80	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8419.11.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8419.19.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8419.20.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.31.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.32.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.32.50	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8419.39.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.40.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.50.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.60.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.81.90	3.3%	2.5%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8419.89.10	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8419.90.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8419.90.20	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8419.90.30	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.90.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8419.90.80	4.2%	4.1%	4.1%	4%	4%	4%	4%	4%	4%	4%
8420.10.10	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8420.10.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8420.91.10	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8420.91.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8420.99.10	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8420.99.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8421.11.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8421.12.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.19.00	3.4%	2.9%	2.3%	1.8%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8421.21.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.22.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.23.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8421.29.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.31.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8421.39.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.39.80	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.91.20	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.91.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.91.60	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8421.99.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8422.11.00	3.4%	3.1%	2.9%	2.6%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8422.19.00	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.20.00	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.30.10	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8422.30.90	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.40.10	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.40.90	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.90.02	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.90.04	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.90.06	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8422.90.10	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8422.90.20	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8422.90.90	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8423.10.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8423.20.00	4.1%	3.8%	3.5%	3.2%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8423.30.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8423.81.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8423.82.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8423.89.00	4.1%	3.8%	3.5%	3.2%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8423.90.00	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8424.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8424.20.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8424.20.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8424.30.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8424.81.90	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8424.89.90	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8424.90.05	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8424.90.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8424.90.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8425.11.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.19.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.20.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.31.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.39.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.41.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.42.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8425.49.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.11.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.12.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.19.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.20.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.30.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8426.41.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.49.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.91.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8426.99.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.10.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.20.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.31.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.32.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.33.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.39.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.40.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.50.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.60.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8428.90.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8429.11.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.19.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.20.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.30.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.40.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.51.10	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8429.51.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.52.10	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8429.52.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8429.59.10	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8429.59.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.10.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.20.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.31.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.39.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.41.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8430.49.40	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free
8430.49.80	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.50.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.61.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.62.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8430.69.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8431.10.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8431.31.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8431.39.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8431.41.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8431.42.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8431.43.40	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free
8431.43.80	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8431.49.10	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8431.49.90	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8433.11.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8433.19.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8433.90.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8435.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8435.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8437.10.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8437.80.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8437.90.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8438.10.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8438.20.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8438.40.00	3.3%	3%	2.8%	2.5%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8438.50.00	3.4%	3.2%	3.1%	2.9%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8438.60.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8438.80.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8438.90.90	3.4%	3.2%	3.1%	2.9%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8439.30.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8439.91.10	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8439.99.50	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8440.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8440.90.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8441.10.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8441.20.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8441.30.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8441.40.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8441.80.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8441.90.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8442.50.90	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
8443.11.50	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.12.00	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.19.10	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.19.50	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.19.80	2.3%	2.2%	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8443.21.00	3.1%	2.9%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8443.29.00	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.30.00	3.1%	2.9%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8443.40.00	3.1%	2.9%	2.6%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8443.50.10	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.50.50	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.60.00	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.90.10	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.90.50	2.6%	2%	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8444.00.00	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8445.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8445.12.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8445.13.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8445.19.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8445.20.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8445.30.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8445.40.00	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8445.90.00	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8446.10.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8446.21.50	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8446.29.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8446.30.50	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8447.11.10	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8447.11.90	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8447.12.10	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8447.12.90	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8447.20.30	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8447.20.60	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8447.90.10	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8447.90.50	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8447.90.90	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8448.11.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8448.19.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8448.20.10	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8448.20.50	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8448.31.00	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8448.32.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8448.33.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8448.39.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8448.39.50	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8448.39.90	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8448.41.00	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8448.42.00	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8448.49.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8448.51.50	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8448.59.10	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8448.59.50	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8449.00.10	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8449.00.50	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8450.11.00	2.5%	2.2%	2%	1.7%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8450.12.00	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8450.19.00	2.6%	2.4%	2.2%	2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8450.20.00	2.4%	2.1%	1.7%	1.4%	1%	1%	1%	1%	1%	1%
8450.90.20	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8450.90.40	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8450.90.60	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8451.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8451.21.00	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8451.29.00	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8451.30.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8451.40.00	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8451.50.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8451.80.00	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8451.90.30	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8451.90.60	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8451.90.90	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8452.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8452.21.90	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8452.29.90	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8452.90.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8453.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8453.80.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8453.90.50	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free

Annex (con.)
-583-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8455.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8455.21.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8455.22.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8455.30.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8455.90.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8455.90.80	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8456.10.10	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.10.50	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8456.20.10	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.20.50	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8456.30.10	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.30.50	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8456.90.40	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.90.80	2.8%	2.7%	2.5%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8457.20.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8457.30.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8459.10.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8459.70.40	4.4%	4.3%	4.3%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
8459.70.80	4.4%	4.3%	4.3%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
8464.20.50	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8464.90.50	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8465.10.00	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8465.94.00	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8465.96.00	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8465.99.00	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8466.10.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8466.20.10	5.6%	5.3%	5.1%	4.8%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
8466.20.90	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8466.30.10	4.5%	4.3%	4.1%	3.9%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8466.30.30	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8466.30.50	9.2%	8.9%	8.6%	8.3%	8%	8%	8%	8%	8%	8%
8466.91.50	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
8467.11.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.19.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.81.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.89.10	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8467.89.50	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.91.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.92.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8467.99.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8468.10.00	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8468.20.10	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8468.80.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8468.90.10	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8469.10.40	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8469.10.80	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8470.10.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8470.21.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8470.29.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8470.30.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8470.40.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8470.90.00	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.10.00	4.4%	3.9%	3.4%	2.9%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8471.20.00	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.91.80	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.92.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.32	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.34	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.36	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.38	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free

Annex (con.)
-585-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8471.92.42	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.44	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.46	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.48	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.52	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.84	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.92.88	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.93.20	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.93.40	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.93.60	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.99.34	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8471.99.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8472.10.00	3%	2.6%	2.3%	1.9%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8472.20.00	3.8%	3.4%	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8472.30.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8472.90.20	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8472.90.40	4.8%	4.2%	3.7%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8472.90.90	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8473.10.30	3.6%	3.2%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8473.10.60	3.6%	3.2%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8473.10.90	3.6%	3.2%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8473.21.00	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8473.29.00	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8473.40.20	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8473.40.90	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8474.10.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8474.20.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8474.31.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8474.32.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8474.39.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8474.80.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8474.90.00	2.3%	1.7%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8475.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8475.20.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8475.90.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8475.90.90	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.11.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.19.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.90.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8477.10.80	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.20.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.30.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.40.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.51.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.59.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.80.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.90.20	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.90.40	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.90.60	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8477.90.80	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8478.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8478.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8479.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.20.00	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8479.30.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.40.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8479.81.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.82.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.89.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8479.89.20	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free

Annex (con.)
-587-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8479.89.30	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8479.89.55	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8479.89.65	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8479.89.70	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.89.95	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8479.90.40	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.45	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.55	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.65	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.75	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.85	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8479.90.95	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8480.10.00	5.3%	4.9%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8480.20.00	4%	3.9%	3.7%	3.6%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8480.30.00	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8480.41.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8480.49.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8480.50.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8480.60.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8480.71.90	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8480.79.90	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8481.10.00	3.4%	3%	2.7%	2.3%	2%	2%	2%	2%	2%	2%
8481.20.00	3.4%	3%	2.7%	2.3%	2%	2%	2%	2%	2%	2%
8481.30.10	5.1%	4.6%	4%	3.5%	3%	3%	3%	3%	3%	3%
8481.30.20	7.4%	6.8%	6.2%	5.6%	5%	5%	5%	5%	5%	5%
8481.30.90	4.1%	3.8%	3.6%	3.3%	3%	3%	3%	3%	3%	3%
8481.40.00	3.4%	3%	2.7%	2.3%	2%	2%	2%	2%	2%	2%
8481.80.10	5.3%	5%	4.6%	4.3%	4%	4%	4%	4%	4%	4%
8481.80.30	7.5%	7%	6.6%	6.1%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
8481.80.50	4.1%	3.8%	3.6%	3.3%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8481.80.90	3.4%	3%	2.7%	2.3%	2%	2%	2%	2%	2%	2%
8481.90.10	5.1%	4.6%	4%	3.5%	3%	3%	3%	3%	3%	3%
8481.90.30	7.4%	6.8%	6.2%	5.6%	5%	5%	5%	5%	5%	5%
8481.90.50	4.1%	3.8%	3.6%	3.3%	3%	3%	3%	3%	3%	3%
8481.90.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8482.10.10	3.8%	3.5%	3.1%	2.8%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8482.10.50	10.6%	10.2%	9.8%	9.4%	9%	9%	9%	9%	9%	9%
8482.20.00	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.30.00	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.40.00	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.50.00	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.80.00	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.91.00	4.8%	4.7%	4.6%	4.5%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8482.99.05	10.8%	10.6%	10.3%	10.1%	9.9%	9.9%	9.9%	9.9%	9.9%	9.9%
8482.99.15	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.99.25	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.99.35	10.8%	10.6%	10.3%	10.1%	9.9%	9.9%	9.9%	9.9%	9.9%	9.9%
8482.99.45	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8482.99.65	6.4%	6.2%	6.1%	5.9%	5.8%	5.8%	5.8%	5.8%	5.8%	5.8%
8483.10.10	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8483.10.30	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8483.10.50	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8483.20.40	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.20.80	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.30.40	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.30.80	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.40.10	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8483.40.70	45¢ each + 6.9%	40¢ each + 6.2%	35¢ each + 5.4%	30¢ each + 4.7%	25¢ each + 3.9%	25¢ each + 3.9%	25¢ each + 3.9%	25¢ each + 3.9%	25¢ each + 3.9%	25¢ each + 3.9%
8483.40.80	5.3%	4.9%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8483.50.60	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8483.50.90	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8483.60.40	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8483.60.80	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8483.90.10	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8483.90.20	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.90.30	5.5%	5.2%	5%	4.7%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
8483.90.70	5.7%	5.6%	5.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
8483.90.80	5.1%	4.5%	4%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8484.10.00	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8484.90.00	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8485.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8485.90.00	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8501.10.20	9.3%	8.7%	8%	7.4%	6.7%	6.7%	6.7%	6.7%	6.7%	6.7%
8501.10.40	6.2%	5.7%	5.3%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8501.10.60	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8501.20.20	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.20.40	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8501.20.50	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.20.60	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8501.31.20	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8501.31.40	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8501.31.50	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.31.60	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8501.31.80	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.32.20	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8501.32.60	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8501.33.30	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8501.33.40	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8501.33.60	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.34.30	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8501.34.60	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8501.40.20	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.40.40	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8501.40.50	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.51.20	3.9%	3.5%	3.2%	2.8%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.51.40	4.5%	4%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.51.50	4.7%	4.3%	4%	3.6%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8501.51.60	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.53.80	3.9%	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8501.61.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.62.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.63.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8501.64.00	2.9%	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8502.11.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8502.12.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8502.13.00	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8502.20.00	2.8%	2.6%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8502.30.00	2.9%	2.8%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8503.00.20	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8503.00.35	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
8503.00.75	9.3%	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
8504.31.20	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8504.31.60	2.2%	2.1%	1.9%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8504.33.00	2.2%	2.1%	1.9%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8504.34.00	2.2%	2.1%	1.9%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8504.40.40	2.7%	2.4%	2.1%	1.8%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
8504.40.80	2.7%	2.4%	2.1%	1.8%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
8505.11.00	3%	2.8%	2.5%	2.3%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8505.20.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8505.30.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8505.90.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8505.90.80	3.4%	2.9%	2.3%	1.8%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8506.11.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.12.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.13.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.19.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.20.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.90.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8507.10.00	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8507.20.40	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8507.20.80	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8507.30.40	4.6%	4.1%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8507.30.80	4.6%	4.1%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8507.40.40	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8507.40.80	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8507.80.40	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8507.80.80	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8507.90.40	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8507.90.80	4.8%	4.4%	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
8508.10.00	2.1%	2%	1.9%	1.8%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
8508.20.00	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8508.80.00	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8508.90.40	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8508.90.80	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8509.10.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8509.20.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8509.30.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8509.90.05	3.1%	2.8%	2.6%	2.3%	2%	2%	2%	2%	2%	2%
8509.90.15	3.1%	2.8%	2.6%	2.3%	2%	2%	2%	2%	2%	2%
8510.10.00	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8510.90.10	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
8510.90.20	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8511.10.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.20.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.30.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.40.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.50.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.80.20	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.80.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8511.80.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8511.90.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8511.90.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.10.20	6.1%	4.6%	3%	1.5%	Free	Free	Free	Free	Free	Free
8512.20.40	2.7%	2.6%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.30.00	2.7%	2.6%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.40.20	3.6%	3.3%	3.1%	2.8%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.40.40	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.90.20	2.7%	2.6%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.90.40	6.1%	4.6%	3%	1.5%	Free	Free	Free	Free	Free	Free
8512.90.70	3.6%	3.3%	3.1%	2.8%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8512.90.90	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8513.10.20	22.5%	20%	17.5%	15%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%
8513.10.40	6.2%	5.5%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8513.90.20	22.5%	20%	17.5%	15%	12.5%	12.5%	12.5%	12.5%	12.5%	12.5%
8513.90.40	6.2%	5.5%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8514.10.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8514.20.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8514.30.40	2.3%	2%	1.8%	1.5%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8514.40.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8514.90.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8515.19.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8515.21.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8515.29.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8515.31.00	1.9%	1.8%	1.8%	1.7%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8515.39.00	1.9%	1.8%	1.8%	1.7%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8515.80.00	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8515.90.20	1.9%	1.8%	1.8%	1.7%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8515.90.40	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8516.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8516.21.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8516.33.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8516.40.20	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8516.40.40	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8516.50.00	3.6%	3.2%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8516.60.60	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8516.71.00	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8516.79.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8516.80.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8516.80.80	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8517.30.50	4.2%	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8517.40.10	4.2%	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8517.40.70	4.2%	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8519.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8519.21.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8519.39.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8519.91.50	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8519.99.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.20.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.31.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8520.39.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.90.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8521.10.30	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8521.10.60	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8521.10.90	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8521.90.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8522.90.25	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8522.90.35	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8522.90.45	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8522.90.55	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8522.90.65	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8522.90.75	3.5%	3.1%	2.8%	2.4%	2%	2%	2%	2%	2%	2%
8523.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8523.12.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8523.13.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8523.20.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8523.90.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8524.10.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8524.21.30	8.7¢/m^2 of recording surface	7.7¢/m^2 of recording surface	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.22.10	0.59¢/lin. m	0.53¢/lin. m	0.46¢/lin. m	0.4¢/lin. m	0.33¢/lin. m	0.33¢/lin. m	0.33¢/lin. m	0.33¢/lin. m	0.33¢/lin. m	0.33¢/lin. m
8524.22.20	8.7¢/m^2 of recording surface	7.7¢/m^2 of recording surface	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.23.10	0.53¢/lin. m	0.4¢/lin. m	0.26¢/lin. m	0.13¢/lin. m	Free	Free	Free	Free	Free	Free
8524.23.20	8.7¢/m^2 of recording surface	7.7¢/m^2 of recording surface	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.90.30	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8524.90.40	7.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8525.10.20	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8525.10.60	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8525.10.80	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8525.20.05	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8525.20.15	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8525.20.28	2.2%	1.9%	1.7%	1.4%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%
8525.20.30	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8525.20.50	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8525.20.60	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8525.30.30	3.8%	3.4%	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8525.30.60	3.8%	3.4%	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8525.30.90	3.8%	3.4%	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8526.10.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8526.91.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8527.11.11	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.11.20	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8527.11.40	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8527.11.60	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.19.50	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8527.21.10	3.4%	3%	2.7%	2.3%	2%	2%	2%	2%	2%	2%
8527.21.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8527.29.40	7.3%	6.6%	5.8%	5.1%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8527.29.80	7.3%	6.6%	5.8%	5.1%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
8527.31.40	3.2%	2.6%	2.1%	1.5%	1%	1%	1%	1%	1%	1%
8527.31.50	4.4%	3.9%	3.5%	3%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8527.31.60	3.5%	2.6%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8527.32.50	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8527.39.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8527.90.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8528.10.04	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.10.08	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8528.10.11	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.10.17	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8528.10.61	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.10.67	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8528.10.71	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.10.77	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8529.10.20	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8529.10.40	4.4%	3.9%	3.4%	2.9%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8529.10.60	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8529.90.01	4.6%	4.2%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
8529.90.03	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8529.90.06	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8529.90.09	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8529.90.13	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.16	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.19	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.23	4.7%	3.5%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8529.90.26	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.29	4.6%	4.2%	3.8%	3.4%	3%	3%	3%	3%	3%	3%
8529.90.33	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8529.90.36	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8529.90.39	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.43	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8529.90.46	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8529.90.49	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.53	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.63	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%

99-194 O - 95 - 22: QL: 3 Part 9

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8529.90.69	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.73	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.76	4.7%	3.5%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8529.90.81	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8529.90.83	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.85	4.7%	3.5%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8529.90.86	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
8529.90.89	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8529.90.93	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8529.90.95	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.97	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8529.90.99	4.7%	3.5%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8530.10.00	2.2%	1.6%	1.1%	0.5%	Free	Free	Free	Free	Free	Free
8530.80.00	2.2%	1.6%	1.1%	0.5%	Free	Free	Free	Free	Free	Free
8530.90.00	2.2%	1.6%	1.1%	0.5%	Free	Free	Free	Free	Free	Free
8531.10.00	2.4%	2.1%	1.9%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8531.20.00	2.4%	2.1%	1.9%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8531.80.40	2.2%	1.6%	1.1%	0.5%	Free	Free	Free	Free	Free	Free
8531.80.80	2.4%	2.1%	1.9%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8531.90.40	2.4%	2.1%	1.9%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8531.90.80	2.4%	2.1%	1.9%	1.6%	1.3%	1.3%	1.3%	1.3%	1.3%	1.3%
8532.10.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.21.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.22.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.23.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.24.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.25.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.29.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.30.00	9.8%	9.6%	9.4%	9.2%	9%	9%	9%	9%	9%	9%
8532.90.00	3.8%	3.7%	3.7%	3.6%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8533.29.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8533.39.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8533.40.80	5.8%	5.5%	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
8534.00.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.10.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.20.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.30.40	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.30.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.41.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.49.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.50.40	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.50.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.61.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.69.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8536.90.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8537.10.30	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8537.10.60	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8537.10.90	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8537.20.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8538.10.00	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8538.90.20	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8538.90.40	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8538.90.60	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8538.90.80	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8539.10.00	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8539.21.40	3.7%	3.4%	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.22.80	3.7%	3.4%	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.29.20	7.4%	6.8%	6.3%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
8539.29.40	3.7%	3.4%	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.31.00	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8539.39.00	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8539.40.40	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.40.80	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8539.90.00	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8540.11.24	13.5%	12%	10.5%	9%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
8540.11.44	13.5%	12%	10.5%	9%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
8540.12.10	6.5%	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8540.12.20	6.5%	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8540.12.50	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.12.70	5.9%	5.2%	4.6%	3.9%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.20.40	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.30.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.41.40	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8540.42.00	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.49.00	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8540.89.00	4.1%	4%	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8540.91.15	5.9%	5.8%	5.6%	5.5%	5.4%	5.4%	5.4%	5.4%	5.4%	5.4%
8540.91.20	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8540.91.50	5.9%	5.8%	5.6%	5.5%	5.4%	5.4%	5.4%	5.4%	5.4%	5.4%
8540.99.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8540.99.80	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8541.40.20	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
8543.10.80	3.5%	3.1%	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8543.20.00	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.30.00	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.80.40	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.80.60	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.80.85	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.80.94	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8543.80.98	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8543.90.15	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.90.35	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.90.55	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.90.75	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8544.11.00	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8544.19.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8544.41.00	4.8%	4.2%	3.7%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8544.49.00	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8544.51.40	4.8%	4.2%	3.7%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8544.51.80	4.8%	4.2%	3.7%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8544.59.40	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8544.60.20	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8544.60.40	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8544.60.60	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
8545.11.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8545.19.20	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
8545.19.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8545.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8545.90.20	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
8545.90.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
8546.10.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8546.20.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8546.90.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8547.10.40	3.4%	3.3%	3.2%	3.1%	3%	3%	3%	3%	3%	3%
8547.10.80	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8547.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8547.90.00	5.6%	5.3%	5.1%	4.8%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
8548.00.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8601.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8601.20.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8602.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8602.90.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8603.10.00	6%	5.8%	5.5%	5.3%	5%	5%	5%	5%	5%	5%
8603.90.00	6%	5.8%	5.5%	5.3%	5%	5%	5%	5%	5%	5%
8604.00.00	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8605.00.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.10.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.20.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.30.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.91.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.92.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8606.99.00	17.6%	17.2%	16.8%	16.4%	16%	15.6%	15.2%	14.8%	14.4%	14%
8607.11.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8607.12.00	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8607.19.03	0.5%	0.5%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
8607.19.06	0.5%	0.5%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%	0.4%
8607.19.30	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8607.19.90	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8607.21.10	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8607.29.10	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8607.29.50	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8607.30.10	5.1%	4.7%	4.4%	4%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8607.30.50	3.6%	3.4%	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8607.91.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8607.99.10	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8607.99.50	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
8608.00.00	5.3%	4.9%	4.6%	4.2%	3.8%	3.8%	3.8%	3.8%	3.8%	3.8%
8701.30.50	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8701.90.50	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8702.10.30	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8702.10.60	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8702.90.30	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8702.90.60	2.9%	2.7%	2.4%	2.2%	2%	2%	2%	2%	2%	2%
8704.10.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8704.10.50	20%	15%	10%	5%	Free	Free	Free	Free	Free	Free
8705.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8705.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8705.30.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8705.40.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8705.90.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8706.00.25	2.3%	2.1%	2%	1.8%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
8706.00.50	2%	1.9%	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8708.10.30	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.10.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.21.00	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.29.10	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.29.15	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.29.20	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.29.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.31.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.39.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.40.10	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.40.20	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.40.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.50.30	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.50.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.50.80	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.60.30	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.60.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.60.80	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8708.70.25	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.70.35	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.70.45	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.70.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.80.30	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.80.45	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.91.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.92.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.93.60	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.93.75	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.94.50	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.27	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.31	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.34	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.37	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.40	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.43	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.46	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.49	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8708.99.55	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.58	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.61	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.64	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.67	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.70	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.73	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8708.99.80	3%	2.9%	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8711.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8711.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8711.30.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8711.40.30	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8711.40.60	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8711.50.00	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8711.90.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8712.00.48	14.2%	13.4%	12.6%	11.8%	11%	11%	11%	11%	11%	11%
8713.10.00	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
8713.90.00	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
8714.11.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8714.19.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8714.20.00	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
8714.91.20	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8714.91.30	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8714.91.90	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
8714.92.10	5.8%	5.6%	5.4%	5.2%	5%	5%	5%	5%	5%	5%
8714.93.28	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8714.95.00	9.6%	9.2%	8.8%	8.4%	8%	8%	8%	8%	8%	8%
8714.96.10	9.6%	9.2%	8.8%	8.4%	8%	8%	8%	8%	8%	8%
8714.99.10	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8716.10.00	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
8716.20.00	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
8716.31.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8716.39.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8716.40.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8801.10.00	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8801.90.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8802.11.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8802.12.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8802.20.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8802.30.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
8802.40.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free

Annex (con.)
-605-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8802.50.90	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8804.00.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8805.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8903.99.15	3.7%	3.5%	3.2%	3%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8903.99.20	1.4%	1.3%	1.2%	1.1%	1%	1%	1%	1%	1%	1%
8903.99.90	1.4%	1.3%	1.2%	1.1%	1%	1%	1%	1%	1%	1%
8905.90.10	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8906.00.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8907.10.00	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
8907.90.00	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9001.10.00	8.1%	7.7%	7.4%	7%	6.7%	6.7%	6.7%	6.7%	6.7%	6.7%
9001.20.00	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9001.30.00	4.9%	4.2%	3.4%	2.7%	2%	2%	2%	2%	2%	2%
9001.40.00	4.9%	4.2%	3.4%	2.7%	2%	2%	2%	2%	2%	2%
9001.50.00	4.9%	4.2%	3.4%	2.7%	2%	2%	2%	2%	2%	2%
9001.90.40	4.9%	4.2%	3.4%	2.7%	2%	2%	2%	2%	2%	2%
9001.90.50	7%	5.9%	4.9%	3.8%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9001.90.60	7%	5.9%	4.9%	3.8%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9001.90.80	2.7%	2.3%	1.9%	1.5%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
9001.90.90	7.3%	6.2%	5.1%	4%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9002.11.40	6.1%	5.2%	4.3%	3.4%	2.45%	2.45%	2.45%	2.45%	2.45%	2.45%
9002.11.90	5.7%	4.9%	4%	3.2%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
9002.19.00	5.7%	4.9%	4%	3.2%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
9002.20.40	5%	4.3%	3.5%	2.8%	2%	2%	2%	2%	2%	2%
9002.20.80	7.3%	6.2%	5.1%	4%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9002.90.20	7%	5.9%	4.9%	3.8%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9002.90.40	7%	5.9%	4.9%	3.8%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9002.90.70	2.7%	2.3%	1.9%	1.5%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
9002.90.95	7.3%	6.2%	5.2%	4.1%	3%	3%	3%	3%	3%	3%
9003.11.00	6.3%	5.3%	4.4%	3.4%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

Section D. (continued)

(1) (con.)

MTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9003.19.00	5.8%	4.3%	2.9%	1.4%	Free	Free	Free	Free	Free	Free
9003.90.00	6.3%	5.3%	4.4%	3.4%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9004.10.00	6.2%	5.1%	4.1%	3%	2%	2%	2%	2%	2%	2%
9004.90.00	6.3%	5.3%	4.4%	3.4%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9005.80.60	8.4%	7.8%	7.2%	6.6%	6%	6%	6%	6%	6%	6%
9006.10.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.20.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.30.00	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9006.51.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.52.10	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9006.52.50	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9006.52.90	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.53.00	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.59.90	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.61.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9006.62.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9006.69.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9007.11.00	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9007.19.40	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9007.19.80	3.6%	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free	Free
9007.21.40	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.21.80	6.6%	6.2%	5.7%	5.3%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
9007.29.40	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.29.80	6.3%	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9007.91.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9007.91.80	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9007.92.00	6.3%	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9008.20.40	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
9008.20.80	6.3%	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9008.30.00	6.5%	6%	5.6%	5.1%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9008.40.00	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9008.90.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9008.90.80	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9009.11.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9009.21.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9009.22.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9009.30.00	3.3%	2.9%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9009.90.30	3.5%	3.1%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9009.90.70	3.5%	3.1%	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9010.10.00	3.4%	3.2%	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
9010.20.10	1.8%	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9010.20.20	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9010.20.30	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9010.20.40	8.1%	7.2%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9010.20.50	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9010.30.00	3.7%	3.4%	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9010.90.40	6.1%	5.4%	4.8%	4.1%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
9010.90.80	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9011.10.40	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9011.10.80	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
9011.20.40	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9011.20.80	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
9011.80.00	7.7%	7.4%	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
9011.90.00	6.9%	6.6%	6.3%	6%	5.7%	5.7%	5.7%	5.7%	5.7%	5.7%
9012.10.00	4.2%	4%	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9012.90.00	5.9%	5.7%	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
9013.10.10	19%	18%	16.9%	15.9%	14.9%	14.9%	14.9%	14.9%	14.9%	14.9%
9013.10.30	2%	1.9%	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9013.10.40	7.5%	6.9%	6.4%	5.8%	5.3%	5.3%	5.3%	5.3%	5.3%	5.3%
9013.20.00	3.7%	3.6%	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9013.80.60	8.1%	7.2%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9013.90.20	19.2%	18.4%	17.6%	16.8%	16%	16%	16%	16%	16%	16%
9013.90.40	8.1%	7.2%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9014.10.10	7.1%	6.3%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
9014.10.60	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9014.10.70	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9014.10.90	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9014.20.20	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9014.20.40	4%	3.8%	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
9014.20.60	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9014.80.10	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9014.80.20	4.5%	4.2%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
9014.80.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9014.90.10	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9014.90.60	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.10.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.10.80	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9015.20.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.20.80	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9015.30.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.30.80	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9015.40.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.40.80	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
9015.80.20	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9015.80.60	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9015.80.80	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9016.00.20	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9016.00.40	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9016.00.60	5.9%	5.3%	4.6%	4%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
9017.10.00	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9017.20.40	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9017.20.90	5.6%	5.3%	5.1%	4.8%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
9017.30.80	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9018.11.30	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.11.60	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.11.90	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.19.40	6.3%	4.7%	3.2%	1.6%	Free	Free	Free	Free	Free	Free
9018.19.55	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.19.75	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.19.95	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.20.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.31.00	6.7%	5%	3.4%	1.7%	Free	Free	Free	Free	Free	Free
9018.32.00	5.1%	3.8%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9018.39.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.41.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9018.49.40	5%	3.7%	2.5%	1.2%	Free	Free	Free	Free	Free	Free
9018.49.80	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9018.50.00	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
9018.90.10	7.2%	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free	Free
9018.90.20	8%	6%	4%	2%	Free	Free	Free	Free	Free	Free
9018.90.30	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free
9018.90.40	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free
9018.90.50	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9018.90.60	6.3%	4.7%	3.2%	1.6%	Free	Free	Free	Free	Free	Free
9018.90.64	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.90.68	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.90.75	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.90.80	6.3%	4.7%	3.2%	1.6%	Free	Free	Free	Free	Free	Free
9019.10.20	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9019.10.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9019.10.60	6.3%	4.7%	3.2%	1.6%	Free	Free	Free	Free	Free	Free
9019.20.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
9020.00.60	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9020.00.90	3.5%	3.2%	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9021.11.00	5.8%	4.3%	2.9%	1.4%	Free	Free	Free	Free	Free	Free
9021.19.40	5.8%	4.3%	2.9%	1.4%	Free	Free	Free	Free	Free	Free
9021.19.85	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
9021.21.40	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
9021.21.80	7.2%	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free	Free
9021.29.40	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
9021.29.80	7.2%	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free	Free
9021.30.00	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
9021.40.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9021.50.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9021.90.40	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9021.90.80	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9022.11.00	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.19.00	1.7%	1.3%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.21.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9022.29.40	2.4%	2%	1.7%	1.3%	1%	1%	1%	1%	1%	1%
9022.29.80	3.5%	3%	2.4%	1.9%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9022.30.00	2.2%	1.9%	1.5%	1.2%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%
9022.90.05	1.8%	1.6%	1.3%	1.1%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
9022.90.15	3.5%	3%	2.4%	1.9%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9022.90.25	1.8%	1.6%	1.3%	1.1%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
9022.90.40	2.2%	1.9%	1.5%	1.2%	0.9%	0.9%	0.9%	0.9%	0.9%	0.9%
9022.90.60	1.8%	1.6%	1.3%	1.1%	0.8%	0.8%	0.8%	0.8%	0.8%	0.8%
9022.90.70	2.4%	2%	1.7%	1.3%	1%	1%	1%	1%	1%	1%
9022.90.95	3.5%	3%	2.4%	1.9%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9024.10.00	4.2%	3.6%	2.9%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9024.80.00	4.2%	3.6%	2.9%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9024.90.00	4.2%	3.6%	2.9%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9025.11.20	13.6%	10.2%	6.8%	3.4%	Free	Free	Free	Free	Free	Free
9025.11.40	6.7%	5%	3.4%	1.7%	Free	Free	Free	Free	Free	Free
9025.19.40	3.4%	2.9%	2.4%	1.9%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9025.19.80	4.4%	3.7%	3.1%	2.4%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9025.20.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9025.20.80	2.4%	2.1%	1.7%	1.4%	1%	1%	1%	1%	1%	1%
9025.80.10	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9025.80.20	7.3%	6.2%	5.1%	4%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9025.80.35	3.4%	2.9%	2.4%	1.9%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
9025.80.40	2.6%	2.2%	1.8%	1.4%	1%	1%	1%	1%	1%	1%
9025.80.50	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9026.10.20	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9026.10.40	42.7¢ each + 6.6%	36.4¢ each + 5.6%	30¢ each + 4.7%	23.7¢ each + 3.7%	17.4¢ each + 2.7%	17.4¢ each + 2.7%	17.4¢ each + 2.7%	17.4¢ each + 2.7%	17.4¢ each + 2.7%	17.4¢ each + 2.7%
9026.10.60	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9026.20.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9026.20.80	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9026.80.20	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9026.80.40	42.5¢ each + 6.6%	36.1¢ each + 5.6%	29.6¢ each + 4.6%	23.2¢ each + 3.6%	16.7¢ each + 2.6%	16.7¢ each + 2.6%	16.7¢ each + 2.6%	16.7¢ each + 2.6%	16.7¢ each + 2.6%	16.7¢ each + 2.6%
9026.80.60	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9026.90.20	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9026.90.40	7.8%	6.7%	5.5%	4.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
9026.90.60	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9027.10.20	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.10.40	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9027.10.60	5.4%	4.6%	3.8%	3%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
9027.20.42	3.5%	3%	2.6%	2.1%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.20.44	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9027.20.80	5.4%	4.6%	3.8%	3%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
9027.30.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.30.80	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9027.40.00	3%	2.5%	2.1%	1.6%	1.2%	1.2%	1.2%	1.2%	1.2%	1.2%
9027.50.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.50.80	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9027.80.25	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.80.45	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.80.80	5.4%	4.6%	3.8%	3%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
9027.90.20	5.4%	4.6%	3.8%	3%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
9027.90.42	3.5%	3%	2.6%	2.1%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.90.45	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.90.55	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9027.90.60	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9027.90.80	5.4%	4.6%	3.8%	3%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
9028.10.00	39.2¢ each + 6.1%	33.4¢ each + 5.2%	27.6¢ each + 4.3%	21.8¢ each + 3.4%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%
9028.20.00	39.2¢ each + 6.1%	33.4¢ each + 5.2%	27.6¢ each + 4.3%	21.8¢ each + 3.4%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%
9028.30.00	39.2¢ each + 3.8%	33.4¢ each + 3.2%	27.6¢ each + 2.7%	21.8¢ each + 2.1%	16¢ each + 1.5%	16¢ each + 1.5%	16¢ each + 1.5%	16¢ each + 1.5%	16¢ each + 1.5%	16¢ each + 1.5%
9028.90.00	7.8%	6.7%	5.5%	4.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
9029.10.40	13.1%	11.1%	9.2%	7.2%	5.3%	5.3%	5.3%	5.3%	5.3%	5.3%
9029.20.20	14.8%	12.6%	10.4%	8.2%	6%	6%	6%	6%	6%	6%
9029.20.60	39.2¢ each + 6.1%	33.4¢ each + 5.2%	27.6¢ each + 4.3%	21.8¢ each + 3.4%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%	16¢ each + 2.5%
9029.90.20	13.1%	11.1%	9.2%	7.2%	5.3%	5.3%	5.3%	5.3%	5.3%	5.3%
9029.90.40	14.8%	12.6%	10.4%	8.2%	6%	6%	6%	6%	6%	6%
9029.90.60	7.8%	6.7%	5.5%	4.4%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
9030.10.00	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9030.20.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9030.31.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.39.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.40.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.81.80	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.89.80	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.90.25	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9030.90.45	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9030.90.65	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.90.85	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.10.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.20.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.30.00	6.1%	5.2%	4.3%	3.4%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9031.40.40	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.40.90	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.80.00	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.90.20	6.1%	5.2%	4.3%	3.4%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
9031.90.45	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.90.55	8.7%	7.4%	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.90.60	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.10.00	4.2%	3.6%	2.9%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.20.00	4.2%	3.6%	2.9%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.81.00	4.1%	3.5%	2.8%	2.2%	1.6%	1.6%	1.6%	1.6%	1.6%	1.6%
9032.89.20	2.7%	2.3%	1.9%	1.5%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
9032.89.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.89.60	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.90.20	2.7%	2.3%	1.9%	1.5%	1.1%	1.1%	1.1%	1.1%	1.1%	1.1%
9032.90.40	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9032.90.60	4.3%	3.6%	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9033.00.00	4.8%	4.7%	4.6%	4.5%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
9101.12.20	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9101.12.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9101.12.80	3.1% on the movement and case + 4.2% on the battery	2.3% on the movement and case + 3.2% on the battery	1.6% on the movement and case + 2.1% on the battery	0.8% on the movement and case + 1.1% on the battery	Free	Free	Free	Free	Free	Free
9101.19.40	49¢ each + 6% on the case and strap, band or bracelet + 5.1% on the battery	47¢ each + 5.8% on the case and strap, band or bracelet + 4.9% on the battery	45¢ each + 5.5% on the case and strap, band or bracelet + 4.6% on the battery	43¢ each + 5.2% on the case and strap, band or bracelet + 4.4% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery	41¢ each + 5% on the case and strap, band or bracelet + 4.2% on the battery
9101.19.80	82¢ each + 5.9% on the case and strap, band or bracelet + 5% on the battery	77¢ each + 5.5% on the case and strap, band or bracelet + 4.7% on the battery	71¢ each + 5.1% on the case and strap, band or bracelet + 4.3% on the battery	66¢ each + 4.8% on the case and strap, band or bracelet + 4% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery	61¢ each + 4.4% on the case and strap, band or bracelet + 3.7% on the battery
9101.21.10	5.6%	5%	4.4%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
9101.21.30	5.6%	5%	4.4%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
9101.21.50	$1.84 each + 5% on the case	$1.38 each + 3.8% on the case	92¢ each + 2.5% on the case	46¢ each + 1.2% on the case	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9101.21.80	$2.16 each + 5.9% on the case and strap, band or bracelet	$2.02 each + 5.5% on the case and strap, band or bracelet	$1.89 each + 5.1% on the case and strap, band or bracelet	$1.75 each + 4.8% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet	$1.61 each + 4.4% on the case and strap, band or bracelet
9101.29.10	49¢ each + 6% on the case and strap, band or bracelet	47¢ each + 5.8% on the case and strap, band or bracelet	44¢ each + 5.5% on the case and strap, band or bracelet	42¢ each + 5.2% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet	40¢ each + 5% on the case and strap, band or bracelet
9101.29.20	82¢ each + 5.9% on the case and strap, band or bracelet	77¢ each + 5.5% on the case and strap, band or bracelet	71¢ each + 5.1% on the case and strap, band or bracelet	66¢ each + 4.8% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet	61¢ each + 4.4% on the case and strap, band or bracelet
9101.29.30	$2.74 each + 6% on the case and strap, band or bracelet	$2.62 each + 5.8% on the case and strap, band or bracelet	$2.51 each + 5.5% on the case and strap, band or bracelet	$2.39 each + 5.2% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet	$2.28 each + 5% on the case and strap, band or bracelet
9101.29.40	$2.30 each + 6% on the case and strap, band or bracelet	$2.21 each + 5.8% on the case and strap, band or bracelet	$2.11 each + 5.5% on the case and strap, band or bracelet	$2.02 each + 5.2% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet	$1.92 each + 5% on the case and strap, band or bracelet
9101.29.50	$1.20 each + 5.9% on the case and strap, band or bracelet	$1.12 each + 5.5% on the case and strap, band or bracelet	$1.05 each + 5.1% on the case and strap, band or bracelet	97¢ each + 4.8% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet	90¢ each + 4.4% on the case and strap, band or bracelet

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9101.29.70	5.6%	5%	4.4%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
9101.29.80	5.6%	5%	4.4%	3.7%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
9101.29.90	$1.84 each + 5% on the case	$1.38 each + 3.8% on the case	92¢ each + 2.5% on the case	46¢ each + 1.2% on the case	Free	Free	Free	Free	Free	Free
9101.91.20	3.1% on the movement and case + 4.2% on the battery	2.3% on the movement and case + 3.2% on the battery	1.6% on the movement and case + 2.1% on the battery	0.8% on the movement and case + 1.1% on the battery	Free	Free	Free	Free	Free	Free
9101.91.40	41¢ each + 4.8% on the case + 4.2% on the battery	31¢ each + 3.6% on the case + 3.2% on the battery	20¢ each + 2.4% on the case + 2.1% on the battery	10¢ each + 1.2% on the case + 1.1% on the battery	Free	Free	Free	Free	Free	Free
9101.91.80	70¢ each + 4.8% on the case + 4.2% on the battery	52¢ each + 3.6% on the case + 3.2% on the battery	35¢ each + 2.4% on the case + 2.1% on the battery	17¢ each + 1.2% on the case + 1.1% on the battery	Free	Free	Free	Free	Free	Free
9101.99.20	41¢ each + 4.8% on the case	31¢ each + 3.6% on the case	20¢ each + 2.4% on the case	10¢ each + 1.2% on the case	Free	Free	Free	Free	Free	Free
9101.99.40	$1.76 each + 5.4% on the case	$1.56 each + 4.8% on the case	$1.37 each + 4.2% on the case	$1.17 each + 3.6% on the case	98¢ each + 3% on the case	98¢ each + 3% on the case	98¢ each + 3% on the case	98¢ each + 3% on the case	98¢ each + 3% on the case	98¢ each + 3% on the case
9101.99.60	$1.02 each + 4.8% on the case	76¢ each + 3.6% on the case	51¢ each + 2.4% on the case	25¢ each + 1.2% on the case	Free	Free	Free	Free	Free	Free
9101.99.80	$1.84 each + 4.8% on the case	$1.38 each + 3.6% on the case	92¢ each + 2.4% on the case	46¢ each + 1.2% on the case	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9102.12.20	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9102.12.40	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9102.12.80	3.1% on the movement and case + 4.2% on the battery	2.3% on the movement and case + 3.2% on the battery	1.6% on the movement and case + 2.1% on the battery	0.8% on the movement and case + 1.1% on the battery	Free	Free	Free	Free	Free	Free
9102.19.20	38¢ each + 5.8% on the case + 13.4% on the strap, band or bracelet + 5.1% on the battery	37¢ each + 5.5% on the case + 12.8% on the strap, band or bracelet + 4.9% on the battery	35¢ each + 5.3% on the case + 12.2% on the strap, band or bracelet + 4.6% on the battery	34¢ each + 5% on the case + 11.6% on the strap, band or bracelet + 4.4% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 11% on the strap, band or bracelet + 4.2% on the battery
9102.19.40	38¢ each + 5.8% on the case + 2.7% on the strap, band or bracelet + 5.1% on the battery	37¢ each + 5.5% on the case + 2.6% on the strap, band or bracelet + 4.9% on the battery	35¢ each + 5.3% on the case + 2.4% on the strap, band or bracelet + 4.6% on the battery	34¢ each + 5% on the case + 2.3% on the strap, band or bracelet + 4.4% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery	32¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.2% on the battery

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9102.19.60	72¢ each + 5.7% on the case + 13.3% on the strap, band or bracelet + 5% on the battery	68¢ each + 5.4% on the case + 12.6% on the strap, band or bracelet + 4.8% on the battery	65¢ each + 5.1% on the case + 12% on the strap, band or bracelet + 4.5% on the battery	61¢ each + 4.8% on the case + 11.3% on the strap, band or bracelet + 4.3% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 10.6% on the strap, band or bracelet + 4% on the battery
9102.19.80	72¢ each + 5.7% on the case + 2.7% on the strap, band or bracelet + 5% on the battery	68¢ each + 5.4% on the case + 2.5% on the strap, band or bracelet + 4.8% on the battery	65¢ each + 5.1% on the case + 2.4% on the strap, band or bracelet + 4.5% on the battery	61¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet + 4.3% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery	57¢ each + 4.5% on the case + 2.1% on the strap, band or bracelet + 4% on the battery
9102.21.30	$2.10 each + 5.8% on the case + 13.4% on the strap, band or bracelet	$2.01 each + 5.5% on the case + 12.9% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 12.3% on the strap, band or bracelet	$1.84 each + 5% on the case + 11.8% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 11.2% on the strap, band or bracelet
9102.21.50	$2.10 each + 5.8% on the case + 2.7% on the strap, band or bracelet	$2.01 each + 5.5% on the case + 2.6% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 2.4% on the strap, band or bracelet	$1.84 each + 5% on the case + 2.3% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9102.21.70	$2.06 each + 5.6% on the case + 13.2% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 12.3% on the strap, band or bracelet	$1.79 each + 4.9% on the case + 11.5% on the strap, band or bracelet	$1.66 each + 4.6% on the case + 10.6% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 9.8% on the strap, band or bracelet
9102.21.90	$2.06 each + 5.6% on the case + 2.6% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 2.5% on the strap, band or bracelet	$1.79 each + 4.9% on the case + 2.3% on the strap, band or bracelet	$1.66 each + 4.6% on the case + 2.2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet	$1.53 each + 4.2% on the case + 2% on the strap, band or bracelet
9102.29.15	72¢ each + 5.7% on the case + 13.3% on the strap, band or bracelet	69¢ each + 5.4% on the case + 12.6% on the strap, band or bracelet	65¢ each + 5.2% on the case + 12% on the strap, band or bracelet	62¢ each + 4.9% on the case + 11.3% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet	58¢ each + 4.6% on the case + 10.6% on the strap, band or bracelet
9102.29.20	72¢ each + 5.7% on the case + 2.6% on the strap, band or bracelet	68¢ each + 5.4% on the case + 2.5% on the strap, band or bracelet	64¢ each + 5% on the case + 2.3% on the strap, band or bracelet	60¢ each + 4.7% on the case + 2.2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet	56¢ each + 4.4% on the case + 2% on the strap, band or bracelet
9102.29.25	$2.63 each + 5.8% on the case + 13.4% on the strap, band or bracelet	$2.52 each + 5.5% on the case + 12.9% on the strap, band or bracelet	$2.41 each + 5.3% on the case + 12.3% on the strap, band or bracelet	$2.30 each + 5% on the case + 11.8% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 11.2% on the strap, band or bracelet

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9102.29.30	$2.63 each + 5.8% on the case + 2.7% on the strap, band or bracelet	$2.52 each + 5.5% on the case + 2.6% on the strap, band or bracelet	$2.41 each + 5.3% on the case + 2.4% on the strap, band or bracelet	$2.30 each + 5% on the case + 2.3% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$2.19 each + 4.8% on the case + 2.2% on the strap, band or bracelet
9102.29.35	$2.15 each + 5.6% on the case + 13.2% on the strap, band or bracelet	$2.02 each + 5.3% on the case + 12.3% on the strap, band or bracelet	$1.88 each + 4.9% on the case + 11.5% on the strap, band or bracelet	$1.75 each + 4.6% on the case + 10.6% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet	$1.61 each + 4.2% on the case + 9.8% on the strap, band or bracelet
9102.29.40	$2.20 each + 5.8% on the case + 2.7% on the strap, band or bracelet	$2.11 each + 5.5% on the case + 2.6% on the strap, band or bracelet	$2.01 each + 5.3% on the case + 2.4% on the strap, band or bracelet	$1.92 each + 5% on the case + 2.3% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.83 each + 4.8% on the case + 2.2% on the strap, band or bracelet
9102.29.45	$1.11 each + 5.8% on the case + 13.4% on the strap, band or bracelet	$1.07 each + 5.5% on the case + 12.9% on the strap, band or bracelet	$1.02 each + 5.3% on the case + 12.3% on the strap, band or bracelet	98¢ each + 5% on the case + 11.8% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 11.2% on the strap, band or bracelet
9102.29.50	$1.11 each + 5.8% on the case + 2.7% on the strap, band or bracelet	$1.07 each + 5.5% on the case + 2.6% on the strap, band or bracelet	$1.02 each + 5.3% on the case + 2.4% on the strap, band or bracelet	98¢ each + 5% on the case + 2.3% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet	93¢ each + 4.8% on the case + 2.2% on the strap, band or bracelet

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9102.29.55	$2.06 each + 5.6% on the case + 13.2% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 12.4% on the strap, band or bracelet	$1.81 each + 4.9% on the case + 11.5% on the strap, band or bracelet	$1.68 each + 4.6% on the case + 10.7% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet	$1.55 each + 4.2% on the case + 9.9% on the strap, band or bracelet
9102.29.60	$2.10 each + 5.8% on the case + 2.7% on the strap, band or bracelet	$2.01 each + 5.5% on the case + 2.6% on the strap, band or bracelet	$1.93 each + 5.3% on the case + 2.4% on the strap, band or bracelet	$1.84 each + 5% on the case + 2.3% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet	$1.75 each + 4.8% on the case + 2.2% on the strap, band or bracelet
9102.99.20	36¢ each + 5.4% on the case	32¢ each + 4.8% on the case	28¢ each + 4.2% on the case	24¢ each + 3.6% on the case	20¢ each + 3% on the case	20¢ each + 3% on the case	20¢ each + 3% on the case	20¢ each + 3% on the case	20¢ each + 3% on the case	20¢ each + 3% on the case
9102.99.40	$1.66 each + 5.4% on the case	$1.47 each + 4.8% on the case	$1.29 each + 4.2% on the case	$1.10 each + 3.6% on the case	92¢ each + 3% on the case	92¢ each + 3% on the case	92¢ each + 3% on the case.	92¢ each + 3% on the case	92¢ each + 3% on the case	92¢ each + 3% on the case
9103.10.20	3.6% on the movement and case + 5% on the battery	3.4% on the movement and case + 4.6% on the battery	3.1% on the movement and case + 4.3% on the battery	2.9% on the movement and case + 3.9% on the battery	2.6% on the movement and case + 3.6% on the battery	2.6% on the movement and case + 3.6% on the battery	2.6% on the movement and case + 3.6% on the battery	2.6% on the movement and case + 3.6% on the battery	2.6% on the movement and case + 3.6% on the battery	2.6% on the movement and case + 3.6% on the battery
9103.10.40	34¢ each + 6.4% on the case + 4.9% on the battery	31¢ each + 5.9% on the case + 4.6% on the battery	29¢ each 5.5% on the case + 4.2% on the battery	26¢ each + 5% on the case + 3.9% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery	24¢ each + 4.5% on the case + 3.5% on the battery

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9103.10.80	67¢ each + 6.4% on the case + 4.9% on the battery	62¢ each + 6% on the case + 4.6% on the battery	58¢ each + 5.5% on the case + 4.2% on the battery	53¢ each + 5.1% on the case + 3.9% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery	48¢ each + 4.6% on the case + 3.5% on the battery
9103.90.00	34¢ each + 6.4% on the case	31¢ each + 6% on the case	29¢ each + 5.5% on the case	26¢ each + 5.1% on the case	24¢ each + 4.6% on the case	24¢ each + 4.6% on the case	24¢ each + 4.6% on the case	24¢ each + 4.6% on the case	24¢ each + 4.6% on the case	24¢ each + 4.6% on the case
9104.00.05	3.6% on the movement and case + 4.9% on the battery	3.4% on the movement and case + 4.6% on the battery	3.1% on the movement and case + 4.2% on the battery	2.9% on the movement and case + 3.9% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery
9104.00.10	28¢ each + 6% on the movement and case + 4.9% on the battery	26¢ each + 5.6% on the movement and case + 4.6% on the battery	24¢ each + 5.1% on the movement and case + 4.2% on the battery	22¢ each + 4.7% on the movement and case + 3.9% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery	20¢ each + 4.3% on the movement and case + 3.5% on the battery
9104.00.30	42¢ each + 6% on the movement and case + 4.9% on the battery	39¢ each + 5.6% on the movement and case + 4.6% on the battery	36¢ each + 5.1% on the movement and case + 4.2% on the battery	33¢ each + 4.7% on the movement and case + 3.9% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery	30¢ each + 4.3% on the movement and case + 3.5% on the battery
9104.00.40	42¢ each + 6%	39¢ each + 5.6%	36¢ each + 5.1%	33¢ each + 4.7%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9104.00.45	3.6% on the movement and case + 4.9% on the battery	3.4% on the movement and case + 4.6% on the battery	3.1% on the movement and case + 4.2% on the battery	2.9% on the movement and case + 3.9% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery	2.6% on the movement and case + 3.5% on the battery
9104.00.50	28¢ each + 6.4% on the case + 4.9% on the battery	26¢ each + 6% on the case + 4.6% on the battery	24¢ each + 5.5% on the case + 4.2% on the battery	22¢ each + 5.1% on the case + 3.9% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery	20¢ each + 4.6% on the case + 3.5% on the battery
9104.00.60	28¢ each + 6.4% on the case	26¢ each + 5.9% on the case	23¢ each + 5.5% on the case	21¢ each + 5% on the case	19¢ each + 4.5% on the case	19¢ each + 4.5% on the case	19¢ each + 4.5% on the case	19¢ each + 4.5% on the case	19¢ each + 4.5% on the case	19¢ each + 4.5% on the case
9105.19.30	77¢ each + 5¢/jewel over 7 + 6.7% on the case	68¢ each + 4.4¢/jewel over 7 + 5.9% on the case	60¢ each + 3.9¢/jewel over 7 + 5.2% on the case	51¢ each + 3.3¢/jewel over 7 + 4.4% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case	43¢ each + 2.8¢/jewel over 7 + 3.7% on the case
9105.19.50	41¢ each + 5.8%	36¢ each + 5.1%	32¢ each + 4.5%	27¢ each + 3.8%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%
9105.29.10	28¢ each + 6.4% on the case	26¢ each + 6% on the case	24¢ each + 5.5% on the case	22¢ each + 5.1% on the case	20¢ each + 4.6% on the case	20¢ each + 4.6% on the case	20¢ each + 4.6% on the case	20¢ each + 4.6% on the case	20¢ each + 4.6% on the case	20¢ each + 4.6% on the case
9105.29.20	56¢ each + 6.4% on the case	52¢ each + 6% on the case	48¢ each + 5.5% on the case	44¢ each + 5.1% on the case	40¢ each + 4.6% on the case	40¢ each + 4.6% on the case	40¢ each + 4.6% on the case	40¢ each + 4.6% on the case	40¢ each + 4.6% on the case	40¢ each + 4.6% on the case
9105.29.30	79¢ each + 5.1¢/jewel over 7 + 6.9% on the case	74¢ each + 4.8¢/jewel over 7 + 6.4% on the case	68¢ each + 4.4¢/jewel over 7 + 5.9% on the case	63¢ each + 4.1¢/jewel over 7 + 5.4% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case	57¢ each + 3.7¢/jewel over 7 + 4.9% on the case
9105.29.50	42¢ each + 6%	39¢ each + 5.6%	36¢ each + 5.1%	33¢ each + 4.7%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9105.99.10	31¢ each + 4.5% + 1.8¢/jewel	27¢ each + 4% + 1.6¢/jewel	24¢ each + 3.5% + 1.4¢/jewel	20¢ each + 3% + 1.2¢/jewel	17¢ each + 2.5% + 1¢/jewel	17¢ each + 2.5% + 1¢/jewel	17¢ each + 2.5% + 1¢/jewel	17¢ each + 2.5% + 1¢/jewel	17¢ each + 2.5% + 1¢/jewel	17¢ each + 2.5% + 1¢/jewel
9105.99.20	24¢ each + 5.5% on the case	18¢ each + 4.1% on the case	12¢ each + 2.8% on the case	6¢ each + 1.4% on the case	Free	Free	Free	Free	Free	Free
9105.99.30	48¢ each + 5.5% on the case	36¢ each + 4.1% on the case	24¢ each + 2.8% on the case	12¢ each + 1.4% on the case	Free	Free	Free	Free	Free	Free
9105.99.40	68¢ each + 4.4¢/jewel over 7 + 5.9% on the case	51¢ each + 3.3¢/jewel over 7 + 4.4% on the case	34¢ each + 2.2¢/jewel over 7 + 3% on the case	17¢ each + 1.1¢/jewel over 7 + 1.5% on the case	Free	Free	Free	Free	Free	Free
9105.99.50	13.5¢ each + 5.8%	12¢ each + 5.1%	10.5¢ each + 4.5%	9¢ each + 3.8%	7.5¢ each + 3.2%	7.5¢ each + 3.2%	7.5¢ each + 3.2%	7.5¢ each + 3.2%	7.5¢ each + 3.2%	7.5¢ each + 3.2%
9105.99.60	41¢ each + 5.8%	36¢ each + 5.1%	32¢ each + 4.5%	27¢ each + 3.8%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%	23¢ each + 3.2%
9106.10.00	43¢ each + 6.7% + 2.4¢/jewel	41¢ each + 6.4% + 2.3¢/jewel	40¢ each + 6.2% + 2.2¢/jewel	38¢ each + 5.9% + 2.1¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel
9106.20.00	43¢ each + 6.7% + 2.4¢/jewel	41¢ each + 6.4% + 2.3¢/jewel	40¢ each + 6.2% + 2.2¢/jewel	38¢ each + 5.9% + 2.1¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel
9106.90.40	43¢ each + 6.7% + 2.4¢/jewel	41¢ each + 6.4% + 2.3¢/jewel	40¢ each + 6.2% + 2.2¢/jewel	38¢ each + 5.9% + 2.1¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel	36¢ each + 5.6% + 2¢/jewel
9106.90.65	39¢ each + 6.1% + 2.2¢/jewel	33¢ each + 5.1% + 1.8¢/jewel	27¢ each + 4.2% + 1.5¢/jewel	21¢ each + 3.2% + 1.1¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel
9106.90.85	39¢ each + 6.1% + 2.2¢/jewel	33¢ each + 5.1% + 1.8¢/jewel	27¢ each + 4.2% + 1.5¢/jewel	21¢ each + 3.2% + 1.1¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel	15¢ each + 2.3% + 0.8¢/jewel

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9108.12.00	3.7% on the movement + 5.1% on the battery	3.6% on the movement + 4.9% on the battery	3.4% on the movement + 4.6% on the battery	3.3% on the movement + 4.4% on the battery	3.1% on the movement + 4.2% on the battery	3.1% on the movement + 4.2% on the battery	3.1% on the movement + 4.2% on the battery	3.1% on the movement + 4.2% on the battery	3.1% on the movement + 4.2% on the battery	3.1% on the movement + 4.2% on the battery
9108.19.40	34¢ each + 5.1% on the battery	33¢ each + 4.9% on the battery	31¢ each + 4.6% on the battery	30¢ each + 4.4% on the battery	28¢ each + 4.2% on tne battery	28¢ each + 4.2% on the battery	28¢ each + 4.2% on the battery	28¢ each + 4.2% on the battery	28¢ each + 4.2% on the battery	28¢ each + 4.2% on the battery
9108.19.80	68¢ each + 5% on the battery	64¢ each + 4.7% on the battery	61¢ each + 4.5% on the battery	57¢ each + 4.2% on the battery	53¢ each + 3.9% on the battery	53¢ each + 3.9% on the battery	53¢ each + 3.9% on the battery	53¢ each + 3.9% on the battery	53¢ each + 3.9% on the battery	53¢ each + 3.9% on the battery
9108.20.40	$1.72 each	$1.29 each	86¢ each	43¢ each	Free	Free	Free	Free	Free	Free
9108.20.80	$1.72 each	$1.29 each	86¢ each	43¢ each	Free	Free	Free	Free	Free	Free
9108.91.10	35¢ each	33¢ each	32¢ each	30¢ each	29¢ each	29¢ each	29¢ each	29¢ each	29¢ each	29¢ each
9108.91.20	69¢ each	66¢ each	63¢ each	60¢ each	57¢ each	57¢ each	57¢ each	57¢ each	57¢ each	57¢ each
9108.91.30	$2.59 each	$2.48 each	$2.38 each	$2.27 each	$2.16 each	$2.16 each	$2.16 each	$2.16 each	$2.16 each	$2.16 each
9108.91.40	$2.16 each	$2.07 each	$1.98 each	$1.89 each	$1.80 each	$1.80 each	$1.80 each	$1.80 each	$1.80 each	$1.80 each
9108.91.50	$1.08 each	$1.03 each	99¢ each	94¢ each	90¢ each	90¢ each	90¢ each	90¢ each	90¢ each	90¢ each
9108.91.60	$2.02 each	$1.89 each	$1.76 each	$1.63 each	$1.50 each	$1.50 each	$1.50 each	$1.50 each	$1.50 each	$1.50 each
9108.99.20	34¢ each	32¢ each	29¢ each	27¢ each	25¢ each	25¢ each	25¢ each	25¢ each	25¢ each	25¢ each
9108.99.40	$1.73 each	$1.66 each	$1.58 each	$1.51 each	$1.44 each	$1.44 each	$1.44 each	$1.44 each	$1.44 each	$1.44 each
9108.99.60	90¢ each	67¢ each	45¢ each	22¢ each	Free	Free	Free	Free	Free	Free
9108.99.80	$2.06 each	$1.98 each	$1.89 each	$1.81 each	$1.72 each	$1.72 each	$1.72 each	$1.72 each	$1.72 each	$1.72 each
9109.11.40	13.5¢ each + 5.8% on the movement + 4.8% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	10.5¢ each + 4.5% on the movement + 3.7% on the battery	9¢ each + 3.8% on the movement + 3.1% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery	7.5¢ each + 3.2% on the movement + 2.6% on the battery

Section D (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9109.11.60	40¢ each + 5.8% on the movement + 4.8% on the battery	36¢ each + 5.1% on the movement + 4.2% on the battery	31¢ each + 4.5% on the movement + 3.7% on the battery	27¢ each + 3.8% on the movement + 3.1% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery	22¢ each + 3.2% on the movement + 2.6% on the battery
9109.19.20	28¢ each + 4.9% on the battery	26¢ each + 4.6% on the battery	24¢ each + 4.2% on the battery	22¢ each + 3.9% on the battery	20¢ each + 3.5% on the battery	20¢ each + 3.5% on the battery	20¢ each + 3.5% on the battery	20¢ each + 3.5% on the battery	20¢ each + 3.5% on the battery	20¢ each + 3.5% on the battery
9109.19.40	14¢ each + 6.1% on the movement + 5.1% on the battery	14¢ each + 5.9% on the movement + 4.9% on the battery	13¢ each + 5.6% on the movement + 4.6% on the battery	13¢ each + 5.4% on the movement + 4.4% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery	12¢ each + 5.1% on the movement + 4.2% on the battery
9109.19.60	42¢ each + 6% on the movement + 4.9% on the battery	39¢ each + 5.6% on the movement + 4.6% on the battery	36¢ each + 5.1% on the movement + 4.2% on the battery	33¢ each + 4.7% on the movement + 3.9% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery	30¢ each + 4.3% on the movement + 3.5% on the battery
9109.90.20	28¢ each	26¢ each	24¢ each	22¢ each	20¢ each	20¢ each	20¢ each	20¢ each	20¢ each	20¢ each
9109.90.60	42¢ each + 6%	39¢ each + 5.6%	36¢ each + 5.1%	33¢ each + 4.7%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%	30¢ each + 4.3%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9110.90.40	6% + 2.3¢/jewel + 0.3¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	5.6% + 2.2¢/jewel + 0.3¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	5.1% + 2¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.7% + 1.9¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	4.3% + 1.7¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement
9110.90.60	6%	5.5%	5.1%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9111.10.00	14¢ each + 5.8%	14¢ each + 5.5%	13¢ each + 5.3%	13¢ each + 5%	12¢ each + 4.8%	12¢ each + 4.8%	12¢ each + 4.8%	12¢ each + 4.8%	12¢ each + 4.8%	12¢ each + 4.8%
9111.20.20	7.8¢ each + 5.9%	7.6¢ each + 5.8%	7.4¢ each + 5.6%	7.2¢ each + 5.5%	7¢ each + 5.4%	7¢ each + 5.4%	7¢ each + 5.4%	7¢ each + 5.4%	7¢ each + 5.4%	7¢ each + 5.4%
9111.20.40	3.9¢ each + 8.3%	3.8¢ each + 8.1%	3.8¢ each + 8%	3.7¢ each + 7.8%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%
9111.80.00	3.9¢ each + 8.3%	3.8¢ each + 8.1%	3.8¢ each + 8%	3.7¢ each + 7.8%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%	3.6¢ each + 7.6%
9111.90.40	7.7%	7.4%	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
9111.90.50	1.9¢ each + 8.2%	1.8¢ each + 7.8%	1.8¢ each + 7.5%	1.7¢ each + 7.1%	1.6¢ each + 6.8%	1.6¢ each + 6.8%	1.6¢ each + 6.8%	1.6¢ each + 6.8%	1.6¢ each + 6.8%	1.6¢ each + 6.8%
9111.90.70	7.8%	7.4%	7.1%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
9112.10.00	6.2%	5.5%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9112.80.00	6.6%	6.3%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9112.90.00	6.6%	6.3%	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
9113.10.00	6.1%	5.7%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9113.20.20	13.4%	12.9%	12.3%	11.8%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2
9113.20.40	13.4%	12.9%	12.3%	11.8%	11.2%	11.2%	11.2%	11.2%	11.2%	11.2%
9113.20.60	10.6%	10.1%	9.7%	9.2%	8.8%	8.8%	8.8%	8.8%	8.8%	8.8%
9113.20.90	10.6%	10.1%	9.7%	9.2%	8.8%	8.8%	8.8%	8.8%	8.8%	8.8%
9113.90.40	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
9113.90.80	2.6%	2.4%	2.2%	2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9114.10.40	10.3%	9.5%	8.8%	8%	7.3%	7.3%	7.3%	7.3%	7.3%	7.3%
9114.10.80	6%	5.5%	5.1%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9114.30.40	0.5¢ each + 8.6%	0.5¢ each + 8.3%	0.4¢ each + 7.9%	0.4¢ each + 7.6%	0.4¢ each + 7.2%	0.4¢ each + 7.2%	0.4¢ each + 7.2%	0.4¢ each + 7.2%	0.4¢ each + 7.2%	0.4¢ each + 7.2%
9114.30.80	6.2%	5.7%	5.3%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
9114.40.20	17¢ each	16¢ each	14¢ each	13¢ each	12¢ each	12¢ each	12¢ each	12¢ each	12¢ each	12¢ each
9114.40.40	14¢ each	13¢ each	12¢ each	11¢ each	10¢ each	10¢ each	10¢ each	10¢ each	10¢ each	10¢ each
9114.40.60	10.3%	9.5%	8.8%	8%	7.3%	7.3%	7.3%	7.3%	7.3%	7.3%
9114.40.80	6%	5.5%	5.1%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9114.90.15	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%

99-194 O - 95 - 23 : QL 3 Part 2

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9114.90.30	6.3% + 2.5¢/jewel + 0.3¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6.2% + 2.4¢/jewel + 0.3¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6.2% + 2.4¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6.1% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement	6% + 2.3¢/jewel + 0.2¢ for each other piece or part, but if consisting in part of a plate or a set of plates the total duty shall not exceed the duty for the complete movement
9114.90.40	10.6%	10.1%	9.7%	9.2%	8.8%	8.8%	8.8%	8.8%	8.8%	8.8%
9114.90.50	6%	5.5%	5.1%	4.6%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9201.10.00	5.2%	5.1%	4.9%	4.8%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
9201.20.00	5.2%	5.1%	4.9%	4.8%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
9201.90.00	4.9%	4.6%	4.2%	3.9%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9202.10.00	4.6%	4.2%	3.9%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%	3.2%
9202.90.20	6.3%	5.9%	5.4%	5%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9202.90.40	12.1%	11.3%	10.4%	9.6%	8.7%	8.7%	8.7%	8.7%	8.7%	8.7%
9202.90.60	6.5%	6%	5.6%	5.1%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
9203.00.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9204.10.40	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9204.10.80	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9204.20.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9205.10.00	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9205.90.60	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9206.00.60	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9207.10.00	6.5%	6.2%	6%	5.7%	5.4%	5.4%	5.4%	5.4%	5.4%	5.4%
9207.90.00	6.4%	6.1%	5.7%	5.4%	5%	5%	5%	5%	5%	5%
9209.10.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9209.20.00	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
9209.30.00	3.8%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9209.91.40	8¢/1,000 pins + 2.8%	6¢/1,000 pins + 2.1%	4¢/1,000 pins + 1.4%	2¢/1,000 pins + 0.7%	Free	Free	Free	Free	Free	Free
9209.91.80	5.1%	4.9%	4.6%	4.4%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9209.92.20	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9209.92.60	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9209.92.80	6.2%	5.8%	5.4%	5%	4.6%	4.6%	4.6%	4.6%	4.6%	4.6%
9209.93.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9209.94.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9209.99.40	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9209.99.60	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
9301.00.60	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9301.00.90	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9302.00.00	24¢ each + 5.4%	22¢ each + 4.8%	19¢ each + 4.2%	17¢ each + 3.6%	14¢ each + 3%	14¢ each + 3%	14¢ each + 3%	14¢ each + 3%	14¢ each + 3%	14¢ each + 3%
9303.20.00	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9303.30.40	6.8% on the value of the rifle + 18% on the value of the telescopic sight, if any	6% on the value of the rifle + 16% on the value of the telescopic sight, if any	5.3% on the value of the rifle + 14% on the value of the telescopic sight, if any	4.5% on the value of the rifle + 12% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any	3.8% on the value of the rifle + 10% on the value of the telescopic sight, if any

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9303.30.80	4.4% on the value of the rifle + 18.6% on the value of the telescopic sight, if any	4.1% on the value of the rifle + 17.2% on the value of the telescopic sight, if any	3.7% on the value of the rifle + 15.8% on the value of the telescopic sight, if any	3.4% on the value of the rifle + 14.4% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any	3.1% on the value of the rifle + 13% on the value of the telescopic sight, if any
9303.90.40	7.6%	6.7%	5.9%	5%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9303.90.80	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9304.00.20	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9304.00.40	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.10.20	7.6%	6.7%	5.9%	5%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9305.10.40	7.6%	6.7%	5.9%	5%	4.2%	4.2%	4.2%	4.2%	4.2%	4.2%
9305.10.80	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.21.80	1.8%	1.4%	0.9%	0.5%	Free	Free	Free	Free	Free	Free
9305.29.10	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
9305.29.20	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9305.29.40	6.3%	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9305.29.50	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.90.10	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.90.20	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9305.90.30	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.90.40	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9305.90.50	7%	6.2%	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9305.90.60	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9306.10.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
9306.21.00	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
9306.29.00	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9306.30.40	4%	3%	2%	1%	Free	Free	Free	Free	Free	Free
9306.30.80	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9306.90.00	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9307.00.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9401.10.40	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.10.80	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.20.00	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9401.30.40	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9401.30.80	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.40.00	2.6%	1.9%	1.3%	0.6%	Free	Free	Free	Free	Free	Free
9401.61.20	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9401.61.40	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9401.61.60	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9401.69.20	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9401.69.40	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9401.69.60	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9401.69.80	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9401.71.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.79.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.80.20	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
9401.80.40	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9401.80.60	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9401.90.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9401.90.15	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9401.90.35	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9401.90.40	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9401.90.50	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9402.10.00	3.1%	2.3%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9402.90.00	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9403.10.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9403.20.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9403.30.40	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free

Annex (con.)
-633-

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9403.30.80	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.40.40	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9403.40.60	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9403.40.90	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.50.40	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9403.50.60	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9403.50.90	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.60.40	5.3%	4%	2.6%	1.3%	Free	Free	Free	Free	Free	Free
9403.60.80	2%	1.5%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.70.40	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
9403.70.80	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.80.60	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9403.90.10	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9403.90.40	4.8%	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free	Free
9403.90.50	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9403.90.60	5.6%	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free	Free
9403.90.70	4.2%	3.2%	2.1%	1.1%	Free	Free	Free	Free	Free	Free
9403.90.80	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9404.10.00	3.2%	2.4%	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9404.21.00	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
9404.29.10	5.4%	4.8%	4.2%	3.6%	3%	3%	3%	3%	3%	3%
9404.90.10	5.9%	5.9%	5.8%	5.7%	5.6%	5.6%	5.5%	5.4%	5.4%	5.3%
9404.90.80	4.9%	4.9%	4.8%	4.8%	4.7%	4.6%	4.6%	4.5%	4.5%	4.4%
9404.90.85	14.3%	14.2%	14%	13.8%	13.6%	13.5%	13.3%	13.1%	13%	12.8%
9404.90.95	13.8%	13.1%	12.3%	11.6%	10.9%	10.2%	9.5%	8.7%	8%	7.3%
9405.10.40	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9405.20.60	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9405.40.40	5.5%	5.3%	5.1%	4.9%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
9405.40.60	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9405.50.20	3.5%	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9405.50.40	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9405.60.40	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9405.91.10	13.6%	13.2%	12.8%	12.4%	12%	12%	12%	12%	12%	12%
9405.91.30	13.6%	13.2%	12.8%	12.4%	12%	12%	12%	12%	12%	12%
9405.91.40	13.5%	12%	10.5%	9%	7.5%	7.5%	7.5%	7.5%	7.5%	7.5%
9405.91.60	6.1%	5.7%	5.3%	4.9%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9405.92.00	5%	4.7%	4.3%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
9405.99.20	5.3%	5%	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9405.99.40	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9406.00.40	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9406.00.80	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9506.11.20	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9506.11.40	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9506.11.60	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9506.12.40	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9506.12.80	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9506.19.40	2.8%	2.1%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9506.19.80	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9506.21.40	1.2%	0.9%	0.6%	0.3%	Free	Free	Free	Free	Free	Free
9506.21.80	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9506.29.00	3.7%	2.8%	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9506.31.00	4.8%	4.7%	4.6%	4.5%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
9506.32.00	1.9%	1.4%	1%	0.5%	Free	Free	Free	Free	Free	Free
9506.59.80	4.5%	4.4%	4.3%	4.1%	4%	4%	4%	4%	4%	4%
9506.61.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9506.69.20	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9506.69.40	7.3%	6.8%	6.4%	5.9%	5.4%	5.4%	5.4%	5.4%	5.4%	5.4%
9506.70.40	5.2%	4.6%	4.1%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9506.70.60	1.6%	1.2%	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9506.99.05	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9506.99.08	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9506.99.15	2.4%	1.8%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9506.99.20	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9506.99.45	5%	4.4%	3.9%	3.3%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9506.99.50	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9506.99.60	4.5%	4.4%	4.3%	4.1%	4%	4%	4%	4%	4%	4%
9507.10.00	7.3%	7%	6.6%	6.3%	6%	6%	6%	6%	6%	6%
9507.20.40	4.8%	4.6%	4.4%	4.2%	4%	4%	4%	4%	4%	4%
9507.20.80	5.8%	5.5%	5.3%	5%	4.3%	4.8%	4.8%	4.8%	4.8%	4.8%
9507.30.40	29¢ each	28¢ each	26¢ each	25¢ each	24¢ each	24¢ each	24¢ each	24¢ each	24¢ each	24¢ each
9507.30.60	4.7%	4.5%	4.3%	4.1%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9507.90.20	5.1%	4.7%	4.4%	4%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
9507.90.40	6.7%	6.4%	6.2%	5.9%	5.6%	5.6%	5.6%	5.6%	5.6%	5.6%
9508.00.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
9601.10.00	3.4%	2.5%	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9601.90.20	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9602.00.10	4%	3.7%	3.5%	3.2%	3%	3%	3%	3%	3%	3%
9602.00.40	2.4%	2.2%	2.1%	1.9%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
9602.00.50	3.5%	3.3%	3.1%	2.9%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9603.10.15	10.6¢ each	9.2¢ each	7.8¢ each	6.4¢ each	5¢ each	5¢ each	5¢ each	5¢ each	5¢ each	5¢ each
9603.10.35	28.4%	24.8%	21.2%	17.6%	14%	14%	14%	14%	14%	14%
9603.21.00	0.2¢ each + 2.7%	0.1¢ each + 2%	0.1¢ each + 1.4%	0.7%	Free	Free	Free	Free	Free	Free
9603.30.20	4.6%	4.1%	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9603.30.40	0.2¢ each	0.2¢ each	0.1¢ each	0.1¢ each	Free	Free	Free	Free	Free	Free
9603.30.60	2.5%	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
9603.50.00	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9603.90.40	2.2%	1.7%	1.1%	0.6%	Free	Free	Free	Free	Free	Free
9603.90.80	5%	4.5%	3.9%	3.4%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
9606.10.40	6.2%	5.5%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9606.10.80	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9606.21.20	3.9%	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
9606.21.40	0.4¢/line/ gross + 6%	0.4¢/line/ gross + 5.7%	0.3¢/line/ gross + 5.3%	0.3¢/line/ gross + 5%	0.3¢/line/ gross + 4.6%	0.3¢/line/ gross + 4.6%	0.3¢/line/ gross + 4.6%	0.3¢/line/ gross + 4.6%	0.3¢/line/ gross + 4.6%	0.3¢/line/ gross + 4.6%
9606.21.60	5.5%	5.3%	5.1%	4.9%	4.7%	4.7%	4.7%	4.7%	4.7%	4.7%
9606.22.00	2.9%	2.2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9606.29.20	0.4¢/line/ gross + 6%	0.4¢/line/ gross + 5.6%	0.3¢/line/ gross + 5.3%	0.3¢/line/ gross + 4.9%	0.3¢/line/ gross + 4.5%	0.3¢/line/ gross + 4.5%	0.3¢/line/ gross + 4.5%	0.3¢/line/ gross + 4.5%	0.3¢/line/ gross + 4.5%	0.3¢/line/ gross + 4.5%
9606.29.40	0.32¢/line/ gross + 4.5%	0.28¢/line/ gross + 4%	0.25¢/line/ gross + 3.5%	0.21¢/line/ gross + 3%	0.18¢/line/ gross + 2.5%	0.18¢/line/ gross + 2.5%	0.18¢/line/ gross + 2.5%	0.18¢/line/ gross + 2.5%	0.18¢/line/ gross + 2.5%	0.18¢/line/ gross + 2.5%
9606.29.60	5.1%	4.6%	4%	3.5%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
9606.30.80	10.3%	9.2%	8.2%	7.1%	6%	6%	6%	6%	6%	6%
9607.11.00	14%	13%	12%	11%	10%	10%	10%	10%	10%	10%
9607.19.00	14.6%	14.2%	13.8%	13.4%	13%	13%	13%	13%	13%	13%
9607.20.00	20.7%	18.4%	16.1%	13.8%	11.5%	11.5%	11.5%	11.5%	11.5%	11.5%
9608.20.00	7.2%	6.4%	5.6%	4.8%	4%	4%	4%	4%	4%	4%
9608.31.00	0.7¢ each + 4.9%	0.6¢ each + 4.3%	0.6¢ each + 3.8%	0.5¢ each + 3.2%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%
9608.39.00	0.7¢ each + 4.9%	0.6¢ each + 4.3%	0.6¢ each + 3.8%	0.5¢ each + 3.2%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%
9608.40.80	2.7%	2%	1.4%	0.7%	Free	Free	Free	Free	Free	Free
9608.60.00	0.7¢ each + 4.9%	0.6¢ each + 4.3%	0.6¢ each + 3.8%	0.5¢ each + 3.2%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%
9608.99.20	0.7¢ each + 4.9%	0.6¢ each + 4.3%	0.6¢ each + 3.8%	0.5¢ each + 3.2%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%	0.4¢ each + 2.7%
9608.99.30	36¢/ thousand + 6.3%	32¢/ thousand + 5.6%	28¢/ thousand + 4.9%	24¢/ thousand + 4.2%	20¢/ thousand + 3.5%	20¢/ thousand + 3.5%	20¢/ thousand + 3.5%	20¢/ thousand + 3.5%	20¢/ thousand + 3.5%	20¢/ thousand + 3.5%
9608.99.40	0.7¢ each + 4.9%	0.5¢ each + 3.7%	0.4¢ each + 2.4%	0.2¢ each + 1.2%	Free	Free	Free	Free	Free	Free

Section D. (continued)

(1) (con.)

HTS Provision	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
9608.99.60	3%	2.3%	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9609.20.40	0.4¢/gross	0.3¢/gross	0.2¢/gross	0.1¢/gross	Free	Free	Free	Free	Free	Free
9609.90.80	4.4¢/gross + 2.7%	3.3¢/gross + 2%	2.2¢/gross + 1.4%	1.1¢/gross + 0.7%	Free	Free	Free	Free	Free	Free
9610.00.00	4.8%	4.5%	4.1%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9611.00.00	4.8%	4.3%	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
9612.10.10	3.8%	2.9%	1.9%	1%	Free	Free	Free	Free	Free	Free
9612.10.90	8.9%	8.8%	8.7%	8.6%	8.4%	8.3%	8.2%	8.1%	8%	7.9%
9612.20.00	6.3%	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9613.10.00	9.6%	9.2%	8.8%	8.4%	8%	8%	8%	8%	8%	8%
9613.80.40	6.5%	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
9613.80.60	9.6%	9.2%	8.8%	8.4%	8%	8%	8%	8%	8%	8%
9613.90.80	9.6%	9.2%	8.8%	8.4%	8%	8%	8%	8%	8%	8%
9614.20.40	0.5¢ each + 3.8%	0.5¢ each + 3.7%	0.4¢ each + 3.5%	0.4¢ each + 3.4%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%
9614.20.60	3.6%	3.4%	3.3%	3.1%	3%	3%	3%	3%	3%	3%
9614.20.80	0.5¢ each + 5.8%	0.4¢ each + 5.1%	0.4¢ each + 4.5%	0.3¢ each + 3.8%	0.3¢ each + 3.2%	0.3¢ each + 3.2%	0.3¢ each + 3.2%	0.3¢ each + 3.2%	0.3¢ each + 3.2%	0.3¢ each + 3.2%
9615.11.20	7.3%	6.8%	6.2%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
9615.11.50	8.8%	6.6%	4.4%	2.2%	Free	Free	Free	Free	Free	Free
9615.19.20	13.5¢/gross + 1.9%	12.5¢/gross + 1.7%	11.6¢/gross + 1.6%	10.6¢/gross + 1.4%	9.7¢/gross + 1.3%	9.7¢/gross + 1.3%	9.7¢/gross + 1.3%	9.7¢/gross + 1.3%	9.7¢/gross + 1.3%	9.7¢/gross + 1.3%
9616.10.00	3%	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
9616.20.00	7.7%	6.8%	6%	5.1%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
9617.00.10	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
9617.00.30	8.3%	8%	7.6%	7.3%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%
9617.00.40	8.3%	8%	7.6%	7.3%	6.9%	6.9%	6.9%	6.9%	6.9%	6.9%
9617.00.60	8.6%	8.3%	7.9%	7.6%	7.2%	7.2%	7.2%	7.2%	7.2%	7.2%
9618.00.00	5.9%	5.5%	5.2%	4.8%	4.4%	4.4%	4.4%	4.4%	4.4%	4.4%
9907.29.04	6.8%	6.8%	6.7%	6.7%	6.7%	6.6%	6.6%	6.6%	6.5%	6.5%
9907.48.02	3.5%	3.1%	2.7%	2.3%	1.9%	1.6%	1.2%	0.8%	0.4%	Free

Section D. (continued)

(2) On or after January 1 of the following years, the rate of duty provided for in additional U.S. note 1 to chapter 58 as the "column 1 (general)" rate of duty shall be modified (i) by deleting the rate of duty provided for such column 1 (general) and inserting the rate of duty specified in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty specified for the column 1 (general) are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
7.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	6.7%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5.9%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	4.2%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	3.4%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	2.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	1.7%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	0.8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	Free, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered

Section D. (continued)

(3) On or after January 1 of the following years, the rate of duty provided for in additional U.S. note 2 and additional U.S. note 5 to chapter 58 as the "column 1 (general)" rate of duty shall be modified (i) by deleting the rate of duty provided for such column 1 (general) and inserting the rate of duty specified in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty specified for the column 1 (general) are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.1%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	6.7%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	6.3%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5.9%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	4.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	4.2%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered

Section D. (continued)

(4) On or after January 1 of the following years, the rate of duty provided for in additional U.S. note 3 and additional U.S. note 4 to chapter 58 as the "column 1 (general)" rate of duty shall be modified (i) by deleting the rate of duty provided for such column 1 (general) and inserting the rate of duty specified in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty specified for the column 1 (general) are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
8.3%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	8.2%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	8.1%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.9%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.7%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	7.4%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered

Section D. (continued)

(5). For each of the following subheadings, the Additional Duties column is modified (i) by deleting the rate of duty in such column and inserting, on January 1, the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Additional Duties column are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1995	1996	1997	1998	1999	2000
9904.02.36	110.1%	109.8%	109.6%	109.3%	109.1%	108.8%
9904.02.37	10.1%	9.8%	9.6%	9.3%	9.1%	8.8%
9904.02.60	1.1¢/kg	1¢/kg	1¢/kg	1¢/kg	1¢/kg	0.9¢/kg
9904.04.08	29.5¢/ liter	28.8¢/ liter	28¢/ liter	27.2¢/ liter	26.5¢/ liter	25.7¢/ liter
9904.04.20	62.9¢/kg	61.3¢/kg	59.7¢/kg	58.1¢/kg	56.5¢/kg	54.9¢/kg
9904.04.21	58.9¢/kg	57.4¢/kg	55.9¢/kg	54.4¢/kg	52.9¢/kg	51.4¢/kg
9904.04.30	33.1¢/kg	32.2¢/kg	31.4¢/kg	30.5¢/kg	29.7¢/kg	28.8¢/kg
9904.04.39	41.8¢/kg	40.7¢/kg	39.6¢/kg	38.5¢/kg	37.5¢/kg	36.4¢/kg
9904.04.49	59.5¢/kg	58¢/kg	56.5¢/kg	54.9¢/kg	53.4¢/kg	51.9¢/kg
9904.04.83	42.2¢/kg + 5.7%	41.1¢/kg + 5.5%	40.1¢/kg + 5.4%	39¢/kg + 5.3%	37.9¢/kg + 5.1%	36.8¢/kg + 5%
9904.04.84	17.7¢/kg + 5.7%	17.3¢/kg + 5.5%	16.8¢/kg + 5.4%	16.3¢/kg + 5.3%	15.9¢/kg + 5.1%	15.4¢/kg + 5%
9904.04.85	39.6¢/kg + 6.5%	38.5¢/kg + 6.3%	37.5¢/kg + 6.2%	36.5¢/kg + 6%	35.5¢/kg + 5.8%	34.5¢/kg + 5.7%
9904.04.86	39.6¢/kg + 3.3%	38.5¢/kg + 3.2%	37.5¢/kg + 3.1%	36.5¢/kg + 3%	35.5¢/kg + 2.9%	34.5¢/kg + 2.8%
9904.04.87	45.5¢/kg + 3.3%	44.3¢/kg + 3.2%	43.1¢/kg + 3.1%	42¢/kg + 3%	40.8¢/kg + 2.9%	39.6¢/kg + 2.8%
9904.04.88	13.1¢/kg	12.7¢/kg	12.4¢/kg	12.1¢/kg	11.7¢/kg	11.4¢/kg
9904.04.89	15.4¢/kg + 4%	15¢/kg + 3.9%	14.6¢/kg + 3.8%	14.2¢/kg + 3.7%	13.7¢/kg + 3.6%	13.3¢/kg + 3.5%
9904.04.90	14.2¢/kg + 3.3%	13.9¢/kg + 3.2%	13.5¢/kg + 3.1%	13.1¢/kg + 3%	12.8¢/kg + 2.9%	12.4¢/kg + 2.8%
9904.04.91	20.2¢/kg + 3.3%	19.7¢/kg + 3.2%	19.1¢/kg + 3.1%	18.6¢/kg + 3%	18.1¢/kg + 2.9%	17.6¢/kg + 2.8%
9904.04.92	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.04.93	20.2¢/kg + 2.3%	19.7¢/kg + 2.2%	19.1¢/kg + 2.2%	18.6¢/kg + 2.1%	18.1¢/kg + 2.1%	17.6¢/kg + 2%

Section D. (continued)

(5). (con.)

HTS Subheading	1995	1996	1997	1998	1999	2000
9904.04.94	39.6¢/kg + 5.7%	38.5¢/kg + 5.5%	37.5¢/kg + 5.4%	36.5¢/kg + 5.3%	35.5¢/kg + 5.1%	34.5¢/kg + 5%
9904.04.95	16.2¢/kg + 3.3%	15.8¢/kg + 3.2%	15.3¢/kg + 3.1%	14.9¢/kg + 3%	14.5¢/kg + 2.9%	14.1¢/kg + 2.8%
9904.04.96	39.6¢/kg + 5.2%	38.5¢/kg + 5.1%	37.5¢/kg + 4.9%	36.5¢/kg + 4.8%	35.5¢/kg + 4.7%	34.5¢/kg + 4.5%
9904.04.97	19.2¢/kg + 6.5%	18.7¢/kg + 6.3%	18.2¢/kg + 6.2%	17.7¢/kg + 6%	17.2¢/kg + 5.8%	16.7¢/kg + 5.7%
9904.04.98	33¢/kg	32.1¢/kg	31.3¢/kg	30.4¢/kg	29.6¢/kg	28.7¢/kg
9904.04.99	26.9¢/kg + 3.3%	26.2¢/kg + 3.2%	25.5¢/kg + 3.1%	24.8¢/kg + 3%	24.2¢/kg + 2.9%	23.5¢/kg + 2.8%
9904.05.00	11¢/kg + 3.3%	10.7¢/kg + 3.2%	10.5¢/kg + 3.1%	10.2¢/kg + 3%	9.9¢/kg + 2.9%	9.6¢/kg + 2.8%
9904.05.01	9¢/kg + 5.7%	8.7¢/kg + 5.5%	8.5¢/kg + 5.4%	8.3¢/kg + 5.3%	8.1¢/kg + 5.1%	7.8¢/kg + 5%
9904.05.18	12¢/kg	11.7¢/kg	11.4¢/kg	11¢/kg	10.7¢/kg	10.4¢/kg
9904.05.19	19¢/kg	18.5¢/kg	18¢/kg	17.5¢/kg	17¢/kg	16.5¢/kg
9904.05.36	33.3¢/kg	32.6¢/kg	31.8¢/kg	30.9¢/kg	30.1¢/kg	29.2¢/kg
9904.05.46	71.3¢/kg + 3.3%	69.5¢/kg + 3.2%	67.7¢/kg + 3.1%	65.8¢/kg + 3%	64¢/kg + 2.9%	62.2¢/kg + 2.8%
9904.05.47	76.3¢/kg	74.4¢/kg	72.4¢/kg	70.4¢/kg	68.5¢/kg	66.5¢/kg
9904.05.58	86.8¢/kg	84.5¢/kg	82.3¢/kg	80.1¢/kg	77.9¢/kg	75.6¢/kg
9904.05.73	46.9¢/kg	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
9904.05.82	40.3¢/kg	39.3¢/kg	38.3¢/kg	37.2¢/kg	36.2¢/kg	35.2¢/kg
9904.05.94	68.9¢/kg	67.2¢/kg	65.4¢/kg	63.6¢/kg	61.9¢/kg	60.1¢/kg
9904.06.05	82.1¢/kg	80¢/kg	77.9¢/kg	75.7¢/kg	73.6¢/kg	71.5¢/kg
9904.06.18	71.8¢/kg	69.9¢/kg	68.1¢/kg	66.2¢/kg	64.4¢/kg	62.6¢/kg
9904.06.28	53¢/kg	51.6¢/kg	50.3¢/kg	48.9¢/kg	47.6¢/kg	46.2¢/kg
9904.06.37	43.2¢/kg	42¢/kg	40.9¢/kg	39.8¢/kg	38.7¢/kg	37.6¢/kg
9904.06.49	57.7¢/kg	56.2¢/kg	54.7¢/kg	53.3¢/kg	51.8¢/kg	50.3¢/kg
9904.12.18	62.6%	61%	59.4%	57.8%	56.2%	54.6%
9904.12.19	50.4%	49.1%	47.8%	46.5%	45.2%	43.9%
9904.17.07	13¢/kg	12.6¢/kg	12.3¢/kg	12¢/kg	11.6¢/kg	11.3¢/kg
9904.17.16	13.7¢/kg	13.3¢/kg	13¢/kg	12.6¢/kg	12.3¢/kg	11.9¢/kg
9904.17.39	13¢/kg + 1.9%	12.6¢/kg + 1.9%	12.3¢/kg + 1.9%	12¢/kg + 1.8%	11.6¢/kg + 1.7%	11.3¢/kg +1.7%
9904.17.40	15.4¢/kg + 4%	15¢/kg + 3.9%	14.6¢/kg + 3.8%	14.2¢/kg + 3.7%	13.7¢/kg + 3.6%	13.3¢/kg + 3.5%
9904.17.41	12.8¢/kg	12.5¢/kg	12.2¢/kg	11.9¢/kg	11.5¢/kg	11.2¢/kg

Annex (con.)
-643-

Section D. (continued)

(5). (con.)

HTS Subheading	1995	1996	1997	1998	1999	2000
9904.17.42	11.7¢/kg + 3.3%	11.4¢/kg + 3.2%	11.1¢/kg + 3.1%	10.8¢/kg + 3%	10.5¢/kg + 2.9%	10.2¢/kg + 2.8%
9904.17.43	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.17.44	16.2¢/kg + 3.3%	15.8¢/kg + 3.2%	15.3¢/kg + 3.1%	14.9¢/kg + 3%	14.5¢/kg + 2.9%	14.1¢/kg + 2.8%
9904.17.45	9.1¢/kg + 3.3%	8.8¢/kg + 3.2%	8.6¢/kg + 3.1%	8.4¢/kg + 3%	8.1¢/kg + 2.9%	7.9¢/kg + 2.8%
9904.17.46	11.7¢/kg + 3.3%	11.4¢/kg + 3.2%	11.1¢/kg + 3.1%	10.8¢/kg + 3%	10.5¢/kg + 2.9%	10.2¢/kg + 2.8%
9904.17.47	26.9¢/kg + 3.3%	26.2¢/kg + 3.2%	25.5¢/kg + 3.1%	24.8¢/kg + 3%	24.2¢/kg + 2.9%	23.5¢/kg + 2.8%
9904.17.48	11¢/kg + + 3.3%	10.7¢/kg + 3.2%	10.5¢/kg + 3.1%	10.2¢/kg + 3%	9.9¢/kg + 2.9%	9.6¢/kg + 2.8%
9904.17.57	13¢/kg + 1.9%	12.6¢/kg + 1.9%	12.3¢/kg + 1.9%	12¢/kg + 1.8%	11.6¢/kg + 1.7%	11.3¢/kg +1.7%
9904.17.58	15.4¢/kg + 4%	15¢/kg + 3.9%	14.6¢/kg + 3.8%	14.2¢/kg + 3.7%	13.7¢/kg + 3.6%	13.3¢/kg + 3.5%
9904.17.59	11.7¢/kg + 3.3%	11.4¢/kg + 3.2%	11.1¢/kg + 3.1%	10.8¢/kg + 3%	10.5¢/kg + 2.9%	10.2¢/kg + 2.8%
9904.17.60	14.2¢/kg + 3.3%	13.9¢/kg + 3.2%	13.5¢/kg + 3.1%	13.1¢/kg + 3%	12.8¢/kg + 2.9%	12.4¢/kg + 2.8%
9904.17.62	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.17.63	9.1¢/kg + 3.3%	8.8¢/kg + 3.2%	8.6¢/kg + 3.1%	8.4¢/kg + 3%	8.1¢/kg + 2.9%	7.9¢/kg + 2.8%
9904.17.64	26.9¢/kg + 3.3%	26.2¢/kg + 3.2%	25.5¢/kg + 3.1%	24.8¢/kg + 3%	24.2¢/kg + 2.9%	23.5¢/kg + 2.8%
9904.17.65	11¢/kg + + 3.3%	10.7¢/kg + 3.2%	10.5¢/kg + 3.1%	10.2¢/kg + 3%	9.9¢/kg + 2.9%	9.6¢/kg + 2.8%
9904.17.73	6.5¢/kg of total sugars + 1.9%	6.3¢/kg of total sugars + 1.9%	6.1¢/kg of total sugars + 1.9%	6¢/kg of total sugars + 1.8%	5.8¢/kg of total sugars + 1.7%	5.6¢/kg of total sugars + 1.7%
9904.17.74	6.5¢/kg of total sugars + 1.9%	6.3¢/kg of total sugars + 1.9%	6.1¢/kg of total sugars + 1.9%	6¢/kg of total sugars + 1.8%	5.8¢/kg of total sugars + 1.7%	5.6¢/kg of total sugars + 1.7%

Annex (con.)
-644-

Section D. (continued)

(5). (con.)

HTS Subheading	1995	1996	1997	1998	1999	2000
9904.17.75	13¢/kg of total sugars + 1.9%	12.6¢/kg of total sugars + 1.9%	12.3¢/kg of total sugars + 1.9%	12¢/kg of total sugars + 1.8%	11.6¢/kg of total sugars + 1.7%	11.3¢/kg of total sugars + 1.7%
9904.17.76	13¢/kg of total sugars + 1.9%	12.6¢/kg of total sugars + 1.9%	12.3¢/kg of total sugars + 1.9%	12¢/kg of total sugars + 1.8%	11.6¢/kg of total sugars + 1.7%	11.3¢/kg of total sugars + 1.7%
9904.17.77	13¢/kg of total sugars + 1.9%	12.6¢/kg of total sugars + 1.9%	12.3¢/kg of total sugars + 1.9%	12¢/kg of total sugars + 1.8%	11.6¢/kg of total sugars + 1.7%	11.3¢/kg of total sugars + 1.7%
9904.17.78	14.2¢/kg + 3.3%	13.9¢/kg + 3.2%	13.5¢/kg + 3.1%	13.1¢/kg + 3%	12.8¢/kg + 2.9%	12.4¢/kg + 2.8%
9904.17.80	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.17.81	11.7¢/kg + 3.3%	11.4¢/kg + 3.2%	11.1¢/kg + 3.1%	10.8¢/kg + 3%	10.5¢/kg + 2.9%	10.2¢/kg + 2.8%
9904.17.82	11.7¢/kg + 3.3%	11.4¢/kg + 3.2%	11.1¢/kg + 3.1%	10.8¢/kg + 3%	10.5¢/kg + 2.9%	10.2¢/kg + 2.8%
9904.17.83	26.9¢/kg + 3.3%	26.2¢/kg + 3.2%	25.5¢/kg + 3.1%	24.8¢/kg + 3%	24.2¢/kg + 2.9%	23.5¢/kg + 2.8%
9904.17.84	11¢/kg + + 3.3%	10.7¢/kg + 3.2%	10.5¢/kg + 3.1%	10.2¢/kg + 3%	9.9¢/kg + 2.9%	9.6¢/kg + 2.8%
9904.18.07	8.3¢/kg	8.1¢/kg	7.9¢/kg	7.7¢/kg	7.4¢/kg	7.2¢/kg
9904.18.08	12.8¢/kg	12.5¢/kg	12.2¢/kg	11.9¢/kg	11.5¢/kg	11.2¢/kg
9904.18.15	14.2¢/kg + 1.6%	13.9¢/kg + 1.6%	13.5¢/kg + 1.6%	13.1¢/kg + 1.5%	12.8¢/kg + 1.5%	12.4¢/kg + 1.4%
9904.18.16	20.2¢/kg + 1.6%	19.7¢/kg + 1.6%	19.1¢/kg + 1.6%	18.6¢/kg + 1.5%	18.1¢/kg + 1.5%	17.6¢/kg + 1.4%
9904.18.17	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.18.18	20.2¢/kg + 2.3%	19.7¢/kg + 2.2%	19.1¢/kg + 2.2%	18.6¢/kg + 2.1%	18.1¢/kg + 2.1%	17.6¢/kg + 2%
9904.18.25	14.2¢/kg + 1.6%	13.9¢/kg + 1.6%	13.5¢/kg + 1.6%	13.1¢/kg + 1.5%	12.8¢/kg + 1.5%	12.4¢/kg + 1.4%
9904.18.26	20.2¢/kg + 1.6%	19.7¢/kg + 1.6%	19.1¢/kg + 1.6%	18.6¢/kg + 1.5%	18.1¢/kg + 1.5%	17.6¢/kg + 1.4%
9904.18.27	14.2¢/kg + 3.3%	13.9¢/kg + 3.2%	13.5¢/kg + 3.1%	13.1¢/kg + 3%	12.8¢/kg + 2.9%	12.4¢/kg + 2.8%

Section D. (continued)

(5). (con.)

HTS Subheading	1995	1996	1997	1998	1999	2000
9904.18.28	20.2¢/kg + 3.3%	19.7¢/kg + 3.2%	19.1¢/kg + 3.1%	18.6¢/kg + 3%	18.1¢/kg + 2.9%	17.6¢/kg + 2.8%
9904.18.29	14.2¢/kg + 2.3%	13.9¢/kg + 2.2%	13.5¢/kg + 2.2%	13.1¢/kg + 2.1%	12.8¢/kg + 2.1%	12.4¢/kg + 2%
9904.18.30	20.2¢/kg + 2.3%	19.7¢/kg + 2.2%	19.1¢/kg + 2.2%	18.6¢/kg + 2.1%	18.1¢/kg + 2.1%	17.6¢/kg + 2%
9904.19.10	39.6¢/kg + 5.7%	38.5¢/kg + 5.5%	37.5¢/kg + 5.4%	36.5¢/kg + 5.3%	35.5¢/kg + 5.1%	34.5¢/kg + 5%
9904.19.19	16.2¢/kg + 3.3%	15.8¢/kg + 3.2%	15.3¢/kg + 3.1%	14.9¢/kg + 3%	14.5¢/kg + 2.9%	14.1¢/kg + 2.8%
9904.20.10	50.4%	49.1%	47.8%	46.5%	45.2%	43.9%
9904.21.09	11.7¢/kg + 2.4%	11.4¢/kg + 2.4%	11.1¢/kg + 2.3%	10.8¢/kg + 2.3%	10.5¢/kg + 2.2%	10.2¢/kg + 2.1%
9904.21.18	19.2¢/liter + 6.5%	18.7¢/liter + 6.3%	18.2¢/liter + 6.2%	17.7¢/liter + 6%	17.2¢/liter + 5.8%	16.7¢/liter + 5.7%
9904.23.09	30.7¢/kg + 2.4%	30¢/kg + 2.4%	29.2¢/kg + 2.3%	28.4¢/kg + 2.3%	27.6¢/kg + 2.2%	26.8¢/kg + 2.1%
9904.52.09	12¢/kg	11.7¢/kg	11.4¢/kg	11.1¢/kg	10.8¢/kg	10.5¢/kg
9904.52.16	12¢/kg	11.7¢/kg	11.4¢/kg	11.1¢/kg	10.8¢/kg	10.5¢/kg
9904.52.23	12¢/kg	11.7¢/kg	11.4¢/kg	11.1¢/kg	10.8¢/kg	10.5¢/kg
9904.52.34	12¢/kg	11.7¢/kg	11.4¢/kg	11.1¢/kg	10.8¢/kg	10.5¢/kg
9904.52.43	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.7¢/kg	2.6¢/kg
9904.52.50	12¢/kg	11.7¢/kg	11.4¢/kg	11.1¢/kg	10.8¢/kg	10.5¢/kg

Annex (con.)
-646-

Section D. (continued)

(6). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheadings	1996	1997	1998	1999	2000
8401.10.00	5.9%	5.2%	4.6%	3.9%	3.3%
8401.30.00	5.9%	5.2%	4.6%	3.9%	3.3%
8401.40.00	5.9%	5.2%	4.6%	3.9%	3.3%
8402.11.00	6.2%	6%	5.7%	5.5%	5.2%
8402.12.00	6.1%	5.6%	5.2%	4.7%	4.3%
8402.19.00	6.2%	6%	5.7%	5.5%	5.2%
8402.20.00	5.9%	5.2%	4.6%	3.9%	3.3%
8402.90.00	6.1%	5.6%	5.2%	4.7%	4.3%
8404.10.00	6.3%	5.6%	4.9%	4.2%	3.5%
8404.20.00	6.7%	6.4%	6.2%	5.9%	5.6%
8404.90.00	6.3%	5.6%	4.9%	4.2%	3.5%
8406.11.10	7.3%	7.2%	7%	6.9%	6.7%
8406.19.10	7.3%	7.2%	7%	6.9%	6.7%
8406.90.20	7.3%	7.2%	7%	6.9%	6.7%
8406.90.30	7.3%	7.2%	7%	6.9%	6.7%
8406.90.40	7.3%	7.2%	7%	6.9%	6.7%
8406.90.45	7.3%	7.2%	7%	6.9%	6.7%
8406.90.50	3.6%	2.7%	1.8%	0.9%	Free
8406.90.60	3.6%	2.7%	1.8%	0.9%	Free
8406.90.70	3.6%	2.7%	1.8%	0.9%	Free
8406.90.75	3.6%	2.7%	1.8%	0.9%	Free
8410.11.00	6.8%	6%	5.3%	4.5%	3.8%
8410.12.00	6.8%	6%	5.3%	4.5%	3.8%
8410.13.00	6.8%	6%	5.3%	4.5%	3.8%
8410.90.00	6.8%	6%	5.3%	4.5%	3.8%
8411.11.40	4%	3%	2%	1%	Free
8411.11.80	4%	3%	2%	1%	Free
8411.12.40	4%	3%	2%	1%	Free
8411.12.80	4%	3%	2%	1%	Free
8411.21.40	4%	3%	2%	1%	Free
8411.21.80	4%	3%	2%	1%	Free

Section D. (continued)

(6). (con.):

HTS Subheadings	1996	1997	1998	1999	2000
8411.22.40	4%	3%	2%	1%	Free
8411.22.80	4%	3%	2%	1%	Free
8411.81.40	4%	3%	2%	1%	Free
8411.81.80	4.5%	4%	3.5%	3%	2.5%
8411.82.40	4%	3%	2%	1%	Free
8411.82.80	4.5%	4%	3.5%	3%	2.5%
8412.10.00	4%	3%	2%	1%	Free
8504.21.00	1.9%	1.4%	1%	0.5%	Free
8504.22.00	1.9%	1.4%	1%	0.5%	Free
8504.23.00	2.2%	2.1%	1.9%	1.8%	1.6%
8504.90.60	2.9%	2.8%	2.6%	2.5%	2.4%
8504.90.90	2.9%	2.8%	2.6%	2.5%	2.4%
8535.10.00	4.8%	4.3%	3.7%	3.2%	2.7%
8535.21.00	4.8%	4.3%	3.7%	3.2%	2.7%
8535.29.00	4.6%	4%	3.3%	2.7%	2%
8535.30.00	4.8%	4.3%	3.7%	3.2%	2.7%
8535.40.00	4.8%	4.3%	3.7%	3.2%	2.7%
8535.90.40	4.8%	4.3%	3.7%	3.2%	2.7%
8535.90.80	4.8%	4.3%	3.7%	3.2%	2.7%

(7). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting the rate of duty specified for such subheading in the first column in the table below in lieu thereof, and (ii) for each of the subsequent columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the dates announced for each column in this table by the United States Trade Representative in the Federal Register, at any time after the United States Trade Representative has determined that other major countries provide adequate entity coverage under the Agreement on Government Procurement, entered into on April 15, 1994, or under another binding international agreement.

HTS Subheadings	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
8517.10.00	7.6%	6.8%	5.9%	5.1%	4.2%
8517.20.00	4.2%	3.7%	3.3%	2.8%	2.3%
8517.30.20	7.6%	6.8%	5.9%	5.1%	4.2%

Annex (con.)
-648-

Section D. (continued)

(7). (con.):

HTS Subheadings	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
8517.30.25	7.6%	6.8%	5.9%	5.1%	4.2%
8517.30.30	7.6%	6.8%	5.9%	5.1%	4.2%
8517.40.50	6.8%	5.1%	3.4%	1.7%	Free
8517.81.00	7.6%	6.8%	5.9%	5.1%	4.2%
8517.82.40	4.2%	3.7%	3.3%	2.8%	2.3%
8517.82.80	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.04	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.08	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.12	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.16	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.24	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.26	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.32	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.34	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.36	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.38	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.44	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.48	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.52	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.56	4.2%	3.7%	3.3%	2.8%	2.3%
8517.90.58	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.64	7.6%	6.8%	5.9%	5.1%	4.2%
8517.90.66	4.2%	3.7%	3.3%	2.8%	2.3%
8518.30.10	7.7%	6.8%	6%	5.1%	4.3%
8518.40.10	7.7%	6.8%	6%	5.1%	4.3%
8518.90.10	7.7%	6.8%	6%	5.1%	4.3%

Section E. Modifications of the Rates of Duty 1-Special subcolumn effective on January 1, 1995.

(1). For the following subheadings, in the Rates of Duty 1-Special subcolumn, insert in the parentheses following the "Free" rate of duty the symbol "L" in alphabetical order.

2707.99.40	2908.20.60	2921.49.50	2922.22.50	2927.00.50
2904.10.10	2914.70.10	2921.51.10	2922.29.10	2934.20.30
2904.10.37	2917.11.00	2921.51.30	2922.29.15	2934.20.40
2904.20.15	2917.20.00	2921.51.50	2922.29.20	2934.90.06
2904.90.47	2918.19.20	2921.59.40	2922.50.40	2935.00.10
2907.30.00	2918.19.30	2922.19.95	2924.21.20	3402.90.50
2908.20.04	2921.42.21	2922.21.10	2924.21.45	
2908.20.15	2921.45.10	2922.21.50	2926.90.44	
2908.20.20	2921.45.20	2922.22.10	2927.00.40	

(2). For the following provisions, in the Rates of Duty 1-Special subcolumn, insert in the parentheses following the "Free" rate of duty the symbol "K" in alphabetical order.

2526.20.00	2908.20.20	2915.40.20	2918.23.30	2922.49.40
2841.10.00	2908.20.60	2915.40.30	2918.23.50	2922.50.10
2842.10.00	2908.90.08	2915.40.50	2918.30.30	2922.50.17
2842.90.00	2909.19.10	2915.50.20	2918.90.05	2922.50.19
2843.30.00	2909.20.00	2915.90.10	2918.90.30	2922.50.25
2843.90.00	2909.30.40	2915.90.14	2918.90.50	2922.50.40
2902.19.00	2909.49.10	2915.90.18	2919.00.30	2922.50.50
2902.90.90	2909.49.15	2915.90.20	2919.00.50	2923.10.00
2903.22.00	2909.49.20	2915.90.50	2920.10.50	2923.90.00
2903.30.20	2909.50.20	2916.19.30	2920.90.20	2924.10.10
2903.51.00	2909.50.40	2916.19.50	2920.90.50	2924.21.20
2903.59.15	2909.50.45	2916.31.30	2921.12.00	2924.21.45
2903.59.20	2909.50.50	2916.31.50	2921.19.10	2924.21.50
2903.62.00	2910.90.10	2917.13.00	2921.29.00	2925.20.10
2903.69.20	2910.90.20	2917.19.20	2921.30.50	2925.20.20
2904.10.32	2910.90.50	2917.19.23	2921.49.45	2926.90.14
2904.90.15	2912.19.50	2917.19.27	2921.49.50	2926.90.44
2904.90.40	2914.19.00	2917.19.40	2921.59.40	2927.00.40
2905.19.00	2914.29.50	2917.20.00	2922.11.00	2927.00.50
2905.22.20	2914.49.40	2917.34.00	2922.12.00	2928.00.30
2905.29.00	2914.50.50	2918.11.50	2922.19.95	2928.00.50
2905.49.50	2914.69.20	2918.16.50	2922.29.10	2930.10.00
2905.50.10	2914.70.10	2918.17.50	2922.29.27	2930.20.20
2906.21.00	2915.39.30	2918.19.20	2922.30.25	2930.90.45
2907.19.10	2915.39.35	2918.19.30	2922.30.50	2931.00.22
2907.19.20	2915.39.40	2918.19.60	2922.41.00	2931.00.30
2907.19.40	2915.39.45	2918.19.90	2922.42.50	2932.19.10
2908.10.10	2915.39.47	2918.21.10	2922.49.10	2932.19.50
2908.10.35	2915.40.10	2918.22.50	2922.49.30	2932.21.00

Annex (con.)
-650-

Section E. (continued)

(2). (con.):

2932.29.20	2933.59.45	2934.10.20	3808.40.50	3907.30.00
2933.19.45	2933.59.59	2934.20.40	3823.90.22	3907.60.00
2932.29.30	2933.59.70	2934.30.50	3823.90.25	3907.99.00
2932.29.45	2933.59.80	2934.90.44	3823.90.40	3908.10.00
2932.29.50	2933.90.26	2934.90.47	3823.90.45	3909.10.00
2933.11.00	2933.90.46	2938.10.00	3823.90.46	3909.40.00
2933.19.35	2933.90.53	2938.90.00	3823.90.47	3910.00.00
2933.21.00	2933.90.55	2942.00.50	3901.90.50	3912.20.00
2933.29.20	2933.90.61	3204.19.35	3902.90.00	3912.39.00
2933.29.45	2933.90.65	3204.90.00	3904.61.00	3912.90.00
2933.39.30	2933.90.70	3402.13.10	3905.90.10	3913.90.20
2933.40.20	2933.90.75	3402.13.20	3906.90.50	3913.90.50
2933.40.70	2933.90.90	3402.13.50	3907.10.00	
2933.59.36	2934.10.10	3808.40.10	3907.20.00	

(3). For subheading 0401.20.40, in the Rates of Duty 1-Special subcolumn, delete from the parentheses following the "Free" rate of duty the symbols "E," and "J,".

(4). For subheadings 5101.21.70 and 5101.30.70, in the Rates of Duty 1-Special subcolumn, insert in the parentheses following the "Free" rate of duty the symbol "IL," in alphabetical order.

(5). For subheading 5101.29.70, in the Rates of Duty 1-Special subcolumn, insert a "Free" rate of duty followed by the symbol "IL" in parentheses.

(6). For the following subheadings, the Rates of Duty 1-Special subcolumn is modified by deleting the rate preceding the symbol "CA" and inserting the rate set out opposite such subheading below in lieu thereof:

2401.20.30	14.4¢/kg
3307.10.20	1.4%
3307.49.00	1.8%
3916.90.10	2%
3920.51.50	2.4%
3926.90.65	1.2%
5101.21.70	2.3¢/kg + 1.8%
5101.29.70	2.3¢/kg + 1.8%
5101.30.70	2.3¢/kg + 1.8%
8508.90.40	0.6%
8508.90.80	0.6%
9007.19.40	1.1%
9007.19.80	1.1%

Section E. (continued)

(7). For the following subheadings, the Rates of Duty 1-Special subcolumn is modified for the following subheadings, by deleting the rate preceding the symbol "MX" and inserting the rate set out opposite such subheading below in lieu thereof:

2401.20.30	38.4¢/kg
2805.30.00	3%
2916.15.10	7%
3506.10.10	5.8%
3926.90.65	3.3%
5101.29.70	4.6¢/kg + 3.7%
9906.07.04	4.5¢/kg
9906.07.09	3.2¢/kg
9906.07.12	3.8¢/kg
9906.07.36	3.2¢/kg
9906.07.48	2.2¢/kg
9906.08.11	19.5%

Section F. Continuation and modification of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Canada under terms of general note 12 to the HTS.

Effective with respect to goods of Canada, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1-Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998
0401.30.02	0.6¢/liter	0.3¢/liter	Free
0401.30.05	0.6¢/liter	0.3¢/liter	Free
0401.30.42	2.4¢/kg	1.2¢/kg	Free
0401.30.50	2.4¢/kg	1.2¢/kg	Free
0402.10.05	0.6¢/kg	0.3¢/kg	Free

Annex (con.)
-652-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
0402.10.10	0.6¢/kg	0.3¢/kg	Free
0402.21.02	0.6¢/kg	0.3¢/kg	Free
0402.21.05	0.6¢/kg	0.3¢/kg	Free
0402.21.27	1.3¢/kg	0.6¢/kg	Free
0402.21.30	1.3¢/kg	0.6¢/kg	Free
0402.21.73	2.7¢/kg	1.3¢/kg	Free
0402.21.75	2.7¢/kg	1.3¢/kg	Free
0402.29.05	3.5%	1.7%	Free
0402.29.10	3.5%	1.7%	Free
0402.91.03	0.4¢/kg	0.2¢/kg	Free
0402.91.06	0.6¢/kg	0.3¢/kg	Free
0402.91.10	0.4¢/kg	0.2¢/kg	Free
0402.91.30	0.6¢/kg	0.3¢/kg	Free
0402.99.03	0.7¢/kg	0.3¢/kg	Free
0402.99.06	0.6¢/kg	0.3¢/kg	Free
0402.99.10	0.7¢/kg	0.3¢/kg	Free
0402.99.30	0.6¢/kg	0.3¢/kg	Free
0402.99.68	3.5%	1.7%	Free
0402.99.70	3.5%	1.7%	Free
0403.10.05	4%	2%	Free
0403.10.10	4%	2%	Free
0403.10.90	4%	2%	Free
0403.90.02	0.6¢/liter	0.3¢/liter	Free
0403.90.04	0.6¢/liter	0.3¢/liter	Free
0403.90.37	0.6¢/kg	0.3¢/kg	Free
0403.90.41	0.6¢/kg	0.3¢/kg	Free
0403.90.47	1.3¢/kg	0.6¢/kg	Free
0403.90.51	1.3¢/kg	0.6¢/kg	Free
0403.90.57	2.7¢/kg	1.3¢/kg	Free
0403.90.61	2.7¢/kg	1.3¢/kg	Free
0403.90.72	2.4¢/kg	1.2¢/kg	Free
0403.90.74	2.4¢/kg	1.2¢/kg	Free
0403.90.85	4%	2%	Free
0403.90.87	4%	2%	Free
0403.90.90	4%	2%	Free
0404.10.08	2%	1%	Free
0404.10.11	2%	1%	Free

Annex (con.)
-653-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
0404.10.48	0.6¢/kg	0.3¢/kg	Free
0404.10.50	0.6¢/kg	0.3¢/kg	Free
0404.90.28	2%	1%	Free
0404.90.30	2%	1%	Free
0404.90.70	2%	1%	Free
0405.00.05	2.4¢/kg	1.2¢/kg	Free
0405.00.20	2.4¢/kg	1.2¢/kg	Free
0405.00.55	2%	1%	Free
0405.00.60	2%	1%	Free
0406.10.02	2%	1%	Free
0406.10.04	2%	1%	Free
0406.10.12	2%	1%	Free
0406.10.14	2%	1%	Free
0406.10.24	2%	1%	Free
0406.10.34	2%	1%	Free
0406.10.44	2%	1%	Free
0406.10.54	2%	1%	Free
0406.10.64	2%	1%	Free
0406.10.74	2%	1%	Free
0406.10.84	2%	1%	Free
0406.10.95	2%	1%	Free
0406.20.22	4%	2%	Free
0406.20.24	4%	2%	Free
0406.20.29	3.2%	1.6%	Free
0406.20.31	3.2%	1.6%	Free
0406.20.34	4%	2%	Free
0406.20.36	4%	2%	Free
0406.20.43	3%	1.5%	Free
0406.20.44	3%	1.5%	Free
0406.20.49	3%	1.5%	Free
0406.20.51	3%	1.5%	Free
0406.20.54	3%	1.5%	Free
0406.20.56	2%	1%	Free
0406.20.57	2%	1%	Free
0406.20.61	2%	1%	Free
0406.20.65	2%	1%	Free
0406.20.69	2%	1%	Free

Annex (con.)
-654-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
0406.20.73	2%	1%	Free
0406.20.77	2%	1%	Free
0406.20.81	2%	1%	Free
0406.20.85	2%	1%	Free
0406.20.89	2%	1%	Free
0406.20.95	2%	1%	Free
0406.30.12	4%	2%	Free
0406.30.14	4%	2%	Free
0406.30.22	3.2%	1.6%	Free
0406.30.24	3.2%	1.6%	Free
0406.30.32	4%	2%	Free
0406.30.34	4%	2%	Free
0406.30.42	3%	1.5%	Free
0406.30.44	3%	1.5%	Free
0406.30.49	1.2%	0.6%	Free
0406.30.51	1.2%	0.6%	Free
0406.30.56	2%	1%	Free
0406.30.57	2%	1%	Free
0406.30.61	2%	1%	Free
0406.30.65	2%	1%	Free
0406.30.69	2%	1%	Free
0406.30.73	2%	1%	Free
0406.30.77	2%	1%	Free
0406.30.81	2%	1%	Free
0406.30.85	2%	1%	Free
0406.30.89	2%	1%	Free
0406.30.95	2%	1%	Free
0406.40.51	3%	1.5%	Free
0406.40.52	4%	2%	Free
0406.40.54	3%	1.5%	Free
0406.40.58	4%	2%	Free
0406.90.06	2.4%	1.2%	Free
0406.90.08	2.4%	1.2%	Free
0406.90.14	3%	1.5%	Free
0406.90.16	3%	1.5%	Free
0406.90.28	5%	2.5%	Free
0406.90.31	5%	2.5%	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
0406.90.33	5%	2.5%	Free
0406.90.34	3.8%	1.9%	Free
0406.90.36	3.8%	1.9%	Free
0406.90.38	3.8%	1.9%	Free
0406.90.39	3%	1.5%	Free
0406.90.41	3%	1.5%	Free
0406.90.43	3%	1.5%	Free
0406.90.44	1.2%	0.6%	Free
0406.90.46	1.2%	0.6%	Free
0406.90.49	1.2%	0.6%	Free
0406.90.51	4%	2%	Free
0406.90.52	4%	2%	Free
0406.90.61	1.5%	0.7%	Free
0406.90.63	2%	1%	Free
0406.90.66	1.5%	0.7%	Free
0406.90.72	2%	1%	Free
0406.90.76	2%	1%	Free
0406.90.82	2%	1%	Free
0406.90.86	2%	1%	Free
0406.90.90	2%	1%	Free
0406.90.93	2%	1%	Free
0406.90.95	2%	1%	Free
0406.90.99	2%	1%	Free
0709.60.20	1.1¢/kg	0.5¢/kg	Free
0709.60.40	1.1¢/kg	0.5¢/kg	Free
0709.90.14	5%	2.5%	Free
0709.90.45	5%	2.5%	Free
0709.90.90	5%	2.5%	Free
0711.20.18	0.7¢/kg on drained weight	0.3¢/kg on drained weight	Free
0711.20.28	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
0711.20.38	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
0904.20.76	2.2¢/kg	1.1¢/kg	Free
1517.90.45	2.2¢/kg	1.1¢/kg	Free
1517.90.50	2.2¢/kg	1.1¢/kg	Free
1517.90.90	2.2¢/kg	1.1¢/kg	Free

Annex (con.)
-656-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
1604.13.90	1.2%	0.6%	Free
1701.11.05	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.11.10	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.11.20	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.12.05	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
1701.12.10	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.91.05	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.91.10	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1701.91.42	1.2%	0.6%	Free
1701.91.52	1.2%	0.6%	Free
1701.91.54	1.2%	0.6%	Free
1701.91.80	1.2%	0.6%	Free
1701.99.05	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
1701.99.10	0.2991¢/kg less 0.004133¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.188770¢/kg	0.1460¢/kg less 0.002066¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 0.094385¢/kg	Free
1702.20.22	1.2%	0.6%	Free
1702.30.22	1.2%	0.6%	Free
1702.40.22	1.2%	0.6%	Free
1702.40.40	1.2%	0.6%	Free
1702.60.22	1.2%	0.6%	Free
1702.60.40	1.2%	0.6%	Free
1702.90.05	0.2991¢/kg of total sugars	0.1460¢/kg of total sugars	Free
1702.90.10	0.2991¢/kg of total sugars	0.1460¢/kg of total sugars	Free
1702.90.52	1.2%	0.6%	Free
1702.90.90	1.2%	0.6%	Free
1704.90.52	2.4%	1.2%	Free
1704.90.54	2.4%	1.2%	Free
1704.90.74	2.4%	1.2%	Free
1704.90.90	2.4%	1.2%	Free
1806.10.22	2%	1%	Free
1806.10.34	2%	1%	Free
1806.10.43	2%	1%	Free
1806.10.65	2%	1%	Free
1806.20.22	1%	0.5%	Free
1806.20.24	1%	0.5%	Free
1806.20.34	1%	0.5%	Free
1806.20.50	1%	0.5%	Free
1806.20.67	2%	1%	Free
1806.20.75	2%	1%	Free
1806.20.78	2%	1%	Free
1806.20.79	2%	1%	Free
1806.20.81	2%	1%	Free
1806.20.85	2%	1%	Free

Annex (con.)
-659-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
1806.20.95	2%	1%	Free
1806.20.99	2%	1%	Free
1806.32.01	1%	0.5%	Free
1806.32.04	1%	0.5%	Free
1806.32.14	1%	0.5%	Free
1806.32.30	1%	0.5%	Free
1806.32.55	1.4%	0.7%	Free
1806.32.60	1.4%	0.7%	Free
1806.32.90	1.4%	0.7%	Free
1806.90.01	1.4%	0.7%	Free
1806.90.05	1.4%	0.7%	Free
1806.90.15	1.4%	0.7%	Free
1806.90.25	1.4%	0.7%	Free
1806.90.55	1.4%	0.7%	Free
1806.90.90	1.4%	0.7%	Free
1901.10.05	3.5%	1.7%	Free
1901.10.15	3.5%	1.7%	Free
1901.10.35	3.5%	1.7%	Free
1901.10.45	3.5%	1.7%	Free
1901.10.55	3.5%	1.7%	Free
1901.10.60	3.5%	1.7%	Free
1901.10.80	3.5%	1.7%	Free
1901.10.95	3.5%	1.7%	Free
1901.20.02	2%	1%	Free
1901.20.05	2%	1%	Free
1901.20.30	2%	1%	Free
1901.20.40	2%	1%	Free
1901.20.42	2%	1%	Free
1901.20.45	2%	1%	Free
1901.20.65	2%	1%	Free
1901.20.80	2%	1%	Free
1901.90.32	3.5%	1.7%	Free
1901.90.33	2%	1%	Free
1901.90.34	2%	1%	Free
1901.90.38	2%	1%	Free
1901.90.42	2%	1%	Free
1901.90.44	2%	1%	Free

Annex (con.)
-660-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
1901.90.46	2%	1%	Free
1901.90.48	2%	1%	Free
1901.90.56	2%	1%	Free
1901.90.70	3.2%	1.6%	Free
1901.90.90	2%	1%	Free
2005.20.00	2%	1%	Free
2005.70.02	1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.04	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
2005.70.06	0.7¢/kg on drained weight	0.3¢/kg on drained weight	Free
2005.70.08	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
2005.70.12	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
2005.70.16	1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.18	2.1¢/kg on drained weight	1¢/kg on drained weight	Free
2005.70.23	2.1¢/kg on drained weight	1¢/kg on drained weight	Free
2005.70.91	1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.93	2.2¢/kg on drained weight	1.1¢/kg on drained weight	Free
2005.70.97	2.2¢/kg on drained weight	1.1¢/kg on drained weight	Free
2005.90.97	3.5%	1.7%	Free
2008.11.02	1.3¢/kg	0.6¢/kg	Free
2008.11.05	1.3¢/kg	0.6¢/kg	Free
2008.11.22	1.3¢/kg	0.6¢/kg	Free
2008.11.25	1.3¢/kg	0.6¢/kg	Free
2008.11.42	1.3¢/kg	0.6¢/kg	Free
2008.11.45	1.3¢/kg	0.6¢/kg	Free
2008.30.46	Free	Free	Free
2008.30.48	Free	Free	Free
2101.10.32	2%	1%	Free
2101.10.54	2%	1%	Free

Annex (con.)
-661-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
2101.10.90	2%	1%	Free
2103.90.72	1.5%	1.7%	Free
2103.90.74	1.5%	1.7%	Free
2103.90.80	1.5%	1.7%	Free
2103.90.90	1.5%	1.7%	Free
2105.00.05	4%	2%	Free
2105.00.10	4%	2%	Free
2105.00.25	4%	2%	Free
2105.00.30	4%	2%	Free
2105.00.50	4%	2%	Free
2106.90.03	0.5¢/kg	0.2¢/kg	Free
2106.90.06	0.5¢/kg	0.2¢/kg	Free
2106.90.22	3¢/kg	1.5¢/kg	Free
2106.90.24	3¢/kg	1.5¢/kg	Free
2106.90.28	3¢/kg	1.5¢/kg	Free
2106.90.32	3¢/kg	1.5¢/kg	Free
2106.90.34	3¢/kg	1.5¢/kg	Free
2106.90.38	3¢/kg	1.5¢/kg	Free
2106.90.42	0.2991¢/kg of total sugars	0.1460¢/kg of total sugars	Free
2106.90.44	0.2991¢/kg of total sugars	0.1460¢/kg of total sugars	Free
2106.90.62	2%	1%	Free
2106.90.64	2%	1%	Free
2106.90.78	2%	1%	Free
2106.90.82	2%	1%	Free
2106.90.83	2%	1%	Free
2106.90.85	2%	1%	Free
2106.90.95	2%	1%	Free
2106.90.99	2%	1%	Free
2202.90.22	3.5%	1.7%	Free
2202.90.24	3.5%	1.7%	Free
2401.10.70	7.7¢/kg	3.8¢/kg	Free
2401.10.90	7.7¢/kg	3.8¢/kg	Free
2401.20.30	9.6¢/kg	4.8¢/kg	Free
2401.20.45	9.3¢/kg	4.6¢/kg	Free
2401.20.55	9.3¢/kg	4.6¢/kg	Free

Annex (con.)
-662-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
2921.19.60	1.5%	0.7%	Free
2923.20.20	1%	0.5%	Free
2924.10.80	1.5%	0.7%	Free
3307.10.20	0.9%	0.4%	Free
3307.49.00	1.2%	0.6%	Free
3916.90.10	1.3%	0.6%	Free
3917.32.60	0.6%	0.3%	Free
3920.51.50	1.6%	0.8%	Free
3920.59.80	1.7%	0.8%	Free
3926.20.90	1%	0.5%	Free
3926.90.65	0.8%	0.4%	Free
3926.90.98	1%	0.5%	Free
4011.10.10	0.8%	0.4%	Free
4011.10.50	0.8%	0.4%	Free
4011.20.10	0.8%	0.4%	Free
4011.20.50	0.8%	0.4%	Free
4011.99.40	0.8%	0.4%	Free
4011.99.80	0.8%	0.4%	Free
4012.10.40	0.8%	0.4%	Free
4012.10.80	0.8%	0.4%	Free
4012.90.45	0.8%	0.4%	Free
4012.90.90	1%	0.5%	Free
4421.90.98	1%	0.5%	Free
5101.21.70	1.5¢/kg + 1.2%	0.7¢/kg + 0.6%	Free
5101.29.70	1.5¢/kg + 1.2%	0.7¢/kg + 0.6%	Free
5101.30.70	1.5¢/kg + 1.2%	0.7¢/kg + 0.6%	Free
5201.00.22	0.8¢/kg	0.4¢/kg	Free
5201.00.24	0.8¢/kg	0.4¢/kg	Free
5201.00.34	0.8¢/kg	0.4¢/kg	Free
5201.00.55	0.3¢/kg	0.1¢/kg	Free
5201.00.60	0.3¢/kg	0.1¢/kg	Free
5203.00.05	1%	0.5%	Free
5203.00.10	1%	0.5%	Free
5203.00.50	1%	0.5%	Free
5402.41.90	2%	1%	Free
5402.49.90	2%	1%	Free
5701.10.40	1%	0.5%	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
5701.10.90	1%	0.5%	Free
5804.10.10	2.4%	1.2%	Free
5804.10.90	2.4%	1.2%	Free
5804.29.10	2%	1%	Free
5804.29.90	2%	1%	Free
5806.10.24	1.9%	0.9%	Free
5806.10.28	1.9%	0.9%	Free
5807.10.05	1.8%	0.9%	Free
5807.10.15	1.8%	0.9%	Free
5807.90.05	1.8%	0.9%	Free
5807.90.15	1.8%	0.9%	Free
5808.10.40	0.7%	0.3%	Free
5808.10.50	0.7%	0.3%	Free
5808.10.70	1.6%	0.8%	Free
5808.10.90	1.6%	0.8%	Free
5907.00.15	3.2%	1.6%	Free
5907.00.35	3.2%	1.6%	Free
6001.99.10	1.6%	0.8%	Free
6001.99.90	1.6%	0.8%	Free
6002.99.10	2.8%	1.4%	Free
6002.99.90	2.8%	1.4%	Free
6101.90.10	1.2%	0.6%	Free
6101.90.90	1.2%	0.6%	Free
6102.90.10	1.2%	0.6%	Free
6102.90.90	1.2%	0.6%	Free
6103.19.60	1.2%	0.6%	Free
6103.19.90	1.2%	0.6%	Free
6103.39.40	1.2%	0.6%	Free
6103.39.80	1.2%	0.6%	Free
6103.49.40	1.2%	0.6%	Free
6103.49.80	1.2%	0.6%	Free
6104.19.40	1.2%	0.6%	Free
6104.19.80	1.2%	0.6%	Free
6104.49.10	1.2%	0.6%	Free
6104.49.90	1.2%	0.6%	Free
6104.59.40	1.2%	0.6%	Free
6104.59.80	1.2%	0.6%	Free

Annex (con.)
-664-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
6104.69.40	1.2%	0.6%	Free
6104.69.80	1.2%	0.6%	Free
6105.90.40	1.2%	0.6%	Free
6105.90.80	1.2%	0.6%	Free
6106.90.15	1.2%	0.6%	Free
6106.90.25	1.2%	0.6%	Free
6107.19.10	1.2%	0.6%	Free
6107.19.90	1.2%	0.6%	Free
6107.29.50	1.2%	0.6%	Free
6107.29.90	1.2%	0.6%	Free
6107.99.50	1%	0.5%	Free
6107.99.90	1%	0.5%	Free
6108.19.10	1.4%	0.7%	Free
6108.19.90	1.4%	0.7%	Free
6108.22.10	3.3%	1.6%	Free
6108.22.90	3.3%	1.6%	Free
6108.29.10	2.8%	1.4%	Free
6108.29.90	2.8%	1.4%	Free
6108.39.40	0.8%	0.4%	Free
6108.39.80	0.8%	0.4%	Free
6108.99.50	0.8%	0.4%	Free
6108.99.90	0.8%	0.4%	Free
6109.90.40	3.4%	1.7%	Free
6109.90.80	3.4%	1.7%	Free
6110.90.10	1.2%	0.6%	Free
6110.90.90	1.2%	0.6%	Free
6111.90.70	1.2%	0.6%	Free
6111.90.90	1.2%	0.6%	Free
6112.19.40	4.6%	2.3%	Free
6112.19.80	4.6%	2.3%	Free
6113.00.10	1.5%	0.7%	Free
6113.00.90	1.5%	0.7%	Free
6114.90.10	1.2%	0.6%	Free
6114.90.90	1.2%	0.6%	Free
6115.19.10	3.4%	1.7%	Free
6115.19.90	3.4%	1.7%	Free
6115.20.10	3.6%	1.8%	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
6115.20.90	3.6%	1.8%	Free
6115.99.40	2.1%	1%	Free
6115.99.80	2.1%	1%	Free
6116.10.44	3.9%	1.9%	Free
6116.10.48	3.9%	1.9%	Free
6116.10.55	2.8%	1.4%	Free
6116.10.65	2.8%	1.4%	Free
6116.10.75	2.8%	1.4%	Free
6116.10.95	2.8%	1.4%	Free
6116.99.75	0.8%	0.4%	Free
6116.99.95	0.8%	0.4%	Free
6117.20.10	1.6%	0.8%	Free
6117.20.90	1.6%	0.8%	Free
6117.80.10	3.1%	1.5%	Free
6117.80.90	3.1%	1.5%	Free
6117.90.10	3.1%	1.5%	Free
6117.90.90	3.1%	1.5%	Free
6201.19.10	0.6%	0.3%	Free
6201.19.90	0.6%	0.3%	Free
6201.99.10	0.9%	0.4%	Free
6201.99.90	0.9%	0.4%	Free
6202.19.10	0.6%	0.3%	Free
6202.19.90	0.6%	0.3%	Free
6202.99.10	0.6%	0.3%	Free
6202.99.90	0.6%	0.3%	Free
6203.19.50	1.5%	0.7%	Free
6203.19.90	1.5%	0.7%	Free
6203.39.50	1.3%	0.6%	Free
6203.39.90	1.3%	0.6%	Free
6203.41.05	1.5%	0.7%	Free
6203.41.15	10.5¢/kg + 4.2%	5.2¢/kg + 2.1%	Free
6203.49.40	0.6%	0.3%	Free
6203.49.80	0.6%	0.3%	Free
6204.19.40	1.3%	0.6%	Free
6204.19.80	1.3%	0.6%	Free
6204.61.10	1.5%	0.7%	Free
6204.61.90	3.4%	1.7%	Free

Annex (con.)
-666-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
6204.69.40	1.5%	0.7%	Free
6204.69.60	1.5%	0.7%	Free
6205.90.10	1.5%	0.7%	Free
6205.90.30	1.5%	0.7%	Free
6207.19.10	2.2%	1.1%	Free
6207.19.90	2.2%	1.1%	Free
6207.29.10	1.5%	0.7%	Free
6207.29.90	1.5%	0.7%	Free
6207.99.70	1.5%	0.7%	Free
6207.99.90	1.5%	0.7%	Free
6208.19.50	1.8%	0.9%	Free
6208.19.90	1.8%	0.9%	Free
6208.29.10	1.5%	0.7%	Free
6208.29.90	1.5%	0.7%	Free
6208.99.30	1.5%	0.7%	Free
6208.99.50	1.5%	0.7%	Free
6209.90.50	0.6%	0.3%	Free
6209.90.90	0.6%	0.3%	Free
6210.10.70	3.4%	1.7%	Free
6210.10.90	3.4%	1.7%	Free
6210.20.30	1.5%	0.7%	Free
6210.20.50	1.5%	0.7%	Free
6210.20.70	1.3%	0.6%	Free
6210.20.90	1.3%	0.6%	Free
6210.30.30	1.5%	0.7%	Free
6210.30.50	1.5%	0.7%	Free
6210.30.70	1.3%	0.6%	Free
6210.30.90	1.3%	0.6%	Free
6210.40.30	1.5%	0.7%	Free
6210.40.50	1.5%	0.7%	Free
6210.40.70	1.3%	0.6%	Free
6210.40.90	1.3%	0.6%	Free
6210.50.30	1.5%	0.7%	Free
6210.50.50	1.5%	0.7%	Free
6210.50.70	1.3%	0.6%	Free
6210.50.90	1.3%	0.6%	Free
6211.11.40	1.6%	0.8%	Free

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
6211.11.80	1.6%	0.8%	Free
6211.12.40	1.6%	0.8%	Free
6211.12.80	1.6%	0.8%	Free
6211.20.04	0.9%	0.4%	Free
6211.20.08	0.9%	0.4%	Free
6211.20.24	5.9%	2.9%	Free
6211.20.28	5.9%	2.9%	Free
6211.20.34	5.9%	2.9%	Free
6211.20.38	5.9%	2.9%	Free
6211.20.44	3.4%	1.7%	Free
6211.20.48	3.4%	1.7%	Free
6211.20.54	5.9%	2.9%	Free
6211.20.58	5.9%	2.9%	Free
6211.20.64	6%	3%	Free
6211.20.68	6%	3%	Free
6211.20.74	3.4%	1.7%	Free
6211.20.78	3.4%	1.7%	Free
6211.39.10	0.6%	0.3%	Free
6211.39.90	0.6%	0.3%	Free
6211.49.10	1.5%	0.7%	Free
6211.49.90	1.5%	0.7%	Free
6212.10.30	6.4%	3.2%	Free
6212.10.50	6.4%	3.2%	Free
6212.10.70	3.6%	1.8%	Free
6212.10.90	3.6%	1.8%	Free
6216.00.19	4.4¢/kg + 2.2%	2.2¢/kg + 1.1%	Free
6216.00.21	4.4¢/kg + 2.2%	2.2¢/kg + 1.1%	Free
6216.00.24	2.8%	1.4%	Free
6216.00.26	2.8%	1.4%	Free
6216.00.29	2.8%	1.4%	Free
6216.00.31	2.8%	1.4%	Free
6217.10.10	2.6%	1.3%	Free
6217.10.90	2.6%	1.3%	Free
6217.90.10	2.6%	1.3%	Free
6217.90.90	2.6%	1.3%	Free
6302.21.30	4.7%	2.3%	Free
6302.21.50	4.7%	2.3%	Free

Annex (con.)
-668-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
6302.21.70	1.5%	0.7%	Free
6302.21.90	1.5%	0.7%	Free
6302.31.30	4.7%	2.3%	Free
6302.31.50	4.7%	2.3%	Free
6302.31.70	1.5%	0.7%	Free
6302.31.90	1.5%	0.7%	Free
6307.90.68	1.8%	0.9%	Free
6307.90.72	1.8%	0.9%	Free
6402.19.05	1.2%	0.6%	Free
6402.19.15	1.2%	0.6%	Free
6402.99.14	1.2%	0.6%	Free
6402.99.18	1.2%	0.6%	Free
6403.19.10	1%	0.5%	Free
6403.19.20	1%	0.5%	Free
6403.19.30	1.7%	0.8%	Free
6403.19.40	1.7%	0.8%	Free
6403.19.50	2%	1%	Free
6403.19.70	2%	1%	Free
6913.10.80	1.8%	0.9%	Free
6914.10.80	1.8%	0.9%	Free
6914.90.80	1.6%	0.8%	Free
7017.90.10	1.6%	0.8%	Free
7017.90.50	1.6%	0.8%	Free
7019.20.15	1.2%	0.6%	Free
7019.20.40	1.6%	0.8%	Free
7019.20.90	2.2%	1.1%	Free
7117.19.15	1.6%	0.8%	Free
7117.19.90	2.2%	1.1%	Free
7117.90.55	1.4%	0.7%	Free
7117.90.90	2.2%	1.1%	Free
7326.90.85	1.1%	0.5%	Free
7616.90.50	1.1%	0.5%	Free
8407.33.60	0.6%	0.3%	Free
8508.90.40	0.4%	0.2%	Free
8508.90.80	0.4%	0.2%	Free
8519.91.50	0.7%	0.3%	Free
8528.10.11	0.7%	0.3%	Free

Annex (con.)
-669-

Section F. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998
8528.10.13	0.7%	0.3%	Free
8528.10.17	1%	0.5%	Free
8528.10.19	1%	0.5%	Free
8528.10.61	0.7%	0.3%	Free
8528.10.63	0.7%	0.3%	Free
8528.10.67	1%	0.5%	Free
8528.10.69	1%	0.5%	Free
8528.10.71	0.7%	0.3%	Free
8528.10.73	0.7%	0.3%	Free
8528.10.77	1%	0.5%	Free
8528.10.79	1%	0.5%	Free
8712.00.44	1.1%	0.5%	Free
8712.00.48	3%	1.5%	Free
8714.93.28	1.2%	0.6%	Free
8714.93.35	2%	1%	Free
8714.94.90	2%	1%	Free
8714.99.80	2%	1%	Free
9002.90.95	1.6%	0.8%	Free
9007.19.40	0.7%	0.3%	Free
9007.19.80	0.7%	0.3%	Free
9017.20.90	1.1%	0.5%	Free
9030.81.80	0.9%	0.4%	Free
9030.89.80	0.9%	0.4%	Free
9106.90.55	0.7% on the apparatus 1% on the battery	0.3% on the apparatus 0.5% on the battery	Free
9106.90.65	9¢ each + 1.4% + 0.5¢/jewel	4.5¢ each + 0.7% + 0.2¢/jewel	Free
9106.90.75	0.7% on the apparatus 1% on the battery	0.3% on the apparatus 0.5% on the battery	Free
9106.90.85	9¢ each + 1.4% + 0.5¢/jewel	4.5¢ each + 0.7% + 0.2¢/jewel	Free
9404.90.85	2.9%	1.4%	Free
9404.90.95	2.9%	1.4%	Free
9603.10.05	1.6%	0.8%	Free
9603.10.15	2.4¢ each	1.2¢ each	Free
9603.10.35	6.4%	3.2%	Free

Section F. (continued)

(2) On or after January 1 of the following years, the rate of duty provided in additional U.S. note 1, additional U.S. note 2, additional U.S. note 3, additional U.S. note 4 and additional U.S. note 5 to chapter 58 as the "column 1 (special)" rate of duty followed by the symbol "CA" in parentheses shall be modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified below in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998
2.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	1.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	0.8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	Free

(3) On or after January 1 of the following years, for subheading 9818.00.05 the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

1996	1997	1998
The lower of 10 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts	The lower of 5 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts	Free

Section F. (continued)

(4) On or after January 1 of the following years, for subheading 9818.00.07 the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

1996	1997	1998
10 percent of the cost of such goods or repairs	5 percent of the cost of such goods or repairs	Free

Section C. Continuation and modification of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Mexico under terms of general note 12 to the HTS.

Effective with respect to goods of Mexico, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1 Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
0406.20.54	6%	3%	Free	Free	Free	Free	Free	Free
0406.20.57	4%	2%	Free	Free	Free	Free	Free	Free
0406.20.95	4%	2%	Free	Free	Free	Free	Free	Free
0406.30.57	4%	2%	Free	Free	Free	Free	Free	Free
0406.30.95	4%	2%	Free	Free	Free	Free	Free	Free
0406.90.34	17.5%	15%	12.5%	10%	7.5%	5%	2.5%	Free
0406.90.44	6%	3%	Free	Free	Free	Free	Free	Free
0406.90.49	4.4%	3.8%	3.2%	2.5%	1.9%	1.2%	0.6%	Free
0406.90.99	4%	2%	Free	Free	Free	Free	Free	Free
0709.90.45	10%	5%	Free	Free	Free	Free	Free	Free
0711.20.38	2.9¢/kg on drained weight	1.4¢/kg on drained weight	Free	Free	Free	Free	Free	Free
1517.90.90	7.7¢/kg	6.6¢/kg	5.5¢/kg	4.4¢/kg	3.3¢/kg	2.2¢/kg	1.1¢/kg	Free

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
1701.11.50	34.582¢/kg less 0.489¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.349¢/kg	33.647¢/kg less 0.476¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.745¢/kg	32.713¢/kg less 0.463¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.141¢/kg	31.778¢/kg less 0.45¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 20.537¢/kg	28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg	24.716¢/kg less 0.35¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 15.973¢/kg	21.185¢/kg less 0.3¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 13.692¢/kg	17.655¢/kg less 0.25¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 10.354¢/kg 1/
1701.12.50	34.582¢/kg less 0.489¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.349¢/kg	33.647¢/kg less 0.476¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.745¢/kg	32.713¢/kg less 0.463¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.141¢/kg	31.778¢/kg less 0.45¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 20.537¢/kg	28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg	24.716¢/kg less 0.35¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 15.973¢/kg	21.185¢/kg less 0.3¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 13.692¢/kg	17.655¢/kg less 0.25¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 10.354¢/kg 1/
1701.91.30	34.582¢/kg less 0.489¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.349¢/kg	33.647¢/kg less 0.476¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.745¢/kg	32.713¢/kg less 0.463¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.141¢/kg	31.778¢/kg less 0.45¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 20.537¢/kg	28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg	24.716¢/kg less 0.35¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 15.973¢/kg	21.185¢/kg less 0.3¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 13.692¢/kg	17.655¢/kg less 0.25¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 10.354¢/kg 1/

1/ For subheadings 1701.11.50, 1701.12.50 and 1701.91.30, the rates of duty after 2003 will as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg less 0.2¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 9.128¢/kg;

Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg less 0.15¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 6.845¢/kg;

Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg less 0.1¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) less than 4.564¢/kg;

Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg less 0.05¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 2.281¢/kg; and

Effective with respect to articles entered on or after January 1, 2008-- Free

Annex (con.)
-674-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
1701.99.50	34.582¢/kg less 0.489¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 22.349¢/kg	33.647¢/kg less 0.476¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.745¢/kg	32.713¢/kg less 0.463¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 21.141¢/kg	31.778¢/kg less 0.45¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 20.537¢/kg	28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg	24.716¢/kg less 0.35¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 15.973¢/kg	21.185¢/kg less 0.3¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 13.692¢/kg	17.655¢/kg less 0.25¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 10.354¢/kg 1/
1702.90.20	34.582¢/kg	33.647¢/kg	32.713¢/kg	31.778¢/kg	28.247¢/kg	24.716¢/kg	21.185¢/kg	17.655¢/kg 2/
1806.20.99	7%	6%	5%	4%	3%	2%	1%	Free
1901.10.45	12.2%	10.5%	8.7%	7%	5.2%	3.5%	1.7%	Free
1901.10.95	12.2%	10.5%	8.7%	7%	5.2%	3.5%	1.7%	Free
1901.90.32	12.2%	10.5%	8.7%	7%	5.2%	3.5%	1.7%	Free
1901.90.70	11.2%	9.6%	8%	6.4%	4.8%	3.2%	1.6%	Free
1901.90.90	7%	6%	5%	4%	3%	2%	1%	Free
2005.70.02	3.7¢/kg on drained weight	3.2¢/kg on drained weight	2.7¢/kg on drained weight	2.1¢/kg on drained weight	1.6¢/kg on drained weight	1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.04	5.1¢/kg on drained weight	4.4¢/kg on drained weight	3.7¢/kg on drained weight	2.9¢/kg on drained weight	2.2¢/kg on drained weight	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
2005.70.06	2.5¢/kg on drained weight	2.2¢/kg on drained weight	1.8¢/kg on drained weight	1.4¢/kg on drained weight	1.1¢/kg on drained weight	0.7¢/kg on drained weight	0.3¢/kg on drained weight	Free
2005.70.08	5.1¢/kg on drained weight	4.4¢/kg on drained weight	3.7¢/kg on drained weight	2.9¢/kg on drained weight	2.2¢/kg on drained weight	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free

1/ For subheading 1701.99.50, the rates of duty after 2003 will as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg less 0.2¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 9.128¢/kg;
Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg less 0.15¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 6.845¢/kg;
Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg less 0.1¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) less than 4.564¢/kg;
Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg less 0.05¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 2.281¢/kg; and
Effective with respect to articles entered on or after January 1, 2008-- Free

2/ For subheading 1702.90.20, the rates of duty after 2003 will as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg;
Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg;
Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg;
Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg; and
Effective with respect to articles entered on or after January 1, 2008-- Free

Annex (con.)
-675-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2005.70.12	5.1¢/kg on drained weight	4.4¢/kg on drained weight	3.7¢/kg on drained weight	2.9¢/kg on drained weight	2.2¢/kg on drained weight	1.4¢/kg on drained weight	0.7¢/kg on drained weight	Free
2005.70.16	3.7¢/kg on drained weight	3.2¢/kg on drained weight	2.7¢/kg on drained weight	2.1¢/kg on drained weight	1.6¢/kg on drained weight	1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.18	7.5¢/kg on drained weight	6.4¢/kg on drained weight	5.4¢/kg on drained weight	4.3¢/kg on drained weight	3.2¢/kg on drained weight	2.1¢/kg on drained weight	1¢/kg on drained weight	Free
2005.70.23	7.5¢/kg on drained weight	6.4¢/kg on drained weight	5.4¢/kg on drained weight	4.3¢/kg on drained weight	3.2¢/kg on drained weight	2.1¢/kg on drained weight	1¢/kg on drained weight	Free
2005.70.91	3.8¢/kg on drained weight	3.3¢/kg on drained weight	2.7¢/kg on drained weight	2.2¢/kg on drained weight	1.6¢/kg on drained weight	1.1¢/kg on drained weight	0.5¢/kg on drained weight	Free
2005.70.93	7.7¢/kg on drained weight	6.6¢/kg on drained weight	5.5¢/kg on drained weight	4.4¢/kg on drained weight	3.3¢/kg on drained weight	2.2¢/kg on drained weight	1.1¢/kg on drained weight	Free
2005.70.97	7.7¢/kg on drained weight	6.6¢/kg on drained weight	5.5¢/kg on drained weight	4.4¢/kg on drained weight	3.3¢/kg on drained weight	2.2¢/kg on drained weight	1.1¢/kg on drained weight	Free
2008.11.15	4.6¢/kg	3.9¢/kg	3.3¢/kg	2.6¢/kg	1.9¢/kg	1.3¢/kg	0.6¢/kg	Free
2106.90.28	10.7¢/kg	9.2¢/kg	7.7¢/kg	6.1¢/kg	4.6¢/kg	3¢/kg	1.5¢/kg	Free
2106.90.38	10.7¢/kg	9.2¢/kg	7.7¢/kg	6.1¢/kg	4.6¢/kg	3¢/kg	1.5¢/kg	Free
2106.90.46	34.582¢/kg	33.647¢/kg	32.713¢/kg	31.778¢/kg	28.247¢/kg	24.716¢/kg	21.185¢/kg	17.655¢/kg 1/
2401.20.30	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2805.30.00	2%	1%	Free	Free	Free	Free	Free	Free
2903.69.70	6.3%	5.4%	4.5%	3.6%	2.7%	1.8%	0.9%	Free
2906.29.60	2.8%	1.4%	Free	Free	Free	Free	Free	Free
2909.30.09	14%	12%	10%	8%	6%	4%	2%	Free
2909.30.60	14%	12%	10%	8%	6%	4%	2%	Free
2914.50.30	4.4%	2.2%	Free	Free	Free	Free	Free	Free
2916.15.10	6.1%	5.2%	4.4%	3.5%	2.6%	1.7%	0.8%	Free
2916.39.03	4.6%	4%	3.3%	2.6%	2%	1.3%	0.6%	Free
2916.39.45	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2916.39.75	2.5¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 8.9%	1.4¢/kg + 7.1%	1.1¢/kg + 5.3%	0.7¢/kg + 3.5%	0.3¢/kg + 1.7%	Free
2917.39.70	14%	12%	10%	8%	6%	4%	2%	Free
2918.29.04	4%	3.4%	2.9%	2.3%	1.7%	1.1%	0.5%	Free
2918.29.75	2.5¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 8.9%	1.4¢/kg + 7.1%	1.1¢/kg + 5.3%	0.7¢/kg + 3.5%	0.3¢/kg + 1.7%	Free
2918.90.43	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2918.90.47	2.5¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 8.9%	1.4¢/kg + 7.1%	1.1¢/kg + 5.3%	0.7¢/kg + 3.5%	0.3¢/kg + 1.7%	Free
2921.30.10	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2921.30.30	2.5¢/kg + 11.7%	2.2¢/kg + 10%	1.8¢/kg + 8.4%	1.44/kg + 6.7%	1.1¢/kg + 5%	0.7¢/kg + 3.3%	0.3¢/kg + 1.6%	Free
2921.42.90	1.6¢/kg + 13.1%	1.4¢/kg + 11.2%	1.2¢/kg + 9.4%	0.9¢/kg + 7.5%	0.7¢/kg + 5.6%	0.4¢/kg + 3.7%	0.2¢/kg + 1.8%	Free

1/ For subheading 2106.90.46, the rates of duty after 2003 will as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg;
Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg;
Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg;
Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg; and
Effective with respect to articles entered on or after January 1, 2008-- Free

Annex (con.)
-676-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2921.43.40	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2921.43.80	1.6¢/kg + 13.1%	1.4¢/kg + 11.2%	1.2¢/kg + 9.4%	0.9¢/kg + 7.5%	0.7¢/kg + 5.6%	0.4¢/kg + 3.7%	0.2¢/kg + 1.8%	Free
2921.44.70	1.6¢/kg + 13.1%	1.4¢/kg + 11.2%	1.2¢/kg + 9.4%	0.9¢/kg + 7.5%	0.7¢/kg + 5.6%	0.4¢/kg + 3.7%	0.2¢/kg + 1.8%	Free
2921.59.80	1.6¢/kg + 13.1%	1.4¢/kg + 11.2%	1.2¢/kg + 9.4%	0.9¢/kg + 7.5%	0.7¢/kg + 5.6%	0.4¢/kg + 3.7%	0.2¢/kg + 1.8%	Free
2922.29.60	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2922.30.17	2.5¢/kg + 10.9%	2.2¢/kg + 9.3%	1.8¢/kg + 7.8%	1.4¢/kg + 6.2%	1.1¢/kg + 4.6%	0.7¢/kg + 3.1%	0.3¢/kg + 1.5%	Free
2922.30.45	2.5¢/kg + 10.9%	2.2¢/kg + 9.3%	1.8¢/kg + 7.8%	1.4¢/kg + 6.2%	1.1¢/kg + 4.6%	0.7¢/kg + 3.1%	0.3¢/kg + 1.5%	Free
2922.49.27	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
2922.50.35	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2924.10.80	3.1%	1.5%	Free	Free	Free	Free	Free	Free
2924.29.70	5.4%	2.7%	Free	Free	Free	Free	Free	Free
2924.29.75	2.5¢/kg + 12.6%	2.2¢/kg + 10.8%	1.8¢/kg + 9%	1.4¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.3¢/kg + 1.8%	Free
2925.19.40	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
2926.90.05	2.7%	1.3%	Free	Free	Free	Free	Free	Free
2926.90.12	2.7%	1.3%	Free	Free	Free	Free	Free	Free
2929.10.35	3.1%	1.5%	Free	Free	Free	Free	Free	Free
2929.10.80	1.1¢/kg + 6.4%	0.5¢/kg + 3.2%	Free	Free	Free	Free	Free	Free
2931.00.60	12.3%	10.6%	8.8%	7%	5.3%	3.5%	1.7%	Free
2933.29.35	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2933.39.41	3.2%	1.6%	Free	Free	Free	Free	Free	Free
2933.39.60	5.4%	2.7%	Free	Free	f ee	Free	Free	Free
2933.39.90	1.4¢/kg + 6.4%	0.7¢/kg + 3.2%	Free	Free	Free	Free	Free	Free
2933.40.26	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
2933.40.60	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2933.59.21	3.6%	1.8%	Free	Free	Free	Free	Free	Free
2933.59.22	2.6%	1.3%	Free	Free	Free	Free	Free	Free
2933.59.53	2.7%	1.3%	Free	Free	Free	Free	Free	Free
2933.90.13	4%	3.4%	2.9%	2.3%	1.7%	1.1%	0.5%	Free
2934.30.12	4.6%	3.9%	3.3%	2.6%	1.9%	1.3%	0.6%	Free
2934.30.23	11.6%	9.9%	8.3%	6.6%	4.9%	3.3%	1.6%	Free
2934.30.27	5.7%	4.9%	4.1%	3.2%	2.4%	1.6%	0.8%	Free
2934.30.43	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2934.90.39	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2935.00.48	7.5%	6.4%	5.4%	4.3%	3.2%	2.1%	1%	Free
2935.00.60	4.8%	4.1%	3.4%	2.7%	2%	1.3%	0.6%	Free
2935.00.75	9.4%	8.1%	6.7%	5.4%	4%	2.7%	1.3%	Free
2935.00.95	2.5¢/kg + 12.6%	2.2¢/kg + 10.8%	1.8¢/kg + 9%	1.4¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.3¢/kg + 1.8%	Free
3204.11.35	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
3204.12.17	9.9%	8.5%	7.1%	5.6%	4.2%	2.8%	1.4%	Free
3204.12.45	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
3204.13.60	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
3204.13.80	14%	12%	10%	8%	6%	4%	2%	Free
3204.17.04	5.8%	4.9%	4.1%	3.3%	2.4%	1.6%	0.8%	Free
3204.17.60	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
3204.17.90	14%	12%	10%	8%	6%	4%	2%	Free
3204.19.20	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
3204.19.25	14%	12%	10%	8%	6%	4%	2%	Free
3204.20.80	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
3506.10.10	5.1%	4.3%	3.6%	2.9%	2.1%	1.4%	0.7%	Free
3808.90.95	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
3812.30.60	2.5¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3823.90.27	2.5¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3823.90.90	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
3926.90.65	2.9%	2.5%	2.1%	1.6%	1.2%	0.8%	0.4%	Free
5101.29.70	3¢/kg + 2.5%	1.5¢/kg + 1.2%	0.7¢/kg + 0.6%	Free	Free	Free	Free	Free
5402.41.90	7%	6%	5%	4%	3%	2%	1%	Free
5503.10.90	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free
5503.90.90	2.7%	1.8%	0.9%	Free	Free	Free	Free	Free
5605.00.10	7.6%	5.1%	2.5%	Free	Free	Free	Free	Free
5605.00.90	7.6%	5.1%	2.5%	Free	Free	Free	Free	Free
5701.10.40	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5701.10.90	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
5801.22.10	10.6%	7%	3.5%	Free	Free	Free	Free	Free
5801.22.90	10.6%	7%	3.5%	Free	Free	Free	Free	Free
5806.10.24	3.9%	2.6%	1.3%	Free	Free	Free	Free	Free
5806.10.28	5.1%	3.4%	1.7%	Free	Free	Free	Free	Free
5807.10.05	4.9%	3.2%	1.6%	Free	Free	Free	Free	Free
5807.10.15	4.9%	3.2%	1.6%	Free	Free	Free	Free	Free
5807.90.05	4.9%	3.2%	1.6%	Free	Free	Free	Free	Free
5807.90.15	4.9%	3.2%	1.6%	Free	Free	Free	Free	Free
5808.10.70	4.6%	3%	1.5%	Free	Free	Free	Free	Free
5808.10.90	4.6%	3%	1.5%	Free	Free	Free	Free	Free
5907.00.15	8%	5.3%	2.6%	Free	Free	Free	Free	Free
5907.00.35	8%	5.3%	2.6%	Free	Free	Free	Free	Free
6001.99.10	4.4%	2.9%	1.4%	Free	Free	Free	Free	Free
6001.99.90	4.4%	2.9%	1.4%	Free	Free	Free	Free	Free
6002.99.10	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6002.99.90	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6101.90.10	3.4%	2.2%	1.1%	Free	Free	Free	Free	Free
6101.90.90	3.4%	2.2%	1.1%	Free	Free	Free	Free	Free
6102.90.10	3.4%	2.2%	1.1%	Free	Free	Free	Free	Free
6102.90.90	3.4%	2.2%	1.1%	Free	Free	Free	Free	Free
6103.19.60	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6103.19.90	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6103.39.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6103.49.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6104.19.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6104.49.90	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6104.59.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6104.69.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6105.90.80	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6106.90.25	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6107.29.90	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6107.99.90	2.9%	1.9%	0.9%	Free	Free	Free	Free	Free
6109.90.80	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6111.90.70	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6111.90.90	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free

Annex (con.)
-678-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
6112.19.80	10.6%	7%	3.5%	Free	Free	Free	Free	Free
6113.00.10	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6113.00.90	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6114.90.10	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6114.90.90	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
6115.19.10	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6115.19.90	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6115.20.10	8.9%	5.9%	2.9%	Free	Free	Free	Free	Free
6115.20.90	8.9%	5.9%	2.9%	Free	Free	Free	Free	Free
6115.99.40	5.6%	3.7%	1.8%	Free	Free	Free	Free	Free
6115.99.80	5.6%	3.7%	1.8%	Free	Free	Free	Free	Free
6116.10.44	9.5%	6.3%	3.1%	Free	Free	Free	Free	Free
6116.10.48	9.5%	6.3%	3.1%	Free	Free	Free	Free	Free
6116.10.55	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6116.10.65	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6116.10.75	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6116.10.95	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6116.99.95	2.3%	1.5%	0.7%	Free	Free	Free	Free	Free
6117.20.10	4.5%	3%	1.5%	Free	Free	Free	Free	Free
6117.20.90	4.5%	3%	1.5%	Free	Free	Free	Free	Free
6117.80.10	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6117.80.90	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6117.90.10	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6117.90.90	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6203.19.90	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6203.39.90	3.8%	2.5%	1.2%	Free	Free	Free	Free	Free
6203.41.05	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6203.41.15	10.4%	6.9%	3.4%	Free	Free	Free	Free	Free
6204.19.80	3.8%	2.5%	1.2%	Free	Free	Free	Free	Free
6204.61.10	5.3%	4.5%	3.8%	3%	2.2%	1.5%	0.7%	Free
6204.61.90	11.9%	10.2%	8.5%	6.8%	5.1%	3.4%	1.7%	Free
6204.69.60	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6205.90.30	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6207.29.90	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6207.99.90	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6208.29.90	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6208.99.50	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
6209.90.50	1.7%	1.1%	0.5%	Free	Free	Free	Free	Free
6209.90.90	1.7%	1.1%	0.5%	Free	Free	Free	Free	Free
6210.10.50	3.1%	2.1%	1%	Free	Free	Free	Free	Free
6210.10.70	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6210.10.90	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6210.20.30	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.20.50	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.20.70	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.20.90	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.30.30	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.30.50	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.30.70	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.30.90	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.40.30	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.40.50	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.40.70	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.40.90	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
6210.50.30	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.50.50	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6210.50.70	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6210.50.90	3.6%	2.4%	1.2%	Free	Free	Free	Free	Free
6211.20.44	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6211.20.48	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6211.20.74	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6211.20.78	8.4%	5.6%	2.8%	Free	Free	Free	Free	Free
6211.39.90	1.7%	1.1%	0.5%	Free	Free	Free	Free	Free
6211.49.10	4.3%	2.8%	1.4%	Free	Free	Free	Free	Free
6211.49.90	4.3%	2.8%	1.4%	Free	Free	Free	Free	Free
6216.00.19	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6216.00.21	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6216.00.24	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6216.00.28	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6216.00.29	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6216.00.31	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
6217.10.10	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6217.10.90	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6217.90.10	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6217.90.90	7.8%	5.2%	2.6%	Free	Free	Free	Free	Free
6302.21.30	10.8%	7.2%	3.6%	Free	Free	Free	Free	Free
6302.21.50	10.8%	7.2%	3.6%	Free	Free	Free	Free	Free
6302.21.70	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6302.21.90	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6302.31.30	10.8%	7.2%	3.6%	Free	Free	Free	Free	Free
6302.31.50	10.8%	7.2%	3.6%	Free	Free	Free	Free	Free
6302.31.70	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6302.31.90	4.2%	2.8%	1.4%	Free	Free	Free	Free	Free
6307.90.68	3.1%	2.1%	1%	Free	Free	Free	Free	Free
6307.90.72	4.9%	3.2%	1.6%	Free	Free	Free	Free	Free
6402.19.05	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
6402.19.15	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6402.99.18	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
6403.19.10	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
6403.19.30	5.9%	5.1%	4.2%	3.4%	2.5%	1.7%	0.8%	Free
6403.19.50	7%	6%	5%	4%	3%	2%	1%	Free
7005.29.08	14.5¢/m^2	12.4¢/m^2	10.4¢/m^2	8.3¢/m^2	6.2¢/m^2	Free	Free	Free
7005.29.18	11.2¢/m^2	9.6¢/m^2	8¢/m^2	6.4¢/m^2	4.8¢/m^2	Free	Free	Free
7019.10.05	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
7019.10.24	5.2%	3.4%	1.7%	Free	Free	Free	Free	Free
7019.10.90	2.4%	1.2%	Free	Free	Free	Free	Free	Free
7019.20.15	3.3%	2.2%	1.1%	Free	Free	Free	Free	Free
7019.20.40	4.5%	3%	1.5%	Free	Free	Free	Free	Free
7019.20.90	5.9%	3.9%	1.9%	Free	Free	Free	Free	Free
8712.00.44	3.8%	3.3%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
8712.00.48	10.5%	9%	7.5%	6%	4.5%	3%	1.5%	Free
8714.93.35	7%	6%	5%	4%	3%	2%	1%	Free
8714.94.90	7%	6%	5%	4%	3%	2%	1%	Free
8714.99.80	7%	6%	5%	4%	3%	2%	1%	Free
9404.90.85	7.4%	4.9%	2.4%	Free	Free	Free	Free	Free
9404.90.95	7.4%	4.9%	2.4%	Free	Free	Free	Free	Free
9906.04.52	74.1¢/kg	63.5¢/kg	52.9¢/kg	42.3¢/kg	31.7¢/kg	21.2¢/kg	10.6¢/kg	Free
9906.04.53	58.2%	49.9%	41.6%	33.2%	24.9%	16.6%	8.3%	Free

Annex (con.)
-680-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
9906.04.71	78.1¢/kg	66.9¢/kg	55.8¢/kg	44.6¢/kg	33.5¢/kg	22.3¢/kg	11.2¢/kg	Free
9906.04.72	60.9%	52.2%	43.5%	34.8%	26.1%	17.4%	8.7%	Free
9906.04.73	11.2%	9.6%	8%	6.4%	4.8%	3.2%	1.6%	Free
9906.04.84	$1.132/kg	97¢/kg	80.9¢/kg	64.7¢/kg	48.5¢/kg	32.3¢/kg	16.2¢/kg	Free
9906.04.85	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.04.87	85.8¢/kg	73.5¢/kg	61.3¢/kg	49¢/kg	36.8¢/kg	24.5¢/kg	12.3¢/kg	Free
9906.04.88	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.04.90	$1.397/kg	$1.198/kg	99.8¢/kg	79.8¢/kg	59.9¢/kg	39.9¢/kg	20¢/kg	Free
9906.04.91	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.04.93	96¢/kg	82.3¢/kg	68.6¢/kg	54.9¢/kg	41.2¢/kg	27.4¢/kg	13.7¢/kg	Free
9906.04.94	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.04.96	$1.526/kg	$1.308/kg	$1.09/kg	87.2¢/kg	65.4¢/kg	43.6¢/kg	21.8¢/kg	Free
9906.04.97	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.04.99	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.00	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.02	99.5¢/kg	85.3¢/kg	71.1¢/kg	56.8¢/kg	42.6¢/kg	28.4¢/kg	14.2¢/kg	Free
9906.05.03	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.05	84¢/kg	72¢/kg	60¢/kg	48¢/kg	36¢/kg	24¢/kg	12¢/kg	Free
9906.05.06	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.08	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.09	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.24	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.25	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.29	$1.132/kg	97¢/kg	80.9¢/kg	64.7¢/kg	48.5¢/kg	32.3¢/kg	16.2¢/kg	Free
9906.05.30	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.32	85.8¢/kg	73.5¢/kg	61.3¢/kg	49¢/kg	36.8¢/kg	24.5¢/kg	12.3¢/kg	Free
9906.05.33	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.35	96¢/kg	82.3¢/kg	68.6¢/kg	54.9¢/kg	41.2¢/kg	27.4¢/kg	13.7¢/kg	Free
9906.05.36	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.38	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.39	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.41	99.5¢/kg	85.3¢/kg	71.1¢/kg	56.8¢/kg	42.6¢/kg	28.4¢/kg	14.2¢/kg	Free
9906.05.42	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.44	84¢/kg	72¢/kg	60¢/kg	48¢/kg	36¢/kg	24¢/kg	12¢/kg	Free
9906.05.45	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.47	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.48	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.64	$1.132/kg	97¢/kg	80.9¢/kg	64.7¢/kg	48.5¢/kg	32.3¢/kg	16.2¢/kg	Free
9906.05.65	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.67	85.8¢/kg	73.5¢/kg	61.3¢/kg	49¢/kg	36.8¢/kg	24.5¢/kg	12.3¢/kg	Free
9906.05.68	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.70	96¢/kg	82.3¢/kg	68.6¢/kg	54.9¢/kg	41.2¢/kg	27.4¢/kg	13.7¢/kg	Free
9906.05.71	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.73	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.74	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.75	4%	2%	Free	Free	Free	Free	Free	Free
9906.05.77	99.5¢/kg	85.3¢/kg	71.1¢/kg	56.8¢/kg	42.6¢/kg	28.4¢/kg	14.2¢/kg	Free
9906.05.78	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.80	84¢/kg	72¢/kg	60¢/kg	48¢/kg	36¢/kg	24¢/kg	12¢/kg	Free
9906.05.81	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.83	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.84	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.05.96	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.05.97	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free

Annex (con.)
-681-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
9906.06.00	$1.526/kg	$1.308/kg	$1.09/kg	87.2¢/kg	65.4¢/kg	43.6¢/kg	21.8¢/kg	Free
9906.06.01	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.03	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.06.04	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.06	$1.526/kg	$1.308/kg	$1.09/kg	87.2¢/kg	65.4¢/kg	43.6¢/kg	21.8¢/kg	Free
9906.06.07	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.09	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.06.10	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.13	$1.355/kg	$1.161/kg	96.8¢/kg	77.4¢/kg	58.1¢/kg	38.7¢/kg	19.4¢/kg	Free
9906.06.14	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.17	85.8¢/kg	73.5¢/kg	61.3¢/kg	49¢/kg	36.8¢/kg	24.5¢/kg	12.3¢/kg	Free
9906.06.18	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.20	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.06.21	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.23	$1.132/kg	97¢/kg	80.9¢/kg	64.7¢/kg	48.5¢/kg	32.3¢/kg	16.2¢/kg	Free
9906.06.24	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.26	85.8¢/kg	73.5¢/kg	61.3¢/kg	49¢/kg	36.8¢/kg	24.5¢/kg	12.3¢/kg	Free
9906.06.27	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.29	96¢/kg	82.3¢/kg	68.6¢/kg	54.9¢/kg	41.2¢/kg	27.4¢/kg	13.7¢/kg	Free
9906.06.30	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.32	99.5¢/kg	85.3¢/kg	71.1¢/kg	56.8¢/kg	42.6¢/kg	28.4¢/kg	14.2¢/kg	Free
9906.06.33	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.35	84¢/kg	72¢/kg	60¢/kg	48¢/kg	36¢/kg	24¢/kg	12¢/kg	Free
9906.06.36	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.06.38	$1.123/kg	96.2¢/kg	80.2¢/kg	64.2¢/kg	48.1¢/kg	32.1¢/kg	16¢/kg	Free
9906.06.39	48.7%	41.7%	34.8%	27.8%	20.9%	13.9%	7%	Free
9906.07.04	4.4¢/kg	4.3¢/kg	4.1¢/kg	4¢/kg	3.9¢/kg	3.9¢/kg	3.9¢/kg	Free
9906.07.09	3.1¢/kg	3.1¢/kg	3¢/kg	2.9¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg	2.8¢/kg 1/
9906.07.12	3.6¢/kg	3.5¢/kg	3.4¢/kg	3.2¢/kg	3.1¢/kg	3.1¢/kg	3.1¢/kg	Free
9906.07.36	3.1¢/kg	3¢/kg	2.8¢/kg	2.7¢/kg	2.6¢/kg	2.6¢/kg	2.6¢/kg	Free
9906.07.42	3.8¢/kg	3.3¢/kg	2.7¢/kg	2.2¢/kg	1.6¢/kg	1.1¢/kg	0.5¢/kg	Free
9906.07.43	5.1¢/kg	5¢/kg	4.8¢/kg	4.6¢/kg	4.4¢/kg	4.4¢/kg	4.4¢/kg	4.4¢/kg 2/
9906.07.44	2.2¢/kg	1.1¢/kg	Free	Free	Free	Free	Free	Free
9906.07.45	3.8¢/kg	3.3¢/kg	2.7¢/kg	2.2¢/kg	1.6¢/kg	1.1¢/kg	0.5¢/kg	Free
9906.07.48	2.1¢/kg	2¢/kg	1.8¢/kg	1.6¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg 3/
9906.08.11	19.5%	19%	18.5%	18%	17.5%	17%	17%	Free
9906.15.02	14.4¢/kg	12.4¢/kg	10.3¢/kg	8.2¢/kg	6.2¢/kg	4.1¢/kg	2.1¢/kg	Free
9906.15.03	65.6%	56.2%	46.9%	37.5%	28.1%	18.7%	9.4%	Free
9906.17.04	26.5¢/kg	22.7¢/kg	19¢/kg	15.2¢/kg	11.4¢/kg	7.6¢/kg	3.8¢/kg	Free
9906.17.05	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.17.13	26.5¢/kg	22.7¢/kg	19¢/kg	15.2¢/kg	11.4¢/kg	7.6¢/kg	3.8¢/kg	Free
9906.17.14	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.17.19	26.5¢/kg	22.7¢/kg	19¢/kg	15.2¢/kg	11.4¢/kg	7.6¢/kg	3.8¢/kg	Free
9906.17.20	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.17.22	26.5¢/kg	22.7¢/kg	19¢/kg	15.2¢/kg	11.4¢/kg	7.6¢/kg	3.8¢/kg	Free

1/ For subheading 9906.07.09, effective with respect to articles entered on or after March 1, 2003, the rate of duty will be Free.

2/ For subheading 9906.07.43, effective with respect to articles entered on or after August 1, 2003, the rate of duty will be Free.

3/ For subheading 9906.07.48, effective with respect to articles entered on or after July 1, 2003, the rate of duty will be Free.

Annex (con.)
-682-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
9906.17.23	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.17.26	29.7¢/kg	25.4¢/kg	21.2¢/kg	17¢/kg	12.7¢/kg	8.5¢/kg	4.2¢/kg	Free
9906.17.27	67.8%	58.1%	48.5%	38.8%	29.1%	19.4%	9.7%	Free
9906.17.33	29.7¢/kg	25.4¢/kg	21.2¢/kg	17¢/kg	12.7¢/kg	8.5¢/kg	4.2¢/kg	Free
9906.17.34	67.8%	58.1%	48.5%	38.8%	29.1%	19.4%	9.7%	Free
9906.17.36	29.7¢/kg	25.4¢/kg	21.2¢/kg	17¢/kg	12.7¢/kg	8.5¢/kg	4.2¢/kg	Free
9906.17.37	67.8%	58.1%	48.5%	38.8%	29.1%	19.4%	9.7%	Free
9906.17.40	26.5¢/kg	22.7¢/kg	19¢/kg	15.2¢/kg	11.4¢/kg	7.6¢/kg	3.8¢/kg	Free
9906.17.41	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.17.43	8.5%	7.3%	6.1%	4.8%	3.6%	2.4%	1.2%	Free
9906.18.02	17¢/kg	14.6¢/kg	12.2¢/kg	9.7¢/kg	7.3¢/kg	4.9¢/kg	2.4¢/kg	Free
9906.18.03	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.18.15	39.4¢/kg	33.8¢/kg	28.2¢/kg	22.5¢/kg	16.9¢/kg	11.3¢/kg	5.6¢/kg	Free
9906.18.16	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.18	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.18.19	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.18.21	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.18.22	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.18.25	39.4¢/kg	33.8¢/kg	28.2¢/kg	22.5¢/kg	16.9¢/kg	11.3¢/kg	5.6¢/kg	Free
9906.18.26	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.35	39.4¢/kg	33.8¢/kg	28.2¢/kg	22.5¢/kg	16.9¢/kg	11.3¢/kg	5.6¢/kg	Free
9906.18.36	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.39	39.4¢/kg	33.8¢/kg	28.2¢/kg	22.5¢/kg	16.9¢/kg	11.3¢/kg	5.6¢/kg	Free
9906.18.40	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.52	26.3¢/kg	22.5¢/kg	18.8¢/kg	15¢/kg	11.3¢/kg	7.5¢/kg	3.8¢/kg	Free
9906.18.53	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.18.55	26.3¢/kg	22.5¢/kg	18.8¢/kg	15¢/kg	11.3¢/kg	7.5¢/kg	3.8¢/kg	Free
9906.18.56	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.18.59	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.60	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.62	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.63	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.65	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.66	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.68	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.69	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.71	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.72	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.74	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.75	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.77	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.78	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.80	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.81	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.18.83	27.8¢/kg	23.8¢/kg	19.8¢/kg	15.9¢/kg	11.9¢/kg	7.9¢/kg	4¢/kg	Free
9906.18.84	66.2%	56.7%	47.3%	37.8%	28.4%	18.9%	9.5%	Free
9906.19.06	30.5¢/kg	26.1¢/kg	21.8¢/kg	17.4¢/kg	13.1¢/kg	8.7¢/kg	4.4¢/kg	Free
9906.19.07	63.8%	54.7%	45.6%	36.5%	27.4%	18.2%	9.1%	Free
9906.19.09	30.5¢/kg	26.1¢/kg	21.8¢/kg	17.4¢/kg	13.1¢/kg	8.7¢/kg	4.4¢/kg	Free
9906.19.10	63.8%	54.7%	45.6%	36.5%	27.4%	18.2%	9.1%	Free
9906.19.12	30.5¢/kg	26.1¢/kg	21.8¢/kg	17.4¢/kg	13.1¢/kg	8.7¢/kg	4.4¢/kg	Free
9906.19.13	63.8%	54.7%	45.6%	36.5%	27.4%	18.2%	9.1%	Free
9906.19.17	74.1¢/kg	63.5¢/kg	52.9¢/kg	42.3¢/kg	31.7¢/kg	21.2¢/kg	10.6¢/kg	Free
9906.19.18	58.2%	49.9%	41.6%	33.2%	24.9%	16.6%	8.3%	Free

Annex (con.)
-683-

Section G. (continued)

(1). (con.)

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
9906.19.32	18.6¢/kg	15.9¢/kg	13.3¢/kg	10.6¢/kg	8¢/kg	5.3¢/kg	2.7¢/kg	Free
9906.19.33	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.19.35	18.6¢/kg	15.9¢/kg	13.3¢/kg	10.6¢/kg	8¢/kg	5.3¢/kg	2.7¢/kg	Free
9906.19.36	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.02	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.21.03	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.05	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.21.06	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.08	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.21.09	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.12	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.21.13	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.15	23.9¢/kg	20.5¢/kg	17.1¢/kg	13.6¢/kg	10.2¢/kg	6.8¢/kg	3.4¢/kg	Free
9906.21.16	84.2%	72.2%	60.2%	48.1%	36.1%	24.1%	12%	Free
9906.21.20	33¢/kg	28.3¢/kg	23.6¢/kg	18.9¢/kg	14.2¢/kg	9.4¢/kg	4.7¢/kg	Free
9906.21.21	64.5%	55.3%	46.1%	36.9%	27.7%	18.4%	9.2%	Free
9906.21.23	33¢/kg	28.3¢/kg	23.6¢/kg	18.9¢/kg	14.2¢/kg	9.4¢/kg	4.7¢/kg	Free
9906.21.24	64.5%	55.3%	46.1%	36.9%	27.7%	18.4%	9.2%	Free
9906.21.32	$1.054/kg	90.3¢/kg	75.3¢/kg	60.2¢/kg	45.2¢/kg	30.1¢/kg	15.1¢/kg	Free
9906.21.33	67%	57.4%	47.9%	38.3%	28.7%	19.1%	9.6%	Free
9906.21.38	49.2¢/kg	42.2¢/kg	35.2¢/kg	28.1¢/kg	21.1¢/kg	14.1¢/kg	7¢/kg	Free
9906.21.39	65.7%	56.3%	47%	37.6%	28.2%	18.8%	9.4%	Free
9906.21.45	49.2¢/kg	42.2¢/kg	35.2¢/kg	28.1¢/kg	21.1¢/kg	14.1¢/kg	7¢/kg	Free
9906.21.46	65.7%	56.3%	47%	37.6%	28.2%	18.8%	9.4%	Free
9906.21.48	49.2¢/kg	42.2¢/kg	35.2¢/kg	28.1¢/kg	21.1¢/kg	14.1¢/kg	7¢/kg	Free
9906.21.49	65.7%	56.3%	47%	37.6%	28.2%	18.8%	9.4%	Free
9906.21.51	49.2¢/kg	42.2¢/kg	35.2¢/kg	28.1¢/kg	21.1¢/kg	14.1¢/kg	7¢/kg	Free
9906.21.52	65.7%	56.3%	47%	37.6%	28.2%	18.8%	9.4%	Free
9906.61.16	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
9906.61.18	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free

Section G. (continued)

(2) On or after January 1 of the following years, the rate of duty provided in additional U.S. note 1, additional U.S. note 4 and additional U.S. note 5 to chapter 58 as the "column 1 (special)" rate of duty followed by the symbol "MX" in parentheses shall be modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified below in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998	1999
6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	4.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	3%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	1.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	Free

Section G. (continued)

(3) On or after January 1 of the following years, the rate of duty provided in additional U.S. note 2 and additional U.S. note 3 to chapter 58 as the "column 1 (special)" rate of duty followed by the symbol "MX" in parentheses shall be modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified below in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in lieu thereof on the date specified as follows:

1995	1996	1997	1998	1999	2000	2001	2002	2003
6.7%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5.8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	4.2%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	3.3%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	2.5%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	1.6%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	0.8%, but in the case of embroidery in the piece not less than the rate which would apply to such product if not embroidered	Free

Section G. (continued)

(4) On or after January 1 of the following years, for subheading 9818.00.05 the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

1996	1997	1998
The lower of 20 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts	The lower of 10 percent of the cost of such parts or the rate applicable in the absence of this subheading on the cost of such parts	Free

(5) On or after January 1 of the following years, for subheading 9818.00.07 the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

1996	1997	1998
20 percent of the cost of such goods or repairs	10 percent of the cost of such goods or repairs	Free

Section G. (continued)

(6). On January 1, 2003, the Rates of Duty 1 Special subcolumn is modified for the following subheadings, by deleting the "(MX)" symbol and the rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order:

0401.30.25	0406.20.33	0406.90.74	1806.20.83	2101.10.38
0401.30.75	0406.20.39	0406.90.78	1806.20.87	2101.10.48
0402.10.50	0406.20.48	0406.90.84	1806.20.89	2101.10.58
0402.21.25	0406.20.53	0406.90.88	1806.20.91	2101.20.38
0402.21.50	0406.20.63	0406.90.92	1806.20.98	2101.20.48
0402.21.90	0406.20.67	0406.90.94	1806.32.06	2101.20.58
0402.29.50	0406.20.71	0406.90.97	1806.32.08	2103.90.78
0402.91.70	0406.20.75	0709.60.20	1806.32.16	2105.00.20
0402.91.80	0406.20.79	0709.60.40	1806.32.18	2105.00.40
0402.99.45	0406.20.83	0709.90.90	1806.32.70	2106.90.09
0402.99.55	0406.20.87	1517.90.60	1806.32.80	2106.90.26
0402.99.90	0406.20.91	1701.91.48	1806.90.08	2106.90.36
0403.10.50	0406.30.18	1701.91.58	1806.90.10	2106.90.66
0403.90.16	0406.30.28	1702.20.28	1806.90.18	2106.90.72
0403.90.45	0406.30.38	1702.30.28	1806.90.20	2106.90.76
0403.90.55	0406.30.48	1702.40.28	1806.90.28	2106.90.80
0403.90.65	0406.30.53	1702.60.28	1806.90.30	2106.90.87
0403.90.78	0406.30.63	1702.90.58	1806.90.39	2106.90.91
0403.90.95	0406.30.67	1702.90.68	1806.90.49	2106.90.94
0404.10.15	0406.30.71	1704.90.58	1806.90.59	2106.90.97
0404.10.90	0406.30.75	1704.90.68	1901.10.30	2202.90.28
0404.90.50	0406.30.79	1704.90.78	1901.10.40	2309.90.28
0404.90.70	0406.30.83	1704.90.90	1901.10.75	2309.90.48
0405.00.40	0406.30.87	1806.10.15	1901.10.85	5201.00.18
0405.00.90	0406.30.91	1806.10.28	1901.20.15	5201.00.28
0406.10.08	0406.40.70	1806.10.38	1901.20.25	5201.00.38
0406.10.18	0406.90.12	1806.10.55	1901.20.35	5201.00.80
0406.10.28	0406.90.18	1806.10.75	1901.20.50	5202.99.30
0406.10.38	0406.90.33	1806.20.26	1901.20.60	5203.00.50
0406.10.48	0406.90.37	1806.20.28	1901.20.70	6110.90.90
0406.10.58	0406.90.38	1806.20.36	1901.90.36	6402.19.15
0406.10.68	0406.90.42	1806.20.38	1901.90.43	
0406.10.78	0406.90.48	1806.20.73	1901.90.47	
0406.10.88	0406.90.54	1806.20.77	1901.90.54	
0406.20.28	0406.90.68	1806.20.82	1901.90.58	

Section G. (continued)

(7). On August 1, 2003, for subheading 0709.60.20 the Rates of Duty 1 Special subcolumn is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

(8). On January 1, 2008, the Rates of Duty 1 Special subcolumn is modified for the following subheadings, by deleting the "(MX)" symbol and the rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order:

1202.10.80
1202.20.80
2008.11.35
2008.11.60

Section H. Continuation and modification of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods under terms of the Caribbean Basin Economic Recovery Act (CBERA) or the Andean Trade Preference Act (ATPA).

Effective with respect to goods of a beneficiary country for purposes of the CBERA or ATPA, under the terms of general note 7 or 11 to the HTS, entered, or withdrawn from warehouse for consumption, on or after January 1 of each of the years listed below.

(1) On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "E,J" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "E,J" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

	1995	1996
4202.12.40	5.4%	4.9%
4202.12.60	4.8%	4.4%
4202.12.80	17.3%	16.6%
4202.22.15	16%	15%
4202.22.40	6.2%	5.7%
4202.22.45	5.4%	4.9%
4202.22.60	4.8%	4.4%
4202.22.80	17.3%	16.6%
4202.32.40	5.4%	4.9%
4202.32.95	17.3%	16.6%
4202.91.00	4.2%	3.5%
4202.92.15	5.4%	4.9%
4202.92.20	4.8%	4.4%
4202.92.30	17.3%	16.6%
4202.92.60	5.4%	4.9%
4202.92.90	17.3%	16.6%
4602.10.21	6.7%	5.2%
6116.92.88	7.9%	7.4%
6116.93.64	31.4¢/kg + 5.8%	31¢/kg + 5.4%
6116.93.88	17%	16.3%
6116.99.48	17.2%	16.5%
6216.00.54	21¢/kg + 8.8%	20.7¢/kg + 8.2%

Section H. (continued)

(2) On or after January 1 of each of the years listed below, for subheading 4202.32.80, the Rates of Duty 1 Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "J" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "J" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

1995	1996
4.8%	4.4%

(3) On or after January 1, 1996, for each of the following subheadings, the Rates of Duty 1 Special subcolumn is modified by deleting the rate of duty preceding the symbol "E,J" in parentheses and inserting in lieu thereof the rate of duty set out opposite such subheading.

6116.10.44	8.9%
6116.10.48	16.3%
6116.10.55	10.7%
6116.10.65	6%
6216.00.19	11.1¢/kg + 4.5%
6216.00.21	20.6¢/kg + 8.1%
6216.00.24	10.7%
6216.00.26	6%

Section JJ. Modifications to the Rates of Duty 2 column.

On January 1, 1995, the Rates of Duty 2 column is modified for the following provisions, by deleting the rate in such column for such provision and inserting the rate set out opposite such provision in lieu thereof.

2401.20.30	$1.21/kg
2801.30.20	37%
2805.30.00	31.3%
2805.40.00	5.7%
2811.19.10	4.9%
2818.10.20	4.1%
2822.00.00	1.7%
2827.39.20	31.9%
2833.11.50	3.6%
2833.27.00	4.2%
2836.40.20	4.8%
2836.60.00	8.4%
2837.20.10	5.1%
2840.11.00	1.2%
2840.19.00	0.4%
2849.20.20	1.6%
2903.15.00	88%
2903.16.00	33.3%
2903.30.05	46.3%
2906.11.00	6.2%
2907.12.00	48.3%
2909.11.00	4%
2912.11.00	12.1%
2916.15.10	35.2%
2916.19.30	24.4%
3213.90.00	81.7%
3307.10.20	81.7%
3307.49.00	73.2%
3403.11.20	0.4%
3403.19.10	0.4%
3506.10.10	30.4%
3603.00.30	8.3%
3603.00.90	0.3%
3604.10.00	12.5%
3606.90.30	56.7%
3706.10.30	7%
3807.00.00	0.2%
3823.90.33	26.3%
3904.61.00	34.1%
3916.90.10	40.6%
3920.51.50	48.2%
3926.90.65	8.4%

Annex (con.)
-692-

Section K. Delay in access to certain quantities of cheese subject to quota.

Notwithstanding the provisions of additional U.S. notes to chapter 4, as added by Section A of this Annex, setting forth quantitative limitations on certain cheeses, for calendar year 1995 the Secretary of Agriculture shall withhold from the quantities set forth in such notes until July 1, 1995, the issuance of licenses for the importation of the quantities of cheese specified below.

(1). Of the total quantities specified in additional U.S. note 16 to chapter 4 for goods entered under subheadings 0406.10.04, 0406.10.84, 0406.20.89, 0406.30.89 and 0406.90.95, licenses will not be issued for the following amounts:

	Quantity (kg)
Austria	91,000
EC 12	300,000
Poland	300,000
Switzerland	83,333

(2). Of the total quantities specified in additional U.S. note 17 to chapter 4 for goods entered under subheadings 0406.10.14, 0406.20.24, 0406.20.61, 0406.30.14, 0406.30.61, 0406.40.54, 0406.40.58 and 0406.90.72, licenses will not be issued for the following amount:

	Quantity (kg)
EC 12	50,000

(3). Of the total quantities specified in additional U.S. note 18 to chapter 4 for goods entered under subheadings 0406.10.24, 0406.20.31, 0406.20.65, 0406.30.24, 0406.30.65, 0406.90.08 and 0406.90.76, licenses will not be issued for the following amount:

	Quantity (kg)
EC 12	166,667

Section K. (continued)

(4). Of the total quantities specified in additional U.S. note 19 to chapter 4 for goods entered under subheadings 0406.10.34, 0406.20.36, 0406.20.69, 0406.30.34, 0406.30.69, 0406.90.52 and 0406.90.82, licenses will not be issued for the following amount:

	Quantity (kg)
EC 12	16,667

(5). Of the total quantities specified in additional U.S. note 20 to chapter 4 for goods entered under subheadings 0406.10.44, 0406.20.44, 0406.20.73, 0406.30.44, 0406.30.73, 0406.90.16 and 0406.90.86, licenses will not be issued for the following amounts:

	Quantity (kg)
Austria	66,667
EC 12	100,000

(6). Of the total quantities specified in additional U.S. note 21 to chapter 4 for goods entered under subheadings 0406.10.54, 0406.20.51, 0406.20.77, 0406.30.77, 0406.90.31, 0406.90.36, 0406.90.41 and 0406.90.66, licenses will not be issued for the following amounts:

	Quantity (kg)
EC 12	116,667
Poland	1,100,000

(7). Of the total quantities specified in additional U.S. note 22 to chapter 4 for goods entered under subheadings 0406.10.64, 0406.20.81, 0406.30.51, 0406.30.81 and 0406.90.90, licenses will not be issued for the following amounts:

	Quantity (kg)
Austria	13,333
EC 12	50,000

Section K. (continued)

(8). Of the total quantities specified in additional U.S. note 25 to chapter 4 for goods entered under subheading 0406.90.46, licenses will not be issued for the following amounts:

	Quantity (kg)
Austria	36,667
EC 12	116,667
Sweden	300,000
Switzerland	33,333

Section L. Pursuant to section 401(b)(2) of the Uruguay Round Agreements Act, amending section 103B of the Agricultural Act of 1949 (7 U.S.C. 1444-2), the following conforming changes are made in subchapter III of chapter 99 of the HTS:

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the date of entry into force of the WTO Agreement:

(1). U.S. note 6 to such subchapter III is modified as follows:
(a). the title to such note is modified by deleting "Special limited global import" and by inserting "Import" in lieu thereof;

(b). the first sentence of subdivision (a)(i) is modified by deleting "limited global", and the final sentence is modified by inserting "Import" after "Cotton";

(c). subdivision (a)(iii) is modified by deleting "special";

(d). the title to subdivision (b) is modified by deleting "Special";

(e). subdivisions (b)(i), (ii), (iv), (v), and (vi) are each modified by deleting at each occurrence "special", and subdivision (b)(i) is further modified by deleting "Special" and by inserting "Cotton" after "Global".

(2). The article description in subheading 9903.52.00 is modified by deleting "Special" and by inserting "Cotton" after "Global".

(3). The article descriptions in subheadings 9903.52.01 through 9903.52.20, inclusive, are each modified by deleting "Special" and by inserting "Import" after "Cotton".

Proclamation 6764 of January 11, 1995

National Good Teen Day, 1995

By the President of the United States of America
A Proclamation

For many of the 24 million teenagers in the United States today, the future can seem uncertain and distant. Confronted with challenges the likes of which their parents could scarcely have imagined, many of our young people are too busy with the trials of daily life to spend much time hoping and dreaming. But empowered with the courage to try, all teens—even those who may feel troubled and lost—have the potential to succeed.

The choices teens make today will determine the future for all of us, and we must strive to set an example of hard work and responsible behavior. On the occasion of National Good Teen Day, we pause to recognize the teens who set just such an example for their peers—young people who make invaluable contributions to our society, bringing their remarkable talents and energies to bear in their studies and activities, in caring for their families and friends, and in helping their communities. We can learn a lot from these youth, from the creativity, optimism, and resilience that enable them to navigate the complex path to adulthood.

In return for all they give, teens need our understanding, compassion, and love. They require our attention, and they deserve our respect. America's young people have so much to look forward to, so much to share with our world. With firm guidance and gentle reassurance, we can help teenagers to recognize their strengths and realize their dreams.

In celebration of teens throughout the Nation, the Congress, by Public Law 103–463, has designated January 16, 1995, as "National Good Teen Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim January 16, 1995, as National Good Teen Day. I urge all Americans to observe this day with appropriate programs and activities.

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

WILLIAM J. CLINTON

Proclamation 6765 of January 11, 1995

Martin Luther King, Jr., Federal Holiday, 1995

By the President of the United States of America
A Proclamation

> As long as there is poverty in the world I can never be rich, even if I have a billion dollars. . . . I can never be what I ought to be until you are what you ought to be. This is the way our world is made. No individual or nation can stand out boasting of being independent. We are interdependent.

With resolution and eloquence, Dr. Martin Luther King, Jr., stirred people around the globe to action. He dedicated his life to ending the oppression of racism, and his vision of a nation driven by love instead of hate changed our world forever. We are all the beneficiaries of his legacy, and we are grateful.

Dr. King taught that the goals of civil rights are not merely the goals of any specific group—they are the goals of our Nation. To give people opportunity, to treat them with fairness, and to distinguish them only by their potential—we will continue to work toward these goals as long as people in this Nation are in need of housing, medical care, and subsistence. We will continue to work as long as neighborhoods are ravaged by drugs and violence. We will continue to work as long as any person, because of circumstance of birth, is granted anything less than the full measure of his or her dignity.

Three decades have passed since Dr. King stood in front of the Lincoln Memorial and told the world of his dream for a future in which our children are judged "not by the color of their skin, but by the content of their character." Today, with an entire generation of voting Americans who did not witness firsthand the great civil rights victories of the 1960s, it is more important than ever to remind the Nation about Dr. King and his inestimable gifts to this country, so that all of us continue to grow in our commitment to justice and equality.

This year, the Martin Luther King, Jr., holiday is celebrated with a national day of service, a call to join together in purpose and care for one another. On this occasion, I urge the citizens of this great country to reflect upon Dr. King's teachings and to take positive and life-affirming action in his memory. Give back to your community, help the homeless, feed the hungry, attend to the sick, give to the needy. In whatever way you choose to serve the public good, do something to make life better for the people around you. As Dr. King said on many occasions, "Life's most persistent and urgent question is, 'What are you doing for others?' "

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim January 16, 1995, as the "Martin Luther King, Jr., Federal Holiday."

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord nineteen hundred and ninety-

five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6766 of January 17, 1995

Year of the Grandparent, 1995

By the President of the United States of America
A Proclamation

The American family has undergone dramatic changes in the past few decades. Families have felt the effects of a rising divorce rate, declining birth rate, and an increasingly fast-paced and complicated economy. At the same time, Americans are living longer, retiring younger, and taking advantage of more leisure hours than ever before. Today, approximately 60 million grandparents in the United States look forward to spending time with their families and to enjoying their much-deserved respite.

Despite the many changes, grandparents remain an important source of knowledge and stability in American families. Grandparents help us understand the past and encourage us to hope for the future. They preserve and strengthen the values we hold most dear—compassion and generosity, responsibility and tradition. These relationships between generations have always been central to the happiness and well-being of young and old alike.

Households made up of several generations have increased by more than 50 percent in the past 25 years, and today, some 3.4 million children live in a household headed by a grandparent. For parents struggling with issues including substance abuse or teenage pregnancy, divorce or separation, grandparents can be invaluable resources of compassion. For children who are abused or neglected, grandparents can be lifesavers. All too often, grandparents embrace these tremendous responsibilities because no one else is able. But they also do so out of love, out of the wisdom that comes from a lifetime spent learning the importance of family. For all they teach us and for all they give, we pledge this year to honor grandparents everywhere.

The Congress, by Public Law 103–368, has designated 1995 as the "Year of the Grandparent" and has authorized and requested the President to issue a proclamation in observance of this year.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim 1995 as the Year of the Grandparent. I invite Federal officials, local government, advocacy groups, and families across the United States to join in commemorating the many contributions that grandparents make and in observing this year with appropriate ceremonies, programs, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of January, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6767 of February 3, 1995

To Amend the Generalized System of Preferences

By the President of the United States of America
A Proclamation

1. Pursuant to sections 501 and 502 of the Trade Act of 1974, as amended ("trade Act") (19 U.S.C. 2461 and 2462), and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate Armenia as a beneficiary developing country for purposes of the Generalized System of Preferences (GSP).

2. Pursuant to section 504(f) of the Trade Act (19 U.S.C. 2464(f)), I have determined that the per capita gross national product of The Bahamas has exceeded the applicable limit provided for in section 504(f). Accordingly, pursuant to section 504(a) of the Trade Act (19 U.S.C. 2464(a)), I have determined that it is appropriate to suspend the designation of The Bahamas as a beneficiary developing country for purposes of the GSP, and pursuant to section 504(f) of the Trade Act, I have determined that it is appropriate to terminate such designation.

3. Pursuant to section 504(f) of the Trade Act, I have determined that the per capita gross national product of Israel has exceeded the applicable limit provided for in section 504(f). Accordingly, I have determined that it is appropriate to terminate the designation of Israel as a beneficiary developing country for purposes of the GSP.

4. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

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 501, 504, and 604 of the Trade Act, do proclaim that:

(1) General note 4(a) to the HTS, listing those countries whose products are eligible for benefits of the GSP, is modified by: (a) inserting "Armenia" in alphabetical order in the list of independent countries;

(b) deleting "Bahamas, The" and "Israel" from the list of independent countries; and

(c) deleting "Bahamas, The" from the list of Member Countries of the Caribbean Common Market, and amending the heading of that list to read "Member Countries of the Caribbean Common Market (CARICOM), except The Bahamas".

(2) General note 4(d) to the HTS is modified as provided in Annex I to this proclamation.

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

(4)(a) The modifications to the HTS made by paragraph (1)(a) of this proclamation shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from

warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register**.

(b) The modifications to the HTS made by paragraphs (1)(b), (1)(c), and (2) shall be effective on July 1, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand thisthird day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

ANNEX I—MODIFICATIONS to GENERAL NOTE 4(d) of the HTS

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 July 1, 1995.

General note 4(d) is modified by:

(a) deleting the following HTS subheadings and the country set out opposite such subheadings:

3909.10.00	....	Israel
4011.91.50	....	Israel
8419.19.00	....	Israel
8419.90.10	....	Israel
8517.30.15	....	Israel

(b) deleting the country set out opposite the following HTS subheadings:

2903.40.40	....	Israel
2903.59.40	....	Israel
2918.90.30	....	Bahamas
2933.40.10	....	Israel
7113.19.50	....	Israel

Proclamation 6768 of February 10, 1995

American Heart Month, 1995

By the President of the United States of America
A Proclamation

Throughout history, the heart has been a symbol of health and well-being. Yet nothing now overshadows Americans' health as much as heart disease—the leading cause of death among men and women. Diseases of the heart and blood vessels kill nearly a million Americans each year, most from the effects of atherosclerosis, the narrowing and stiffening of blood vessels from the buildup of plaque that usually begins early in life.

Today, Americans are enjoying the rewards of the progress humanity has made in understanding and treating cardiovascular disease. Advances in diagnosis make it possible to see the heart beat without the use of invasive procedures. Thousands of heart attack victims are being saved by the rapid administration of drugs to dissolve blood clots. Soon, gene therapy may be able to prevent the smooth muscle cell multiplication that contributes to the narrowing of blood vessels. Perhaps most important, we have greater understanding of how to prevent

the development of heart disease. By controlling blood pressure and blood cholesterol, being physically active, and not smoking cigarettes, more Americans can have the chance to lead long, healthy lives.

The Federal Government has contributed to these successes by supporting research and education through the National Heart, Lung, and Blood Institute. Through its commitment to research, its programs to heighten public awareness, and its vital network of dedicated volunteers, the American Heart Association also has played a crucial role in bringing about these remarkable accomplishments.

Yet the heart has not revealed all of its mysteries. No one knows why heart disease begins. And, while it is known that heart disease develops differently in men and women, the reasons for those variations are still being studied. About 50 million Americans continue to suffer from hypertension, a major cause of stroke, and 1.25 million Americans have heart attacks every year.

Conquering these diseases requires unwavering national and personal commitment. On the national level, the Federal Government will continue to support research into the prevention, diagnosis, and treatment of heart disease. On the personal level, Americans can take steps to prevent heart disease from striking their families, including teaching their children heart-healthy habits. Working together, we can make the tragedy of heart disease a nightmare of the past.

In recognition of the need for all Americans to become involved in the ongoing fight against cardiovascular disease, the Congress, by Joint Resolution approved December 30, 1963 (77 Stat. 843; 36 U.S.C. 169b), has requested that the President issue an annual proclamation designating February as "American Heart Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim February 1995 as American Heart Month. I invite the Governors of the States, the Commonwealth of Puerto Rico, officials of other areas subject to the jurisdiction of the United States, and the American people to join me in reaffirming our commitment to combating cardiovascular disease and stroke.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6769 of February 10, 1995

National Older Workers Employment Week, 1995

By the President of the United States of America
A Proclamation

Today, our Nation relies more than ever on the active involvement of citizens 55 years old or older. It is estimated that more than 70 percent of these Americans work every day to keep our Nation running, contributing to all aspects of our economy and our society. And as our population continues to age, the contributions of older workers will

play an increasingly important role in maintaining America's leadership in a highly competitive international marketplace.

Yet despite often impressive job qualifications, these citizens find that the search for employment becomes more difficult as they grow older. Those seeking to change careers or those struggling to find new jobs are too often confronted by employer reluctance or stereotyping. Rather than being judged on their abilities, older people sometimes face the injustice of being judged solely on their age.

But we Americans understand the meaning of fairness and the value of honest labor. Every reasonable measure of job performance tells us that older workers are at least as effective as younger employees. In many cases, their unique combinations of knowledge, skills, insight, and experience make older Americans even more effective.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of March 12 through March 18, 1995, as "National Older Workers Employment Week." I urge all employers to consider carefully the qualifications of men and women 55 and older and to make use of their talents and expertise. I also encourage public officials responsible for job placement, training, and related services to intensify efforts to help older workers find suitable jobs and training.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6770 of February 15, 1995

National Poison Prevention Week, 1995

By the President of the United States of America
A Proclamation

Children are the future of our country, and protecting them is America's most sacred responsibility. All of us—government leaders, citizens, parents—are bound to do whatever we can to keep them safe and healthy. Simple safety measures—such as using child-resistant packaging correctly, locking cupboards, keeping prescriptions and cleaning supplies out of the reach of a child's hands—all can protect our most precious resource from the dangers of poison and other hazardous substances.

The U.S. Consumer Product Safety Commission (CPSC) has made great progress in safeguarding our young people by mandating child-resistant packaging for medicine and dangerous chemicals. And the invaluable work of the Nation's poison control centers has saved countless lives, both young and old. These public health efforts have reduced childhood poisoning deaths from 450 in 1961 to 62 in 1991.

However, according to the American Association of Poison Control Centers, nearly 1 million children each year are exposed to potentially

poisonous medicines and household chemicals. Every year we lose children to poisoning—and almost all of these poisonings are preventable. This week—and every week—we must rededicate ourselves to informing everyone of the importance of prevention and to educating all caregivers about ways to prevent childhood poisonings.

To encourage the American people to learn more about the dangers of accidental poisonings and to take more preventive measures, the Congress, by Public Law 87–319 (75 Stat. 681), has authorized and requested the President to issue a proclamation designating the third week of March of each year as "National Poison Prevention Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the week beginning March 19, 1995, as National Poison Prevention Week. I call upon all Americans to observe this week by participating in appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6771 of February 23, 1995

Irish-American Heritage Month, 1995

By the President of the United States of America
A Proclamation

America's bounty—the abundance of the fields, the beauty of the landscape, the richness of our opportunities—has always attracted people who are in search of a better life for themselves and their children. Our democracy owes its success in great part to the countless immigrants who have made their way to our shores and to the tremendous diversity this Nation has been blessed with since its beginnings.

In March, when communities all across the country celebrate St. Patrick's Day, our Nation honors the rich heritage of the millions of Americans who trace their lineage to Ireland. Coming to this land even before our Nation was founded, sons and daughters of Erin undertook the perilous journey to make their home in a place of hope and promise. They made inestimable contributions to their new country, both during the struggle for independence and in the founding of the Republic. Nine of the people who signed our Declaration of Independence were of Irish origin, and nineteen Presidents of the United States proudly claim Irish heritage—including our first President, George Washington.

The largest wave of Irish immigrants came in the late 1840s, when the Great Famine ravaging Ireland caused 2 million people to emigrate, mostly to American soil. These immigrants transformed our largest cities and helped to build them into dynamic centers of commerce and industry, and their contributions to our smaller cities and towns are evident today in the cultural, economic, and spiritual makeup of the communities. Throughout the country, they faced callous discrimina-

tion: "No Irish Need Apply" signs were ugly reminders of the prejudice that disfigured our society. But with indomitable spirit and unshakable determination, they persevered. They took jobs as laborers, built railroads, canals, and schools, and committed themselves to creating a brighter future for their families and their new country.

Today, millions of Americans of Irish ancestry continue to enrich all aspects of life in the United States. Irish Americans are proud to recall their heritage and their struggle for well-deserved recognition in all walks of American life. Throughout their history, they have held tightly to their religious faith, their love of family, and their belief in the importance of education. The values they brought with them from the Emerald Isle have flourished in America—and in turn these values have helped America to flourish.

In tribute to all Irish Americans, the Congress, by Public Law 103–379, has designated March 1995 as "Irish-American Heritage Month" and has authorized and requested the President to issue a proclamation in observance of this month.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim March 1995 as Irish-American Heritage Month.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6772 of February 27, 1995

American Red Cross Month, 1995

By The President of the United States of America
A Proclamation

Every day, thousands of people in need look to the American Red Cross as a banner of hope. For disaster victims here and abroad, for service men and women seeking assistance, and for everyone depending on a safe and ready supply of blood—the Red Cross stands prepared to respond. But the scope of its service extends well beyond the provision of emergency care. Its broader mission is clear: to promote compassion, to foster a spirit of generosity, and to improve the human condition everywhere.

Since Clara Barton—"The Angel of the Battlefield"—founded the American Association of the Red Cross in 1881, its members have been called upon to serve in war and in peace. Today, with more than 1 million dedicated and experienced volunteers, the American Red Cross plays a vital role in bringing physical and emotional comfort to those who need it most. Whether they are responding to an emergency or addressing the daily necessities of the homeless and elderly, Red Cross workers have always been models of community spirit.

Dangers to the health and safety of our people have changed radically during the past hundred years, and the Red Cross has adapted to meet

these needs. Its commitment to caring for others enables us to restore hope in the lives of injured citizens, and its example challenges us to revitalize the covenant of American citizenship. The long-term strength of our Nation depends upon our willingness to live out the ideals long embodied by the American Red Cross. To celebrate our past and to safeguard our future, I am proud to commend the countless individuals whose courage and selflessness have sustained this organization for more than a century.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America and Honorary Chairman of the American Red Cross, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 1995 as "American Red Cross Month." I urge all Americans to show support for the more than 2,000 Red Cross chapters nationwide, and I challenge each of you to become active participants in advancing the noble mission of the Red Cross.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-seventh day of February, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6773 of March 1, 1995

Women's History Month, 1995

By the President of the United States of America
A Proclamation

Women have made inestimable contributions to our country throughout our Nation's history. Some have names we recognize. Clara Barton. Harriet Tubman. Susan B. Anthony. Eleanor Roosevelt. And Rosa Parks. But women's history is also about the countless women whose names we do not know—the millions of women of courage and commitment who have served this society as doctors and scientists, teachers and factory workers, marathoners and mothers. At home and in schools, in offices and congregations, in our Armed Forces and our communities, women have helped to build this Nation and keep it strong. It is in their honor that we pause to celebrate Women's History Month each year.

The story of women's accomplishments in America is long and proud. Patriots such as Dolly Madison and Harriet Beecher Stowe put their concern for country ahead of their own well-being in order to advance the principles of justice and freedom upon which this Nation was founded. Writers and artists such as Emily Dickinson, Georgia O'Keeffe, and Martha Graham enlivened our culture, extended our horizons, and expanded our appreciation of the world around us. And in recent decades, women have made enormous strides. The pioneers such as Jane Addams, founder of Chicago's Hull House and our first woman Nobel Prize winner, and Frances Perkins, our first woman Cabinet Officer, have paved the way for ever growing numbers of women running businesses and universities, serving as governors and dip-

lomats, conducting orchestras and exploring space, helping to lead our land toward a new century.

Yet barriers remain. Women now work for pay in greater numbers, in more occupations, and for more years of their lives than ever before, but too many must still settle for compensation far below what it should be, and too many still find their potential curbed by glass ceilings. And women still struggle every day, in tests of resourcefulness and devotion, to balance the demands of work and family. If freedom and opportunity are truly to be the law of the land, we must sustain and renew our commitment to the principle of equality that is our American heritage and work to remove the obstacles that stand in the way.

Women's History Month offers us an opportunity to celebrate the contributions of all of the women who have enriched our Nation. I encourage Americans to learn about women's history—this month and throughout the year. Only by studying the history of America's women—their triumphs and their struggles—can we understand the history of America.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the month of March 1995 as "Women's History Month." I ask all Americans to observe this month with appropriate programs, ceremonies, and activities, and to remember year-round the many and varied contributions that women make each day.

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

WILLIAM J. CLINTON

Proclamation 6774 of March 2, 1995

Save Your Vision Week, 1995

By the President of the United States of America
A Proclamation

Sight is a precious gift—one that we cannot afford to take for granted. To ensure that we enjoy a healthy view of the world for many years to come, all of us must make certain our eyes receive good care and attention throughout our lives.

Americans can take steps to guard their vision on a daily basis, while at home and on the job. Using face masks, goggles, or safety glasses can protect our eyes from the dangers of potentially harmful chemicals or machinery, and the appropriate protective eyewear is critical while playing sports. But perhaps the easiest and most effective way that we can protect our sight is with comprehensive eye examinations. Early eye tests can help secure good vision for our children from the start. And with regular eye exams, the threat of vision loss does not have to be a normal part of aging.

For Americans at special risk, preventive care takes on added importance. The 14 million individuals nationwide who have diabetes face the possibility of developing diabetic eye diseases, the leading cause of blindness among working-aged Americans. This condition may show no symptoms—even in advanced stages—and it must be detected as soon as possible to prevent vision loss.

Glaucoma, another potentially blinding eye disease, can be controlled when detected early. Approximately 3 million Americans suffer from this disease, which strikes silently, often without pain or noticeable symptoms. Especially at risk are African Americans age 40 and older and all people age 60 and older.

To remind Americans of how they can protect their eyesight, the Congress, by joint resolution approved December 30, 1963 (77 Stat. 629; 36 U.S.C. 169a), has authorized and requested the President to proclaim the first week in March of each year as "Save Your Vision Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the week beginning March 5, 1995, as Save Your Vision Week. I urge all Americans to participate by making eye care and eye safety an important part of their lives. I invite eye care professionals, the media, and all public and private organizations committed to the goals of sight preservation, to join in activities that will make Americans more aware of the steps they can take to preserve their vision.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6775 of March 10, 1995

National Park Week, 1995

By the President of the United States of America
A Proclamation

Each National Park is a classroom without walls, a living laboratory for learning about natural environments, important historical events, and valuable cultural resources that make up our national heritage. To preserve this heritage, the National Park Service works with students and teachers to create exciting learning environments in which to activate a child's interest.

Within each park lies a compelling story—a powerful reminder of our Nation's origins and destiny. Geology, political science, marine ecology, the Civil War, language, art, music, maritime history, geography, wildlife, the American Revolution, technology—all come to life in our National Park System. Today, the men and women of the National Park Service are reaching out to the next generation of caretakers, instilling in our children a respect for the land, an understanding of our common American heritage, and an appreciation of parks as places of inspiration.

Through innovative educational programs, the National Park Service is actively building a new constituency of park supporters who will carry with them the most valued lessons of our country. "Junior Ranger" programs throughout the United States help children understand the wonders of the national parks and the importance of preserving them for years to come. "Parks As Classrooms" links parks with local schools and communities, reaching out to new audiences with hands-on activities. Residential camping programs open up new worlds of exploration and self-discovery for today's young people, in both inner cities and rural areas. Seminars for teachers assist in encouraging and improving the connections of young people to park areas.

National Park Week, 1995, is a time to celebrate the rich educational tradition of our parks. I encourage all Americans to join me in observing National Park Week as the beginning of a lifetime of learning, appreciating, and acting on behalf of our national treasures. I call on all Americans to learn more about our National Park System and to observe this week with appropriate ceremonies and programs.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of May 22 through May 28, 1995, as "National Park Week."

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6776 of March 13, 1995

National Public Health Week, 1995

By the President of the United States of America
A Proclamation

A clean bill of health is one of life's most precious gifts. But for many Americans, and for millions around the world, good health can seem almost a luxury. The AIDS epidemic, the prevalence of poor nutrition, unplanned pregnancies, and environmental degradation—these are just some of the pressing crises facing hardworking public health officials everywhere. While our society's medical technology has advanced to a level unimaginable to the generations before, the crucial job of ensuring basic public health for all remains just beyond our reach.

Now, more than ever, public health programs and services are needed so that we can ensure the best possible health for everyone. Providing safe living and working environments, developing methods to immunize populations against infectious disease, maintaining good nutritional standards, and having good prenatal care for everyone are vital endeavors—and such primary and preventive measures can mean the difference between life and death.

Every day, thousands of individuals across our country are working to build healthy communities, meet the needs of our diverse population,

plan appropriate responses to natural disasters, educate individuals about workplace hazards, and encourage responsible behavior in all that we do. Their leadership is helping America to address one of humanity's most essential concerns, and their service is building a safer, healthier future for all of our people.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the week of April 3 through April 9, 1995, as "National Public Health Week." I call upon all Federal, State, and local public health agencies to join with appropriate private organizations and educational institutions in celebrating this occasion with activities to promote healthy lifestyles and to heighten awareness of the many benefits good health brings.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6777 of March 14, 1995

National Day of Prayer, 1995

By the President of the United States of America
A Proclamation

Our Nation was built on the steadfast foundation of the prayers of our ancestors. In times of blessing and crisis, stability and change, thanksgiving and repentance, appeals for Divine direction have helped the citizens of the United States to remain faithful to our long-standing commitment to life, liberty, and justice for all.

This reliance on spiritual assistance has especially characterized times of national transition and uncertainty. As our country was ravaged by the Civil War, Abraham Lincoln remarked, "I have been driven many times upon my knees by the overwhelming conviction that I had nowhere else to go." And with him, millions of slaves cried out to the Almighty for an end to their suffering.

Abolitionist Frederick Douglass said this about the spiritual songs sung on the plantations: "Every tone was a testimony against slavery, and a prayer to God for deliverance from chains." Since that time, we have witnessed tremendous improvements in relations between people of all races and backgrounds. Indeed, long ago, through the work of prayer and common effort, and with the inspiration of the Creator, we began to turn the tide in this Nation from divisiveness and recrimination toward reconciliation and healing.

Let us not forget those painful lessons of our past, but continue to seek the guidance of God in all the affairs of our Nation. We must not become complacent, but rather press onward for the protection of the vulnerable and the downtrodden. In the words of President Lincoln, "it behooves us then to humble ourselves before the offended Power, to confess our national sins and pray for clemency and forgiveness" for

any injustice we perceive in our midst. May we, the people of this country, set a steady course, dedicated to respect for one another and for individual freedom.

The Congress, by Public Law 100–307, has called on our citizens to reaffirm annually our dependence on Almighty God by recognizing a "National Day of Prayer."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 4, 1995, as a National Day of Prayer. I call upon every citizen of this great Nation to gather together on that day to pray, each in his or her own manner, for God's continued guidance and blessing.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6778 of March 17, 1995

To Amend the Generalized System of Preferences

By the President of the United States of America
A Proclamation

1. Pursuant to sections 501 and 502 of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2461 and 2462), and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate the West Bank and Gaza Strip as a beneficiary of the Generalized System of Preferences ("GSP").

2. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States ("HTS") the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

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 501 and 604 of the Trade Act, do proclaim that:

(1) General note 4(a) to the HTS, listing those nonindependent territories whose products are eligible for benefits of the GSP, is modified by inserting "West Bank and Gaza Strip" in alphabetical order in the enumeration of nonindependent territories.

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

(3) The extension of the Generalized System of Preferences program to the West Bank and Gaza Strip pursuant to this proclamation applies only to goods produced in the areas for which arrangements are being established for Palestinian Interim Self-Government, as set forth in Articles I, III, and IV of the Declaration of Principles on Interim Self-Government Arrangements.

(4) The modifications to the HTS made by paragraph (1) of this proclamation shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days 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 March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6779 of March 23, 1995

Greek Independence Day: A National Day of Celebration of Greek and American Democracy, 1995

By the President of the United States of America
A Proclamation

Two thousand five hundred years ago in Athens, across the Peninsula of Attica and throughout Greece, the idea of democracy was embodied in a series of rights and laws. The resulting freedom for the citizens of that land sparked a period of unprecedented activity in philosophy and the arts. The birth of democracy in Greece signaled the beginning of a lasting cultural transformation clearly reflected in the course of Western civilization.

The United States is proud to acknowledge the debt it owes to the ancient Greeks, whose philosophy and political system guided America's founders in forming a representative democracy on this continent. Yet the common bond that unites our modern nations goes beyond our commitment to the principles of democracy; beyond, too, the close friendship that we share. Through the years, our citizens have demonstrated a willingness to fight for the right to self-determination and for the cause of human dignity. The Greek struggle for independence 174 years ago won the hearts of Americans and all those who love freedom. As we mark the anniversary of that momentous occasion, Americans and Greeks join again in celebration.

Our countries now stand at the dawn of a new era—a time of growing hope and expanding opportunity. Nations across Central Europe are striving to turn from ancient rivalries and to embrace the possibility of democratic, market-oriented change. The Greek dedication to independence can provide both an important example and a helping hand for its neighbors, and Greece's recent efforts to strengthen these ties can serve to foster stability and prosperity throughout the region. Today, as ever, the United States supports Greece in its call for fellowship and peace. We stand together in affirming that the blessings of democracy will long survive and flourish.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim March 25, 1995, as "Greek Independence Day: A National Day of Celebration of

Greek and American Democracy." I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6780 of March 23, 1995

To Implement Certain Provisions of Trade Agreements Resulting From the Uruguay Round of Multilateral Trade Negotiations, and for Other Purposes

By the President of the United States of America
A Proclamation

1. On April 15, 1994, I entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations ("the Uruguay Round Agreements"). In section 101(a) of the Uruguay Round Agreements Act ("the URAA") (Public Law 103–465; 108 Stat. 4814) (19 U.S.C. 3511(a)), the Congress approved the Uruguay Round Trade Agreements listed in section 101(d) of that Act.

2. Pursuant to section 101(b) of the URAA, I decided to accept the Agreement Establishing the World Trade Organization ("the WTO Agreement") on behalf of the United States, and I determined that the WTO Agreement entered into force for the United States on January 1, 1995.

3. (a) Sections 1102(a) and (e) of the Omnibus Trade and Competitiveness Act of 1988, as amended ("the 1988 Act") (19 U.S.C. 2902(a) and (e)), authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreement entered into under these sections.

(b) Section 111(a) of the URAA (19 U.S.C. 3521(a)) authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such other additional duties beyond those authorized by section 1102 of the 1988 Act (19 U.S.C. 2902) as the President determines to be necessary or appropriate to carry out Schedule XX—United Statesof America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX").

(c) Section 103(a) of the URAA (19 U.S.C. 3513(a)) authorizes the President to proclaim such actions as may be necessary to ensure that any provision or amendment made by the URAA that takes effect on the date that any of the Uruguay Round Agreements enters into force with respect to the United States is appropriately implemented on such date.

4. Proclamation 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United

States; and incorporated in the Harmonized Tariff Schedule of the United States ("the HTS") tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements and certain conforming changes in rules of origin for the North American Free Trade Agreement ("NAFTA"). Certain technical errors, including inadvertent omissions, were made in that proclamation. I have determined that it is necessary, to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements and to ensure the continuation of the agreed NAFTA rules of origin, to modify certain provisions of the HTS, as set forth in the Annex to this proclamation.

5. (a) One of the Uruguay Round Agreements approved by the Congress in sections 101(a) and 101(d) of the URAA (19 U.S.C. 3511(a) and (d)) is the Agreement on Trade-Related Aspects of Intellectual Property Rights ("the TRIPs Agreement").

(b) Section 104A of title 17, United States Code, as amended by section 514 of the URAA, provides for copyright protection in restored works. Section 104A(h), as amended, provides that the date of restoration of a restored copyright shall be the date on which the TRIPs Agreement enters into forcewith respect to the United States, if the source country is a nation adhering to the Berne Convention or a World Trade Organization (WTO) member on such date.

(c) Article 65, paragraph 1, of the TRIPs Agreement provides that no WTO member shall be obliged to apply the provisions of this Agreement until one year after the date of entry into force of the WTO Agreement. The date of entry into force of the WTO Agreement with respect to the United States was January 1, 1995.

(d) The statement of administrative action, approved by the Congress in section 101(a)(2) of the URAA (19 U.S.C. 3511(a)(2)), provides that, "in general, copyright will be restored on the date when the TRIPs Agreement's obligations take effect for the United States."

(e) Accordingly, I have decided that it is necessary and appropriate, in order to implement the TRIPs Agreement and to ensure that section 514 of the URAA is appropriately implemented, to proclaim that the date on which the obligations of the TRIPs Agreement will take effect for the United States is January 1, 1996.

6. (a) Section 902(a)(2) of title 17, United States Code, authorizes the President to extend protection under chapter 9 of title 17, United States Code, to mask works of owners who are nationals, domiciliaries, or sovereign authorities of, and to mask works, which are first commercially exploited in, a foreign nation that grants United States mask work owners substantially the same protection that it grants its own nationals and domiciliaries, or that grants protection to such works on substantially the same basis as does chapter 9 of title 17, United States Code.

(b) Australia, Canada, Japan, Switzerland, and the Member States of the European Community provide adequate and effective protection for mask works within the meaning of 17 U.S.C. 902(a)(2), and have been subject to interim protection under 17 U.S.C. 914. Consequently, I find that these countries satisfy the requirements of 17 U.S.C. 902(a)(2), and are to be extended full protection under chapter 9 of title 17, United States Code, effective on July 1, 1995.

(c) In addition, 17 U.S.C. 902(a)(1)(A)(ii) provides that mask work owners who are nationals, domiciliaries, or sovereign authorities of a foreign nation that is a party to a treaty affording protection to mask works to which the United States is also a party are eligible for protection under chapter 9 of title 17, United States Code. The TRIPs Agreement, which requires all WTO members to provide protection equivalent to that provided under chapter 9 of title 17 on the basis of national treatment, is such an agreement. Because the United States is a member of the WTO and thus of the TRIPs Agreement, and because the TRIPs Agreement will be effective for the United States on January 1, 1996, all other WTO members will become eligible for full protection under chapter 9 of title 17, United States Code, on January 1, 1996.

7. Section 491 of the Trade Agreements Act of 1979, as amended ("the 1979 Act") (19 U.S.C. 2578), requires the President to designate an agency to be responsible for informing the public of the sanitary and phytosanitary standard-setting activities of each international standard-setting organization. I have decided to designate the Department of Agriculture as the agency responsible for providing the public with this information.

8. (a) The March 24, 1994, Memorandum of Understanding on the Results of the Uruguay Round Market Access Negotiations on Agriculture Between the United States of America and Argentina ("the MOU"), submitted to the Congress along with the Uruguay Round Agreements, provides for "an appropriate certificate of origin" for imports of peanuts and peanut butter and peanut paste from Argentina.

(b) Proclamation 6763 proclaimed the Schedule XX tariff rate quotas for peanuts and peanut butter and peanut paste. However, that proclamation did not specify which agency should implement the MOU.

(c) Section 404 of the URAA (19 U.S.C. 3601) requires the President to take such action as may be necessary to ensure that imports of agricultural products do not disrupt the orderly marketing of commodities in the United States.

(d) Accordingly, I have decided to delegate to the United States Trade Representative ("the USTR") my authority under section 404 of the URAA to implement the MOU, through such regulations as the USTR, or, at the direction of the USTR, other appropriate agencies, may issue.

9. Section 604 of the Trade Act of 1974, as amended (19 U.S.C. 2483) ("the 1974 Act"), authorizes the President to embody in the HTS the substance of the relevant provisions of that Act, 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 section 301 of title 3, United States Code, section 902(a)(1) and (2) of title 17, United States Code, section 604 of the 1974 Act, as amended (19 U.S.C. 2483), section 491 of the 1979 Act, as amended (19 U.S.C. 2578), section 1102 of the 1988 Act, as amended (19 U.S.C. 2902), title I of the URAA (19 U.S.C. 3511–3551), and section 404 of the URAA (19 U.S.C. 3601), do hereby proclaim that:

(1) To more completely implement the tariff treatment accorded under the Uruguay Round Agreements, the HTS is modified as set forth in the Annex to this proclamation.

(2) The obligations of the TRIPs Agreement shall enter into force for the United States on January 1, 1996.

(3) Australia, Canada, Japan, Switzerland, and the Member States of the European Community shall be extended full protection under chapter 9 of title 17, United States Code, effective on July 1, 1995. In addition, as of January 1, 1996, full protection under chapter 9 of title 17, United States Code, shall be extended to all WTO Members.

(4) The Secretary of Agriculture is designated, under section 491 of the 1979 Act, as amended (19 U.S.C. 2578), as the official responsible for informing the public of the sanitary and phytosanitary standard-setting activities of each international standard-setting organization.

(5) The USTR is authorized to exercise my authority under section 404 of the URAA (19 U.S.C. 3601) to implement the MOU with Argentina, through such regulations as the USTR, or, at the direction of the USTR, other appropriate agencies, may issue.

(6) In order to make conforming changes and technical corrections to certain HTS provisions, pursuant to actions taken in Proclamation 6763, the HTS and Proclamation 6763 are modified as set forth in the Annex to this proclamation.

(7) All 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.

(8) This proclamation shall be effective upon publication in the **Federal Register**.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of March, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Annex

Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1995.

(1). General note 12 is modified by:

(a). in subdivision (f)(iii)(A) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.

(b). in subdivision (f)(iii)(B) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof; deleting "1901.10.15" and inserting "1901.10.05, 1901.10.15" in lieu thereof; deleting "1901.20.05" and inserting "1901.20.02, 1901.20.05" in lieu thereof; and deleting "1901.90.31, 1901.90.41 or 1901.90.81" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.

(c). in subdivision (r)(v)(A) deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof.

(d). in subdivision (s)(i)(C) deleting "or 2106.90.46" and inserting "2106.90.42, 2106.90.44 or 2106.90.46" in lieu thereof.

(e). in subdivision (t):

(i) for chapter 4 tariff classification rule, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(ii) for chapter 18 tariff classification rule 2, deleting "1806.10.45" and inserting "1806.10.43, 1806.10.45" in lieu thereof;

(iii) for chapter 19:

(1) tariff classification rule 1, deleting "1901.10.15" and inserting "1901.10.05, 1901.10.15" in lieu thereof;

(2) tariff classification rule 3, deleting "1901.20.05" and inserting "1901.20.02, 1901.20.05" in lieu thereof;

(3) tariff classification rule 5, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(iv) for chapter 20 tariff classification rule 2, deleting "2008.11.25" and inserting "2008.11.22, 2008.11.25" in lieu thereof;

(v) for chapter 21:

(1) tariff classification rule 9, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

Annex (con.)
-2-

Section A. (continued)

(1). (con.):
(e). in subdivision (t) (con.):
(v) for chapter 21 (con.):
(2) tariff classification rule 10, deleting "2106.90.46" and inserting "2106.90.48" in lieu thereof;

(3) tariff classification rule 12, deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(vi) for chapter 22:
(1) tariff classification rule 3, deleting "2106.90.46" and inserting "2106.90.48" in lieu thereof;

(2) tariff classification rule 5, deleting "2202.90.24" and inserting "2202.90.22, 2202.90.24" in lieu thereof and deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(vii) for chapter 23 tariff classification rule 3, deleting "2309.90.24" and inserting "2309.90.22, 2309.90.24" in lieu thereof and deleting "1901.90.42 or 1901.90.44" and inserting "1901.90.32, 1901.90.33, 1901.90.34, 1901.90.36, 1901.90.38, 1901.90.42 or 1901.90.43" in lieu thereof;

(viii) for chapter 90 tariff classification rule 21, deleting "item 9009.90.40" and inserting "items 9009.90.10 and 9009.90.30" in lieu thereof.

(2). General note 13 is modified by deleting "any product (by whatever name known) classifiable in such provision (and not dutiable under column 2) shall be entered free of duty," and inserting "any product (by whatever name known) classifiable in such provision which is the product of a country eligible for tariff treatment under column 1 shall be entered free of duty," in lieu thereof.

(3). General note 14 is modified by deleting "any product classifiable in such provision (and not dutiable under column 2) shall be entered free of duty," and inserting "any product classifiable in such provision which is the product of a country eligible for tariff treatment under column 1 shall be entered free of duty," in lieu thereof.

(4). Additional U.S. note 1 to chapter 4 is modified by deleting such note and inserting the following note in lieu thereof:

"1. For the purposes of this schedule, the term "dairy products described in additional U.S. note 1 to chapter 4" means any of the following goods: malted milk, and articles of milk or cream (except (a) white chocolate and (b) inedible dried milk powders certified to be used for calibrating infrared milk analyzers); articles containing over 5.5 percent by weight of butterfat which are suitable for use as ingredients in the commercial production of edible articles (except articles within the scope of other import quotas provided for in additional U.S. notes 2 and 3 to chapter 18); or dried milk, whey or buttermilk (of the type provided for in subheadings 0402.10, 0402.21, 0403.90 or 0404.10) which contains not over 5.5 percent by weight of butterfat and which is mixed with other ingredients, including but not limited to sugar, if such mixtures contain over 16 percent milk solids by weight, are capable of being further processed or mixed with similar or other ingredients and are not prepared for marketing to the ultimate consumer in the identical form and package in which imported."

(5). Additional U.S. note 20 to chapter 4 is modified by deleting the quota amount of "235,500" for Argentina and inserting "235,000" in lieu thereof.

Annex (con.)
-3-

Section A. (continued)

(6). Additional U.S. note 24 to chapter 4 is modified by deleting "in the subheadings provided for in additional U.S. note 17 to this chapter and subject to the quantitative limitations of such additional U.S. note 17." and inserting "in the subheadings for blue-mold cheeses and is subject to any quantitative limitation on such cheeses." in lieu thereof.

(7). Additional U.S. note 2 to chapter 12 is modified by adding the following new subdivision (c):

"(c) Imports of peanuts under this note are subject to regulations as may be issued by the United States Trade Representative or other designated agency."

(8). Additional U.S. note 11 to chapter 17 is renumbered as additional U.S. note 10.

(9). Additional U.S. note 5 to chapter 20 is modified by adding at the end of the note the following new paragraph:

"Imports of peanut butter and paste under this note are subject to regulations as may be issued by the United States Trade Representative or other designated agency."

(10). The Rates of Duty 1-Special subcolumn for subheading 2005.70.23 is modified by inserting, in alphabetical order, the symbols "A", "E" and "J" in the parentheses following the Free rate of duty in such subcolumn.

(11). The article description for subheading 2008.99.65 is deleted and the article description "Cassava (manioc)" is inserted in lieu thereof.

(12). The Rates of Duty 1-Special subcolumn for subheading 2918.21.10 is modified by deleting the symbol "K" in the parentheses following the Free rate of duty in such subcolumn.

(13). The Rates of Duty 1-Special subcolumn for subheading 2922.50.11 is modified by inserting, in alphabetical order, the symbol "K" in the parentheses following the Free rate of duty in such subcolumn.

(14). The Rates of Duty 1-Special subcolumn for the subheadings listed in this paragraph is modified by inserting, in alphabetical order, the symbol "L" in the parentheses following the Free rate of duty in such subcolumn.

2914.70.90	2918.29.25	2922.19.70	2922.30.17
2917.19.20	2918.29.65	2922.29.29	2933.40.60
2918.29.04	2918.29.75	2922.29.60	2933.40.70

(15). The Rates of Duty 2 column for subheading 3213.90.00 is modified by deleting the rate set forth in such column and inserting "48.6¢" in lieu thereof.

(16). The article description for subheading 3402.11.20 is deleted and the article description "Linear alkylbenzene sulfonic acid and linear alkylbenzene sulfonates" is inserted in lieu thereof.

(17). Subheadings 3912.31.20 and 3912.31.60 are superseded by:

	[Cellulose and its chemical derivatives,...]				
	[Cellulose ethers:]				
"3912.31.00	Carboxymethylcellulose and its salts.....	6.4%	Free (A,CA,E,IL, J,K,MX)		66¢"

(18). The article description for subheading 5112.19.20 is deleted and the article description "Tapestry fabrics and upholstery fabrics" is inserted in lieu thereof.

(19). The article description for subheading 5701.10.40 is deleted and the article description "Hand-hooked, that is, in which the tufts were inserted and knotted by hand or by means of a hand tool" is inserted in lieu thereof.

Annex (con.)
-4-

Section A. (continued)

(20). The article description for subheading 5703.20.10 is deleted and the article description "Hand-hooked, that is, in which the tufts were inserted by hand or by means of a hand tool" is inserted in lieu thereof.

(21). The article description for subheading 8424.89.30 is deleted and the article description "Spraying appliances designed for etching, stripping or cleaning semiconductor wafers" is inserted in lieu thereof.

(22). Subheadings 8443.19.60 and 8443.19.80 and the superior text immediately preceding subheading 8443.19.60 are superseded and the following provisions are inserted in numerical sequence:

	[Printing machinery; machines for uses...:]			
	[Offset printing machinery:]			
	[Other:]			
"8443.19.90	Weighing 1,600 kg or more.....	Free		25%"

(23). The article description for subheading 8471.91.40 is modified by deleting "in an automatic data processing machines" and inserting "in automatic data processing machines" in lieu thereof.

(24). The article description for subheading 8477.10.40 is deleted and the article description "For use in the manufacture of video laser discs" is inserted in lieu thereof.

(25). The article description for subheading 8479.89.85 is deleted and the article description "Machines for processing of semiconductor materials; machines for production and assembly of diodes, transistors and similar semiconductor devices and electronic integrated circuits; machines for the manufacturing of video laser discs" is inserted in lieu thereof.

(26). The Rates of Duty 2 column for subheading 9106.90.55 is modified by deleting the rate set forth in such column and inserting "$4.50 each + 65%" in lieu thereof.

(27). The Rates of Duty 2 column for subheading 9106.90.75 is modified by deleting the rate set forth in such column and inserting "$4.50 each + 65%" in lieu thereof.

(28). U.S. note 1 to subchapter VIII of chapter 98 is modified by deleting such note and inserting the following note in lieu thereof:

"1. With respect to subheading 9808.00.80, goods brought into the customs territory of the United States by the National Aeronautics and Space Administration from space or from a foreign country as part of an international program of the National Aeronautics and Space Administration shall not be considered an importation, and an entry of such materials shall not be required."

(29). Subheading 9808.00.80 and the superior text immediately preceding subheading 9808.00.80 are superseded and the following provisions are inserted in numerical sequence:

	"Articles for the National Aeronautics and Space Administration and articles imported to implement international programs between the National Aeronautics and Space Administration and foreign entities, including launch services agreements:		
9808.00.80	Goods certified by it to the Commissioner of Customs to be imported for use of the National Aeronautics and Space Administration or for implementation of an international program of the National Aeronautics and Space Administration, including articles to be launched into space and parts thereof, ground support equipment and uniquely associated equipment for use in connection with an international program of the National Aeronautics and Space Administration, including launch services agreements.....	Free	Free"

Section A. (continued)

(30). U.S. note 1(c) to subchapter XIII of chapter 98 is modified by deleting "paid to Canada or Mexico." and inserting "paid to Canada or to Mexico on the exported article, unless such article is covered by section 203(a)(1) through 203(a)(8), inclusive, of the NAFTA Implementation Act." in lieu thereof.

(31). Subheading 9905.51.12 is deleted.

(32). The article description for subheading 9906.61.01 is modified by deleting the parenthetical phrase from such article description and inserting the parenthetical phrase "(provided for in subheading 6104.39.20)" in lieu thereof.

Section B. Modifications to Proclamation 6763.

(1). For sections A(8)(g)(xi)(C) and (E) the effective date of these modifications to general note 12 of the HTS shall be January 1, 1994.

(2). In section A(144)(a) the article description for subheading 2933.90.89 is deleted and the following article description "Hexamethyleneimine" is inserted in lieu thereof.

(3). Section B(1) is modified by deleting "Additional U.S. note 4 to chapter 18" and inserting "Additional U.S. note 2 to chapter 18" in lieu thereof.

(4). Section D(1) is modified for subheading 2401.20.30 by deleting the rate of duty in the columns for the years 2000 through 2004, inclusive, and inserting the rate of duty "40.9¢/kg" in lieu thereof.

(5). Section D(1) is modified for subheadings 6115.93.15 and 7302.30.00 by deleting the rates of duty in the columns for the years 1995 through 2004, inclusive, and inserting the following rates of duty in lieu thereof.

HTS Subheading	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
6115.93.15	4.6%	3.5%	2.3%	1.2%	Free	Free	Free	Free	Free	Free
7302.30.00	4.6%	3.4%	2.3%	1.1%	Free	Free	Free	Free	Free	Free

(6). Section G(1) is modified by renumbering 0406.90.34, 0406.90.44, 7019.10.05 and 7019.10.24 as 0406.90.33, 0406.90.43, 7019.10.10 and 7019.10.28, respectively.

Proclamation 6781 of April 4, 1995

National Child Abuse Prevention Month, 1995

By the President of the United States of America
A Proclamation

Childhood should be a special time. Every child should grow up in an atmosphere of love and respect. Children should have a chance to learn, to explore and develop, to look forward to becoming successful, happy, and loving adults. Yet tragically, for a growing number of children in the United States, childhood is an ordeal of violence, pain, and broken promises-a time to endure, not one to cherish.

Child abuse and neglect in America are on the rise. Nationwide, nearly 3 million children are reported abused and neglected each year, and more than 1,200 die from the effects. Although public concern about violence against our Nation's youth is extremely high, many Americans don't know what role they can play in protecting them. For that reason, each April, communities across the country join together to raise public awareness, to call for an end to child abuse, and to let everyone know what they can do to help.

This year, National Child Abuse Prevention Month focuses on the simple truth, "The more you help, the less they hurt." The goal is to teach all Americans how they can help end the cycle of abuse and neglect that tears at the very fabric of our families, our communities, and our country. Because the effects of child abuse are felt by whole communities, the search for solutions must be a community-wide effort—and every citizen must get involved.

Child abuse prevention efforts succeed because of partnerships among social service agencies, schools, religious organizations, law enforcement agencies, and the business community. I encourage you to get involved. Volunteer on a crisis hotline for parents who are under stress, or help start a parents' support group. Perhaps you could find space in your community to establish a "drop-in center" where parents can get information and support. You could urge your religious or neighborhood group to sponsor a home visitor program for new parents. Or you might help your local school and youth organizations arrange for speakers and events about preventing violence against children.

These are just some of the steps we can take to help protect our children and to strengthen our families. If we don't change things, our children—more of them each day—will lose their chance at life. And our Nation will lose the tremendous potential that every young life holds.

America's children are products of the world we have made for them. Their well-being is a reflection of our commitment, maturity, and wisdom. If we nurture our children and fill their lives with genuine caring and respect, we will see our love realized in a world of enduring hope and promise.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim the month of April 1995 as "National Child Abuse Prevention Month." I call upon

all Americans during this month and throughout the year to help keep our children safe from harm.

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

WILLIAM J. CLINTON

Proclamation 6782 of April 6, 1995

National Former Prisoner of War Recognition Day, 1995

By the President of the United States of America
A Proclamation

In the centuries since our Nation was founded, our citizens have been called on time and again to defend the blessings of American democracy. Although the enemies of freedom have often risen from distant shores, the valiant men and women who wear our Nation's uniform have made freedom's fight their own. From Europe to the Pacific, Korea to the Persian Gulf, these Americans and their families have suffered through the darkest hours of humanity so that the cause of human dignity might endure.

It is in gratitude that we pause each year to recall the courage and to honor the service of the sons and daughters of America who have been held as prisoners of war. Few words can express the depth of their sacrifice or the worthiness of their mission. Often subjected to extreme brutality in violation of international codes and customs governing their treatment, many of our people have come home with disabling wounds and injuries. Too many of our people have not come home at all.

Today, the lives of these extraordinary Americans and the stories of their indomitable spirits are at the core of our national character. The citizens of the United States will always remember the proud individuals who traded their liberty to preserve our own. We will build on the triumphs of democracy that they have helped to ensure. And in speaking of their bravery, we will tell our children and grandchildren that though bodies may be imprisoned, hearts can remain ever free.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 9, 1995, as "National Former Prisoner of War Recognition Day." I urge State and local officials, private organizations, and U.S. citizens everywhere to join in honoring the members of the United States Armed Forces who have been held as prisoners of war. I call upon all Americans to observe this day with appropriate ceremonies and activities.

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

WILLIAM J. CLINTON

Proclamation 6783 of April 7, 1995

Cancer Control Month, 1995

By the President of the United States of America
A Proclamation

Almost all of us have been touched by the devastating effects of cancer. In its many forms, cancer has been one of the most persistent and deadly health problems of this century. With the coming of spring—a time of rebirth—it is especially appropriate for us to renew our commitment to fighting cancer, to take pride in the progress we have made in combatting this disease, and to recognize the work still to be done.

In the 24 years since the signing of the National Cancer Act, we have made significant strides against cancer. Through diligent research, we have identified major risk factors for the disease—including diet, lack of exercise, and smoking—and we have worked to educate Americans to minimize these risks in their lives. New approaches to treatment have been developed in recent years, and new medicines are continually being refined and tested.

Among women in the United States who develop cancer, lung cancer claims the most lives, followed closely by breast cancer. An estimated 1 in 8 women will be diagnosed with breast cancer at some point in their lives—up from 1 in 20 just two decades ago. In this decade, an estimated 2 million women will be diagnosed with breast cancer or cervical cancer, with more than 500,000 of these women dying as a result. Cancers of the uterus, ovaries, and colon are also on the rise among women in this country.

We are making progress, however. For example, from 1989 to 1992, the numbers of women dying from breast cancer actually declined—the largest short-term decrease since 1950. With the advances in treatment upon early detection, screening mammography has never been more important. My Administration is launching a nationwide campaign to increase awareness of Medicare coverage for screening mammography. Additionally, most States now have laws requiring private insurers to offer coverage for biannual screening mammography, and third-party reimbursement is increasing. Together, these measures are helping more women to benefit from this potentially life-saving procedure.

Remarkable progress has also been made against childhood cancers as a result of the unflagging persistence of researchers in laboratories and hospitals across the country. Although the number of children affected by cancer is increasing, the number of deaths from childhood cancer continues to drop dramatically. Improved diagnostic and prognostic techniques and important advances in treatment have given renewed hope to children with leukemia, Wilms' tumor, neuroblastoma, and brain tumors. We are seeing a steady increase in the number of adult survivors of these childhood cancers.

Every one of us has a part to play in the fight against this disease and much work remains to eradicate it. Continuing research is essential to reducing the incidence of cancer for all our citizens.

In 1938, the Congress of the United States passed a joint resolution requesting the President to issue an annual proclamation declaring April as "Cancer Control Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim the month of April 1995 as Cancer Control Month. I invite the Governors of the 50 States and the Commonwealth of Puerto Rico, the Mayor of the District of Columbia, and the appropriate officials of all other areas under the American flag to issue similar proclamations. I also ask health care professionals, private industry, community groups, insurance companies, and all other interested organizations and individual citizens to unite in support of our Nation's determined efforts to control cancer.

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

WILLIAM J. CLINTON

Proclamation 6784 of April 10, 1995

Pan American Day and Pan American Week, 1995

By the President of the United States of America
A Proclamation

The peoples of the Americas today live in a world of great promise. Fundamental democratic principles, such as the rule of law and free and fair elections, are being embraced throughout the hemisphere. In perhaps one of the most eloquent expressions of the commitment of American nations to democratic rule, Jean Bertrand Aristide was restored to his elected position as President of Haiti. Open markets work, democratic governments are just—and together they offer the best hope for improving the quality of life for all of us.

As we celebrate Pan American Day, 1995, we recognize that the nations of the Western Hemisphere are interdependent, and our futures are intertwined. We are bound together by our shared commitment to democracy, human rights, market economics, and effective governance. These common ideals have enabled us to form an extraordinary network of cooperation, encompassing endeavors from trade and environmental protection to science and technology.

The countries of the Americas have taken important steps to open their economies, create new jobs, and expand opportunities for their citizens. These reforms represent a historic break with the past and begin to pave the road toward higher standards of living in the 21st century. The North American Free Trade Agreement marks an additional milestone on the way to the hemispheric free trade agreement envisioned at the Summit of the Americas.

At that summit in December of this past year, the 34 democratically elected leaders of the hemisphere determined to make our governments more effective, our economic growth more sustainable, and our environments safer and healthier. Our deliberations there were guided by a vital spirit of cooperation, and we continue to move forward today with the knowledge that, now more than ever, the economic prosperity of each of our countries depends on the progress of our neighbors.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Friday, April 14, 1995, as Pan American Day and the week of April 9 through April 15, 1995, as Pan American Week. I urge the Governors of the 50 States, the Governor of the Commonwealth of Puerto Rico, and the officials of other areas under the flag of the United States to honor these observances with appropriate ceremonies and activities.

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

WILLIAM J. CLINTON

Proclamation 6785 of April 10, 1995

Education and Sharing Day, U.S.A., 1995

By the President of the United States of America
A Proclamation

As we move toward a complex and challenging new century, excellence in American education is more vital to our Nation's success than ever. We live in an era when advances in science and technology create new questions and demand more of our citizens each day. Only a national commitment to high-quality education can prepare our young people to meet the great responsibilities and opportunities of the future.

Yet an education that prepares a child for a lifetime is more than an accumulation of facts or single-minded preparation for a career. It is also a set of ideals and ethics that unites all Americans and allows us to work together for a just and honorable society. Teachers, families, and communities play vital roles in passing on these shared values and common hopes for a better tomorrow.

Rabbi Menachem Mendel Schneerson, the Lubavitcher Rebbe, well understood the importance of nurturing the heart along with the mind. Throughout his long and rich life, he believed that the education of our young people would only be successful if it sought to build character as well as intellect, if it taught the lessons of honesty, tolerance, and good citizenship, as well as language, math, and science.

This year, let us rededicate ourselves to teaching the love of learning that was championed by Rabbi Schneerson and is strengthened by caring leaders like him throughout our Nation. As we provide our students with the information and practical tools they need, let us also pass on to them the capacity for understanding that can help to give fuller meaning to their lives.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 11, 1995, as "Education and Sharing Day, U.S.A." I call upon Government officials, educators, volunteers, and all the people of the United States

to observe this day with appropriate programs, ceremonies, and activities.

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

WILLIAM J. CLINTON

Proclamation 6786 of April 20, 1995

Victims of the Oklahoma City Bombing

By the President of the United States of America
A Proclamation

On April 19, 1995, the Alfred P. Murrah Federal Building in Oklahoma City was brutally bombed in an appalling act of cowardice. As a mark of respect for those killed in the bombing, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff at the White House and upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions through Monday, April 24, 1995. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

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

WILLIAM J. CLINTON

Proclamation 6787 of April 20, 1995

National D.A.R.E. Day, 1995

By the President of the United States of America
A Proclamation

Drug Abuse Resistance Education (D.A.R.E.) is America's largest and most effective drug-use prevention program. Reaching 25.5 million young people, from kindergarten through 12th grade, its precepts are taught in more than 250,000 classrooms in all 50 States and many other lands worldwide.

D.A.R.E. was designed to help prevent the substance abuse and violence that plague too many of our Nation's children. Teaching conflict resolution and anger management skills, providing accurate information about alcohol, drugs, and tobacco, and educating students about

the consequences of their behavior, D.A.R.E. has served to increase self-esteem among our youth and give them the tools they need to resist destructive peer pressure.

Today, people everywhere recognize that empowering kids and teens with sound advice is important, but it is not enough. Parents and teachers, counselors and concerned citizens all must play a role in encouraging our young people to lead safe, productive, drug-free lives. That is why D.A.R.E. is taught by veteran police officers, whose knowledge and skills have prepared them to understand the reality of the streets and the lives of children in need. D.A.R.E. demonstrates that, working together, communities have the power within themselves to keep the American Dream alive for all of us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 20, 1995, as "National D.A.R.E. Day." I encourage parents, teachers, and children across the country to join in observing this day with appropriate programs and activities.

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

WILLIAM J. CLINTON

Proclamation 6788 of April 20, 1995

Jewish Heritage Week, 1995

By the President of the United States of America
A Proclamation

Throughout history and through times of profound adversity, the Jewish people have built their lives on the strength of family and the spirit of community. Millions have made a home in America—a Nation filled with opportunity and blessed with the miracle of freedom. And here, with hard work and dedication, the Jewish-American community has flourished.

Jewish citizens have made vital contributions to every sector of our society. From academia to the arts, from business to government, from the smallest towns to the largest cities, Jewish Americans have infused our Nation with a powerful faith, a commitment to family and community, and a devotion to scholarship and self-improvement.

Judaism is a unique gift to this land that people of myriad faiths and cultures call home. The ancient commandment of *tzedakah*—charity—challenges us to embrace the duty of service to others. The Talmudic teachings of mercy and justice, and those who have sought to uphold these ideals, grace the pages of American history. We can draw strength and inspiration from the enduring lessons of Judaism, and it is entirely fitting that we honor the great traditions of its followers.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Con-

stitution and laws of the United States, do hereby proclaim April 30 through May 7, 1995, as "Jewish Heritage Week." I call upon the people of the United States to observe this week with appropriate programs, ceremonies, and activities.

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

WILLIAM J. CLINTON

Proclamation 6789 of April 21, 1995

National Day of Mourning in Memory of Those Who Died in Oklahoma City

By the President of the United States of America
A Proclamation

As we seek justice for the evil done in Oklahoma City on April 19, 1995, good and decent people everywhere mourn the loss of innocents. Our sons and daughters, parents and friends were stolen from us. Their families can never replace the gift of their laughter. Our Nation can never replace the spirit of their character. But even as we grieve, we resolve today in solemn promise that those on earth shall never be bowed by murderous cowards. This sin against humanity shall not go unpunished.

It has been said that, "In every child who is born, the potentiality of the whole human race is born again." We lost unimaginable potential this past week. And we will miss our loved ones dearly. But the children who died in this violence may yet lift up humanity. We do them no greater honor than by taking from their deaths the memory of their hopes, by carrying with us always their dreams, their kind and trusting ways. We redeem the value of their lives no further than by heeding the voices of children everywhere, who ask simply and invariably for peace and love.

We take comfort in knowing that all who perished are in God's hands.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby appoint Sunday, April 23, 1995, as a National Day of Mourning throughout the United States. I ask the American people assembled on that day in their homes and places of worship to pay homage to the memory of those lost in the Oklahoma City tragedy and to pray for them and their community. I invite all those around the world who share our grief to join us in this solemn observance.

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

WILLIAM J. CLINTON

Proclamation 6790 of April 21, 1995

National Volunteer Week, 1995

By the President of the United States of America
A Proclamation

Our ancestors built this Nation on the spirit of independence and the strength of community. Yesterday's Americans came together to raise a barn, till a farm, or teach a child to write. They came together to care for one another and to lift up their neighbors in need. For rich and poor, old and young, giving their talents to benefit the community was the most fundamental responsibility of American citizenship.

Through the years, this basic ideal has endured. Service remains the noblest quality of the American character. Our people still come together to build a house, plant a garden, or tutor a child. Elementary school students help older Americans in their daily lives. Seniors help struggling teenagers stay out of trouble. Countless dedicated citizens claim our country's challenges as their own. Their service sets a powerful example of leadership and compassion for each of us to follow.

As a partner in progress, government can expand and strengthen this great American legacy. AmeriCorps, the Senior Corps, and Learn and Serve America now provide service opportunities for more than a million of our citizens. These initiatives enable us to keep faith with the covenant of citizenship. This week, we celebrate the tens of millions of volunteers who give their time, their energy, and their hearts to making our world a better place.

We are indeed fortunate that, even as we face difficult problems in our streets, schools, homes, and communities, citizens are volunteering to help one another in numerous ways. Some spend a few hours every week. Others give entire days—even years—of their lives to service. Each makes a lasting contribution to the substance and the spirit of community in America. And each helps lead us into an ever brighter future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 23 through April 29, 1995, as "National Volunteer Week." I call upon all Americans to observe this week with appropriate programs, ceremonies, and activities in expression of their commitment.

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

WILLIAM J. CLINTON

Proclamation 6791 of April 26, 1995

National Crime Victims' Rights Week, 1995

By the President of the United States of America
A Proclamation

Every year, more than 36 million people in America become the victims of crime. Offenders prey on our daughters and sons, sisters and brothers, parents, grandparents, and friends. Violent crime is creating fear and insecurity in communities across our Nation.

To ensure justice and promote healing, a grassroots crime victims' movement has worked to enact numerous initiatives in State legislatures across the country—laws that now provide crucial rights for crime victims and their families. As we mark National Crime Victims' Rights Week this year, Americans join in remembering the fallen, in celebrating criminal justice reforms, and in envisioning a future free from violence.

The Violent Crime Control and Law Enforcement Act of 1994, which I signed into law this past September, ensures that our criminal justice system recognizes the victims. Its provisions include allocution rights for victims of violent crime and sexual abuse, truth in sentencing guidelines to ensure that violent offenders serve longer sentences, and sex offender registries designed to monitor offenders more effectively. This Act will help put 100,000 more police officers on the streets of our communities. And the landmark Violence Against Women Act is the first comprehensive Federal effort to address violence against women.

But no government can be truly effective without the active involvement of its citizens. Victim advocacy—the work of the more than 8,000 organizations and the countless individuals we honor this week—can be a lifeline to emotional survival. When random bullets wound a child, when a battered woman needs shelter in the night, when a rape survivor seeks help—victim advocates are there to comfort and support. Many of our Nation's crime victims and advocates work tirelessly in schools, neighborhoods, and youth custody facilities. They give faces and names to the statistics of crime, opening young peoples' eyes to the reality of violence and helping to plant seeds of responsibility that can last a lifetime.

We nonetheless recognize that much remains to be done. But with continued partnerships between every level of government, criminal justice and victim advocacy organizations, and crime survivors and their families, America can begin to replace the nightmare of crime with a bright new day of hope.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 23 through April 29, 1995, as "National Crime Victims' Rights Week." I urge all Americans to pause and remember the victims of crime and to join in honoring those who serve crime victims and their families by working to reduce violence, to assist those harmed by crime, and to make our homes and communities safer places in which to live.

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

WILLIAM J. CLINTON

Proclamation 6792 of April 27, 1995

Law Day, U.S.A., 1995

By the President of the United States of America
A Proclamation

Our legal system is the foundation on which this Nation was built. It enables us to realize the promises of life, liberty, and the pursuit of happiness. Law protects our homes, our families, and our communities. It secures our borders and safeguards our environment. It is the basis for free markets and our continued prosperity. And it helps guide our relationships with other lands.

When President John F. Kennedy proclaimed Law Day, U.S.A. in 1962, he reminded us that law, like freedom, demands constant vigilance. We must nurture "through education and example an appreciation of the values of our system of justice and . . . an increased respect for law and for the rights of others as basic elements of our free society." As we celebrate Law Day this year, it is more important than ever that we rededicate ourselves to reaching these goals.

Today, America's system of jurisprudence is being challenged as never before. Great technological advances are leading us to redefine and expand the ways in which laws apply to us as individuals and as a Nation. From communications to computer software, international trade to environmental protection, our legal system remains an anchor of freedom, even as it evolves to meet the demands of our rapidly changing times.

If we are to further advance the causes of democracy and human dignity around the world, we must not falter in enforcing the rule of law here at home. Laws must be applied as vigorously on Main Street as on the information superhighway. The legal community must help to restore Americans' sense of security and faith in justice. Most important, our laws must continue to fulfill our Founders' ideals of fairness and equality. Working together, we must strive to ensure that tomorrow's generations inherit the truths that have long sustained us as a people and move our Nation forward.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with Public Law 87–20 of April 7, 1961, do hereby proclaim May 1, 1995, as "Law Day, U.S.A." I urge the people of the United States to use this occasion to reflect on our heritage of freedom, to familiarize themselves with their rights and responsibilities, and to aid others seeking to affirm their rights under law.

I call upon the legal profession, civic associations, educators, librarians, public officials, and the media to promote the observance of this

day through appropriate programs and activities. I also call upon public officials to display the flag of the United States on all government buildings throughout the day.

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

WILLIAM J. CLINTON

Proclamation 6793 of April 28, 1995

Small Business Week, 1995

By the President of the United States of America
A Proclamation

At the heart of our free enterprise system are the Nation's 21.5 million small businesses. They are the engine of our economy, keeping America competitive in domestic and global markets. These businesses demonstrate by their achievements and success that the promise of the American Dream is within the grasp of every one of our citizens.

America's small business entrepreneurs are risk-takers, venturing into new and often uncertain territory. As a Nation, we are indebted to these bold men and women. With unparalleled commitment and determination, they keep us at the forefront of innovation and help fuel our economy.

During the past decade, more than 600,000 new firms have been created annually. Indeed, just last year, more small businesses were created than at any time in our country's history. Through much of this period, small businesses generated most of the Nation's new jobs. Today, they employ almost 60 percent of the country's private work force.

Growing numbers of women and minorities are empowering themselves through small business ownership, taking risks, and pursuing their entrepreneurial ambitions. New programs are teaching business ownership skills to our youth. And our Administration's Reinventing Government initiative—building a government that works better and costs less—will help sustain this entrepreneurial spirit for generations to come.

As we approach a new era of economic opportunity, our Nation's small business owners continue to inspire us by their example. On behalf of all Americans, I thank these hardworking citizens across the country for helping to keep the American Dream alive.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim April 30 through May 6, 1995, as "Small Business Week." I ask all Americans to join me in saluting the small business owners of our Nation during this week with appropriate events and ceremonies.

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

WILLIAM J. CLINTON

Proclamation 6794 of April 29, 1995

Loyalty Day, 1995

By the President of the United States of America
A Proclamation

Our country's rich diversity of peoples and cultures has been called "the noble experiment." From its beginnings, our great democracy has guaranteed its citizens the blessings of freedom and the right of self-determination. Each year, with the coming of spring and the rebirth of nature, we pause to consider the progress of our Nation and to reaffirm our allegiance to the American experiment.

Two hundred and twenty years ago in Lexington, Massachusetts, a ragged group of colonial Americans faced a column of British soldiers. As the smoke cleared from the "shot heard round the world," eight American "Minutemen" lay dead-their blood spilled along the path to a new Nation on this soil. Their gift of freedom is held sacred to this day.

All Americans can be proud of the heritage of courage and sacrifice that has extended unbroken through generations of our citizens. The success of the United States today is seen both in our continued prosperity and strength and in our role as an international beacon of liberty. As we recall those who gave their lives for our freedom, we see our Nation's history reflected in their ranks-from the tireless "Minutemen" in Lexington to the brave men and women who fought in the Persian Gulf. These fine citizens, along with their families and those who have served on the home front, deserve our profound respect and gratitude. Let history forever record our loyalty to their legacy.

The Congress, by Public Law 85–529, has designated May 1 of each year as "Loyalty Day." We spend this day in celebration of our Constitution and our precious Bill of Rights and in honor of the sacrifices that have enabled this great charter to endure.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1, 1995, as Loyalty Day. I call upon all Americans to observe this day with appropriate ceremonies and activities, including public recitation of the Pledge of Allegiance to the Flag of the United States. I also call upon government officials to display the flag on all government buildings and grounds on this day.

IN WITNESS WHEREOF, I have hereunto set my hand thistwenty-ninth day of April, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6795 of May 3, 1995

Asian/Pacific American Heritage Month, 1995

By the President of the United States of America
A Proclamation

Like so many people of this Nation, Americans of Asian and Pacific ancestry enjoy dual heritage-the great cultures of the lands of their forebearers and the rich traditions of liberty and equality cherished by the United States. Bringing new values and customs to these shores, Asian and Pacific Americans have immeasurably enriched the quality and character of this country. In every field of endeavor, in public and private sector alike, they have endowed our Nation with unparalleled energy and vision.

We owe a debt of gratitude to these Americans, both for the gift of their talents and for helping us build bridges of understanding to their ancestral lands in the Pacific Community—bridges that help our economies to grow and that widen the path to peace.

Today, our Nation stands at the dawn of a new era of hope and opportunity. We depend as never before on the active involvement of every one of our people to meet the challenges of our changing world. With the strength of our diversity and a continued commitment to the ideal of freedom, all Americans will share in the blessings of the bright future that awaits us.

To honor the achievements of Asian/Pacific Americans and to recognize their many contributions to our Nation, the Congress, by Public Law 102-450, has designated the month of May as "Asian/Pacific American Heritage Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 1995, as Asian/Pacific American Heritage Month. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6796 of May 3, 1995

Older Americans Month, 1995

By the President of the United States of America
A Proclamation

Throughout its history, our Nation has benefited immeasurably from the myriad contributions of its older Americans. Our democracy owes its success in great part to the millions of senior citizens who through their work, their volunteer efforts, and their devotion to their families and communities have helped build the foundation of this country.

Each year, America reserves the month of May to pay tribute to the contributions and sacrifices of older Americans and to reaffirm our commitment to preserving and enhancing their quality of life. When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthday. About a third of older Americans lived in poverty, and there were few programs to meet their needs. But Americans were beginning to take a greater interest in their seniors, encouraged by President John F. Kennedy's strong leadership. Today, there are close to 34 million older Americans, and we are better addressing their needs with programs and laws—from Social Security to the Older Americans Act.

The theme for Older Americans Month this year, "Aging: Generations of Experience," recognizes the tremendous experiences and legacy of past generations that we enjoy today. And this year we proudly mark the 30th anniversary of the Older Americans Act. Through the Act's programs, administered by the Administration on Aging, millions of older Americans receive critical home and community-based care services that enable them to continue to live independently within their homes and among their loved ones and friends.

During this Older Americans Month, several thousand delegates from all across America will gather in Washington, D.C., for the historic White House Conference on Aging. And, during this month, we pay tribute to our country's older Americans and to the family members and volunteers who provide care for them. In addition, as we recognize the 50th anniversary of the end of World War II, we pause to give special recognition to our senior citizens who so valiantly fought for our freedoms.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1995, as "Older Americans Month." I call upon individual Americans, representatives of government at all levels, businesses and communities, volunteers and educational institutions to appropriately acknowledge the contributions of all older Americans not only this month but also throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this third day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6797 of May 11, 1995

Mother's Day, 1995

By the President of the United States of America
A Proclamation

Each year, Americans pause on the second Sunday of May to celebrate the gift of motherhood. Mother's Day reminds all of us to honor our mothers and to show them our love and appreciation—on this day and throughout the year. Whether we embrace our mothers in person or

hold fast to a loving memory, the strength of their spirit and the blessing of their compassion stay with us for a lifetime.

Americans' vitality as a people flows from the health of our families. The heart and soul of our national life, mothers rise each day to take on myriad tasks, from driving a carpool to directing a city council. They are an anchor to generations past and a bridge to the world of the future. Meeting the challenge of motherhood is one of society's greatest responsibilities, and those who do this work every day do a service to all humanity.

Whether biological, foster, or adoptive, mothers have a unique ability to caution and care for their children and to instill in them the values of honesty, respect, and faith. As role models for their children, mothers show by example the infinite possibilities of life.

No matter our age, our mothers are ready to understand, to love, and to listen. We best observe this special day by living our lives to reflect the love they have given us and by teaching our children to hope for a brighter tomorrow.

To honor all mothers and their special place in our hearts, the Congress, by a joint resolution approved May 8, 1914 (38 Stat. 770), has designated the second Sunday in May each year as "Mother's Day" and requested the President to call for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Sunday, May 14, 1995, as "Mother's Day." I urge all Americans to consider how much mothers have contributed to the well-being of our Nation. I call upon our citizens to observe this day with appropriate programs, ceremonies, and activities.

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

WILLIAM J. CLINTON

Proclamation 6798 of May 11, 1995

National Safe Boating Week, 1995

By the President of the United States of America
A Proclamation

Recreational boating has become one of this Nation's most popular leisure-time activities. It is estimated that in 1995, more than 76 million Americans will enjoy our country's scenic waterways, engaging in pastimes from fishing and cruising to waterskiing, sailing, and sightseeing. Most Americans will act responsibly in these activities, ensuring the safety of their families and friends. Yet much work remains to be done if we are to make boating safe for all of us.

Studies indicate that in more than 85 percent of the fully documented recreational boating fatalities, the victim was not wearing any type of life jacket. This tragic statistic highlights a simple fact: personal flota-

tion devices can help prevent more than 600 fatalities annually. I urge all Americans to wear them regularly when on our waterways.

The United States Coast Guard, the National Safe Boating Council, and the many State and local recreational boating organizations and governmental agencies are working with volunteer organizations across the country to educate the boating public about the importance of wearing life jackets. This advice applies not only to boat operators but also to passengers and all individuals participating in sporting activities on the waterways. Falling overboard and capsizing are the leading causes of boating fatalities, and more than half of all boating accidents are alcohol-related. But with responsible behavior and the proper precautions, families and friends can experience the joys of boating for years to come.

In recognition of the importance of safe boating practices, the Congress, by joint resolution approved June 4, 1958 [36 U.S.C. 161], as amended, has authorized and requested the President to proclaim annually the seven day period prior to the Memorial Day Weekend, as "National Safe Boating Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 20 through May 26, 1995, as National Safe Boating Week. I encourage the Governors of the 50 States and the Commonwealth of Puerto Rico, and officials of other areas subject to the jurisdiction of the United States, to join in observing this week. I urge all Americans to practice safe recreational boating during these days and throughout the year.

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

WILLIAM J. CLINTON

Proclamation 6799 of May 12, 1995

National Defense Transportation Day and National Transportation Week, 1995

By the President of the United States of America
A Proclamation

We Americans enjoy the benefits of the finest transportation system in the world. Our Nation has built a wide network of airports and seaports, railroads and bridges, highways, waterways, and subways. This infrastructure is a mainstay of our economy, an essential part of our national defense, and the means by which our citizens enjoy unprecedented mobility. Such ease of travel unites our land, brings cities and communities closer together, and links our society to the world.

Recent international trade agreements have dramatically changed the global marketplace, creating new opportunities and expanding horizons for all Americans. Our success in this increasingly competitive environment depends as never before on transportation. A system that moves people and goods safely and efficiently helps us to sell our

products overseas, spawning new industries and generating jobs at an unprecedented rate.

The national transportation system, with government and industry working together, is a keystone of America's national security strategy. The world is still an unpredictable place, and America continues to have worldwide security and economic interests. The national transportation system gives America the capability to rapidly move military equipment and personnel to meet contingencies, crises, and humanitarian efforts anywhere in the world.

Today, American transportation is moving forward to embrace the exciting possibilities and challenges of the 21st century. Using state-of-the-art technology, we are developing a single integrated system that links all forms of transportation and enables the user—passenger or shipper—to choose the service that best meets the immediate need. The Department of Transportation is working on a National Transportation System to address modern concerns of efficiency and environmental safety, and we are looking toward States, communities, and the private sector to join in investing strategically in the transportation infrastructure of the future.

This week, Americans honor the men and women who build, maintain, and monitor the safety of our transportation system—from air traffic controllers to railroad safety inspectors to aerospace machinists building the planes of tomorrow. We salute our transportation industry workers for their countless contributions to our Nation and for helping to ensure that our transportation system remains the finest in the world.

In recognition of the millions of Americans who work every day to meet our transportation needs, the Congress, by joint resolution approved May 16, 1957 (36 U.S.C. 160), has designated the third Friday in May of each year as "National Defense Transportation Day" and, by joint resolution approved May 14, 1962 (36 U.S.C. 166), declared that the week in which that Friday falls be designated "National Transportation Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Friday, May 19, 1995, as National Defense Transportation Day and May 14 through May 20, 1995, as National Transportation Week. I urge all Americans to observe these occasions with appropriate ceremonies and activities, giving due recognition to the individuals and organizations that build, operate, safeguard, and maintain this country's modern transportation system.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6800 of May 15, 1995

Peace Officers Memorial Day and Police Week, 1995

By the President of the United States of America
A Proclamation

Each year, we pause to remember and to honor the brave men and women whose heartfelt commitment to the law and to their fellow citizens cost them their lives. During 1994, we lost 56 law enforcement officers to on-duty accidents. Seventy-six officers—72 State and local police and four Federal agents—were murdered. Thirty-three of these officers were wearing body armor when they were killed. All but one were killed with a firearm. Three were gunned down inside police headquarters in our Nation's capital.

America's law enforcement officers face extraordinary risks—breaking up a drug ring, apprehending a fugitive, responding to an incident of domestic violence, even making a traffic stop. Since the first recorded police death in this country in 1794, more than 13,500 law enforcement officers have been killed in the line of duty. On average, more than 62,000 officers are assaulted and some 20,000 are injured each year.

Tragically, the dangers of law enforcement service are increasing. From 1960 to 1993, the number of violent crimes in America increased 567 percent. In the past 10 years, it increased 51 percent. During 1993, more than 1.9 million violent crimes—murders, rapes, robberies, and assaults—were reported to police. And our police responded.

Despite the rising tide of crime, good and brave men and women continue to join the ranks of law enforcement. Today, more than 600,000 sworn officers work every day to preserve the peace and improve the safety of cities and towns across America. These heroic individuals and their fallen colleagues come from many different backgrounds. But they are linked by a common faith—that freedom is worth defending and that justice shall prevail. For those who died to uphold these ideals and for those who still stand to protect them, we salute America's law enforcement officials.

The Congress, by a joint resolution approved October 1, 1962 (76 Stat. 676), has authorized and requested the President to designate May 15 of each year as "Peace Officers Memorial Day," and the week in which it falls as "Police Week," and by Public Law 103–322 (36 U.S.C. 175) has requested that the flag be flown at half-staff on Peace Officers Memorial Day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 15, 1995, as Peace Officers Memorial Day, and May 14–20, 1995, as Police Week. I call upon the people of the United States to observe this occasion with appropriate programs, ceremonies, and activities. I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff on Peace Officers Memorial Day on all buildings, grounds, and naval vessels throughout the United States and in all areas under its jurisdiction and control, and I invite the people of the

United States to display the flag at half-staff from their homes on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6801 of May 17, 1995

Labor History Month, 1995

By the President of the United States of America
A Proclamation

Among the most insistent themes in the history of American democracy has been the determination of our workers to find dignity in their work and meaning in their citizenship. The labor movement has long given voice to these aspirations. American trade unionists have fought for and achieved benefits for all of us by strengthening citizens' roles in the workplace and by expanding their participation in the political lives of their communities.

Gone is the time when the average American worker made about ten dollars for a 60-hour week, and more than 2 million children worked similarly long hours for even less pay. The national labor movement has helped ensure safe working conditions, regular hours, decent living wages, and paid holidays and vacations. And in 1993 we moved a step further, affording hard-working Americans the right to emergency family leave.

Workers have been leaders in the efforts to establish the 8-hour day, the 40-hour week, security in unemployment and old age, protection for the sick and injured and for children, equal employment opportunity, and health and safety standards. And the labor movement has strived to make public education available for every child. American workers have helped to make this progress possible, and our country is immeasurably stronger because of it.

As we observe Labor History Month this year, we understand that our work is not yet finished. Today's global marketplace demands that we establish and strengthen partnerships between employers and unions, cooperate to achieve safe, high-performance work environments, improve the skills of American workers and the competitiveness of American businesses, and further enhance human dignity in the workplace. The challenges we face are many, but the history of our accomplishments assures us that the future looks bright indeed.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 1995, as "Labor History Month." I call upon the people of the United States to observe this period with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6802 of May 18, 1995

Prayer for Peace, Memorial Day, 1995

By the President of the United States of America
A Proclamation

The essence of America is the quality and breadth of the freedoms guaranteed by the Constitution. Yet far too often in our country's history, the price of preserving these freedoms has been the lives of our Nation's young men and women and the heartbreak of their families and friends. The light and laughter of our lost sons and daughters can never be replaced. But the gift of their courage will always endure. America remembers the sacrifices of those who gave their lives to protect our liberty. For our citizens and for freedom-loving people around the world, they have kept democracy's flame burning brightly.

Forged in revolution and tempered by more than two centuries of fighting injustice, America has grown stronger, determined to safeguard the blessings that have been so hard-won. As we recall the selfless devotion of those who have risen to defend the cause of freedom, we resolve today that their efforts shall not have been in vain. America still holds fast to the principles upon which it was founded, and its people still stand bound together by our common faith in peace. In remembrance of our fallen heroes, we pray that peace will forever grace our land, that it will guide relations between citizens and friendships among nations, and that our people will one day see a time when harmony fills the Earth.

May God comfort all who mourn.

In respect and recognition of the courageous men and women to whom we pay tribute, the Congress, by joint resolution approved on May 11, 1950 (64 Stat. 158), has requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace and designating a period on that day when the people of the United States might unite in prayer.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Memorial Day, May 29, 1995, as a day of prayer for permanent peace. I designate the hour beginning in each locality at 11 o'clock in the morning of that day as a time to join in prayer. I urge the press, radio, television, and all information media to take part in this observance.

I also request the Governors of the United States and the Commonwealth of Puerto Rico, and the appropriate officials of all units of government, to direct that the flag be flown at half-staff until noon during this Memorial Day on all buildings, grounds, and naval vessels

throughout the United States and in all areas under its jurisdiction and control, and I request the people of the United States to display the flag at half-staff from their homes for the customary forenoon period.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6803 of May 19, 1995

National Maritime Day, 1995

By the President of the United States of America
A Proclamation

The United States owes much to our merchant sailors. At our Nation's beginning, these outstanding citizens opened new avenues of commerce and helped nurture a fledgling democracy into a beacon of freedom for people around the world. Since President Franklin D. Roosevelt first proclaimed National Maritime Day 62 years ago, the U.S. Merchant Marine has built on its legacy of patriotism. Its great tradition of courage and valor is an inspiration to all Americans.

This year, as we honor those who served and sacrificed for our Nation during World War II, the contributions of the U.S. Merchant Marine are a special source of pride. We will always remember the heroism of those mariners and the dangers they faced to protect our liberty.

America's Merchant Marine and civilian seafarers have put themselves at risk time and again to support our Armed Forces. They provided pivotal service during OPERATION DESERT STORM, during America's humanitarian mission in Somalia, and throughout OPERATION RESTORE DEMOCRACY in Haiti.

Today, our country remains determined to maintain a strong U.S. flag presence on the high seas, a commitment central to advancing our Nation's national and economic security. I urge Americans to join efforts in support of maritime revitalization legislation and our ongoing shipbuilding production program. Americans' pioneering spirit has endowed our Nation with the most innovative maritime technologies and the most skilled maritime labor force on Earth. Working together, we can preserve this critical advantage for generations to come.

In recognition of the importance of the U.S. Merchant Marine, the Congress, by a joint resolution approved May 20, 1933, has designated May 22 of each year as "National Maritime Day" and has authorized and requested the President to issue annually a proclamation calling for its appropriate observance.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 22, 1995, as National Maritime Day. I urge the people of the United States to observe this day with appropriate programs, ceremonies, and activities and by displaying the flag of the United States at their homes and in their commu-

nities. I also request that all ships sailing under the American flag dress ship on that day.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6804 of May 22, 1995

To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes

By the President of the United States of America
A Proclamation

1. Pursuant to section 504(c) of the Trade Act of 1974, as amended ("Trade Act") (19 U.S.C. 2464(c)), beneficiary developing countries, except those designated as least-developed beneficiary developing countries pursuant to section 504(c)(6) of the Trade Act, are subject to limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP). I have determined, pursuant to sections 504(a)(1), (c)(1), and (c)(2) of the Trade Act (19 U.S.C. 2464(a)(1), (c)(1), and (c)(2)), that certain beneficiary developing countries should no longer receive preferential tariff treatment under the GSP with respect to certain eligible articles.

2. To reflect clearly the names of certain beneficiary developing countries under the GSP, I have decided that it is necessary and appropriate to modify general note 4 of the Harmonized Tariff Schedule of the United States (HTS).

3. In Proclamation No. 6767 of February 3, 1995, conforming changes with respect to certain articles under the GSP were omitted. I have decided that it is necessary and appropriate to modify the HTS to make such conforming changes.

4. Proclamation No. 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States and incorporated in the HTS tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements. Certain technical errors, including inadvertent omissions, were made in that proclamation. I have determined that it is necessary to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements to modify certain provisions of the HTS as set forth in Annex III to this proclamation.

5. Section 604 of the Trade 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 Con-

stitution and the laws of the United States, including but not limited to sections 504 and 604 of the Trade Act, do proclaim that:

(1)(a) To make certain conforming changes, the Rates of Duty 1-Special subcolumn for each of the HTS subheadings enumerated in Annex I(A) to this proclamation is modified: (i) by deleting the symbol "A*" in parentheses, and (ii) by inserting the symbol "A" in lieu thereof.

(b) To provide that one or more countries should no longer be treated as a beneficiary developing country with respect to an eligible article for purposes of the GSP, the Rates of Duty 1-Special subcolumn for each of the HTS provisions enumerated in Annex I(B) to this proclamation is modified: (i) by deleting the symbol "A" in parentheses, and (ii) by inserting the symbol "A*" in lieu thereof.

(2) To reflect clearly the names of certain beneficiaries and to provide that one or more countries are no longer to be treated as beneficiary developing countries with respect to an eligible article for purposes of the GSP, general note 4 to the HTS is modified as provided in Annex II to this proclamation.

(3) The HTS is modified as provided in Annex III to this proclamation.

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

(5)(a) The modifications made by Annexes I and II to 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 July 1, 1995.

(b) The modifications made by Annex III to this proclamation shall be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the dates specified in such annex.

IN WITNESS WHEREOF, I have hereunto set my hand thistwenty-second day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Annex I

Modification in the HTS of an Article's Preferential Tariff Treatment under the GSP

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 July 1, 1995.

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

3909.10.00	8419.90.10
4011.91.50	8517.30.15
8419.19.00	

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

0304.20.50	0813.40.10	2208.90.10	6501.00.60	8483.50.40
0703.10.20	0813.40.80	2208.90.70	7002.10.20	8517.82.40
0708.10.20	1106.30.20	2309.90.70	7106.92.00	8519.21.00
0708.10.40	1519.11.00	2401.10.21	7109.00.00	8519.31.00
0709.10.00	1519.12.00	2401.10.29	7113.20.21	8519.99.00
0709.20.10	1601.00.40	2401.20.45	7114.19.00	8521.10.90
0710.22.15	1604.14.50	2401.20.55	7115.90.20	8527.90.90
0710.29.05	1604.16.30	2516.90.00	7319.20.00	8528.10.04
0710.29.30	1604.30.20	3920.93.00	7407.29.15	8528.10.11
0710.80.50	1605.10.05	4006.10.00	7603.10.00	8528.10.13
0710.80.65	1702.90.35	4104.39.20	7604.10.50	8528.10.34
0710.80.93	1703.90.30	4202.22.35	7614.90.20	8802.50.90
0711.30.00	1902.11.40	4205.00.60	7614.90.50	9006.53.00
0711.40.00	2005.80.00	4412.19.30	7615.10.10	9009.12.00
0714.10.00	2007.99.40	4412.19.40	8107.90.00	9018.11.60
0714.20.00	2007.99.48	4412.99.40	8112.11.60	9102.29.04
0714.90.10	2008.19.30	4421.90.10	8112.91.50	9303.90.80
0802.50.20	2008.50.20	4823.90.20	8213.00.60	9401.90.15
0802.50.40	2008.99.28	5209.51.30	8401.10.00	9506.61.00
0804.50.80	2008.99.35	5307.20.00	8402.20.00	9606.29.20
0811.20.20	2106.90.52	5607.30.20	8414.90.30	9614.20.60
0811.20.40	2202.90.36	5609.00.20	8419.90.20	9614.20.80
0811.90.50	2202.90.37	5702.99.20	8450.90.40	
0811.90.55	2207.10.30	5703.90.00	8469.10.80	

Annex II

Modifications to General Note 4 of the HTS

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 July 1, 1995.

(A). General note 4(a) is modified by:

(1). deleting "Each of the former republics of the Socialist Federal Republic of Yugoslavia other than Serbia and Montenegro" from the list of independent countries; and

(2). inserting the following countries in alphabetical order in the list of independent countries--

Bosnia and Hercegovina
Croatia
Macedonia, Former Yugoslav Republic of
Slovenia

Annex II (continued)

(B). General note 4(d) is modified by:

(1). adding in numerical sequence, the following HTS subheadings and countries set out opposite them:

0304.20.50	Argentina	4202.22.35	Philippines
0703.10.20	Chile	4205.00.60	Argentina
0708.10.20	Guatemala	4412.19.30	Russia
0708.10.40	Guatemala	4412.19.40	Indonesia
0709.10.00	Chile	4412.99.40	Indonesia
0709.20.10	Peru	4421.90.10	Honduras
0710.22.15	Guatemala	4823.90.20	Philippines
0710.29.05	Turkey	5209.51.30	India
0710.29.30	Dominican Republic	5307.20.00	India
0710.80.50	Dominican Republic	5607.30.20	Philippines
0710.80.65	Guatemala	5609.00.20	Philippines
0710.80.93	Guatemala	5702.99.20	India
0711.30.00	Turkey	5703.90.00	India
0711.40.00	Sri Lanka	6501.00.60	Czech Republic
0714.10.00	Costa Rica	7002.10.20	Malaysia
0714.20.00	Dominican Republic	7106.92.00	Chile
0714.90.10	Costa Rica	7109.00.00	Chile
0802.50.20	Turkey	7113.20.21	Oman
0802.50.40	Turkey	7114.19.00	Chile
0804.50.80	Thailand	7115.90.20	Argentina
0811.20.20	Chile	7319.20.00	Malaysia
0811.20.40	Chile	7407.29.15	Chile
0811.90.50	Costa Rica	7603.10.00	Bahrain
0811.90.55	Guatemala	7604.10.50	Russia
0813.40.10	Thailand	7614.90.20	Venezuela
0813.40.80	Thailand	7614.90.50	Venezuela
1106.30.20	Ecuador	7615.10.10	Thailand
1519.11.00	Malaysia	8107.90.00	Bulgaria
1519.12.00	Malaysia	8112.11.60	Kazakhstan
1601.00.40	Brazil	8112.91.50	Chile
1604.14.50	Thailand	8213.00.60	Brazil
1604.16.30	Morocco	8401.10.00	Russia
1604.30.20	Russia	8402.20.00	Colombia
1605.10.05	Thailand	8414.90.30	Slovenia
1702.90.35	Belize	8419.90.20	Brazil
1703.90.30	Lebanon	8450.90.40	Brazil
1902.11.40	Thailand	8469.10.80	Indonesia
2005.80.00	Thailand	8483.50.40	Malaysia
2007.99.40	Thailand	8517.82.40	Thailand
2007.99.48	Argentina	8519.21.00	Malaysia
2008.19.30	Turkey	8519.31.00	Malaysia
2008.50.20	Argentina	8519.99.00	Malaysia
2008.99.28	Turkey	8521.10.90	Malaysia
2008.99.35	Thailand	8527.90.90	Philippines
2106.90.52	Philippines	8528.10.04	Hungary
2202.90.36	Colombia	8528.10.11	Malaysia
2202.90.37	Dominican Republic	8528.10.13	Malaysia
2207.10.30	Ecuador	8528.10.34	Malaysia
2208.90.10	Trinidad and Tobago	8802.50.90	Russia
2208.90.70	Russia	9006.53.00	Malaysia
2309.90.70	Hungary	9009.12.00	Thailand
2401.10.21	Dominican Republic	9018.11.60	Argentina
2401.10.29	Honduras	9102.29.04	Philippines
2401.20.45	Indonesia	9303.90.80	Russia
2401.20.55	Indonesia	9401.90.15	Czech Republic
2516.90.00	South Africa	9506.61.00	Philippines
3920.93.00	India	9606.29.20	Thailand
4006.10.00	Brazil	9614.20.60	Turkey
4104.39.20	Thailand	9614.20.80	Turkey

Annex II (continued)

(B). (con.):

(2). adding, in alphabetical order, the country set out opposite the following HTS subheadings:

1701.99.05	Colombia	2917.14.10	Brazil
1701.99.10	Colombia	2917.37.00	Romania
2804.29.00	Ukraine	2933.29.45	Slovenia
2805.40.00	Russia	2933.40.08	Hungary
2825.30.00	South Africa	2933.71.00	Russia
2825.70.00	Chile	2938.10.00	Brazil
2840.11.00	Turkey	3806.30.00	Argentina
2843.21.00	Chile	3823.90.40	Malaysia
2903.14.00	Brazil	4106.19.30	Pakistan
2903.23.00	Brazil	4106.20.60	Pakistan
2905.11.20	Trinidad and Tobago	4107.90.60	South Africa
2907.15.10	Russia	7202.21.10	Macedonia, Former Yugoslav Republic of
2910.20.00	Brazil		
2915.34.00	Venezuela	7403.12.00	Peru
2915.35.00	Venezuela	7605.11.00	Russia

Annex III

Modifications to the HTS

Section A. Effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after January 1, 1995.

(1). General note 4(d) is modified by deleting "2921.43.18 India" and "2924.29.46 India" and by inserting "2921.43.19 India" and "2924.29.47 India" in numerical sequence.

(2). General note 4(d) is modified by deleting "2930.40.00 India", "2933.51.10 India", "2934.30.08 India", "2934.30.15 India" and "9504.20.60 Brazil" from such note.

(3). General note 4(d) is modified by inserting "2935.00.32 India" in numerical sequence in such note.

(4). The Rates of Duty 1-Special subcolumn for subheadings 0202.30.02 and 0202.30.10 is modified by inserting, in alphabetical order, the symbol "A" in the parentheses following the Free rate of duty in such subcolumn.

(5). The superior text immediately preceding subheading 9904.04.59 is deleted and the following "Provided for in subheadings 0404.10.15, 1517.90.60, 1704.90.58, 1806.20.82, 1806.20.83, 1806.32.70, 1806.32.80, 1806.90.08, 1806.90.10, 1901.20.15, 1901.20.50, 2106.90.66 or 2106.90.87" is inserted in lieu thereof.

Section B. For the following subheading, the Rates of Duty 1-General subcolumn is modified on January 1 of each year by deleting the existing general rate of duty and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
3823.90.46	16.8%	15.7%	14.6%	13.4%	12.2%	11.1%	10%	8.8%	7.6%	6.5%

Proclamation 6805 of May 22, 1995

World Trade Week, 1995

By the President of the United States of America
A Proclamation

American exports bolster the quality of life for countless people, supporting 10.5 million jobs here at home and supplying popular American products to millions worldwide. They fuel our Nation's economy, create high-wage jobs for our citizens, and link us to countries everywhere. That is why my Administration supported NAFTA and brought the Uruguay Round GATT negotiations to a successful conclusion. As we celebrate World Trade Week this year, we pause to recognize the many ways in which "Exporting is Everybody's Business."

In the two years since my Administration launched this country's first National Export Strategy, America has led the way in trade promotion and advocacy efforts, strengthening existing programs and developing new initiatives to serve U.S. exporters. The Trade Promotion Coordinating Committee (TPCC) has worked to create a more streamlined, responsive, and effective system that enhances our Nation's economy and helps our firms to compete successfully around the globe.

During the past year, we have worked to develop a new, innovative trade finance strategy. The Export-Import Bank of the United States, the Overseas Private Investment Corporation, the Trade and Development Agency, the Small Business Administration, and the Departments of the Treasury and Commerce have provided new forms of trade finance that help our firms to compete in the global marketplace. We are addressing the removal of unnecessary and ineffective export controls and streamlining the licensing process, liberalizing controls on a range of high-technology products and increasing the effectiveness of multilateral control regimes.

With the restructuring of the U.S. and Foreign Commercial Service, now the Commercial Service of the United States, the Department of Commerce is working in partnership with the businesses it serves, promoting U.S. exports, advocating U.S. business interests abroad, assisting U.S. firms to realize their export potential, and supporting the export promotion efforts of other public and private organizations. By the end of this year, 15 U.S. Export Assistance Centers will be open across the country, offering virtually every American business person a coordinated, multi-faceted, international trade team close at hand.

Already, U.S. exports to our neighbors in the Southern Hemisphere exceed $92 billion, generating good jobs for our workers and demonstrating our competitiveness throughout the international marketplace. At the Summit of the Americas this past December, our Nation reaffirmed its commitment to the extension of free trade throughout the Hemisphere by the year 2005—an opportunity that promises to bolster our economy even further. These efforts, combined with our progress with the countries of the Organization for Asian-Pacific Economic Cooperation (APEC), mean trade gains of historic proportions. And that means more jobs for hardworking Americans.

Still, much remains to be done. U.S. exporters must be given every opportunity to sell our products freely and fairly. Our companies must

meet the challenge of venturing into new markets. They must keep quality high and production efficient, while marketing American goods and services to new customers around the world. The work is difficult, but the rewards are great: a strong economy, better goods and services, and a brighter future for all of us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim May 21 through May 27, 1995, as "World Trade Week." I invite the people of the United States to join in appropriate observances to celebrate the potential of international trade to create prosperity for all.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-second day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6806 of May 26, 1995

Time for the National Observance of the Fiftieth Anniversary of World War II, 1995

By the President of the United States of America
A Proclamation

In remembering the nightmare we now know as World War II, it is natural and fitting that we pause to mourn our loss. Eleven million service members—more than 400,000 of them American—perished in that war. Countless more civilians died in its awful course. We Americans retain a special bond to all of these heroes. We've seen pictures of their faces and told stories of their courage. For when the darkest days of fear seemed to tear our world apart, the brave millions we now honor kept liberty alive.

As the forces of oppression sought to extinguish freedom's light, Americans from every walk of life heard the call to service. Women joined our Nation's factories, and farmers doubled their efforts in our fields. Victory gardens flourished across the land, and although the rationing of goods made our dinners less than feasts, the sharing of a cause filled our hearts with hope. Hand in hand, our parents and grandparents led our Nation on to victory, and together with our allies, we prevailed.

Like the men and women who fought half a century ago, Americans today are just as bound to defend the cause of freedom. Now as then, we are privileged to see the triumph of democracy in nations too long oppressed. Now as then, we know that service is our highest call. And still today, we pray for lasting peace.

May the spirit of those prayers forever grace our land. May they guide relations between citizens and friendships among nations. May our children remember our cause well, and may they one day see a time when harmony fills the Earth.

The Congress, by Public Law 103–291, has designated May 29, 1995, through June 6, 1995, as a "Time for the National Observance of the Fiftieth Anniversary of World War II."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim May 29, 1995, through June 6, 1995, as a Time for the National Observance of the Fiftieth Anniversary of World War II. I call upon all Americans to celebrate these days with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of May, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6807 of June 2, 1995

National Homeownership Day, 1995

By the President of the United States of America
A Proclamation

Throughout the more than two hundred years since our Nation was founded, Americans have embraced the dream of homeownership. Strengthening families, establishing communities, and fostering prosperity, homeownership is the cornerstone of our economy and a common thread in our national life. Thanks to a tradition of cooperation between government and industry, the doors of homeownership have been opened to millions of Americans. And the United States is one of the first countries in the world to make homeownership a reality for a majority of its people.

For the better part of this century, America has made homeownership a priority of national policy. The National Housing Act of 1934 created the Federal Housing Administration's home mortgage insurance program, empowering more than 23 million Americans to buy their own homes. In 1944, the GI Bill of Rights set up the Veterans Administration's home loan guaranty program, enabling millions of veterans to start a new life for themselves and their families. The Housing Act of 1949 declared that every American family should enjoy a "decent home and a suitable living environment"—an ideal that has been reaffirmed in myriad ways since then.

Our country's long-standing commitment to this goal is a testament to the tremendous rewards of homeownership. Homeownership spurs the production and sales of goods and services, generating new jobs and brightening America's economic horizon. It encourages savings and investment, promotes economic and civic responsibility, and enhances the financial security of the American people. Perhaps most important, homeownership gives Americans pride in their neighborhoods and hope for a brighter tomorrow.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim June 5,

1995, as "National Homeownership Day." I urge all of our citizens to observe this day with appropriate programs, ceremonies, and activities that celebrate the great American Dream.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6808 of June 9, 1995

Flag Day and National Flag Week, 1995

By the President of the United States of America
A Proclamation

This week, Americans celebrate the Flag of the United States, which for more than two centuries has brought our people together in a common bond of citizenship. We reaffirm our allegiance to freedom's banner—"Old Glory"—and to the proud history it has inspired. We honor the valor and sacrifices of all who have defended it—in public service and on battlegrounds around the world. And we rededicate ourselves to the democratic ideals stitched forever into the fabric of America.

In towns and cities across the country, public buildings fly the Stars and Stripes as a symbol of our Nation's spirit of community. That spirit was never more evident than this past April in Oklahoma, where the flag appeared on the sleeves of rescue workers, emergency personnel, and volunteers from throughout the land. A shining badge of honor, it reminded all who mourned that we Americans have seen countless trials and have emerged from each one stronger than ever.

Earlier this year, in expressing our gratitude to the men and women who served in uniform during the Second World War, the Nation observed the fiftieth anniversary of the Battle of Iwo Jima. We recalled the day, immortalized in sculpture, when a team of brave Americans beat all odds and hoisted aloft the American flag. May we, the heirs of the freedom they fought to defend, always remember their courage and serve as loyal standard-bearers for the cause of liberty.

To commemorate the adoption of our flag, the Congress, by a joint resolution approved August 3, 1949 (63 Stat. 492), designated June 14 of each year as "Flag Day" and requested the President to issue an annual Proclamation calling for its observance and for the display of the Flag of the United States on all Government buildings. The Congress also requested the President, by joint resolution approved June 9, 1966 (80 Stat. 194), to issue annually a Proclamation designating the week in which June 14 occurs as "National Flag Week," and calling upon all citizens of the United States to display the flag during that week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim June 14, 1995, as Flag Day and the week beginning June 11, 1995, as National Flag Week. I direct the appropriate officials of the Government to display the Flag of the United States on all Government buildings during that week. I urge Ameri-

cans to observe Flag Day, June 14, and Flag Week by flying the Stars and Stripes from their homes and other suitable places.

I also call upon the American people to observe with pride and all due ceremony those days from Flag Day through Independence Day, also set aside by the Congress (89 Stat. 211), as a time to honor America and to celebrate our heritage in public gatherings and activities and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6809 of June 12, 1995

Father's Day, 1995

By the President of the United States of America
A Proclamation

As children finish the school year and families begin to enjoy the long days of summer, Americans across the country reach out to their fathers in thanks. Every year, Father's Day gives us a chance to spend time with our families and to honor the bond between parent and child. It is a moment for dads to find joy in the blessings that fatherhood brings. And it is a day for remembering that children can grow up immeasurably stronger with the gift of a father's love.

The most fortunate among us can claim warm memories of our fathers' lessons—times when dads can be models of energy and patience. Whether encouraging their children in taking their first steps, riding a bike or meeting other challenges in life, fathers teach us the importance of balance and stand behind us until we're steady. Through the scrapes and self-doubts that every young person confronts, fathers can be our role models and heroes, soothing childhood fears and instilling the steady values of hard work and fair play. They are our guidance counselors and our best friends. Their faith inspires us to try again when we fail and fills us with pride when we succeed. As coaches and caregivers, teachers and workers, fathers who make parenthood a priority earn their families' lasting respect.

We Americans rely on our fathers for courage and compassion, and the security of having them with us gives us confidence in all of our endeavors. On this special day, let America's sons and daughters show their fathers that they care. Let us continue to strive for a world in which every child grows up safe—a world in which every child knows that though they may feel sometimes unsteady, their fathers are behind them always.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with a joint resolution of the Congress approved April 24, 1972 (36 U.S.C. 142a), do hereby proclaim Sunday, June 18, 1995, as "Father's Day." I invite the States, communities, and

citizens of the United States to observe this day with appropriate ceremonies and activities that demonstrate our deep appreciation and affection for our fathers.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of June, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and nineteenth.

WILLIAM J. CLINTON

Proclamation 6810 of July 17, 1995

Captive Nations Week, 1995

By the President of the United States of America
A Proclamation

As we mark the 36th observance of "Captive Nations Week," Americans reflect on the sorrow of peoples throughout the world who are physically and spiritually oppressed by their governments. In our hearts, we know that the ongoing struggle for individual liberty is part of a larger cause—an international quest for true peace. Recent years have seen great progress in the global march toward freedom. But far too many of humanity's children still live in fear.

Our commemoration of this week reflects the concern of Americans for all of those in need. Having sustained the promise of democracy for more than 200 years, we understand its many blessings and its profound importance in the world. While we celebrate the triumph of democratic governments in nations around the globe, we stay bound to those who remain prisoners of violence, poverty, and prejudice. As beneficiaries of freedom's power, we must champion their struggle, promoting respect for human dignity everywhere on Earth.

Stripped of fundamental personal rights and barred from realizing their political voice, the captive citizens of authoritarian regimes share our people's dreams of happiness. Today, in nations of the former Soviet bloc and from Asia to Africa to Latin America, our new democratic friends are acting on their hopes for opportunity and prosperity, recognizing that respect for individual freedom is the key to internal and international stability. America plays a vital role in this process of growth and change. As President John F. Kennedy said years ago, our "historic task in this embattled age is not merely to defend freedom. It is to extend its writ and strengthen its covenant." We Americans have an enormous stake in the fate of captive nations. Their future is no less than our greatest hope for peace.

The Congress, by Joint Resolution approved July 17, 1959 (73 Stat. 212), has authorized and requested the President to issue a proclamation designating the third week in July of each year as "Captive Nations Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim July 16 through July 22, 1995, as Captive Nations Week. I call upon the people of the United States to observe this week with appropriate ceremonies and activities, re-

dedicating ourselves to the principles of freedom and justice on which this Nation was founded and by which it will ever endure.

IN WITNESS WHEREOF, I have hereunto set my hand this seventeenth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6811 of July 21, 1995

Parents' Day, 1995

By the President of the United States of America
A Proclamation

Parenthood is among the most difficult and most rewarding responsibilities in life. Balancing countless demands, parents must be firm yet loving, protective yet liberating. They are the nurturers of our dreams and the soothers of our fears. They instill in their children, by word and example, the importance of family and community involvement, the value of education and hard work.

Parenting is a serious responsibility. All parents have an obligation to provide for the children they bring into the world. Parents must teach and sustain, helping to empower each new generation to meet the challenges and opportunities of life with confidence.

Today, across our country, parents give their time and energy to ensure a better future for their children. Teaching the lessons of honesty and caring in a way that no school or government can, America's parents pass on the spirit, values, and traditions that have made our Nation strong for more than two centuries. Whether stepparents or foster parents, biological or adoptive, parents provide the security, stability, and love that enable children to grow up healthy, happy, and strong.

Parents' Day is a welcome opportunity to celebrate the special and powerful bond between parent and child. On this occasion, let us remember and pay respect to those who give us the daily support and loving guidance that lead us to become responsible and contributing citizens.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, in accordance with Public Law 103–362, do hereby proclaim Sunday, July 23, 1995, as "Parents' Day." I invite the States, communities, and the people of the United States to observe this day with appropriate ceremonies and activities expressing gratitude and abiding affection for parents.

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

WILLIAM J. CLINTON

Proclamation 6812 of July 26, 1995

National Korean War Veterans Armistice Day, 1995

By the President of the United States of America
A Proclamation

On July 27, 1953, the guns finally fell silent over the Korean peninsula. Three years of fierce struggle, costing over 600,000 lives among U.S. and allied combatants, ended with a negotiated cease-fire at Panmunjom. At that moment, in the midst of the Cold War, facing the burden of containing a hostile communist world, America could not yet see clearly all that the Korean War had achieved.

Time and history have cleared our vision. More than four decades later, we look back in awe and gratitude at what our Armed Forces and allies accomplished in Korea. Under the banner of the United Nations, they fought to defend freedom and human dignity in the Korean peninsula, demonstrating to the world's totalitarian regimes that men and women of goodwill were ready to pay the ultimate price so that others might enjoy the blessings of liberty. They helped the Republic of South Korea grow, survive, and prosper as an independent and democratic nation and a strong friend of the United States. With their quiet courage and stern resolve, American troops sowed the seeds for the triumph of democracy that is sweeping across the globe today.

Now, at long last, we have a fitting memorial to honor the achievements and the sacrifice of our Korean War veterans. From across this country and around the world, these veterans will gather in our Nation's capital to dedicate the Korean War Veterans Memorial, the enduring testament to their valor and generosity of spirit. America honors their service; we remember their sacrifice; and we are forever in their debt.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim July 27, 1995, as "National Korean War Veterans Armistice Day." I call upon all Americans to observe this day with appropriate programs, ceremonies, and activities in honor of our Nation's Korean War veterans.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-sixth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6813 of July 28, 1995

To Amend the Generalized System of Preferences

By the President of the United States of America
A Proclamation

1. Pursuant to section 504(c) of the Trade Act of 1974, as amended ("Trade Act")(19 U.S.C. 2464(c)), beneficiary developing countries are

subject to limitations on the preferential treatment afforded under the Generalized System of Preferences (GSP). Pursuant to section 504(c)(3) of the Trade Act, the President may waive the application of section 504(c) of the Trade Act after receiving the advice of the International Trade Commission, determining that the waiver is in the national economic interest of the United States, and publishing such determination in the **Federal Register**. Pursuant to section 504(c)(5) of the Trade Act, a country that is no longer treated as a beneficiary developing country with respect to an eligible article may be redesignated as a beneficiary developing country with respect to such article if imports of such article from such country did not exceed the limitations in section 504(c)(1) of the Trade Act during the preceding calendar year. Pursuant to section 504(d)(2) of the Trade Act (19 U.S.C. 2464(d)(2)), the President may disregard the limitations provided in section 504(c)(1)(B) of the Trade Act with respect to any eligible article if the appraised value of the total imports of such article into the United States during the preceding calendar year is not in excess of an amount that bears the same ratio to $5,000,000 as the gross national product of the United States for that calendar year (as determined by the Department of Commerce) bears to the gross national product of the United States for calendar year 1979.

2. Section 502(b)(7) of the Trade Act (19 U.S.C. 2462(b)(7)) provides that a country that has not taken or is not taking steps to afford workers in that country internationally recognized worker rights, as defined in section 502(a)(4) of the Trade Act (19 U.S.C. 2462(a)(4)), is ineligible for designation as a beneficiary developing country for purposes of the GSP. Section 502(c)(7) of the Trade Act (19 U.S.C. 2462(c)(7)) provides that, in determining whether to designate a country as a beneficiary developing country under the GSP, the President shall take into account whether the country has taken or is taking steps to afford internationally recognized worker rights to workers in that country. Section 504 of the Trade Act (19 U.S.C. 2464) authorizes the President to withdraw, suspend, or limit the application of duty-free treatment under the GSP with respect to any country after considering the factors set forth in sections 501 and 502(c) of the Trade Act (19 U.S.C. 2461 and 2462(c)).

3. Pursuant to section 504(c)(3) of the Trade Act, I have determined that it is appropriate to waive the application of section 504(c) of the Trade Act with respect to certain eligible articles from a beneficiary developing country. I have received the advice of the International Trade Commission on whether any industries in the United States are likely to be adversely affected by such waivers and I have determined, based on that advice and the considerations described in sections 501 and 502(c) of the Trade Act, that such waivers are in the national economic interest of the United States. Pursuant to section 504(c)(5) of the Trade Act, I have determined that a country should be redesignated as a beneficiary developing country with respect to certain eligible articles. Pursuant to section 504(d)(2) of the Trade Act, I have determined that section 504(c)(1)(B) of the Trade Act should not apply with respect to certain eligible articles.

4. Pursuant to sections 502(b)(7), 502(c)(7), and 504 of the Trade Act, I have determined that Maldives has not taken and is not taking steps to afford internationally recognized worker rights to workers in Maldives. Accordingly, I have determined that it is appropriate to sus-

pend the designation of Maldives as a beneficiary developing country for purposes of the GSP.

5. Pursuant to sections 501 and 502 of the Trade Act, and having due regard for the eligibility criteria set forth therein, I have determined that it is appropriate to designate Moldova as a beneficiary developing country for purposes of the GSP.

6. Section 604 of the Trade Act (19 U.S.C. 2483) authorizes the President to embody in the Harmonized Tariff Schedule of the United States (HTS) the substance of the provisions of that Act, and of other acts affecting import treatment, and actions thereunder.

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 501, 502, 504, and 604 of the Trade Act, do proclaim that:

(1) In order to restore preferential tariff treatment under the GSP to a country that has been excluded from the benefits of the GSP for certain eligible articles, the Rates of Duty 1–Special subcolumn for HTS subheadings 0713.31.40, 1102.30.00, 1103.14.00, 4104.39.20, 7113.11.50, 7113.20.50, 9401.40.00, 9401.61.60, 9401.69.80, 9403.30.80, 9403.40.90, and 9403.50.90 are modified by deleting the symbol "A*" in parentheses, and by inserting the symbol "A" in lieu thereof.

(2) In order to provide that a country that has not been treated as a beneficiary developing country with respect to certain eligible articles should be restored as a beneficiary developing country with respect to such articles for purposes of the GSP, general note 4(d) to the HTS is modified by deleting the following from such note: "0713.31.40 Thailand", "1102.30.00 Thailand", "1103.14.00 Thailand", "4104.39.20 Thailand", "7113.11.50 Thailand", "7113.20.50 Thailand", "9401.40.00 Thailand", "9401.61.60 Thailand", "9401.69.80 Thailand", "9403.30.80 Thailand", "9403.40.90 Thailand", and "9403.50.90 Thailand".

(3)(a) The waivers of the application of section 504(c) of the Trade Act shall apply to imports of eligible articles from Thailand that are provided for in HTS subheadings 6702.90.65, 7113.11.20, 7113.19.50, and 9403.60.80.

(b) In order to restore preferential tariff treatment: (i) the Rates of Duty 1–Special subcolumn for HTS subheadings 6702.90.65, 7113.11.20, and 9403.60.80 are modified by deleting the symbol "A*" in parentheses, and by inserting the symbol "A" in lieu thereof; (ii) general note 4(d) is modified by deleting the following from such note: "6702.90.65 Thailand", "7113.11.20 Thailand", and "9403.60.80 Thailand"; and (iii) general note 4(d) is modified by deleting "Thailand" set out opposite 7113.19.50.

(4) General note 4 to the HTS, listing those countries whose products are eligible for benefits of the GSP, is modified by: (a) deleting "Maldives" from the list of independent countries in general note 4(a), and deleting "Maldives" from the list of least-developed beneficiary developing countries in general note 4(b); and

(b) inserting "Moldova" in alphabetical order in the list of independent countries in general note 4(a).

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

(6)(a) The modifications to the HTS made by paragraphs (1) and (2) shall be effective July 31, 1995.

(b) The United States Trade Representative shall issue a notice in the **Federal Register** announcing when the modifications to the HTS made by paragraph (3)(b) shall be effective.

(c) The modifications to the HTS made by paragraph (4)(a) shall be effective 60 days after the date of publication of this proclamation in the **Federal Register.**

(d) The modification to the HTS made by paragraph (4)(b) shall be effective with respect to articles that are: (i) imported on or after January 1, 1976, and (ii) entered, or withdrawn from warehouse for consumption, on or after 15 days after the date of publication of this proclamation in the **Federal Register.**

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-eighth day of July, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6814 of August 5, 1995

National Child Support Awareness Month, 1995

By the President of the United States of America
A Proclamation

Providing for our children is one of humanity's worthiest and most fundamental endeavors. Children are the best part of ourselves—the sum of our past and the promise of our future, the guarantee that our lives and values and dreams will flourish long after we are gone. Sadly, however, many parents in our country today deny the instinct to care for their children, failing to provide even the most basic economic support. Millions of America's children have no legally identified father. Millions do not receive the financial support they need to lead secure and healthy lives.

Because of these harsh realities, I have made the reform of our Nation's child support system one of the top priorities of my Administration. The welfare reform plan that I proposed to the Congress last year contains the toughest child support enforcement measures in America's history—measures that would improve the effectiveness of procedures for establishing paternity, make it easier to enter and update child support awards, and dramatically strengthen our ability to enforce payment of those awards. My proposals would also give us the ability to track deadbeat parents across State lines, suspend their driver's licenses if necessary, and make them work off what they owe.

As the Nation's largest single employer, the Federal Government must take a leadership role in the effort to ensure that all of America's chil-

dren are properly supported. In February of this year, I signed an Executive order requiring Federal agencies to cooperate fully with measures to establish and enforce child support orders and to inform employees of how they can meet their support obligations. Additionally, we are encouraging State and local governments to develop innovative approaches to helping families cope with child support issues, and the Department of Health and Human Services (HHS) has begun to restructure and strengthen its partnerships with State child support agencies.

This month we celebrate the 20th anniversary of the Child Support Enforcement Program at HHS. This program—at the Federal, State, and local levels—has been instrumental in giving hope and support to America's children while fostering strong families and responsible parenting. Through their efforts, over 5.1 million children now have a legally recognized father; more than 11.7 million children with a parent living outside of their homes have a legal right to the financial support of that parent; and over $72.5 billion has been provided for children by their noncustodial parents.

But for all that we have accomplished, we still have much to do. By ensuring the enactment and implementation of my Administration's strong child support enforcement proposals, we will send a clear signal to our citizens that they should not have children until they are prepared to care for them. Those who do bring children into the world must bear the responsibility of supporting them. We must rededicate ourselves to the task of putting these youngest and most vulnerable of our citizens first.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 1995, as "National Child Support Awareness Month." I call upon the citizens of the United States to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6815 of August 7, 1995

Minority Enterprise Development Week, 1995

By the President of the United States of America
A Proclamation

For citizens throughout the Nation, entrepreneurship is a proven gateway to economic empowerment. At its best, our free enterprise system works to ensure that all of our citizens have the opportunity to contribute fully to America's economic growth and to benefit fully from our economy's success. However, the road to entrepreneurial achievement is seldom easy. Those who undertake the journey must be talented, determined, and brave. But America has a history of rewarding risk-takers, and there is much to be gained in the attempt.

If this country is to continue to prosper in the years ahead, we must hold fast to the promise of minority enterprise development. Business growth in our minority communities creates wealth, encourages self-sufficiency, and generates jobs where they are needed. My Administration is working hard to strengthen all of our Nation's businesses, opening new domestic and international markets, stimulating the efficient use of developed but underutilized land in older cities and towns, and reducing the cost of borrowing for business start-ups and expansions. These innovative efforts are making an impact, and people throughout America are stepping forward to take advantage of the possibilities of investment.

This week plays an important part in our work to promote the growth of the minority business community. As we recognize America's outstanding minority business men and women, we honor their accomplishments and help spur them on to greater heights. Highlighting their success, this occasion touches even those who have not yet dreamed of starting their own businesses. We are all inspired by the example our entrepreneurs have set.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 24 through September 30, 1995, as "Minority Enterprise Development Week." I call on all Americans to commemorate this event with appropriate ceremonies and activities, joining together to recognize the contributions that minority entrepreneurs make every day to our national economic security.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6816 of August 16, 1995

Women's Equality Day, 1995

By the President of the United States of America
A Proclamation

Seventy-five years ago this Nation took a great step forward by ratifying the 19th Amendment to the Constitution. Twenty-eight simple words—"The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex"—brought to a triumphant conclusion the long decades of struggle waged by generations of suffragists. Looking back from the vantage point of the present, when the contributions and influence of women enrich every facet of our national life, it seems remarkable that as recently as 1920 most American women were still denied their right to full participation in the political activity of this country. Our history continues to remind us that humanity's age-old enemies of ignorance and prejudice are not easily defeated.

But defeated they were, by an army of women and men who, inspired by the staunch courage and unswerving commitment of leaders like Susan B. Anthony, changed people's minds and the course of U.S. history. Using the classic tools of democracy—assembly and petition, exhortation and example, peaceful protest and political shrewdness—these champions of liberty won a lasting victory for civil rights. The fight was hard, the margins slim, and the outcome often in doubt. But after years of effort and sacrifice, after countless acts of courage and conscience, advocates of women's suffrage rejoiced as the Congress proposed an amendment to the Constitution in 1919 and as Tennessee, the last State needed for ratification, approved that amendment on August 18, 1920, by a single vote, when a young legislator heeded his mother's plea to support suffrage. On August 26, 1920, the 19th Amendment was finally proclaimed part of the United States Constitution, fulfilling Susan B. Anthony's pledge that "failure is impossible."

Women's Equality Day, while a fitting occasion to commemorate this great victory of wisdom over ignorance, is also a time for sober reflection that American democracy is a work in progress. The Declaration of Independence was only the first step in our long journey toward equality for all Americans. And while we have made much progress, until all women have an equal opportunity to develop their full potential and to make contributions that are accepted and welcomed by our society, our freedom as a Nation will be incomplete.

Let us observe Women's Equality Day, then, both as a celebration of past achievement and a promise for the future: a promise to promote and protect with vigor and vigilance the rights of all our citizens; a promise to decry the policies of exclusion and to pursue the ideal of equality for every American; and a promise to empower all of our people to take their rightful place as full and equal partners in the great American enterprise.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim August 26, 1995, as "Women's Equality Day." I call upon the citizens of our great Nation to observe this day with appropriate programs and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6817 of August 19, 1995

Death of Those in the U.S. Delegation in Bosnia-Herzegovina

By the President of the United States of America
A Proclamation

As a mark of respect for those who died as a result of the tragic accident near Sarajevo, Bosnia-Herzegovina, which occurred August 19,

1995, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until sunset, Wednesday, August 23, 1995. I also direct that the flag shall be flown at half-staff for the same length of time at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this nineteenth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6818 of August 29, 1995

National POW/MIA Recognition Day, 1995

By the President of the United States of America
A Proclamation

Throughout our proud history, America's sons and daughters have answered the call to defend our fundamental liberties and to safeguard the freedoms of peace-seeking countries around the globe. Representing the finest this Nation has to offer, the members of our Armed Forces have given everything of themselves in defense of the independence and democracy that we hold so dear. This year we have a special opportunity to honor their service as we commemorate the 50th anniversary of the end of World War II, the dedication of the Korean War Veterans Memorial, and the unveiling of the POW and MIA postage stamp.

In remembering these heroic men and women, it is with profound respect and solemn appreciation that we single out those who paid the heaviest price. Among them are the Prisoners of War and those Missing in Action. Their courage and devotion to duty, honor, and country—often in the face of brutal treatment and torture by their captors—will never be forgotten by the American people.

Our Nation also recognizes that the families of these brave citizens have suffered and made great sacrifices for our country. For it is in the name of both the missing and their loved ones that we aggressively pursue the release of any United States service member held against his or her will, that we search tirelessly for information about the missing, and that we seek the repatriation of recoverable American remains.

On September 15, 1995, the flag of the National League of Families of American Prisoners of War and Missing in Southeast Asia, a black and white banner symbolizing America's missing, will be flown over the White House, the Capitol, the United States Departments of State, Defense, and Veterans Affairs, the Selective Service System Headquarters, the Vietnam Veterans and Korean War Veterans Memorials, and national cemeteries across the country. This flag is a symbol of our Na-

tion's covenant with those who defend us and with the loved ones they leave behind—the brave individuals who have earned our everlasting gratitude and their families who deserve our deepest sympathy and our national pledge to achieve the fullest possible accounting of American troops.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 15, 1995, as "National POW/MIA Recognition Day." I urge State and local officials, private organizations, and citizens everywhere to join in honoring all Prisoners of War and Missing in Action still unaccounted for as a result of their dedicated service to our great country. I also encourage the American people to recognize and acknowledge the steadfast vigil the families of the missing maintain in their quest for answers and a conclusion to their struggle. Finally, I call upon all Americans to observe this day with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-ninth day of August, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6819 of September 8, 1995

America Goes Back to School, 1995

By the President of the United States of America
A Proclamation

The beginning of a new school year is a time of renewal and anticipation for families, educators, and communities across America. Teachers ready their classrooms and curricula; law enforcement officers redouble their efforts to keep neighborhoods safe and drug-free; businesses work with schools to create stronger partnerships; and parents everywhere encourage their children to look forward to the challenges ahead.

This time of year also provides us with an occasion to renew our faith in the promise of education—the spark that lights our ambitions and gives us the tools to grow and succeed. To ensure America's continued leadership in the coming century, we must empower every citizen with the knowledge and training necessary to meet new and varied challenges. The generation of young people in school today deserves our Nation's pledge to help them get on the right course and make the most of their lives.

Improving education means strengthening families and schools. Families are responsible for raising children, and parents are their first and most important teachers. Schools are responsible for providing children with quality education and meaningful guidance. But schools and families cannot do it alone. Instead, religious organizations, community leaders, older Americans, volunteer groups, service agencies, industries, and every caring individual must work together, realizing that the complexity of our diverse and changing society demands innova-

tive and effective solutions for helping our children embrace the values of good citizenship.

In March 1994 I signed into law the Goals 2000: Educate America Act, which supports grassroots efforts to help schoolchildren meet high standards for achievement and discipline. School-to-Work programs are uniting businesses, community colleges, and high schools to provide work-study experience and technical expertise, and a new system of direct loans is making a college education more affordable and accessible. This year the Department of Education is deepening its commitment to parent and community involvement by joining the Family Involvement Partnership for Learning to sponsor America Goes Back to School: A Place for Families and the Community. This initiative encourages all Americans to take part in the drive for excellence in education. I am proud that the Department has acted boldly to foster support for America's families and students.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 11 through September 18, 1995, as a time when "America Goes Back to School." I call upon parents, community and State leaders, businesses, civic and religious organizations, and all our citizens to observe this period with appropriate ceremonies and activities expressing support for schools and colleges, children and families, and to continue their active involvement on behalf of America's students throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand this eighth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6820 of September 9, 1995

Classical Music Month, 1995

By the President of the United States of America
A Proclamation

Classical music is one of the glories of the world, a living tradition that enriches the lives of millions of Americans. In the concert halls of our bustling cities, in the community centers of our small towns, and in countless homes everywhere, classical music brings joy and inspiration to our citizens. Its phrases and themes have long spoken to our national love of beauty and our common passion for spirited expression.

More than one hundred years ago, the Bohemian composer Antonín Dvořák came to America—traveling from New York to Iowa to admire the awesome potential of this great land. The New World Symphony, Dvořák's tribute to our country, touches us still with its references to the music of Native American and African American people.

Indeed, classical music is a universal language. Whether the musicians speak English, Spanish, Russian, Japanese, or Hebrew, all recognize the

same notes. Whatever cultural tradition is evoked by its cords and rhythms, classical music stirs emotions we all share. Among the many music lovers gathered to enjoy a performance, each individual listener feels the powerful dynamism of music's resonant voice.

This month, let us celebrate the artistic excellence that brings classical music to life. We honor the many remarkable composers, conductors, and performers of the past whose works continue to delight us, and we applaud today's musicians, whose talents remind us of the continuity and grandeur of the human experience. Each has contributed to the vast body of music that entertains and inspires people around the globe.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 1995, as "Classical Music Month." I call upon government officials, educators, community organizations, and all the people of the United States to observe this month with appropriate programs, ceremonies, and activities paying tribute to the extraordinary diversity and artistry of classical music.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6821 of September 12, 1995

To Establish a Tariff-Rate Quota on Certain Tobacco, Eliminate Tariffs on Certain Other Tobacco, and for Other Purposes

By the President of the United States of America
A Proclamation

1. (a) On April 15, 1994, I entered into trade agreements resulting from the Uruguay Round of multilateral trade negotiations ("the Uruguay Round Agreements"), including the Agreement Establishing the World Trade Organization ("the WTO Agreement") and the General Agreement on Tariffs and Trade 1994 ("the GATT 1994"), annexed to the WTO Agreement. In section 101(a) of the Uruguay Round Agreements Act ("the URAA") (Public Law 103–465, 108 Stat. 4814)(19 U.S.C. 3511(a)), the United States approved the Uruguay Round Agreements. These agreements entered into force for the United States on January 1, 1995.

(b) Section 125(c) of the Trade Act of 1974 ("the 1974 Act")(19 U.S.C. 2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the 1974 Act, modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems

necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States. Section 421 of the Uruguay Round Agreements Act (19 U.S.C. 2135 note) authorizes the President, pursuant to the 1974 Act, to proclaim an increase in any existing duty on certain tobacco to a rate no more than 50 percent above the rate that was set forth in rate column numbered 2 of the Tariff Schedules of the United States, as in effect on January 1, 1975, or no more than 350 percent ad valorem above the rate existing on January 1, 1975, whichever is higher.

(c) Section 1105(a) of the Omnibus Trade and Competitiveness Act of 1988 ("the 1988 Act")(19 U.S.C. 2904(a)) provides that for purposes of applying section 125 of the 1974 Act, any trade agreement entered into under section 1102 of the 1988 Act (19 U.S.C. 2902) shall be treated as an agreement entered into under section 101 or 102, as appropriate, of the 1974 Act (19 U.S.C. 2111 and 2112), and any proclamation issued pursuant to such a trade agreement shall be treated as a proclamation issued pursuant to a trade agreement entered into under section 102 of the 1974 Act.

(d) The United States, acting pursuant to its rights and obligations under the Uruguay Round Agreements, in particular Article XXVIII of the GATT 1994, is modifying its obligations with respect to the tariff treatment of certain tobacco to establish a tariff-rate quota for imports of such tobacco.

(e) Accordingly, I have determined that it is appropriate to proclaim the tariff modifications set forth in Annex I to this proclamation in order to exercise the rights and fulfill the obligations of the United States under the Uruguay Round Agreements. These modifications would, among other things, establish a tariff-rate quota for imports of certain tobacco.

2. (a) Section 423 of the URAA (19 U.S.C. 3621) authorizes the President to proclaim the reduction or elimination of any duty with respect to cigar binder and filler tobacco, wrapper tobacco, or oriental tobacco set forth in Schedule XX—United States of America, annexed to the Marrakesh Protocol to the GATT 1994 ("Schedule XX").

(b) I have decided to proclaim the elimination of the duties on cigar binder and filler tobacco, wrapper tobacco, and oriental tobacco, as set forth in Annex I to this proclamation.

3. (a) Section 422(c) of the URAA (7 U.S.C. 1445 note) authorizes the President to waive the application to imported tobacco of section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) if the President determines that the waiver is necessary or appropriate pursuant to an international agreement entered into by the United States.

(b) I have determined that it is necessary or appropriate pursuant to the Uruguay Round Agreements to waive the application of section 106(g) of the Agricultural Act of 1949 to imports of cigar tobacco. This waiver shall take effect on the effective date of this proclamation.

4. Presidential Proclamation No. 6641 of December 15, 1993, which implemented the North American Free Trade Agreement ("the NAFTA") with respect to the United States, established a tariff heading in chapter 98 of the Harmonized Tariff Schedules of the United States ("the HTS") for certain textile and apparel goods assembled in Mexico from fabric wholly formed and cut in the United States. This tariff heading, 9802.00.90, inadvertently narrowed the scope of the agreed

duty-free treatment, as set forth in Appendix 2.4 to Annex 300–B to the NAFTA. I have decided that it is necessary and appropriate to modify heading 9802.00.90 to the HTS to align it with the provisions of the NAFTA, pursuant to section 201(a)(1) of the North American Free Trade Agreement Implementation Act (Public Law 103–182, 107 Stat. 2057)(19 U.S.C. 3331(a)(1)).

5. (a) The March 9, 1994, Memorandum of Understanding on the Results of the Uruguay Round Negotiations on Agriculture Between the United States of America and Uruguay and the March 24, 1994, Memorandum of Understanding on the Results of the Uruguay Round Market Access Negotiations on Agriculture Between the United States of America and Argentina ("the MOUs") were submitted to the Congress along with the Uruguay Round Agreements. Each MOU provides that, once the appropriate Department of Agriculture authorities approve the country to ship fresh, chilled or frozen beef to the United States, the in-quota quantity of the United States tariff-rate quota for beef will be increased by 20,000 metric tons, and that increase will be allocated to that country.

(b) Section 404(d)(4) of the URAA (19 U.S.C. 3601(d)(4)) authorizes the President to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef if the President determines that an increase is necessary to implement either MOU.

(c) Accordingly, pursuant to section 404(d)(4) of the URAA, I have determined that it is necessary to proclaim an increase in the in-quota quantity of the tariff-rate quota for beef as set forth in Annex II to this proclamation, to be effective for each country upon the dates specified therein.

6. Presidential Proclamation No. 6763 of December 23, 1994, implemented the Uruguay Round Agreements, including Schedule XX, with respect to the United States and incorporated in the HTS tariff modifications necessary and appropriate to carry out the Uruguay Round Agreements. Certain technical errors, including inadvertent omissions and typographical errors, were made in that proclamation. I have decided that, in order to reflect accurately the intended tariff treatment provided for in the Uruguay Round Agreements, it is necessary to modify certain provisions of the HTS, as set forth in Annex II to this proclamation.

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 section 301 of title 3, United States Code, section 125 of the 1974 Act (19 U.S.C. 2135), sections 421, 422(c) and 423 of the URAA (19 U.S.C. 2135 note, 7 U.S.C. 1445 note, and 19 U.S.C. 3621, respectively), and section 604 of the 1974 Act (19 U.S.C. 2483), do hereby proclaim:

(1) In order to exercise the rights and fulfill the obligations of the United States under the WTO Agreement, the HTS is modified as set forth in Annex I to this proclamation.

(2) The provisions of Annex I to this proclamation shall take effect with respect to articles entered, or withdrawn from warehouse, for consumption on or after the dates specified in such annex.

(3) Section 106(g) of the Agricultural Act of 1949 (7 U.S.C. 1445(g)) is waived with respect to imports of cigar tobacco entered, or withdrawn from warehouse, for consumption on or after the effective date of this proclamation.

(4) (a) In order to correct certain technical errors, to modify heading 9802.00.90, and to implement certain determinations concerning tariff-rate quotas for Argentina and Uruguay, the HTS is modified as set forth in Annex II to this proclamation.

(b) Annex I to Presidential Proclamation No. 6343 of September 28, 1991, is amended as set forth in Annex II to this proclamation.

(c) The modifications made by Annex II to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on or after the dates specified in such annex.

(5) The United States Trade Representative and the Secretary of the Treasury are authorized to exercise my authority under the statutes cited in this proclamation to perform certain functions to implement this proclamation, as assigned to them in Annex I to this proclamation.

(6) All 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.

(7) This proclamation is effective on September 13, 1995.

IN WITNESS WHEREOF, I have hereunto set my hand this twelfth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Annex I

Section A. Modifications to the Harmonized Tariff Schedule of the United States ("HTS").

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse, for consumption on or after the effective date of this proclamation.

(1)(a). The additional U.S. notes to chapter 24 are modified by inserting the following new additional U.S. notes in numerical sequence:

"5. (a) The aggregate quantity of tobacco entered, or withdrawn from warehouse, for consumption under subheadings 2401.10.63, 2401.20.33, 2401.20.85, 2401.30.33, 2401.30.35, 2401.30.37, 2403.10.60, 2403.91.45 and 2403.99.60 during the period from September 13 in any year to the following September 12, inclusive, shall not exceed the quantities specified below.

	Quantity (metric tons)
Argentina	12,000
Brazil	80,200
Chile	2,750
European Community (aggregate of Austria, Belgium, Denmark, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, the Netherlands, Portugal, Spain, Sweden, and the United Kingdom)	10,000
Guatemala	8,500
Malawi	12,000
Philippines	3,000
Thailand	7,000
Zimbabwe	12,000
Other countries or areas	3,000

(b) Products of Canada, Israel or Mexico shall not be permitted or included under the aforementioned quantitative limitation and no such articles shall be classifiable in the subheadings of this note.

(c) The quantitative limitations under this note are subject to regulations as may be issued by the United States Trade Representative or its designated agency.

(d) Notwithstanding any other provision of this note, imports of tobacco, other than the product of Canada, Israel or Mexico, shall be eligible for the rates of duty provided in, and shall be classified in, the subheadings specified in paragraph (a) of this note, provided that the articles were (1) exported from the country of origin prior to September 13, 1995, and (2) imported directly from the country of origin into the customs territory of the United States, accompanied by such documentation as may be determined necessary by the Secretary of Treasury. For the purposes of this paragraph, entries of tobacco withdrawn from warehouse for consumption or entries of tobacco from foreign-trade zones shall not be determined to be imported directly from the country of origin into the customs territory of the United States.

6. For the purposes of this chapter, the term "prepared for marketing to the ultimate consumer in the identical form and package in which imported" means that the product is imported in packaging of such sizes and labeling as to be readily identifiable as being intended for retail sale to the ultimate consumer without any alteration in the form of the product or its packaging."

(b) Effective September 13, 1996, additional U.S. note 5 to chapter 24 of the HTS, as added by this paragraph, is modified by deleting paragraph (d) of such note.

Section A. (con.)

(2). Subheadings 2401.10.40, 2401.10.60, 2401.10.70 and 2401.10.90, the superior text immediately preceding subheading 2401.10.40 and the superior text immediately preceding subheading 2401.10.70 are superseded by and the following provisions are inserted in numerical sequence:

	[Unmanufactured tobacco...:]				
	[Tobacco, not stemmed/stripped:]				
	[Not containing wrapper tobacco,...]				
	"Oriental or Turkish type:				
2401.10.44	Cigarette leaf.....	Free			77.2¢/kg
2401.10.48	Other.....	Free			85¢/kg
2401.10.53	Cigar binder and filler.....	Free			85¢/kg
	Other:				
	Flue-cured, burley and other light air-cured leaf:				
2401.10.61	To be used in products other than cigarettes.....	27.4¢/kg	Free (E,IL,J) 8.4¢/kg (CA) 22.4¢/kg (MX)		77.2¢/kg
	Other:				
2401.10.63	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	27.4¢/kg	Free (E,J)		77.2¢/kg
2401.10.65	Other.....	350%	Free (IL) 8.4¢/kg (CA) 22.4¢/kg (MX)		350%
2401.10.95	Other.....	37.5¢/kg	Free (A,E,IL, J,MX) 11.5¢/kg (CA)		85¢/kg"

(3)(a). Subheadings 2401.20.30, 2401.20.45 and 2401.20.55 and the superior text immediately preceding subheading 2401.20.45 are superseded and the following provisions are inserted in numerical sequence:

	[Unmanufactured tobacco...:]				
	[Tobacco, partly or wholly stemmed/stripped:]				
	[Not threshed or similarly...]				
	[Other:]				
	[Not containing wrapper tobacco, or not containing...:]				
	"Oriental or Turkish type:				
2401.20.23	Cigarette leaf.....	Free			$1.21/kg
2401.20.26	Other.....	Free			$1.15/kg
2401.20.29	Cigar binder and filler.....	Free			$1.15/kg
	Other:				
	Flue-cured, burley and other light air-cured leaf:				
2401.20.31	To be used in products other than cigarettes.....	46.9¢/kg	Free (E,IL,J) 14.4¢/kg (CA) 38.4¢/kg (MX)		$1.21/kg
	Other:				
2401.20.33	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions...	46.9¢/kg	Free (E,J)		$1.21/kg
2401.20.35	Other.....	350%	Free (IL) 14.4¢/kg (CA) 38.4¢/kg (MX)		350%
2401.20.57	Other.....	45.5¢/kg	Free (A*,E,IL, J,MX) 14¢/kg (CA)		$1.15/kg"

Section A. (con.)

(3)(b). Conforming change: General note 4(d) is modified by deleting "2401.20.45 Indonesia" and "2401.20.55 Indonesia" and by inserting "2401.20.57 Indonesia" in numerical sequence.

(4). Subheading 2401.20.80 is superseded by:

	[Unmanufactured tobacco...:]				
	[Tobacco, partly or wholly stemmed/stripped:]				
	[Threshed or similarly processed:]				
	"Other:				
2401.20.75	Oriental or Turkish type.....	Free			$1.10/kg
	Other:				
2401.20.83	To be used in products other than cigarettes.....	43¢/kg	Free (E,IL,J) 13.2¢/kg (CA) 35.2¢/kg (MX)		$1.10/kg
	Other:				
2401.20.85	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	43¢/kg	Free (E,J)		$1.10/kg
2401.20.87	Other.....	350%	Free (IL) 13.2¢/kg (CA) 35.2¢/kg (MX)		350%"

(5). Subheadings 2401.30.30, 2401.30.60 and 2401.30.90 and the superior text immediately preceding subheading 2401.30.30 are superseded and the following provisions are inserted in numerical sequence:

	[Unmanufactured tobacco...:]				
	[Tobacco refuse:]				
	"From cigar leaf:				
	Tobacco stems:				
2401.30.03	Not cut, not ground and not pulverized.....	Free			Free
2401.30.06	Cut, ground or pulverized.....	Free			$1.21/kg
2401.30.09	Other.....	Free			77.2¢/kg
	From Oriental or Turkish type tobacco:				
	Tobacco stems:				
2401.30.13	Not cut, not ground and not pulverized.....	Free			Free
2401.30.16	Cut, ground or pulverized.....	Free			$1.21/kg
2401.30.19	Other.....	Free			77.2¢/kg
	Other:				
	To be used in products other than cigarettes:				
	Tobacco stems:				
2401.30.23	Not cut, not ground and not pulverized.....	Free			Free
2401.30.25	Cut, ground or pulverized.....	$1.17/kg	Free (E,IL,J) 36.3¢/kg (CA) 96.8¢/kg (MX)		$1.21/kg
2401.30.27	Other.....	34.3¢/kg	Free (E,IL,J) 10.6¢/kg (CA) 28.4¢/kg (MX)		77.2¢/kg

Annex I (continued)
-4-

Section A. (con.)

(5). (con.):

	[Unmanufactured tobacco...:]			
	[Tobacco refuse:]			
	Other (con.):			
	Other:			
	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions:			
	Tobacco stems:			
2401.30.33	Not cut, not ground and not pulverized.....	Free		Free
2401.30.35	Cut, ground or pulverized.....	$1.17/kg	Free (E,J)	$1.21/kg
2401.30.37	Other.....	34.3¢/kg	Free (E,J)	77.2¢/kg
2401.30.70	Other.....	350%	Free (CA,IL, MX)	350%"

(6). Subheading 2403.10.00 is superseded by:

	[Other manufactured tobacco and...:]			
"2403.10	Smoking tobacco, whether or not containing tobacco substitutes in any proportion:			
2403.10.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....	37.6¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	$1.21/kg
	Other:			
2403.10.30	To be used in products other than cigarettes.....	37.6¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	$1.21/kg
	Other:			
2403.10.60	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	37.6¢/kg	Free (E,J)	$1.21/kg
2403.10.90	Other.....	350%	Free (IL) 11.5¢/kg (CA) 30.8¢/kg (MX)	350%"

(7)(a). Subheading 2403.91.40 is superseded by:

	[Other manufactured tobacco and...:]			
	[Other:]			
	["Homogenized" or...:]			
	"Other:			
2403.91.43	To be used in products other than cigarettes.....	40.1¢/kg	Free (E,IL,J) 13.2¢/kg (CA) 35.2¢/kg (MX)	$1.10/kg
	Other:			
2403.91.45	Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions.....	40.1¢/kg	Free (E,J)	$1.10/kg
2403.91.47	Other.....	350%	Free (IL) 13.2¢/kg (CA) 35.2¢/kg (MX)	350%"

(b). Conforming change: The article description for subheading 9905.24.10 is modified by deleting "2403.91.40" and inserting "2403.91.43" in lieu thereof.

Section A. (con.)

(8). Subheading 2403.99.00 is superseded by:

	[Other manufactured tobacco and...:]				
	[Other:]				
"2403.99	Other:				
2403.99.20	Prepared for marketing to the ultimate consumer in the identical form and package in which imported.....	36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	81.2¢/kg	
	Other:				
2403.99.30	To be used in products other than cigarettes.....	36.3¢/kg	Free (E,IL,J) 11.5¢/kg (CA) 30.8¢/kg (MX)	81.2¢/kg	
	Other:				
2403.99.60	Described in additional U.S. note 3 to this chapter and entered pursuant to its provisions.....	36.3¢/kg	Free (E,J)	81.2¢/kg	
2403.99.90	Other.....	350%	Free (IL) 11.5¢/kg (CA) 30.8¢/kg (MX)	350%"	

Section B. Implementation of modifications in the Rates of Duty 1 General subcolumn of the HTS effective with respect to goods entered, or withdrawn from warehouse, for consumption on or after September 13, 1995. For the following subheadings, the Rates of Duty 1 General subcolumn is modified by deleting the rate of duty appearing in such subcolumn and inserting the rate of duty "Free" in lieu thereof:

2401.10.21	2401.20.20
2401.10.29	2401.20.60

Section C. Effective September 13, 1995, general note 4(d) is modified by deleting "2401.10.21 Dominican Republic" and "2401.10.29 Honduras".

Section D. Modifications of the quantitative limitations provided for in additional U.S. note 5 to chapter 24.

On September 13 of each of the years in the following table, additional U.S. note 5 to chapter 24 shall be modified by deleting for such countries as listed below the country quantitative limitation in such note and inserting the appropriate quantitative limitation listed in this table for such year in lieu thereof:

	1996	1997	1998	1999
Additional U.S. note 5 to chapter 24:				
Argentina	12,000	12,000	11,000	10,750
Guatemala	8,875	9,250	9,625	10,000

Section E. Staged rate reductions in the Rates of Duty 1 General subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation.

For the following subheadings, the Rates of Duty 1 General subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000
2401.10.61	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.63	26.7¢/kg	26¢/kg	25.3¢/kg	24.6¢/kg	23.9¢/kg
2401.10.95	36.6¢/kg	35.6¢/kg	34.6¢/kg	33.7¢/kg	32.7¢/kg
2401.20.31	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.33	45.7¢/kg	44.5¢/kg	43.3¢/kg	42.1¢/kg	40.9¢/kg
2401.20.57	44.4¢/kg	43.2¢/kg	42¢/kg	40.9¢/kg	39.7¢/kg
2401.20.83	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.20.85	41.9¢/kg	40.8¢/kg	39.7¢/kg	38.6¢/kg	37.5¢/kg
2401.30.25	$1.13/kg	$1.09/kg	$1.05/kg	$1.01/kg	97¢/kg
2401.30.27	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2401.30.35	$1.13/kg	$1.09/kg	$1.05/kg	$1.01/kg	97¢/kg
2401.30.37	33.1¢/kg	32¢/kg	30.8¢/kg	29.6¢/kg	28.4¢/kg
2403.10.20	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.30	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.10.60	36.7¢/kg	35.7¢/kg	34.7¢/kg	33.8¢/kg	32.8¢/kg
2403.91.43	36¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.91.45	36¢/kg	32¢/kg	28¢/kg	23.9¢/kg	19.9¢/kg
2403.99.20	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.30	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg
2403.99.60	34¢/kg	31.7¢/kg	29.3¢/kg	27¢/kg	24.7¢/kg

Section F. Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Canada under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "CA" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998
2401.10.61	5.6¢/kg	2.8¢/kg	Free
2401.10.65	5.6¢/kg	2.8¢/kg	Free
2401.10.95	7.7¢/kg	3.8¢/kg	Free
2401.20.31	9.6¢/kg	4.8¢/kg	Free
2401.20.35	9.6¢/kg	4.8¢/kg	Free
2401.20.57	9.3¢/kg	4.6¢/kg	Free
2401.20.83	8.8¢/kg	4.4¢/kg	Free
2401.20.87	8.8¢/kg	4.4¢/kg	Free
2401.30.25	24.2¢/kg	12.1¢/kg	Free
2401.30.27	7.1¢/kg	3.5¢/kg	Free

Section F. (Con.)

HTS Subheading	1996	1997	1998
2403.10.20	7.7¢/kg	3.8¢/kg	Free
2403.10.30	7.7¢/kg	3.8¢/kg	Free
2403.10.90	7.7¢/kg	3.8¢/kg	Free
2403.91.43	8.8¢/kg	4.4¢/kg	Free
2403.91.47	8.8¢/kg	4.4¢/kg	Free
2403.99.20	7.7¢/kg	3.8¢/kg	Free
2403.99.30	7.7¢/kg	3.8¢/kg	Free
2403.99.90	7.7¢/kg	3.8¢/kg	Free

Section G. Continuation of staged rate reductions in the Rates of Duty 1 Special subcolumn of the HTS for subheadings modified in section A of Annex I to this proclamation for goods of Mexico under terms of general note 12 to the HTS.

For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty that is followed by the symbol "MX" and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2401.10.61	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.10.65	19.6¢/kg	16.8¢/kg	14¢/kg	11.2¢/kg	8.4¢/kg	5.6¢/kg	2.8¢/kg	Free
2401.20.31	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.35	33.6¢/kg	28.8¢/kg	24¢/kg	19.2¢/kg	14.4¢/kg	9.6¢/kg	4.8¢/kg	Free
2401.20.83	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.20.87	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2401.30.25	84.7¢/kg	72.6¢/kg	60.5¢/kg	48.4¢/kg	36.3¢/kg	24.2¢/kg	12.1¢/kg	Free
2401.30.27	24.8¢/kg	21.3¢/kg	17.7¢/kg	14.2¢/kg	10.6¢/kg	7.1¢/kg	3.5¢/kg	Free
2403.10.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.10.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.91.43	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.91.47	30.8¢/kg	26.4¢/kg	22¢/kg	17.6¢/kg	13.2¢/kg	8.8¢/kg	4.4¢/kg	Free
2403.99.20	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.30	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free
2403.99.90	27¢/kg	23.1¢/kg	19.3¢/kg	15.4¢/kg	11.5¢/kg	7.7¢/kg	3.8¢/kg	Free

Annex II

Modifications to the Harmonized Tariff Schedule
of the United States (HTS)

Section A. Effective at 12:01 a.m. on January 1, 1994, heading 9802.00.90 is modified by deleting the word "which" appearing after "United States," and by inserting after "United States," the expression "provided that such fabric components, in whole or in part,".

Section B. Effective with respect to goods entered or withdrawn from warehouse for consumption on or after January 1, 1995.

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of proclaimed modifications. The following supersedes matter in the HTS. The subheadings and superior text are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1 General", "Rates of Duty 1 Special" and "Rates of Duty 2", respectively.

(1) The Rates of Duty 1 Special subcolumn for subheading 2106.90.46 is modified by deleting the rate of duty "35.517¢/kg" preceding the symbol "MX" in parentheses and inserting in lieu thereof "35.517¢/kg of total sugars".

(2) The article description for subheading 2914.30.10 is modified by deleting "1-(2-naphthalenyl)ethanone; and" and inserting "1-(2-Naphthalenyl)ethanone; and" in lieu thereof.

(3) The article description for subheading 2924.21.12 is modified by deleting "1-(2-methylcyclohexyl)-3-phenylurea" and inserting "1-(2-Methylcyclohexyl)-3-phenylurea" in lieu thereof.

(4) The Rates of Duty 1 Special subcolumn for subheading 2924.21.16 is modified by inserting, in alphabetical order, the symbol "K" in the parentheses following the "Free" rate of duty in such subcolumn.

(5) The article description for subheading 2924.29.28 is modified by deleting "N-[[(4-chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" and inserting "N-[[(4-Chlorophenyl)amino]carbonyl]-2,6-difluorobenzamide; and" in lieu thereof.

(6) The article description for subheading 2925.19.70 is modified by deleting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide" and inserting "N,N'-Ethylenebis(5,6-dibromo-2,3-norbornanedicarboximide)" in lieu thereof.

(7) The article description for subheading 2934.90.70 is modified by deleting "2-Methyl-4-isothiazolin-3-one;" from such description and by inserting in alphabetical sequence "2-Methyl-4-isothiazolin-3-one;" in the article description for subheading 2934.10.70.

(8) Subheading 2936.29.90 is superseded and the following provisions are inserted in numerical sequence:

	[Provitamins and vitamins, natural...:]		
	[Vitamins and their derivatives, unmixed:]		
	[Other vitamins and their...:]		
"2936.29.15	Niacin and niacinamide.....	Free	25%"
	[Other:]		
"2936.29.50	Other.....	Free	25%"

(9) The Rates of Duty 1 Special subcolumn for subheading 3926.90.65 is modified by deleting the rate of duty "3.3%" preceding the symbol "MX" in parentheses and inserting in lieu thereof "2.5%".

Section B. (con.)

(10) Additional U.S. note 9 to chapter 52 is modified by deleting the sentence "Imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note." and inserting in lieu thereof "Other than as provided for in the country allocations above, imports from countries or areas who are not members of the World Trade Organization shall not be permitted or included in the quantitative limitations set forth in this note.".

(11) The Rates of Duty 1 Special subcolumn for subheading 5402.41.90 is modified by deleting the rate of duty "8%" preceding the symbol "MX" in parentheses and inserting in lieu thereof "7.2%".

(12) The superior text preceding subheading 9817.00.92 which reads "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons:" is deleted and the text "Articles specially designed or adapted for the use or benefit of the blind or other physically or mentally handicapped persons; parts and accessories (except parts and accessories of braces and artificial limb prosthetics) that are specially designed or adapted for use in the foregoing articles:" is inserted in lieu thereof.

(13) Subchapter VI to chapter 99 is modified by deleting U.S. note 17.

Section C. Effective on the effective date of this proclamation:

Additional U.S. note 3 to chapter 2 is modified by:

(1) inserting in sequence "Argentina 20,000*" and "Uruguay 20,000*" after "Japan 200" in the list of countries and the quantities set opposite such countries in the note.

(2) inserting at the end of the note a new paragraph as follows:

" * The quantity for Argentina or Uruguay shall be permitted entry pursuant to the provisions of this note on and after the date of publication by the Secretary of Agriculture of a notice in the Federal Register that Argentina or Uruguay has been granted approval by the Department of Agriculture to ship fresh, chilled or frozen beef to the United States. This paragraph and the "*" symbol following the quantity for Argentina and Uruguay shall be deleted from this note on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay.".

(3) deleting the paragraph inserted by subparagraph (2) above on the January 1 following the later date of the date of publication of the notice for Argentina or Uruguay.

Section D. Effective at 12:01 a.m. on January 1, 1996:

(1) Subchapter V to chapter 99 of the HTS is modified by deleting U.S. notes 2, 3, 4 and 5.

(2) Proclamation 6343 of September 28, 1991, is amended by deleting from Annex I thereof paragraph (d)(2) relating to subheading 9905.84.22.

Section E. For the following subheadings, the Rates of Duty 1 Special subcolumn shall be modified on January 1 of each year by deleting the existing rate of duty followed by the symbol "MX" in parentheses and inserting in lieu thereof the rate of duty indicated in the table below for such year.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2106.90.46	34.582¢/kg on total sugars	33.647¢/kg on total sugars	32.713¢/kg on total sugars	31.778¢/kg on total sugars	28.247¢/kg on total sugars	24.716¢/kg on total sugars	21.185¢/kg on total sugars	17.655¢/kg on total sugars 1/
3823.90.28	2.5¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3926.90.65	1.6%	0.8%	Free	Free	Free	Free	Free	Free
5402.41.90	5.4%	3.6%	1.8%	Free	Free	Free	Free	Free
6216.00.26	7.2%	4.8%	2.4%	Free	Free	Free	Free	Free
7019.10.15	4.1%	2.7%	1.3%	Free	Free	Free	Free	Free
9906.08.11	19%	18.5%	18%	17.5%	17%	17%	17%	Free

1/ For subheading 2106.90.46, the rates of duty after 2003 shall be as follows:

Effective with respect to articles entered on or after January 1, 2004-- 14.124¢/kg on total sugars;
Effective with respect to articles entered on or after January 1, 2005-- 10.593¢/kg on total sugars;
Effective with respect to articles entered on or after January 1, 2006-- 7.062¢/kg on total sugars;
Effective with respect to articles entered on or after January 1, 2007-- 3.531¢/kg on total sugars; and
Effective with respect to articles entered on or after January 1, 2008-- Free

Section F. Effective at 12:01 a.m. on January 1, 1998:

(1) Chapter 58 of the HTS is modified by deleting the "(CA)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 2, 3, 4 and 5.

(2) The Rates of Duty 1 Special subcolumn:

(a) for subheading 5810.91.00 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 1" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(b) for subheading 5810.92.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 2" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(c) for subheading 5810.92.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 3" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(d) for subheading 5810.99.10 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 4" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

(e) for subheading 5810.99.90 is modified by deleting the "CA" symbol in the parentheses following the duty rate "See additional U.S. note 5" and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "CA" in alphabetical order.

Section G. Effective at 12:01 a.m. on January 1, 1999:

(1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 1, 4 and 5.

(2) The Rates of Duty 1 Special subcolumn for subheadings 5810.91.00, 5810.99.10 and 5810.99.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section H. Effective at 12:01 a.m. on January 1, 2003:

(1) Chapter 58 of the HTS is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol from additional U.S. notes 2 and 3.

(2) The Rates of Duty 1 Special subcolumn for subheadings 0402.91.90, 0406.90.32 and 1806.20.94 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting the "Free" rate in lieu thereof.

(3) The Rates of Duty 1 Special subcolumn for subheadings 2106.90.52, 2106.90.54, 5810.92.10 and 5810.92.90 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section I. Effective at 12:01 a.m. on August 1, 2003, the Rates of Duty 1 Special subcolumn for subheading 0709.60.20 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Section J. Effective at 12:01 a.m. on January 1, 2006, the Rates of Duty 1 Special subcolumn for subheadings 1701.11.50, 1701.12.50, 1701.91.30 and 1701.99.50 is modified by deleting the duty rate preceding the "(MX)" symbol and inserting in lieu thereof "7.062¢/kg less 0.1¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 4.564¢/kg".

Section K. Effective at 12:01 a.m. on January 1, 2008, the Rates of Duty 1 Special subcolumn for subheading 2106.90.48 is modified by deleting the "(MX)" symbol and the duty rate preceding such symbol and inserting in the parentheses following the "Free" rate in such subcolumn the symbol "MX" in alphabetical order.

Proclamation 6822 of September 13, 1995

National Farm Safety and Health Week, 1995

By the President of the United States of America
A Proclamation

America's agricultural productivity is a gift to our Nation and to people everywhere. Using innovative techniques and the latest technology, our farmers, ranchers, and agricultural workers provide enough food and fiber to satisfy our needs and those of millions of people around the globe. However, we too often forget that farming can be a difficult and dangerous profession.

Agricultural workers are exposed daily to the risks associated with operating powerful machinery, managing livestock, working and travelling in adverse weather conditions, and performing countless other demanding tasks, often miles away from emergency medical care. Sadly, children and young people on our farms and ranches are particularly vulnerable to these hazards and more.

The simplest safety tool we have at hand is education. By word and by example, we must teach each new generation of Americans about the critical importance of knowledge, caution, and vigilance in farming and ranching activities. Wearing protective clothing and gear, learning the safety features that manufacturers build into equipment, and staying alert to possible dangers when working with livestock, chemicals, machinery, and vehicles—all of these measures can help to ensure longer, healthier lives for America's agricultural workers.

As important as education is to the safety and well-being of our agricultural workers, we must remember that quality health care is just as critical. We must strengthen our resolve to provide the citizens of our rural areas with high-quality, affordable, and accessible health care if we are truly to meet their needs.

By setting aside a special week each year to focus on the need for improved safety and health in our Nation's agricultural industry, we demonstrate to all of our agricultural workers that we value their lives and livelihood, that we appreciate their unsurpassed productivity, and that we honor their determined spirit.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 17 through September 23, 1995, as "National Farm Safety and Health Week." I call upon government agencies, businesses, and professional associations that serve our agricultural sector to strengthen efforts to promote safety and health measures among our Nation's farm and ranch workers. I ask these workers to take advantage of educational programs and technical innovations that can help them to avoid injury and illness. Finally, I call upon the citizens of our Nation to reflect on the bounty we enjoy thanks to the labor of agricultural workers across the land. Join me in renewing our commitment to make their health and safety a national priority.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of September, in the year of our Lord nineteen hundred and nine-

ty-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6823 of September 14, 1995

National Hispanic Heritage Month, 1995

By the President of the United States of America
A Proclamation

America has always drawn strength from the extraordinary diversity of its people. The earliest settlers came to this great land seeking opportunity, bringing with them an abundant wealth of traditions from countries the world over. Thus the vibrant Hispanic culture has long been entwined with our Nation's heritage, and people of Latin American and Spanish ancestry have infused our national life with energy and vision. In the arts, the sciences, the business world, academia, and government, Hispanic Americans have added immeasurably to our progress.

Later this month, I will proudly bestow on the late Willie Velasquez our Nation's highest civilian honor, the Presidential Medal of Freedom. His landmark work to register Hispanic voters helped to bring these Americans into the mainstream of American public life, and the Southwest Voter Registration Education Project that he founded continues to thrive today.

Last year, I was pleased to sign an Executive order creating the President's Advisory Commission and White House Initiative on Educational Excellence for Hispanic Americans. Recognizing the vital importance of providing every one of our children with fundamental knowledge and skills, the Commission was charged with creating an agenda to increase educational opportunities for Hispanic Americans.

Today, as we stand on the threshold of a new century, we look to the outstanding contributions of Hispanic Americans for inspiration and leadership. Let us join in support of Hispanic children and families as they strive to fulfill the American Dream.

To pay tribute to the achievements of Hispanic citizens and to honor the importance of Latin American and Spanish traditions in our national culture, the Congress, by Public Law 100–402, has authorized and requested the President to issue annually a proclamation designating September 15 through October 15 as "National Hispanic Heritage Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 15 through October 15, 1995, as National Hispanic Heritage Month. I call upon government officials, educators, and all the people of the United States to honor this observance with appropriate programs, ceremonies, and activities, and encourage all Americans to rededicate themselves to the pursuit of equality.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of September, in the year of our Lord nineteen hundred and nine-

ty-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6824 of September 15, 1995

National Rehabilitation Week, 1995

By the President of the United States of America

A Proclamation

National Rehabilitation Week offers us a unique opportunity each year to measure our progress on the long road to creating a totally accessible society in America. This year, as we also mark the 5th anniversary of the Americans with Disabilities Act and the 75th anniversary of the Rehabilitation Act of 1920, we can look back with satisfaction on the tremendous advances we have made on our journey.

Because of the passage and implementation of these landmark pieces of legislation, millions of Americans with disabilities have received the training and skills to become competitive and productive employees. Working Americans who became disabled in mid-life have received the help they need to adapt to their changed circumstances and to resume their contributions to our society. Today, employers across the Nation are working closely with State rehabilitation agencies to ensure that men and women with disabilities are trained to succeed at the jobs of tomorrow.

Thanks largely to the efforts of people with disabilities, America has come a long way from the time when these citizens were kept out of sight and out of mind. Today, our Nation's disability policies emphasize inclusion, independence, and empowerment. Our laws declare that Americans with disabilities have a fundamental right to full equality—and are entitled to the same choices and opportunities as their fellow citizens who are not disabled.

But we still have a long way to travel before we reach our goal of full equality in fact as well as in law. Today, two-thirds of all persons with disabilities remain unemployed, although many of them already have received appropriate training and rehabilitative services. And even more distressing, millions of these individuals would find it difficult to work if a job were offered to them simply because our society has not instituted the changes needed to help them perform their work responsibilities.

People with disabilities want to work, and it is vital that we offer them the means to gain full employment. Not only is this the right thing to do, it is the prudent thing as well. If America is to continue to succeed in our rapidly changing global economy, we cannot afford to waste the talents, knowledge, vision, or abilities of a single individual.

Let us celebrate National Rehabilitation Week by rededicating ourselves to the spirit of equality. As we move toward the era of hope and opportunity promised by the 21st century, we must guarantee that every American has a share in that hope and ensure that the doors of opportunity are open to all. By empowering each person, including

those with disabilities, to live up to his or her full potential, we will infuse our Nation with fresh energy for the challenges before us.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim September 17 through September 23, 1995, as "National Rehabilitation Week." I call upon the people of the United States, including government officials, employers, educators, and volunteers, to observe this week with appropriate programs, ceremonies, and activities honoring all those who work for self-determination, equal treatment, and full participation.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6825 of September 16, 1995

Citizenship Day and Constitution Week, 1995

By the President of the United States of America
A Proclamation

Americans, unlike many other peoples, are linked to one another neither by the confines of geography nor by centuries of tradition. Instead, we base our citizenship on a foundation of shared ideals and ideas, bringing gifts from every country, race, and culture. Those whose ancestors came to these shores long ago and first-generation immigrants alike—all are bound by the unique set of principles set forth in the documents that established and continue to define this Nation.

We find our heritage in profound words: in the declaration that all men are created equal, endowed with unalienable rights to life, liberty, and the pursuit of happiness; in the invitation of liberty extended to the tired, the poor, the huddled masses yearning to breathe free; and in the pledge to remain one Nation, under God, with liberty and justice for all.

Perhaps the greatest expression of our national identity is the United States Constitution. Adopted on September 17, 1787, the Constitution describes the parameters of our Government and the rights and responsibilities that accompany American citizenship. From its phrases we derive our precious rights to free expression and religious liberty, and we assume the responsibilities of electing our leaders and participating in the workings of government.

Yet the genius of the Constitution is not simply in forming "a more perfect Union," but in framing an ideal and providing a means for progress toward its realization. As Abraham Lincoln once stated, our Founding Fathers "meant to set up a standard maxim for free society, which should be familiar to all, and revered by all; constantly looked to, constantly labored for, and even though never perfectly attained, constantly approximated, and thereby constantly spreading and deep-

ening its influence, and augmenting the happiness and value of life to all people of all colors everywhere."

Indeed, this bold experiment in self-government has inspired more than 200 years of striving for true justice and freedom. From the beginning, there was a dissonance between the plain meaning of our creed and the reality of American life, and constitutional history reflects the vital changes wrought by amendments, civil war, and tremendous social transformations. Emancipation, women's suffrage, civil rights, voting rights—all these began as the struggles of citizens who joined together to push our Nation toward the ideals enshrined in our Constitution and whose efforts were encouraged by the Constitution itself.

In honor of the paramount importance of the Constitution in setting forth the fundamental doctrines of our country and in recognition of the role each American must play in bringing these words to life, the Congress, by joint resolution of February 29, 1952 (36 U.S.C. 153), designated September 17 as "Citizenship Day," and by joint resolution of August 2, 1956 (36 U.S.C. 159), requested the President to proclaim the week beginning September 17 and ending September 23 of each year as "Constitution Week."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 17, 1995, as Citizenship Day and September 17 through September 23, 1995, as Constitution Week. I call upon Federal, State, and local officials, as well as leaders of civic, educational, and religious organizations, to conduct meaningful ceremonies and programs in their schools, churches, and other community gathering places to foster a better understanding of the Constitution and the rights and duties of citizenship.

I further call upon the officials of the Government to display the flag of the United States on all Government buildings on September 17, 1995, in honor of Citizenship Day.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of September, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6826 of September 21, 1995

Gold Star Mother's Day, 1995

By the President of the United States of America
A Proclamation

Countless Americans have traveled to Washington, D.C., to visit the new Korean War Veterans Memorial and to pay their respects at the many other monuments honoring the members of our Armed Forces. These sites are places for reflection, pride, and patriotism, not only for the men and women who served and those who lost loved ones, but also for every citizen who values the sacrifices to which these monuments bear witness.

As we look upon America's public memorials, we also remember the unseen tributes that dwell in homes and hearts across the country—the personal mementos and memories treasured by mothers who have lost a child in military service. Our Gold Star Mothers reflect the legacy of their sons' and daughters' bravery and ensure that their children will never be forgotten—that their courage will inspire new generations.

Watching a beloved child go off to war is one of the hardest things a parent can endure. America's Gold Star Mothers proudly stood this test and suffered the terrible anxiety of waiting for word of their loved ones. Each of these heroic women was also called upon to bear the greatest hardship of all—the cruel truth that her son or daughter would never return.

These mothers gave their most cherished gift so that our Nation could live in liberty and so that people around the globe could be freed from tyranny and oppression. And Gold Star Mothers continue a proud tradition of service, helping veterans with disabilities through voluntary service in VA medical facilities. Bringing comfort to those who suffered for our country, Gold Star Mothers exemplify the gratitude and honor each citizen owes to America's veterans.

This year, the 50th anniversary of the end of World War II, evokes many powerful emotions—pride in victory, sorrow in loss, and hope for a future of world peace. At times such as these, we join with Gold Star Mothers in remembering their children's dedication to duty and their ultimate sacrifice. We pray that these mothers can find solace in knowing that their sons and daughters helped to keep the beacon of peace and freedom burning, lighting the way to a better world.

In recognition of the outstanding courage of our Gold Star Mothers, the Congress, by Senate Joint Resolution 115 of June 23, 1936 (49 Stat. 1895), has designated the last Sunday in September as "Gold Star Mother's Day" and has authorized and requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim September 24, 1995, as Gold Star Mother's Day. I call upon the American people to observe this day with appropriate programs, ceremonies, and activities that honor our Gold Star Mothers.

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

WILLIAM J. CLINTON

Proclamation 6827 of September 21, 1995

National Historically Black Colleges and Universities Week, 1995

By the President of the United States of America
A Proclamation

Just after the turn of the century, George Washington Carver, teacher, scientist, and intellectual leader at Tuskegee Institute, wrote, "Education is the key to unlock the golden door of freedom." His words ring true for all Americans, but especially so for the students of our Nation's historically black colleges and universities. These institutions are a beacon of hope, a path to advancement, and a source of pride for African Americans and for everyone who values higher learning.

Founded on a commitment to equal opportunity and academic excellence, historically black colleges and universities have enabled countless members of our society to receive a quality education and to pursue their goals and careers. In every sector of our diverse and vibrant country—business, law, academia, medicine, science, the arts, and the military—graduates of these schools have made outstanding contributions to our Nation's progress.

These distinguished institutions have long provided a bridge to the American Dream for their alumni—many of whom are the first in their families to graduate from college. And while nearly all of America's 103 historically black colleges and universities are located in the South, our entire Nation has benefited from their legacy. Indeed, 27 percent of all baccalaureate degrees awarded to African Americans are granted by these schools, which represent only 3 percent of America's institutions of higher education.

It is their commitment to academic rigor and their dedication to empowering the minority community that have enabled historically black colleges and universities to build a proud tradition of excellence in this country. As centers of independent thought, black colleges hold out a promise to the young leaders of tomorrow—a promise that our Nation will continue to grow in wisdom, that the future will hold increased opportunity, and that education will open new doors to hope and prosperity.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim September 24 through September 30, 1995, as National Historically Black Colleges and Universities Week. I call upon the people of the United States, including government officials, educators, and administrators, to observe this week with appropriate programs, ceremonies, and activities honoring America's black colleges and their graduates, and I encourage all Americans to rededicate themselves to the principles of justice and equality set forth in our Constitution.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-first day of September, in the year of our Lord nineteen hundred and nine-

ty-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6828 of October 2, 1995

Child Health Day, 1995

By the President of the United States of America
A Proclamation

In hospitals and homes across the country, children begin life free from the burdens of the world. With their eyes and minds open to every influence, they depend on their caregivers to help them take the first, tentative steps toward adulthood. Parents and other family members, communities and churches, educators and the media—all play a role in these crucial early years, providing young people with the direction they need to become happy, productive citizens.

Tragically, far too many children go without this essential love and guidance, living in homes, neighborhoods, and schools where they see and endure violence. One in five pregnant women is abused by her partner; millions of children each year are reported to public social service agencies as being neglected or abused; and in the decade between 1982 and 1992, the number of these reports increased 132 percent. We know that young men and women suffer lasting effects from such experiences—teen suicides have tripled in the last 35 years, and countless youth have grown up to continue the cycle of destructive behavior in their own relationships and families.

In recognition of these heartbreaking realities, the theme of Child Health Day, 1995, is the elimination of violence. As our Nation observes this special day, let us renew our commitment to America's children and rededicate ourselves to ending the physical and emotional mistreatment that damage self-esteem and well-being. Solutions to the plague of violence lie within our own society, and we can find hope in the partnerships forming among public health and mental health professionals, schools, law enforcement officers, religious groups, child care experts, and community leaders. Their efforts, aided by the extensive Federal network already in place, will help to strengthen families and instill in our young people the ambition and spirit that has always driven America forward.

To emphasize the importance of nurturing children's growth and development from birth to maturity, the Congress, by joint resolution approved May 18, 1928, as amended (36 U.S.C. 143), has called for the designation of the first Monday in October as "Child Health Day" and has requested the President to issue a proclamation in observance of this day.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Monday, October 2, 1995, as Child Health Day. On this day, and on every day throughout the year, I call upon my fellow Americans to deepen their commitment to protecting children, taking the necessary steps to meet our obligations to them and to our Nation's future.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6829 of October 2, 1995

National Domestic Violence Awareness Month, 1995

By the President of the United States of America
A Proclamation

Domestic violence disrupts communities, destroys relationships, and harms hundreds of thousands of Americans each year. It is a serious crime that takes many forms and a complex problem with multiple causes. Those abused can be children, siblings, spouses, or parents, and both victims and offenders come from all racial, social, religious, ethnic, and economic backgrounds. Among the most tragic effects of family violence is the cycle of abuse perpetuated by children and teenagers who see and experience brutality at home—these young people often lack crucial guidance to help them form strong, positive bonds of kinship.

Americans are fortunate that knowledge about domestic violence has increased and that public interest in deterrence is stronger than ever. During the past decade, vital partnerships have formed between Federal agencies and private-sector organizations to expand prevention services in urban, rural, and underserved areas across the country. These efforts have helped to coordinate aid for victims and their children—not only providing shelter, but also furnishing alcohol and drug abuse treatment, child care, and counseling. In addition, I am proud that the Violent Crime Control and Law Enforcement Act of 1994 contains tough new sanctions and includes a provision for a national "hot line" where victims can receive information and assistance.

But the struggle to end domestic violence is far from over. According to a recent Justice Department study for 1992 and 1993, women were about six times more likely than men to experience violence committed by offenders with whom they had an intimate relationship. And in 1992, nearly 30 percent of all female homicide victims were known to have been killed by husbands, former husbands, or boyfriends. We need more prevention campaigns and public awareness efforts; we must develop and share successful methods of prevention, intervention, and treatment for victims and perpetrators; and we must continue to build alliances among government, community associations, businesses, educators, and religious organizations to strengthen our families and to teach alternatives to violent behavior.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995, as "National Domestic Violence Awareness Month." I call upon government officials, law enforcement agencies, health professionals, educators, and the people of the United States to join together to end

the family violence that threatens so many citizens. I further encourage all Americans to recognize the dedication of those working to end the horrors of abuse. Offering support, guidance, encouragement, and compassion to survivors, these caring individuals exemplify our Nation's highest ideals of service and citizenship.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6830 of October 4, 1995

Energy Awareness Month, 1995

By the President of the United States of America
A Proclamation

Although we tend to focus on energy issues only in times of crisis, Americans should not underestimate the daily impact of a clean, safe, affordable energy supply on maintaining our standard of living, protecting the environment, and ensuring our national defense. In the past 3 decades alone, disruptions in global oil markets and dramatic price shocks have caused international strife and economic recession. Energy choices affect air and water pollution; nuclear, toxic, and other waste disposal present potential hazards; and energy use can influence our precious wilderness and natural ecosystems.

As we observe Energy Awareness Month, 1995, this year's theme, "Energy Fuels Our Future," is a powerful reminder of the need to build a strong foundation of sustainable energy policies that will benefit the generations to come. We can be proud of the United States' efforts toward this end. In every critical sector of society—commercial and residential development, transportation, industry, utility management, and government—we have improved efficiency and reduced the environmental impact of energy production and consumption.

Our challenge today is to continue this work, and my Administration remains committed to the responsible use of existing resources and the progress of innovative technology. We have many objectives—enhancing the competitiveness of our Nation's oil producers, expanding the role of domestically produced natural gas, encouraging the development of renewable energy resources, minimizing the environmental impact of coal use, and supervising the safe contribution of nuclear energy. As we seek to strengthen our economy and ease the burden of energy use on the global environment, let us work together toward these vital goals.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995 as "Energy Awareness Month." I call upon government officials, educators, and all the people of the United States to observe this month with appropriate activities recognizing the central importance of energy use in our lives and to the future of our world.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6831 of October 5, 1995

National Breast Cancer Awareness Month, 1995

By the President of the United States of America
A Proclamation

Our Nation can take pride in the progress we have made in the war against breast cancer. Many patients who would have confronted prolonged suffering and tragic death just a few years ago can now weigh options for treatment and face the future with excellent chances for recovery. My Administration has made a strong commitment to ending breast cancer's threat to the health of American women, significantly increasing funding for research, launching a campaign to encourage older women to take advantage of the mammography covered by Medicare, and creating a National Action Plan on Breast Cancer. This initiative unites the Federal Government, advocacy groups, health professionals, and private industries in a dynamic partnership to develop new strategies for prevention and care.

Yet even as we celebrate these gains, we must remember that millions of American women still fight this terrible disease, and tens of thousands die each year as a result of its devastating effects. Every three minutes another woman is diagnosed, and breast cancer claims some 120 precious lives daily. It is the most common form of cancer among women in this country and the leading cause of cancer death for those aged 30 to 54. And all women—our mothers, sisters, daughters, and friends—face the same stark statistics.

If we are to protect our citizens and honor the memories of the brave women who, like my mother, lost their lives to breast cancer, we must rededicate ourselves to the final eradication of the illness. Although there is no known cure, early detection and advances in medical technology remain our best weapons. By doing routine self-examinations, undergoing regular mammograms, and keeping a schedule of preventive medical care, women can detect breast tumors early and dramatically reduce the spread of cancer. This month and throughout the year, let us work to increase awareness of these lifesaving therapies and renew our commitment to developing new means of prevention.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 1995 as National Breast Cancer Awareness Month. I urge the people of the United States to learn more about breast cancer and the resources we have—including examinations, mammography, good nutrition, and exercise—that may prevent its occurrence and minimize its spread. During this month, I call upon every citizen to extend special compas-

sion to those who still struggle against the disease and to the many who have lost loved ones. Join us in the fight to end breast cancer.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6832 of October 6, 1995

National Disability Employment Awareness Month, 1995

By the President of the United States of America
A Proclamation

"The strongest bond . . . outside of the family relation, should be one uniting all working people, of all nations, and tongues, and kindreds." Although written more than a century ago, Abraham Lincoln's words continue to express the ability of common purpose to transcend boundaries. As our Nation prepares for a new century and faces the demands of an increasingly global marketplace, this idea is more important than ever. We are called upon to value every citizen's unique gifts and to encourage all people to participate in moving our Nation forward.

America's employees with disabilities have long been a part of this effort, distinguishing themselves in virtually every occupation and profession. Indeed, study after study has shown that workers with disabilities perform as well as, or better than, other members of the labor force on every factor measured. The typical cost of accommodating a person with a disability on the job is only $200, and this investment is amply repaid—wage earners with disabilities increase productivity and tax revenue, become consumers of goods and services, and reduce the burden on government welfare and entitlement programs.

Yet despite their many contributions and successes, individuals with disabilities remain underrepresented in our Nation's work force. Fully two-thirds of all Americans of working age with severe disabilities are unemployed, though research indicates that two-thirds of that number want to work. We cannot allow this situation to continue, but must unite in a concerted effort to ensure that all people with disabilities have the opportunity to be integral, productive members of our society. Together, our Nation's employers and citizens with disabilities can form an unbeatable team equipped to advance an interest vital to our country—a sound and growing economy.

To recognize the tremendous potential of individuals with disabilities and to encourage all Americans to work toward their integration and full inclusion in the work force, the Congress, by joint resolution, approved August 11, 1945, as amended (36 U.S.C. 155), has designated October of each year as "National Disability Employment Awareness Month."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 1995 as National Disability Employment Awareness Month. I call upon government offi-

cials, educators, and the people of the United States to observe this month with appropriate programs and activities that reaffirm our determination to fulfill both the letter and the spirit of the Americans with Disabilities Act.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6833 of October 6, 1995

National Children's Day, 1995

By the President of the United States of America
A Proclamation

All who have welcomed a child to the world can appreciate the sentiments of Ralph Waldo Emerson who wrote, "We find a delight in the beauty and happiness of children, that makes the heart too big for the body." Worthy of our deepest love and this Nation's most profound concern, children represent our dearest hopes for the future. We must ensure that they receive the care, protection, and guidance each child so richly deserves.

Millions of American children are fortunate to grow up in stable, affectionate families where they enjoy loving support. Yet far too many children lack this essential foundation, and countless young people suffer the terrible effects of hunger, poverty, neglect, and abuse. Today's families are plagued with problems that hinder their ability to tend to their children's well-being. Drug and alcohol addiction, physical and emotional violence, stress, and economic hardship all take a devastating toll.

Every one of us must take responsibility for reversing these alarming trends and for ensuring that all of our children have the opportunity to become vital, productive citizens. By getting involved now, we can reinforce the efforts of schools, churches, communities, and neighborhood organizations to strengthen families and to provide security and structure in our children's lives. Remembering that today's children will be tomorrow's leaders, educators, and parents, let us help them to look forward with hope and enthusiasm for the future.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 8, 1995, as National Children's Day. I urge the American people to express their love and appreciation for children on this day and on every day throughout the year. I invite Federal officials, local governments, communities, and particularly all American families to join together in observing this day with appropriate ceremonies and activities that honor our Nation's children.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6834 of October 6, 1995

German-American Day, 1995

By the President of the United States of America
A Proclamation

Since the earliest days of the settlement of North America, immigrants from Germany have enriched our Nation with their industry, culture, and participation in public life. Over a quarter of all Americans can trace their ancestry back to German roots, but more important than numbers are the motives that led so many Germans to make a new beginning across the Atlantic. America's unparalleled freedoms and opportunities drew the first German immigrants to our shores and have long inspired the tremendous contributions that German Americans have made to our heritage.

In 1681, William Penn invited German Pietists from the Rhine valley to settle in the Quaker colony he had founded, and these Germans were among the first of many who would immigrate to America in search of religious freedom. This Nation also welcomed Germans in search of civic liberty, and their idealism strengthened what was best in their adopted country. As publisher of the *New York Weekly Journal* in the 1700s, Johann Peter Zenger became one of the founders of the free press. Carl Schurz, a political dissident and close ally of Abraham Lincoln, served as a Union General during the Civil War, fighting to end the oppression of slavery. And German names figured prominently in the social and labor reform movements of the 19th and early 20th centuries.

In the course of 300 years of German emigration to this great land, German Americans have attained prominence in all areas of our national life. Like Baron von Steuben in Revolutionary times and General Eisenhower in World War II, many Americans of German descent have served in our military with honor and distinction. In the sciences, Albert Michelson and Hans Bethe immeasurably increased our understanding of the universe. The painters Albert Bierstadt and modernist Josef Albers have enhanced our artistic traditions, and composers such as Oscar Hammerstein have added their important influences to American music.

Yet even these many distinguished names cannot begin to summarize all the gifts that German Americans have brought to our Nation's history. While parts of the Midwest, Pennsylvania, and Texas still proudly bear the stamp of the large German populations of the last century, it is their widespread assimilation and far-reaching activities that have earned German Americans a distinguished reputation in all regions of the United States and in all walks of life.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 6,

1995, as German-American Day. I encourage Americans everywhere to recognize and celebrate the contributions that millions of people of German ancestry have made to our Nation's liberty, democracy, and prosperity.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6835 of October 6, 1995

National School Lunch Week, 1995

By the President of the United States of America
A Proclamation

On June 4, 1946, President Truman signed the National School Lunch Act—landmark legislation designed to ensure the nutritional health of America's students. This year, nearly half a century later, the Department of Agriculture has updated Federal regulations to require school meals to meet the Dietary Guidelines for Americans. The resulting School Meals Initiative for Healthy Children is the most significant reform of the meals program since President Truman's time, underscoring our Nation's profound responsibility to protect our children's well-being.

Recognizing that simply adopting policies does not always guarantee change, my Administration launched Team Nutrition on June 12, 1995, to unite public and private organizations in promoting healthful dietary habits through schools, community organizations, and the media. This groundbreaking measure also provides the training, technical assistance, and nutrition education that are critical to the School Meals Initiative's successful implementation. This fall marks the introduction of the Team Nutrition Schools Program, which brings together teachers and principals, children and families, community leaders, and school food services professionals to work for healthier school meals and to make available better nutrition information.

The National School Lunch program currently operates in more than 95 percent of our Nation's public schools and serves some 25 million students daily. The only nutritious meal of the day for many children, a school lunch can help to lengthen attention span, increase learning capacity, and dramatically improve overall health. Thanks to dedicated educators, parents, Federal, State, and local officials, and particularly food service professionals, more than 92,000 schools and residential child care institutions across the country provide wholesome meals to our Nation's children, enabling them to look forward to a healthier future.

In recognition of the contributions of the National School Lunch program to the nutritional well-being of our young people, the Congress, by joint resolution of October 9, 1962 (Public Law 87-780), has designated the week beginning the second Sunday in October of each year

as "National School Lunch Week" and has requested the President to issue a proclamation in observance of that week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 8 through October 14, 1995, as National School Lunch Week. I call upon all Americans to recognize those individuals whose efforts contribute to the success of our national meals programs, and I encourage people everywhere to reaffirm their commitment to safeguarding children's health.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6836 of October 6, 1995

Columbus Day, 1995

By the President of the United States of America
A Proclamation

To pursue ambitious goals and to realize great dreams, we must be willing to venture away from the familiar and comfortable. We must show the strength of our convictions to tackle the challenges, known and unknown, that stand between us and our hopes for the future.

Today, Christopher Columbus' extraordinary journeys stand as inspiring examples of such determination. This renowned explorer braved the open sea, so feared by his contemporaries, and revealed the splendors of the New World to Renaissance Europe over 500 years ago. He discovered the best use of the North Atlantic wind system, first described the Equatorial Current, and initiated the succeeding rapid exploration and settlement of the Americas.

During the course of his first transatlantic voyage, Columbus' bold convictions overcame the resistance of the faint-hearted members of his crew. He led them to the Canaries, the Bahama Islands, Cuba, and Haiti, and subsequent sailings took him to other Caribbean islands, Central America, and Venezuela. As with many pioneers throughout history, Columbus' limited understanding of other cultures led to conflicts and controversies—struggles similar to those that challenge our world even now. But the enduring fame of his travels and the opportunity he sought across uncharted waters remain a call to all who seek adventure.

A native of Genoa, Columbus' courage and commitment led him to leave safe shores in pursuit of his goals. But he could not have made his trips without the support of the Spanish crown. People of Italian and Spanish descent continue to energize communities across our Nation, enhancing every occupation and sector of American society. We are grateful for their tremendous contributions and for the ingenuity of spirit that is Columbus' enduring legacy.

In tribute to Columbus' many achievements, the Congress, by joint resolution of April 30, 1934 (48 Stat. 657), and an Act of June 28, 1968

(82 Stat. 250), has requested the President to proclaim the second Monday in October each year as "Columbus Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 9, 1995, as Columbus Day. I call upon the people of the United States to observe this day with appropriate ceremonies and activities. I also direct that the flag of the United States be displayed on all public buildings on the appointed day in honor of Christopher Columbus.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6837 of October 6, 1995

Leif Erikson Day, 1995

By the President of the United States of America
A Proclamation

Every October, we celebrate Leif Erikson Day and honor the memory of that great Norse explorer who first set foot on North American soil nearly a millennium ago. At a time when mankind has traveled from pole to pole and even journeyed into the vast reaches of space, Leif Erikson's bold determination stands as an early example of the spirit of adventure and enterprise.

This day is an occasion to celebrate the bonds of friendship that link the United States to the Nordic countries. For generations, Iceland and her neighbors have acted as bridges between Europe and North America, playing a vital role in fostering democracy and free trade throughout the world. Nordic peoples have long shared America's love of liberty and have always reached out to those who struggle against oppression. Today, we in the United States are proud to work with our Northern friends to fully reintegrate the Baltic states of Estonia, Latvia, and Lithuania into the Western family of nations. Together we look forward to a new Europe, united by a common respect for liberty and equality.

We should also mark this observance by recognizing the outstanding contributions that citizens of Danish, Finnish, Icelandic, Norwegian, and Swedish descent have made to our country. Just as their ancestors did before them, Nordic Americans cherish their ties across the ocean and bring their many gifts to America's culture, progress, and prosperity. As we remember Leif Erikson, whose voyage preceded so many rugged immigrants who braved the North Atlantic in search of economic, political, and religious liberties, let us pay tribute to his courage and renew our commitment to freedom.

In honor of Leif Erikson—son of Iceland, grandson of Norway—the Congress, by joint resolution approved on September 2, 1964 (Public Law 88-566), has authorized and requested the President to designate October 9 of each year as "Leif Erikson Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 9, 1995, as Leif Erikson Day. I encourage the people of the United States to observe this occasion with appropriate ceremonies and activities commemorating our rich Nordic American heritage.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6838 of October 7, 1995

Fire Prevention Week, 1995

By the President of the United States of America
A Proclamation

Since 1925, Americans have paused every October to consider the importance of learning how to prevent fires. By observing Fire Prevention Week, our Nation comes together to remember those lost tragically in fire-related incidents, to recognize the terrible damage that fire has caused over the years, and to renew our efforts to learn more about the ways in which we can protect ourselves from fire's devastation.

Some 4,000 people in the United States die from fire each year—a number that can be reduced dramatically through prevention measures. Fires in the home take the biggest toll, with 80 percent of fatalities occurring just where we often feel the safest. Recognizing that cooking and heating equipment cause the majority of home fires, the National Fire Protection Association has selected "Watch What You Heat: Prevent Home Fires" as the Fire Prevention Week theme for 1995, joining with the Federal Emergency Management Agency's U.S. Fire Administration to communicate this lifesaving message.

This year's safety campaign teaches essential prevention techniques—the necessity of staying in the kitchen while cooking and never leaving a lighted stove unattended; of closely supervising all heating equipment, such as portable and space heaters; and of monitoring all appliances and smoking materials. Most important, no matter how careful we are, we must always be prepared by maintaining working smoke detectors throughout our homes.

As we strive to make fire prevention a priority in every American community, we also celebrate the dedication of our Nation's fire and emergency workers—champions of fire safety at the local level. Too often, these brave men and women pay the ultimate price for their faithful service. Last year alone, 100 firefighters died in the line of duty, and more than 95,400 were injured. On Sunday, October 15, 1995, we will pay our respects to these heroic individuals at the 14th annual National Fallen Firefighters Memorial Service at the National Emergency Training Center in Emmitsburg, Maryland. To honor their courageous work, let us rededicate ourselves to building a better, safer world for the generations to come.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 8 through October 14, 1995, as Fire Prevention Week. I encourage the people of the United States to plan and actively participate in fire prevention activities this week and throughout the year. I also call upon every citizen to pay tribute to firefighters who have lost their lives in the line of duty and to those men and women who carry on the noble tradition of service in our communities.

IN WITNESS WHEREOF, I have hereunto set my hand this seventh day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6839 of October 10, 1995

General Pulaski Memorial Day, 1995

By the President of the United States of America

A Proclamation

October 11 marks the anniversary of the death of General Casimir Pulaski, an American and Polish hero whose devotion to the cause of freedom led him to our shores to fight in the War for Independence and, finally, to give his life during the siege of Savannah. Each year, people around the Nation honor this great man, remembering that his courage and unwavering principles helped to make our country free.

It was General Pulaski's love of liberty that inspired his battle against oppression—first in his native Poland and then in America. With exceptional valor and military skill, he commanded soldiers of the Continental Army in several important contests of the Revolutionary War. And on this day in 1779, General Pulaski made the ultimate sacrifice so that democracy and self-government might triumph.

The annals of Poland and America contain many accounts of bravery, nobility, and service, and Casimir Pulaski occupies a prominent place in the hearts and histories of both countries. Thanks to the struggles and sacrifices of the men and women who have followed his proud example, Poland today is peaceful, free, and increasingly prosperous.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 11, 1995, as General Pulaski Memorial Day. I encourage all Americans to commemorate this occasion with appropriate ceremonies and activities paying tribute to the legacy of General Casimir Pulaski and honoring all those who carry on his mission.

IN WITNESS WHEREOF, I have hereunto set my hand this tenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6840 of October 13, 1995

White Cane Safety Day, 1995

By the President of the United States of America
A Proclamation

As Americans, we take pride in the diversity that allows us to appreciate the world from many standpoints, and we draw our vitality from the contributions made by people of all experiences, talents, and backgrounds. Long dedicated to the goal of independence, America's blind and visually impaired citizens have enriched our history, inspiring others to join their efforts to further integration and inclusion.

The majority of blind and visually impaired people use the white cane to facilitate their travel. This remarkably simple instrument provides tactile, kinesthetic, and auditory signals to its users, allowing them to detect obstacles, steps up and down, and changes in surface texture. Enhancing motivation and confidence, the white cane has empowered countless blind and visually impaired individuals to gain freedom of movement and to flourish in society. For those of us who are not blind or visually impaired, it signals us to exercise extra caution and to be courteous drivers and pedestrians.

As our Nation observes this special day, the white cane is a symbol of strength and a reminder of the tremendous potential available within each person. We must continue to work for full implementation of the Americans With Disabilities Act, which protects people with disabilities from discrimination in the workplace, mandates access to public and private services and accommodations, and promotes equal opportunity. The American Dream is an inspiration to us all—let us work to ensure that every person can realize its promise.

To honor the numerous achievements of blind and visually impaired citizens and to recognize the significance of the white cane in advancing independence, the Congress, by joint resolution approved October 6, 1964, has designated October 15 of each year as "White Cane Safety Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 15, 1995, as White Cane Safety Day. I call upon government officials, educators, and all the people of the United States to observe this day with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6841 of October 14, 1995

National Character Counts Week, 1995

By the President of the United States of America
A Proclamation

The children of today will be tomorrow's leaders, educators, caregivers, and parents. As we seek to prepare our Nation for the challenges of the future, we must reaffirm America's deepest beliefs and instill in our youth the principles of opportunity, responsibility, and community that have always united our citizens. Emphasizing both individual and social duties, character education helps us toward that goal and reminds us that our country's strength has long been drawn from fundamental ideas.

Families have always held the primary obligation for teaching values to their children. Schools, too, play a vital role in reinforcing the basic precepts of good citizenship—fairness and honesty, respect for oneself and for others, and personal accountability. My Administration's education agenda is dedicated to raising standards for academics and discipline so that young people will have the essential tools they need to succeed. Our Goals 2000: Educate America Act embraces the importance of parental involvement in the learning process, recognizing that family participation encourages children to value scholarship and to adopt strong values. Character education programs can increase school performance as well, and the Improving America's Schools Act promotes such initiatives.

As Americans, we are called upon to fulfill the obligations of citizenship in many ways. As our Nation observes this special week, let us remember our responsibilities to children and do everything in our power to inspire in them the moral and ethical standards that will, in turn, help them to become productive, integral members of our society.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 15 through October 21, 1995, as National Character Counts Week. I call upon government officials; educators; religious, community, and business leaders; and all the people of the United States to work for the preservation of traditional values and to commemorate this week with appropriate ceremonies, activities, and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6842 of October 14, 1995

National Forest Products Week, 1995

By the President of the United States of America
A Proclamation

America's forests are a priceless inheritance—one of our country's greatest treasures. From National Forests to State and local parks, from industrial timberlands to privately-owned lots, wooded areas offer us numerous gifts and promise future generations continued benefits. During National Forest Products Week, we renew our commitment to care for our woodlands and to preserve their capacity to sustain themselves.

Providing nutrients and habitat to countless species—including those threatened or endangered—our Nation's forests extend their bounty to mankind as well. Many Americans depend on timberlands for their livelihood; countless people enjoy camping, hiking, and picnicking; and others seek out the woods to find peace and spiritual renewal. In addition, these rich tracts of land produce raw materials for building and other uses and are an essential source of food and medicines derived from trees, shrubs, forbs, fungi, and micro-organisms.

The current state of our forests requires our government, citizens, and the forestry industry to examine past and current forest management practices and to develop new strategies. We are moving toward a new era in stewardship with increased emphasis on forests that are diverse, robust, productive, and sustainable. Understanding that our wooded regions are part of a global mosaic of ecosystems, we must continue to promote public and private environmental responsibility and ensure that our conservation efforts set standards for the world to follow.

In recognition of the central importance of our forests to the welfare of our Nation, the Congress, by Public Law 86–753 (36 U.S.C. 163), has designated the week beginning on the third Sunday in October of each year as "National Forest Products Week" and has authorized and requested the President to issue a proclamation in observance of this week.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim October 15 through October 21, 1995, as National Forest Products Week. I call upon the people of the United States to honor the vital role America's forests play in our national life and to observe this week with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this fourteenth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6843 of October 23, 1995

National Consumers Week, 1995

By the President of the United States of America
A Proclamation

Business and trade have always been central to the American experience. In the period since the Industrial Revolution, the extraordinary growth of our economy has created a marketplace that is the foundation of global commerce. Unparalleled natural and human resources have energized every part of our society—from the agricultural heartland that feeds an international community; to the textile and steel mills that began the machine age in America; to the scientific, computer, and information companies that are leading the way into the fast-paced world of the 21st century.

Consumer protections such as fair pricing and product safety rules are more necessary than ever to ensure that all of us are able to fully and fairly participate in a free enterprise system that encourages competition, productivity, and innovation. These protections have evolved alongside the remarkable expansion of the world economy. In 1962, President John F. Kennedy clarified the importance of consumer protection in a Special Message to Congress that has become known as the Consumer Bill of Rights. This statement articulated each person's rights to safety, information, and choice, and the right to be heard in the process of resolving consumer problems. In 1975 President Gerald R. Ford added the right to consumer education.

As the driving force behind the richest, most prosperous country in the world, the United States' free market is a model for others to emulate. We must ensure that our system continues to emphasize the centrality of the consumer even as it becomes increasingly technology-oriented. Accordingly, last year, I was proud to add the latest element to the Consumer Bill of Rights—the right to service—which urges that convenience, courtesy, performance, and responsiveness remain hallmarks of the American marketplace. So that Federal workers and agencies can take the lead in providing high-quality service, my Administration has also initiated the National Performance Review to improve efficiency and promote excellence in every sector of our Government.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim October 22 through October 28 as National Consumers Week. I call upon Government officials, industry leaders, and the people of the United States to recognize the vital relationship between our economy and our citizenry and to support the right of all Americans to service excellence.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6844 of October 23, 1995

United Nations Day, 1995

By the President of the United States of America
A Proclamation

Fifty years ago, at the end of the most destructive war the world has ever known, delegates from fifty-one countries met in San Francisco to establish the United Nations. Inspired by a common determination "to save succeeding generations from the scourge of war," the delegates recognized that their vision of a better world could not simply be defined by the absence of conflict, nor could peace be maintained without broad inter-national cooperation. Thus they resolved to "unite our strength to maintain international peace and security," to "promote social progress and better standards of life," and to reaffirm universal human rights.

This year, the U.N., which now numbers 185 member countries, has continued its tradition of promoting peace and security around the globe. Its agencies are important instruments in the campaign to stop the proliferation of nuclear arms and other weapons of mass destruction. It works to provide security for the conduct of free elections. And United Nations troops strive to keep the peace in places of great importance to the United States—on the Kuwait border, in the Mediterranean and in Europe.

We can also be proud of the U.N. agencies and programs that work to support sustainable development, protect the environment, battle the spread of disease, and promote human rights. In fighting the deadly outbreak of the Ebola virus, immunizing millions of children, and securing relief for hundreds of thousands of refugees, agencies like the World Health Organization, UNICEF, and the United Nations High Commissions for Human Rights and Refugees make important contributions to the international community.

The U.N. enters its second half-century of service facing new opportunities and challenges. If the nations of the world are to fully embrace these opportunities and overcome these challenges, we must work more closely together to fully realize the principles of the original United Nations Charter and must commit to improving the organization's efficiency and effectiveness. During this momentous anniversary celebration, let us reaffirm the ideals, principles, and goals contained in the Charter and rededicate ourselves to working for the good of all humankind.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Tuesday, October 24, 1995, as United Nations Day. I encourage all Americans to acquaint themselves with the activities and accomplishments of the U.N. and to observe this day with appropriate ceremonies, programs, and activities furthering the goal of international cooperation.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-third day of October, in the year of our Lord nineteen hundred and

ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6845 of October 24, 1995

Veterans Day, 1995

By the President of the United States of America
A Proclamation

During both war and peace, America's armed forces have helped to preserve the fundamental rights and liberties guaranteed by our Constitution. Every day, our men and women in uniform maintain an around-the-clock vigil to ensure that our Nation remains safe from harm and our citizens free from fear. Their sacrifices, and the dedication to duty exemplified by American troops throughout our history, have advanced democracy and human dignity around the world.

For generations, brave citizens from every walk of life have answered the call to service, fighting to defend the ideals we hold dear. Through long years of separation and hardship, the selfless contributions made by our veterans have preserved the blessings of freedom. As we honor their heroism, let us also remember the families whose support and prayers have added so much. We owe a heartfelt thanks to all those whose devoted efforts—both on the battlefield and in communities across the country—have laid the strong foundation of peace and security we enjoy today.

On this 50th anniversary of the end of World War II, we take special pride in recognizing those who served the United States during that terrible conflict—the 16,535,000 men and women who risked their lives to defeat oppression. The ensuing half-century has brought momentous changes in global affairs, and the generation of veterans who triumphed over tyranny continues to hold a sacred place in our national memory.

Veterans of other wars throughout our Nation's history merit no less distinction. There are some 27 million veterans in America today whose service ranges from World War I, through the Cold War, to the Persian Gulf War and our other recent military missions around the globe. Thanks to their loyalty and courage, this country remains a symbol of hope for all those who seek democracy and peace. On Veterans Day and on every day throughout the year, let us remember and honor the sacrifices of our veterans and renew our commitment to accounting for their comrades-in-arms who have fallen, unknown and unrecovered, in distant fields of battle.

In order that we may pay tribute to those who have served in our Armed Forces, the Congress has provided (5 U.S.C. 6103(a)) that November 11 of each year shall be set aside as a day to recognize America's veterans.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim Saturday, November 11, 1995, as Veterans Day. I urge all Americans to honor the resolution and com-

mitment of our veterans through appropriate public ceremonies and private prayers. I call upon Federal, State, and local officials to display the flag of the United States and to encourage and participate in patriotic activities in their communities. I invite civic and fraternal organizations, places of worship, schools, businesses, unions, and the media to support this national observance with suitable commemorative expressions and programs.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of October, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6846 of November 1, 1995

National Adoption Month, 1995

By the President of the United States of America
A Proclamation

For many people across the United States, adoption provides a means for building and strengthening families. It places children into loving, permanent homes where they can flourish and grow up to become happy, healthy, productive members of our national community. Adoption also enables adults to experience the unique joys of parenthood.

As many as 70,000 children in America's foster care system may need adoptive families in the next few years—young people of all ages and backgrounds who, for whatever reason, cannot return to their original homes. Many, but not all, are children with special needs. These young people long for the same affection, security, and stability that most of us take for granted, yet too many have waited—and will continue to wait—for years to be adopted.

My Administration has taken important actions to encourage adoption and to support the wonderful families that choose to open their hearts and homes to waiting children. The Multiethnic Placement Act, which I signed into law in October 1994, helps to facilitate adoption for all children and families, regardless of their race or ethnic origin. We will continue to champion and improve programs that break down barriers to adoption through aggressive recruitment of families, financial aid to support placements, and technical assistance to agencies committed to special needs adoption.

As we observe National Adoption Month, we celebrate these achievements and recognize the rewards of adoption, but we must also remember that much work remains to be done. Citizens from all communities and organizations from the public and private sectors must join together to renew our commitment to finding permanent homes for each one of America's children.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November

1995, as National Adoption Month. I urge the people of the United States to observe this month with appropriate activities and programs and to participate in efforts to find permanent homes for waiting children.

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

WILLIAM J. CLINTON

Proclamation 6847 of November 2, 1995

National American Indian Heritage Month, 1995

By the President of the United States of America

A Proclamation

November is traditionally the season for thanksgiving in America, the time when we reflect on the abundance with which we have been blessed. It is especially fitting, then, that we set aside this month to pause and reflect on the many gifts bestowed on our land and our heritage by American Indians and Alaska Natives.

American Indians have a great reverence for the earth and its bounty, and they generously shared their knowledge and their food with the early European settlers in our country. We still enjoy that harvest today, with an agricultural industry that supports America and the world with the corn, potatoes, beans, cotton, and countless other crops first cultivated on this continent by American Indians.

A second and equally precious gift is that of courage. American Indians and Alaska Natives have fought and died for the United States of America in time of war, answering the call to service to defend our freedoms. The Navajo, Lakota, and Dakota Codetalkers were crucial to our victory in the Pacific during World War II, and it was a Pima Indian, Ira Hayes, who helped to raise the American flag on Iwo Jima. They and so many others have endured separation, hardship, and sacrifice so that the world might know peace.

The gift of wisdom is one that our society has struggled to learn. Living in harmony with nature instead of seeking domination, American Indians have shown us how to be responsible for our environment, to treasure the beauty and resources of the land and water for which we are stewards, and to preserve them for the generations who will come after us. They have taught us as well the value of sharing, of recognizing that there must be room at America's table for all her peoples.

American Indians and Alaska Natives have made invaluable contributions to our common heritage; in every field of human endeavor, from the arts, sciences, and humanities to politics, religion, and public service, they have added immeasurably to the strength of our civilization.

As we celebrate National American Indian Heritage Month, we give thanks for these contributions and acknowledge the special legal relationship that exists between the tribes and the Government of the United States of America.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 1995 as National American Indian Heritage Month. I urge all Americans, as well as their elected representatives at the Federal, State, local, and tribal levels, to observe this month with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6848 of November 4, 1995

Death of Yitzhak Rabin

By the President of the United States of America
A Proclamation

Today a senseless act of violence has robbed the United States of a close friend and robbed the world of a statesman and courageous champion of peace.

Yitzhak Rabin was a brave man who defended his country for half a century and whose vision and tenacity brought the world closer to peace.

He was a man of hope, a man of wisdom, a man who sought to improve the lives of all those he touched.

The peace process that he began will be his legacy. The people of the United States and the peace-loving people of the world are determined that the peace process will go forward.

As a mark of respect for the memory of Yitzhak Rabin and America's support for peace in the Middle East, I hereby order that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until his interment. I also direct that the flag shall be flown at half-staff for the same length of time at all United States Embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this fourth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6849 of November 9, 1995

Thanksgiving Day, 1995

By the President of the United States of America
A Proclamation

In 1621, Massachusetts Bay Governor William Bradford invited members of the neighboring Wampanoag tribe to join the Pilgrims as they celebrated their first harvest in a new land. This 3-day festival brought people together to delight in the richness of the earth and to give praise for their new friendships and progress. More than 300 years later, the tradition inspired by that gathering continues on Thanksgiving Day across America—a holiday that unites citizens from every culture, race, and background in common thanks for the gifts we receive from God.

As we pause to reflect on the events of the past year, we recognize anew our Nation's many and wonderful blessings. We are deeply grateful for the abundance that keeps America strong and prosperous; for our freedoms and the freedom spreading to people all over the world; for the new hope of peace in regions where people have suffered much but are working hard toward reconciliation; for the 50 years of international cooperation that have followed the end of World War II; and especially for the generosity and love that united our Nation after the tragedy in Oklahoma City. Let us open our hearts to the grace that makes all good things possible and acknowledge God's care for our world.

Let us each take time to offer thanks for the bounty of our own lives and for the relatives and friends that gather with us to share food and companionship on this special day. We give praise for the relationships that sustain us—in our families, churches, schools, and communities. We voice our appreciation for the satisfaction of work and the joys of leisure, and, most of all, we give thanks for the children that enrich our lives and remind us daily that we are the stewards of the earth and all its possibilities.

This cherished season also calls us to look forward to the challenges that lie before us as individuals and as a country. With God's help, we can shoulder our responsibilities so that future generations will inherit the wealth of opportunities we now enjoy. In everything we do, we must plan for the Thanksgivings to come and continue our efforts to build an America where everyone has a place at the table and a fair share in our Nation's harvest.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim Thursday, November 23, 1995, as a National Day of Thanksgiving. I encourage all the people of the United States to assemble in their homes, places of worship, or community centers to share the spirit of goodwill and prayer; to express heartfelt gratitude for the blessings of life; and to reach out in friendship to our brothers and sisters in the larger family of mankind.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of November, in the year of our Lord nineteen hundred and ninety-

five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6850 of November 15, 1995

National Great American Smokeout Day, 1995

By the President of the United States of America
A Proclamation

Children are our Nation's most precious resource and most sacred obligation. And all of us—whether parents or guardians, teachers or coaches, ministers or rabbis, friends or government officials—can play a role in nurturing young people and working to ensure their future health and happiness. Our children look to us for guidance, and we must do all we can to provide them with examples of personal responsibility and good citizenship.

Yet, every day, some 3,000 young Americans become regular smokers, falling victim to negative influences and provocative advertisements and putting themselves at risk of the diseases caused by nicotine addiction. Nearly 1,000 of these children will die prematurely, joining the more than 400,000 Americans who lose their lives to tobacco-related illnesses each year. For a country so deeply devoted to the protection of children, such numbers are a national tragedy.

Recognizing the vital need to reverse these devastating statistics, my Administration has proposed measures to limit children's access to tobacco products and to reduce tobacco's appeal. In seeking to protect our children, we join the countless caring citizens who are observing the "Great American Smokeout," a nationwide effort to raise awareness of nicotine addiction and the deadly risks associated with tobacco use. Working together on this day and every day throughout the year, we can create a brighter, healthier future for young Americans.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 16, 1995, as National Great American Smokeout Day. I call upon all Americans to join together in an effort to educate our children about the dangers of tobacco use, and I urge smokers and non-smokers alike to take this opportunity to begin healthier lifestyles that set a positive example for young people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6851 of November 15, 1995

National Farm-City Week, 1995

By the President of the United States of America
A Proclamation

When America was a new country, farms were many and small. Farmers and their families used most of what they produced, and the rest was usually sold locally. Even in 1862, when Abraham Lincoln created the Department of Agriculture, 60 percent of our labor force gained their livelihood on the farm.

Today, while less than 2 percent of American workers are actually employed on farms, thanks to new approaches and advanced technologies, our farmers feed not only the people of the United States, but also much of the world. Agriculture remains our Nation's number one industry, generating $1 trillion in economic activity every year—over 15 percent of our gross domestic product—and it is our largest employer, providing 21 million jobs.

This prosperity is due in large part to farm-city partnerships. From the sowing of crops to the purchasing of food and fiber in urban supermarkets, a network of farmers, agribusiness industries, carriers and shippers, scientists, retail distributors, and consumers has cooperated to ensure that our food supply is safe, affordable, and nutritious. As we gather with family and friends during this special week, let us give thanks for the blessings of our lives, for America's agricultural richness, and for the collaboration among rural and urban communities that makes so much of this bounty possible.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in my by the Constitution and laws of the United States, do hereby proclaim November 17 through November 23, 1995, as National Farm-City Week. I call upon citizens in urban, suburban, and rural areas throughout the Nation to acknowledge the achievements of those who work together to promote America's agricultural abundance.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6852 of November 15, 1995

National Family Week, 1995

By the President of the United States of America
A Proclamation

Blessed with an extraordinary diversity of people from every culture and nation around the globe, the United States has always drawn strength from our citizens' shared commitment to the importance of family life. The family is society's most basic unit, daily providing the

acceptance, love, and reassurance that enable each of us to flourish and succeed. It creates the earliest and strongest bonds between individuals—bonds that we seek to build upon to improve our Nation as a whole.

Families are where we first learn important lessons about responsibility and where we absorb the ideals and traditions that define our unique American character. Yet we must do more to address the variety of troubles, such as substance abuse, domestic violence, and teenage pregnancy that have placed strains on the American family and threaten the well-being of our young people. At the same time, our efforts to combat crime and poverty cannot fully succeed until we rebuild our families and renew our commitment to their progress. A strong network of community, State, and national partnerships can also help families to face the challenges of everyday life.

This week, as young and old gather around the Thanksgiving table, it is crucial that we embrace and empower American families, offering them the opportunities they need to thrive and grow. Let us each take time to appreciate the value of our family relationships and rededicate ourselves to building essential ties of kinship among all people.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim November 19 through November 25, 1995, as National Family Week. I call upon Federal, State, and local officials to honor American families with appropriate ceremonies and programs; I encourage educators, community organizations, and religious leaders to celebrate the moral and spiritual strength to be drawn from family relationships; and I urge all the people of the United States to reaffirm their own familial bonds and to reach out to others in friendship and goodwill.

IN WITNESS WHEREOF, I have hereunto set my hand this fifteenth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6853 of November 30, 1995

National Drunk and Drugged Driving Prevention Month, 1995

By the President of the United States of America
A Proclamation

For many young Americans, learning to drive is a significant step along the road to maturity and independence. There are serious responsibilities that accompany getting a driver's license, and it is essential to teach our youth—and all Americans—the terrible risks of drunk and drugged driving. Males aged 21-34 are among those most likely to drive under the influence of alcohol or drugs, and there is a critical need for additional prevention efforts aimed at this group.

Alcohol use played a role in 16,600 motor vehicle-related fatalities last year—nearly 41 percent of all such deaths. While the number of these tragedies has declined significantly over the past decade, the statistics are still devastating. We must continue our campaign of public education, provide increased law enforcement, and seek tougher laws and penalties for offenders.

Last June, I called on the Congress to make "Zero Tolerance" the law of the land and require States to adopt a Zero Tolerance standard for drivers under the age of 21. I am pleased that this provision was included in the "National Highway System Designation Act of 1995," which I signed this week. It is already against the law for young people to consume alcohol, and Zero Tolerance creates a national standard that will make it effectively illegal for young people who have been drinking to drive an automobile.

Many States have already enacted Zero Tolerance laws. These laws work—alcohol-related crashes involving teenage drivers are down as much as 20 percent in those States. When all States have these laws, hundreds more lives will be saved and thousands of injuries will be prevented. I commend the Congress for heeding my call and making Zero Tolerance the standard nationwide for drivers under the age of 21.

I am also proud that citizens across the Nation are working to spread the word about the dangers of impaired driving. Vital partnerships have formed among Federal, State, and local government agencies, private businesses, and community groups. Last year, on December 15, many Americans observed "Lights on for Life Day" by driving with their headlights illuminated in remembrance of the victims of drunk and drugged driving. I hope that caring citizens will commemorate the same day this month, doing their part to help ensure a safe holiday season.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1995, as National Drunk and Drugged Driving Prevention Month. I urge all Americans to recognize the dangers of impaired driving; to take responsibility for themselves, their guests, and their passengers; to stop anyone under the influence of drugs or alcohol from getting behind the wheel; and to help teach children safe driving behavior.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6854 of November 30, 1995

World AIDS Day, 1995

By the President of the United States of America
A Proclamation

Today the world pauses to remember the millions of men, women, and children who are living with HIV and AIDS and to honor the memory of those who have lost their lives to this insidious disease. We renew our commitment to searching for a cure to AIDS and a vaccine for HIV, rededicate ourselves to reducing the number of people who become infected with the virus, and devote our efforts to protecting the dignity and rights of all those affected by the AIDS epidemic.

The statistics are overwhelming. Around the world, more than 18 million people are believed to be infected with HIV. In America alone, over half a million people have been struck by AIDS, and more than 300,000 have already lost their lives. Nearly 80,000 of our fellow citizens are diagnosed with AIDS and more than 40,000 are dying of the disease each year—some 120 every day. In addition, there are an estimated 40,000 to 60,000 Americans who contract HIV annually. The impact of these numbers goes far beyond the individuals involved—each AIDS death devastates a family, weakens a community, and changes society as a whole. HIV and AIDS present extraordinary challenges to every nation and every person on our planet.

In the past year, there has been some encouraging progress. Researchers from many countries have combined their knowledge and skills to better understand the virus that causes AIDS and its effects on the human body; new AIDS drugs are being developed and approved faster than ever before; we are beginning to find ways to rebuild immune systems destroyed by HIV so that those infected can live longer, healthier lives; and we are aggressively confronting this crisis with prevention programs at the grassroots and national levels.

But there is still much work to do. Half of all new infections occur among people under the age of 25, and one-fourth occur among teenagers. We must protect the next generation by continuing to improve the availability of health care services for those with HIV and AIDS. Since 1990, the Ryan White CARE Act has offered help and hope to hundreds of thousands of people, and we are working with the Congress to extend this vital program for an additional 5 years. However, while the CARE Act is an essential element of the safety net that protects people with HIV and AIDS, it cannot do the job alone. We must also maintain our 30-year commitment to the Medicaid program, which provides services to nearly half of all Americans living with AIDS and more than 90 percent of children with AIDS. Without the protection that Medicaid affords, these individuals and their families would lose all access to health care.

Let us also continue to ensure that our Nation responds aggressively and humanely to the needs of people living with HIV and AIDS. Throughout this epidemic, community organizations have taken the lead in the struggle against the disease and in efforts to provide compassionate care to those in need. Across this country and around the globe, generous people perform miracles every day—holding a hand, cooling a fever, listening, and understanding. Let us further support

their efforts to build a better world by strengthening the partnership between communities and government in the work to stop AIDS.

The theme of this eighth observance of World AIDS Day, "Shared Rights, Shared Responsibilities," is a call to fight against discrimination as strongly as we fight for a cure. When one human being is persecuted because of his or her HIV status, we all suffer. Let us pledge to stand together, united against HIV and AIDS and committed to ending ignorance and prejudice.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 1, 1995, as World AIDS Day. I ask the American people to join me in reaffirming our commitment to combatting HIV and AIDS and in reaching out to all those whose lives have been affected by this disease.

IN WITNESS WHEREOF, I have hereunto set my hand this thirtieth day of November, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6855 of December 5, 1995

Human Rights Day, Bill of Rights Day, and Human Rights Week, 1995

By the President of the United States of America
A Proclamation

More than 200 years ago, America's founders adopted the Bill of Rights to ensure the protection of our individual liberties. Enshrined in our Constitution are the fundamental guarantees to freedom of conscience, religion, expression, and association, as well as the rights to due process and a fair trial. Our Nation was formed on the principle that the protection and promotion of these rights are essential to a free and democratic society.

Peoples throughout the world look to the United States for leadership on human rights. In the aftermath of the Holocaust and the devastation of two world wars, our country led the international effort toward adoption of the Universal Declaration of Human Rights. For the nearly 50 years since December 10, 1948, this document has served as the standard for internationally accepted behavior by nations toward their citizens.

This year, our work to promote peace in areas of conflict and to support human rights, democracy, and the rule of law have continued to make a difference around the globe. Most recently, our efforts to foster a settlement to the terrible conflict in Bosnia resulted in an agreement that contains clear protections for human rights and humanitarian principles.

In Bosnia, and throughout the world, we have paid special attention to the most vulnerable victims of abuse—women and children. At the

Fourth World Conference on Women in September of this year, the First Lady underscored our commitment to defending the rights of women and families, and we have undertaken a range of initiatives to raise awareness of child exploitation, to oppose child labor, and to assist young victims of war.

We live in an era of great advances for freedom and democracy. Yet, sadly, it also remains a time of ongoing suffering and hardship in many countries. As a Nation long committed to promoting individual rights and human dignity, let us continue our efforts to ensure that people in all regions of the globe enjoy the same freedoms and basic human rights that have always made America great.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, by virtue of the authority vested in me by the Constitution and laws of the United States, do hereby proclaim December 10, 1995, as Human Rights Day, December 15, 1995, as Bill of Rights Day, and December 10 through December 16, 1995, as Human Rights Week. I call upon the people of the United States to celebrate these observances with appropriate programs, ceremonies, and activities that demonstrate our national commitment to the Constitution and the promotion of human rights for all people.

IN WITNESS WHEREOF, I have hereunto set my hand this fifth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6856 of December 6, 1995

National Pearl Harbor Remembrance Day, 1995

By the President of the United States of America
A Proclamation

America's involvement in World War II began 54 years ago as dawn was shattered by a surprise attack on our forces stationed at Pearl Harbor, Hawaii. In the words of President Franklin Delano Roosevelt, "December 7, 1941—a date which will live in infamy" began at 7:55 a.m. when Japan launched an offensive to destroy the United States Pacific Fleet. The losses suffered that day shocked our Nation with the realization that American soil was not immune to the ravages of war—at the end of the attack, more than 3,000 Americans were dead, missing, or wounded. We resolved to boldly defend our shores against further devastation. Just 4 years later, the same fleet that the Japanese had attempted to destroy at Pearl Harbor sailed triumphantly into Tokyo Bay.

The attack of Pearl Harbor marked the beginning of America's total mobilization against a common enemy, and the United States soon became the world's "Arsenal of Democracy." Citizens worked together toward a common goal as the "We Can Do It" attitude spread across the country. The landscape of American business was forever changed as over 19 million women and many minority workers took high-skill jobs to contribute to the war effort.

The courageous veterans who fought selflessly to bring an end to the war in the Pacific deserve our highest respect and our most profound gratitude. Today we honor the sacrifices that led to the ultimate victory—the triumph of freedom over tyranny. We also pay tribute to the families who contributed so much with their support, sacrifices, and prayers from the home front. A grateful Nation will long remember those who came home and those who did not.

In the post-Cold War era, it is vital that we pass along the lessons learned from Pearl Harbor to a new generation of Americans. We must never allow our country to be unprepared, and we must never again isolate ourselves from the problems of the world. This is the legacy we leave to our young people, and it is our responsibility to continue to teach them those lessons. By doing so, we reaffirm the values of democracy, freedom, and leadership that have made America great.

The Congress, by Public Law 103–308, has designated December 7, 1995, as "National Pearl Harbor Remembrance Day."

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 7, 1995, as National Pearl Harbor Remembrance Day. I urge all Americans to observe this day with appropriate programs, ceremonies, and activities in honor of the Americans who served at Pearl Harbor. I also ask all Federal departments and agencies, organizations, and individuals to fly the flag of the United States at half-staff on this day in honor of those Americans who died as a result of the attack on Pearl Harbor.

IN WITNESS WHEREOF, I have hereunto set my hand this sixth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6857 of December 11, 1995

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 of the United States under the Convention and do not run counter to the national economic interest of the United States; and (2) that the modifications to the HTS being proclaimed pursuant to section 202 of the NAFTA Implementation Act must be incorporated in the HTS in order to ensure that the tariff and certain other treatment accorded under the NAFTA will continue to be given to NAFTA originating goods. The report and lay-over requirements of section 1206(b) of the 1988 Act (19 U.S.C. 3006(b)) and section 202(q)(2) of the NAFTA Implementation Act (19 U.S.C. 3332(q)) have been complied with.

6. (a) Presidential Proclamation No. 6763 of December 23, 1994, implemented with respect to the United States the trade agreements resulting from the Uruguay Round of multilateral trade negotiations, entered into pursuant to sections 1102(a) and (e) of the 1988 Act (19 U.S.C. 2902(a) and (e)), including Schedule XX—United States of America, annexed to the Marrakesh Protocol to the General Agreement on Tariffs and Trade 1994 ("Schedule XX"). Certain provisions set forth in annexes to that proclamation contain technical errors in the instructions for implementing particular changes.

(b) Sections 1102(a) and (e) of the 1988 Act (19 U.S.C. 2902(a) and (e)) authorize the President to proclaim such modification or continuance of any existing duty, such continuance of existing duty-free or excise treatment, or such additional duties, as he determines to be required or appropriate to carry out any trade agreements entered into under those sections. Section 111(a) of the Uruguay Round Agreements Act ("the URAA") (19 U.S.C. 3521(a)) authorizes the President to proclaim such other modification of any duty, such other staged rate reduction, or such additional duties as the President determines to be necessary or appropriate to carry out Schedule XX. To clarify the intent of the changes previously proclaimed, I have decided that such technical errors should be corrected.

7. 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 that Act, 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, acting under the authority vested in me by the Constitution and the laws of the United States of America, including but not limited to section 604 of the 1974 Act (19 U.S.C. 2483), sections 1102, 1205, and 1206 of the 1988 Act (19 U.S.C. 2902, 3005, and 3006), sections 201 and 202 of the NAFTA Implementation Act (19 U.S.C. 3331 and 3332), and section 111(a) of the URAA (19 U.S.C. 3521(a)), do hereby proclaim:

(1) In order to modify the rules of origin under the NAFTA to reflect the amendments agreed to by the NAFTA parties, and to make certain conforming changes, the general notes to the HTS are modified as set forth in Annex I to this proclamation.

(2) In order to make changes in the HTS to conform it to the Convention or any amendment thereto recommended for adoption, to promote the uniform application of the Convention, to establish additional subordinate tariff categories to carry out modifications to the rules of origin under the NAFTA, and to make technical and conforming changes to existing provisions, the HTS is modified as set forth in Annex II to this proclamation.

(3) In order to provide for the continuation of previously proclaimed staged duty reductions in the Rates of Duty 1-General subcolumn under section 111(a) of the URAA (19 U.S.C. 3521(a)), as provided in Presidential Proclamation No. 6763 of December 23, 1994, for goods in the provisions modified in Annex II to this proclamation that are entered or withdrawn from warehouse for consumption on or after the dates specified in section A of Annex III to this proclamation, the rate of duty in the HTS set forth in the Rates of Duty 1-General subcolumn for each of the HTS subheadings enumerated in section A of Annex III shall be deleted and the rate of duty provided in such section A inserted in lieu thereof.

(4) In order to provide for the continuation of previously proclaimed tariff modifications and staged duty reductions under section 201 of the NAFTA Implementation Act (19 U.S.C. 3331), as implemented with respect to the United States in Presidential Proclamation No. 6641 of December 15, 1993, for goods of Canada and of Mexico under the terms

of general note 12 to the HTS classifiable in the tariff provisions set forth in or affected by Annex II to this proclamation that are entered or withdrawn from warehouse for consumption on or after the dates specified in sections B and C, respectively, of Annex III to this proclamation, the appropriate rate of duty in the HTS set forth in the Rates of Duty 1-Special subcolumn followed by the symbol "CA" or "MX", respectively, for each of the HTS subheadings enumerated in sections B and C of Annex III shall be deleted and the rate of duty provided in such sections inserted in lieu thereof.

(5) (a) In order to make technical corrections to certain provisions of the annexes to Presidential Proclamation No. 6763 of December 23, 1994, such provisions are modified as set forth in Annex IV to this proclamation.

(b) All provisions of previous proclamations and Executive orders inconsistent with the actions taken in this proclamation are hereby superseded to the extent of such inconsistency.

(6) (a) The modifications to the HTS made by Annexes I and II to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on and after the later of (i) January 1, 1996, or (ii) the date that is 15 days after the date of publication of this proclamation in the **Federal Register.**

(b) The modifications to the HTS made by Annexes III and IV to this proclamation shall be effective with respect to goods entered or withdrawn from warehouse for consumption on and after the dates specified in such annexes to this proclamation for each action specified.

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

WILLIAM J. CLINTON

ANNEX I

MODIFICATIONS TO THE GENERAL NOTES TO THE
HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS)

Effective with respect to articles that are entered, or withdrawn from warehouse for consumption, on or after the later of (1) January 1, 1996, or (2) the fifteenth day after the date of publication of this proclamation in the Federal Register, the HTS is modified as provided herein:

Modifications to general note 12 to the HTS, other than to subdivision (t) of such note:

1. General note 12(c)(iv)(D)(4) is modified by deleting "8469.10.40" and by inserting in lieu thereof "8469.11".

2. General note 12(f)(iii)(D) and 12(r)(v)(A) are each modified by deleting "2101.10.21" and by inserting in lieu thereof "2101.11.21".

Modifications to the tariff classification rules ("TCRs") of subdivision (t) of general note 12:

1. TCR 1 for chapter 15 is modified by adding after the word "chapter" the expression ", except from heading 3823".

2. TCRs 2 through 6, inclusive, for chapter 15 are deleted, TCR 7 is redesignated as TCR 3, and the following new TCR 2 is inserted in numerical sequence:

"2. A change to heading 1520 from any other heading, except from heading 3823."

3. TCR 7 for chapter 19 is deleted and the following new TCRs are inserted in lieu thereof:

"7. A change to headings 1902 through 1903 from any other chapter.

8. A change to subheading 1904.10 from any other chapter.

9. A change to subheading 1904.20 from any other subheading, except from chapter 20.

10. A change to subheading 1904.90 from any other chapter.

11. A change to heading 1905 from any other chapter."

4. TCR 1 for chapter 21 is modified by deleting "2101.10.21" and by inserting in lieu thereof "2101.11.21".

5. TCR 13 for chapter 21 is redesignated as TCR 14, and the following new TCR 13 is inserted in numerical sequence:

"13. A change to tariff items 2106.90.12, 2106.90.15 or 2106.90.18 from any other tariff item, except from headings 2203 through 2209."

6. TCR 7 for chapter 22 is modified by adding after "group" the following:

", except from tariff items 2106.90.12, 2106.90.15 or 2106.90.18".

ANNEX I (con.)
-2-

7. TCR 1 for chapter 24 is modified to read as follows:

"1. A change to headings 2401 through 2403 from tariff items 2401.10.21, 2401.20.14 or 2403.91.20 or any other chapter."

8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 2801.10 through 2801.30 from any other subheading, including another subheading within that group.

2. A change to headings 2802 through 2803 from any other heading, including another heading within that group.

3. A change to subheadings 2804.10 through 2804.50 from any other subheading, including another subheading within that group.

4. (A) A change to subheadings 2804.61 through 2804.69 from any subheading outside that group; or

(B) A change to subheadings 2804.61 through 2804.69 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

5. A change to subheadings 2804.70 through 2804.90 from any other subheading, including another subheading within that group.

6. A change to subheadings 2805.11 through 2805.40 from any other subheading, including another subheading within that group.

7. (A) A change to subheading 2806.10 from any other subheading, except from subheading 2801.10; or

(B) A change to subheading 2806.10 from subheading 2801.10, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

8. A change to subheading 2806.20 from any other subheading.

9. A change to headings 2807 through 2808 from any other heading, including another heading within that group.

10. A change to subheadings 2809.10 through 2814.20 from any other subheading, including another subheading within that group.

11. (A) A change to subheadings 2815.11 through 2815.12 from any other heading; or

(B) A change to subheadings 2815.11 through 2815.12 from any other subheading within heading 2815, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

12. A change to subheading 2815.20 from any other subheading.

ANNEX I (con.)
-3-

8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof (continued):

13. (A) A change to subheading 2815.30 from any other subheading, except from subheading 2815.11 through 2815.20; or

(B) A change to subheading 2815.30 from subheadings 2815.11 through 2815.20, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

14. A change to subheadings 2816.10 through 2818.30 from any other subheading, including another subheading within that group.

15. (A) A change to subheading 2819.10 from any other heading; or

(B) A change to subheading 2819.10 from subheading 2819.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

16. A change to subheading 2819.90 from any other subheading.

17. (A) A change to subheading 2820.10 from any other heading; or

(B) A change to subheading 2820.10 from subheading 2820.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

18. A change to subheading 2820.90 from any other subheading.

19. (A) A change to subheadings 2821.10 through 2821.20 from any other heading; or

(B) A change to subheadings 2821.10 through 2821.20 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

20. A change to headings 2822 through 2823 from any other heading, including another heading within that group.

21. (A) A change to subheadings 2824.10 through 2824.90 from any other heading; or

(B) A change to subheadings 2824.10 through 2824.90 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-4-

8. TCRs 1 through 12, inclusive, for chapter 28 are deleted and the following new TCRs are inserted in lieu thereof (continued):

22. A change to subheadings 2825.10 through 2828.90 from any other subheading, including another subheading within that group.

23. A change to subheading 2829.11 from any other subheading.

24. (A) A change to subheadings 2829.19 through 2829.90 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 2829.19 through 2829.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

25. A change to subheadings 2830.10 through 2835.39 from any other subheading, including another subheading within that group.

26. A change to subheading 2836.10 from any other subheading.

27. (A) A change to subheadings 2836.20 through 2836.30 from any subheading outside that group; or

(B) A change to subheadings 2836.20 through 2836.30 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

28. A change to subheadings 2836.40 through 2836.99 from any other subheading, including another subheading within that group.

29. A change to subheadings 2837.11 through 2850.00 from any other subheading, including another subheading within that group.

30. (A) A change to heading 2851 from any other chapter, except from chapters 28 through 38; or

(B) A change to heading 2851 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 2901.10 through 2901.29 from any other subheading, including another subheading within that group.

2. A change to subheadings 2902.11 through 2902.44 from any other subheading, including another subheading within that group.

ANNEX I (con.)
-5-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

3. (A) A change to subheading 2902.50 from any other subheading, except from subheading 2902.60; or

(B) A change to subheading 2902.50 from subheading 2902.60, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

4. A change to subheadings 2902.60 through 2902.90 from any other subheading, including another subheading within that group.

5. (A) A change to subheadings 2903.11 through 2903.30 from any other subheading, including another subheading within that group, except from headings 2901 or 2902; or

(B) A change to subheadings 2903.11 through 2903.30 from headings 2901 or 2902, whether or not there is also a change from any other subheading, including another subheading within subheadings 2903.11 through 2903.30, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

6. (A) A change to subheadings 2903.41 through 2903.69 from any other subheading, including another subheading within that group, except from headings 2901 or 2902; or

(B) A change to subheadings 2903.41 through 2903.69 from headings 2901 or 2902, whether or not there is also a change from any other subheading, including another subheading within subheadings 2903.41 through 2903.69, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

7. (A) A change to subheadings 2904.10 through 2904.90 from any other subheading, including another subheading within that group, except from headings 2901 through 2903; or

(B) A change to subheadings 2904.10 through 2904.90 from headings 2901 through 2903, whether or not there is also a change from any other subheading, including another subheading within subheadings 2904.10 through 2904.90, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

8. (A) A change to subheadings 2905.11 through 2905.45 from any other subheading, including another subheading within that group; or

(B) A change to esters of glycerol formed with acids of heading 2904 from glycerol of subheading 2905.45.

ANNEX I (con.)
-6-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

9. (A) A change to tariff item 2905.49.20 from any other tariff item, except from headings 2901 through 2903; or

(B) A change to tariff item 2905.49.20 from headings 2901 through 2903, whether or not there is also a change from any other tariff item, provided there is a regional value content of not less than:

(1) 60 per cent where the transaction value method is used, or

(2) 50 per cent where the net cost method is used.

10. A change to subheading 2905.49 from any other subheading.

11. A change to subheading 2905.50 from any other subheading.

12. A change to subheadings 2906.11 through 2907.30 from any other subheading, including another subheading within that group.

13. (A) A change to subheadings 2908.10 through 2908.90 from any other heading, except from heading 2907; or

(B) A change to subheadings 2908.10 through 2908.90 from any other subheading within that group or heading 2907, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

14. (A) A change to subheadings 2909.11 through 2909.20 from any other heading; or

(B) A change to subheadings 2909.11 through 2909.20 from any other subheading within heading 2909, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

15. A change to subheading 2909.30 from any other subheading.

16. (A) A change to subheadings 2909.41 through 2909.60 from any other heading; or

(B) A change to subheadings 2909.41 through 2909.60 from any other subheading within heading 2909, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

17. A change to subheadings 2910.10 through 2911.00 from any other subheading, including another subheading within that group.

18. A change to subheading 2912.11 from any other subheading.

ANNEX I (con.)
-7-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

19. (A) A change to subheading 2912.12 from any other subheading, except from subheading 2901.21; or

(B) A change to subheading 2912.12 from subheading 2901.21, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

20. A change to subheadings 2812.13 through 2912.50 from any other subheading, including another subheading within that group.

21. (A) A change to subheading 2912.60 from any other subheading, except from subheading 2912.11; or

(B) A change to subheading 2912.60 from subheading 2912.11, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

22. (A) A change to heading 2913 from any other heading, except from heading 2912; or

(B) A change to heading 2913 from heading 2912, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

23. A change to subheadings 2914.11 through 2914.70 from any other subheading, including another subheading within that group.

24. A change to subheading 2915.11 from any other subheading.

25. (A) A change to subheading 2915.12 from any other subheading, except from subheading 2915.11; or

(B) A change to subheading 2915.12 from subheading 2915.11, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

26. A change to subheading 2915.13 from any other subheading.

27. (A) A change to subheading 2915.21 from any other subheading, except from subheading 2912.12; or

(B) A change to subheading 2915.21 from subheading 2912.12, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-8-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

28. (A) A change to subheadings 2915.22 through 2915.31 from any other subheading, including another subheading within that group, except from subheading 2915.21; or

(B) A change to subheadings 2915.22 through 2915.31 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

29. A change to subheading 2915.32 from any other subheading.

30. (A) A change to subheadings 2915.33 through 2915.34 from any other subheading, including another subheading within that group, except from subheading 2915.21; or

(B) A change to subheadings 2915.33 through 2915.34 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

31. A change to subheading 2915.35 from any other subheading.

32. (A) A change to subheadings 2915.39 through 2915.40 from any other subheading, including another subheading within that group, except from subheading 2915.21; or

(B) A change to subheadings 2915.39 through 2915.40 from subheading 2915.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

33. A change to subheadings 2915.50 through 2915.70 from any other subheading, including another subheading within that group.

34. (A) A change to subheading 2915.90 from any other subheading; or

(B) A change to valproic salts of subheading 2915.90 from valproic acids of subheading 2915.90.

35. A change to subheadings 2916.11 through 2917.39 from any other subheading, including another subheading within that group.

36. A change to subheadings 2918.11 through 2918.21 from any other subheading, including another subheading within that group.

37. (A) A change to subheadings 2918.22 through 2918.23 from any other subheading, including another subheading within that group, except from subheading 2918.21; or

(B) A change to subheadings 2918.22 through 2918.23 from subheading 2918.21, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-9-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

38. (A) A change to subheadings 2918.29 through 2918.30 from any other subheading, including another subheading within that group; or

(B) A change to parabens of subheading 2918.29 from p-hydroxybenzoic acid of subheading 2918.29.

39. (A) A change to subheading 2918.90 from any other subheading, except from subheadings 2908.10 or 2915.40; or

(B) A change to subheading 2918.90 from subheadings 2908.10 or 2915.40, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

40. A change to heading 2919 from any other heading.

41. A change to subheadings 2920.10 through 2920.90 from any other subheading, including another subheading within that group.

42. (A) A change to subheadings 2921.11 through 2921.12 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or

(B) A change to subheadings 2921.11 through 2921.12 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

43. A change to subheading 2921.19 from any other subheading.

44. (A) A change to subheadings 2921.21 through 2921.29 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or

(B) A change to subheadings 2921.21 through 2921.29 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

45. A change to subheading 2921.30 from any other subheading.

46. (A) A change to subheadings 2921.41 through 2921.59 from any other heading, except from headings 2901, 2902, 2904, 2916, 2917 or 2926; or

(B) A change to subheadings 2921.41 through 2921.59 from any other subheading within heading 2921, including another subheading within that group, or headings 2901, 2902, 2904, 2916, 2917 or 2926, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-10-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

47. (A) A change to subheadings 2922.11 through 2922.50 from any other heading, except from headings 2905 through 2921; or

(B) A change to subheadings 2922.11 through 2922.50 from any other subheading within that group or headings 2905 through 2921, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

48. A change to subheadings 2923.10 through 2923.90 from any other subheading, including another subheading within that group.

49. A change to subheading 2924.10 from any other subheading.

50. (A) A change to subheading 2924.21 from any other subheading, except from subheading 2917.20; or

(B) A change to subheading 2924.21 from subheading 2917.20, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

51. (A) A change to subheadings 2924.22 through 2924.29 from any subheading outside that group, except from subheading 2917.20; or

(B) A change to subheadings 2924.22 through 2924.29 from any other subheading within that group or subheading 2917.20, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

52. A change to subheadings 2925.11 through 2926.00 from any other subheading, including another subheading within that group.

53. (A) A change to subheadings 2929.10 through 2929.90 from any other subheading, including another subheading within that group, except from heading 2921; or

(B) A change to subheadings 2929.10 through 2929.90 from heading 2921, whether or not there is also a change from any other subheading, including another subheading within that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

54. A change to subheadings 2930.10 through 2930.90 from any other subheading, including another subheading within that group.

55. A change to heading 2931 from any other heading.

ANNEX I (con.)
-11-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

56. (A) A change to subheadings 2932.11 through 2932.99 from any other heading; or

(B) A change to subheadings 2932.11 through 2932.99 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

57. (A) A change to subheadings 2933.11 through 2933.69 from any other heading; or

(B) A change to subheadings 2933.11 through 2933.69 from any other subheading within heading 2933, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

58. (A) A change to subheading 2933.71 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheading 2933.71 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

59. (A) A change to subheadings 2933.79 through 2933.90 from any other heading; or

(B) A change to subheadings 2933.79 through 2933.90 from any other subheading within heading 2933, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

60. (A) A change to subheadings 2934.10 through 2934.90 from any other subheading, including another subheading within that group; or

(B) A change to nucleic acids of subheading 2934.90 from other heterocyclic compounds of subheading 2934.90.

61. A change to heading 2935 from any other heading.

62. (A) A change to subheadings 2936.10 through 2936.90 from any other heading; or

(B) A change to subheadings 2936.10 through 2936.90 from any other subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-12-

9. TCR 1 for chapter 29 is deleted and the following new TCRs are inserted in lieu thereof (continued):

63. (A) A change to subheadings 2937.10 through 2937.99 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 2937.10 through 2937.99 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

64. (A) A change to subheadings 2938.10 through 2938.90 from any other heading, except from heading 2940; or

(B) A change to subheadings 2938.10 through 2938.90 from any other subheading within that group or heading 2940, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

65. A change to subheadings 2939.10 through 2939.90 from any other subheading, including another subheading within that group.

66. (A) A change to heading 2940 from any other heading, except from heading 2938; or

(B) A change to heading 2940 from heading 2938, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

67. (A) A change to subheadings 2941.10 through 2941.90 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 2941.10 through 2941.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

68. (A) A change to heading 2942 from any other chapter, except from chapter 28 through 38; or

(B) A change to heading 2942 from any other heading within chapter 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

ANNEX I (con.)
-13-

10. TCRs 1 through 6, inclusive, for chapter 30 are deleted and the following new TCRs are inserted in lieu thereof:

"1. (A) A change to subheadings 3001.10 through 3001.20 from any other heading; or

(B) A change to subheadings 3001.10 through 3001.20 from any other subheading within heading 3001, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

2. A change to subheading 3001.90 from any other subheading.

3. A change to subheadings 3002.10 through 3002.90 from any other subheading, including another subheading within that group.

4. (A) A change to subheadings 3003.10 through 3003.90 from any other heading; or

(B) A change to subheadings 3003.10 through 3003.90 from any other heading within heading 3003, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

5. (A) A change to subheadings 3004.10 through 3004.32 from any other heading, except from heading 3003; or

(B) A change to subheadings 3004.10 through 3004.32 from heading 3003 or any other subheading within heading 3004, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

6. A change to subheading 3004.39 from any other subheading.

7. (A) A change to subheadings 3004.40 through 3004.50 from any other heading, except from heading 3003; or

(B) A change to subheadings 3004.40 through 3004.50 from heading 3003 or any other subheading within heading 3004, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

8. A change to subheading 3004.90 from any other subheading.

ANNEX I (con.)
-14-

10. TCRs 1 through 6, inclusive, for chapter 30 are deleted and the following new TCRs are inserted in lieu thereof (continued):

9. (A) A change to subheadings 3005.10 through 3005.90 from any other heading; or

(B) A change to subheadings 3005.10 through 3005.90 from any other heading within heading 3003, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

10. (A) A change to subheading 3006.10 from any other heading; or

(B) A change to subheading 3006.10 from any other subheading within heading 3006, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

11. A change to subheading 3006.20 from any other subheading.

12. (A) A change to subheadings 3006.30 through 3006.60 from any other heading; or

(B) A change to subheadings 3006.30 through 3006.60 from any other subheading within heading 3006, including another subheading within that group, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

11. TCR 1 for chapter 31 is deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to heading 3101 from any other heading.

2. A change to subheadings 3102.10 through 3105.90 from any other subheading, including another subheading within that group."

12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheadings 3201.10 through 3202.90 from any other heading, including another subheading within that group.

2. A change to heading 3203 from any other heading.

3. A change to subheadings 3204.11 through 3204.16 from any other subheading, including another subheading within that group.

ANNEX I (con.)
-15-

12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof (continued):

4. (A) For any color, as defined under the Color Index, identified in the following list of colors, a change to subheading 3204.17 from any other subheading:

Pigment yellow: 1, 3, 16, 55, 61, 62, 65, 73, 74, 75, 81, 97, 120, 151, 152, 154, 156, and 175;

Pigment orange: 4, 5, 13, 34, 36, 60, and 62;

Pigment red: 2, 3, 5, 12, 13, 14, 17, 18, 19, 22, 23, 24, 31, 32, 48, 49, 52, 53, 57, 63, 112, 119, 133, 146, 170, 171, 175, 176, 183, 185, 187, 188, 208, and 210; or

(B) For any color, as defined under the Color Index, not identified in the list of colors:

(1) a change to subheading 3204.17 from any other subheading, except from within chapter 29; or

(2) a change to subheading 3204.17 from any subheading within chapter 29, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(I) 60 percent where the transaction value method is used, or

(II) 50 percent where the net cost method is used.

5. (A) A change to subheading 3204.19 from any other heading; or

(B) A change to subheading 3204.19 from any other subheading within heading 3204, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

6. (A) A change to subheadings 3204.20 through 3204.90 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 3204.20 through 3204.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

7. A change to heading 3205 from any other heading.

8. (A) A change to subheadings 3206.11 through 3206.50 from any other chapter, except from chapter 28 through 38; or

(B) A change to subheadings 3206.11 through 3206.50 from any other subheading within chapter 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-16-

12. TCRs 1 through 9, inclusive, for chapter 32 are deleted and the following new TCRs are inserted in lieu thereof (continued):

9. A change to subheadings 3207.10 through 3207.40 from any other subheading, including another subheading within that group.

10. A change to headings 3208 through 3210 from any heading outside that group.

11. A change to heading 3211 from any other heading.

12. A change to subheadings 3212.10 through 3212.90 from any other subheading, including another subheadings within that group.

13. A change to heading 3213 from any other heading.

14. A change to subheadings 3214.10 through 3214.90 from any other subheading, including another subheading within that group.

15. A change to heading 3215 from any other heading."

13. TCRs 1 through 4, inclusive, for chapter 33 are deleted and the following new TCRs are inserted in lieu thereof:

"1. A change to subheading 3301.11 from any other subheading.

2. (A) A change to subheadings 3301.12 through 3301.13 from any other chapter; or

(B) A change to subheadings 3301.12 through 3301.13 from any other subheading within chapter 33, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

3. A change to subheading 3301.14 from any other subheading.

4. (A) A change to subheading 3301.19 from any other chapter; or

(B) A change to subheading 3301.19 from any other subheading within chapter 33, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

5. A change to subheadings 3301.21 through 3301.26 from any other subheading, including another subheadings within that group.

6. (A) A change to subheadings 3301.29 through 3301.90 from any other chapter; or

(B) A change to subheadings 3301.29 through 3301.90 from any other subheading within chapter 33, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

7. A change to heading 3302 from any other heading, except from headings 2207 through 2208.

ANNEX I (con.)
-17-

13. TCRs 1 through 4, inclusive, for chapter 33 are deleted and the following new TCRs are inserted in lieu thereof (continued):

8. (A) A change to heading 3303 from any other chapter; or

(B) A change to heading 3303 from any other heading within chapter 33, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

9. (A) A change to subheadings 3304.10 through 3305.90 from any heading outside that group, except from headings 3306 through 3307; or

(B) A change to subheadings 3304.10 through 3305.90 from any other subheading within that group or headings 3306 through 3307, whether or not there is also a change from any heading outside that group, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

10. (A) A change to subheading 3306.10 from any other heading, except from headings 3304 through 3305 or 3307; or

(B) A change to subheadings 3306.10 from headings 3304 through 3305 or 3307, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

11. A change to subheading 3306.20 from any other subheading, except from headings 5201 through 5203, chapter 54 or headings 5501 through 5507.

12. (A) A change to subheading 3306.90 from any other heading, except from headings 3304 through 3305 or 3307; or

(B) A change to subheading 3306.90 from headings 3304 through 3305 or 3307, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

13. (A) A change to subheadings 3307.10 through 3307.90 from any other heading, except from headings 3304 through 3306; or

(B) A change to subheadings 3307.10 through 3307.90 from headings 3304 through 3306, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

ANNEX I (con.)
-18-

14. TCRs 2 through 6, inclusive, for chapter 34 are deleted, TCR 7 is renumbered as TCR 10, and the following new TCRs are inserted in numerical sequence:

"2. (A) A change to subheadings 3402.11 through 3402.12 from any other heading, except to linear alkylbenzene sulfonic acid or linear alkylbenzene sulfonates of subheading 3402.11 from linear alkylbenzene of subheading 3817.10; or

(B) A change to subheadings 3402.11 through 3402.12 from any other subheading, including another subheading within heading 3402, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 65 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

3. A change to subheading 3402.13 from any other subheading.

4. (A) A change to subheading 3402.19 from any other heading; or

(B) A change to subheading 3402.19 from any other subheading within heading 3402, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 65 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

5. (A) A change to subheadings 3402.20 through 3402.90 from any subheading outside that group; or

(B) A change to subheadings 3402.20 through 3402.90 from any other subheading within that group, whether or not there is also a change from any subheading outside that group, provided there is a regional value content of not less than:

(1) 65 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

6. A change to subheadings 3403.11 through 3403.99 from any other subheading, including another subheading within that group.

7. A change to subheadings 3404.10 through 3404.90 from any other subheading, including another subheading within that group.

8. A change to subheadings 3405.10 through 3405.40 from any other subheading, including another subheading within that group.

9. (A) A change to subheading 3405.90 from any other heading; or

(B) A change to subheading 3405.90 from any other subheading within heading 3405, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 65 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

ANNEX I (con.)
-19-

15. TCRs 1 and 2 for chapter 35 are deleted, TCR 6 is deleted, TCRs 3 through 5 are renumbered as 4 through 6, respectively, and the following new TCRs 1 through 3, inclusive, and 7 for chapter 35 are inserted in numerical sequence:

"1. A change to subheadings 3501.10 through 3501.90 from any other subheading, including another subheading within that group.

2. A change to subheadings 3502.11 through 3502.19 from any subheading outside that group.

3. A change to subheadings 3502.20 through 3502.90 from any other subheading, including another subheading within that group.

7. A change to subheadings 3507.10 through 3507.90 from any other subheading, including another subheading within that group."

16. TCR 4 for chapter 36 is deleted and the following new TCRs for chapter 36 are inserted in lieu thereof:

"4. A change to subheading 3606.10 from any other subheading.

5. (A) A change to subheading 3606.90 from any other heading; or

(B) A change to subheading 3606.90 from any other subheading within heading 3606, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 65 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof:

"1. A change to subheadings 3801.10 through 3801.90 from any other subheading, including another subheading within that group.

2. (A) A change to subheadings 3802.10 through 3802.90 from any other heading; or

(B) A change to subheadings 3802.10 through 3802.90 from any other subheading within heading 3802, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

3. A change to headings 3803 through 3804 from any other heading, including another heading within that group.

4. A change to subheadings 3805.10 through 3805.90 from any other subheading, including another subheading within that group.

5. A change to subheadings 3806.10 through 3806.90 from any other subheading, including another subheading within that group.

6. A change to heading 3807 from any other heading.

ANNEX I (con.)
-20-

17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

7. A change to heading 3808 from any other heading, provided there is a regional value content of not less than:

   (A) 60 percent where the transaction value method is used and the good contains no more than one active ingredient, or 80 percent where the transaction value method is used and the good contains more than one active ingredient; or

   (B) 50 percent where the net cost method is used and the good contains no more than one active ingredient, or 70 percent where the net cost method is used and the good contains more than one active ingredient.

8. (A) A change to subheading 3809.10 from any other subheading, except from subheading 3505.10; or

   (B) A change to subheading 3809.10 from subheading 3505.10, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

      (1) 60 percent where the transaction value method is used, or

      (2) 50 percent where the net cost method is used.

9. A change to subheadings 3809.91 through 3809.92 from any other subheading, including another subheading within that group.

10. (A) A change to subheading 3809.93 from any other heading; or

   (B) A change to subheading 3809.93 from any other subheading within heading 3809, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

      (1) 60 percent where the transaction value method is used, or

      (2) 50 percent where the net cost method is used.

11. (A) A change to subheadings 3810.10 through 3810.90 from any other chapter, except from chapters 28 through 38; or

   (B) A change to subheadings 3810.10 through 3810.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

      (1) 60 percent where the transaction value method is used, or

      (2) 50 percent where the net cost method is used.

12. (A) A change to subheadings 3811.11 through 3811.19 from any other chapter, except from chapters 28 through 38; or

   (B) A change to subheadings 3811.11 through 3811.19 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

      (1) 60 percent where the transaction value method is used, or

      (2) 50 percent where the net cost method is used.

13. A change to subheadings 3811.21 through 3811.29 from any other subheading, including another subheading within that group.

ANNEX I (con.)
-21-

17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

14. (A) A change to subheading 3811.90 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheading 3811.90 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

15. (A) A change to subheadings 3812.10 through 3812.30 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 3812.10 through 3812.30 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

16. A change to headings 3813 through 3814 from any other heading, including another heading within that group.

17. A change to subheadings 3815.11 through 3815.90 from any other subheading, including another subheading within that group.

18. (A) A change to heading 3816 from any other chapter, except from chapters 28 through 38; or

(B) A change to heading 3816 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

19. A change to subheadings 3817.10 through 3817.20 from any other subheading, including another subheading within that group.

20. A change to headings 3818 through 3819 from any other heading, including another heading within that group.

21. (A) A change to heading 3820 from any other heading, except from subheading 2905.31 or 2905.49; or

(B) A change to heading 3820 from subheading 2905.31 or 2905.49, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-22-

17. TCRs 1 through 3, inclusive, for chapter 38 are deleted and the following new TCRs for chapter 38 are inserted in lieu thereof (continued):

22. (A) A change to heading 3821 from any other heading, except from heading 35.03; or

(B) A change to heading 3821 from heading 3503, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

23. (A) A change to heading 3822 from any other chapter, except from chapters 28 through 38; or

(B) A change to heading 3822 from any other subheading within chapters 28 through 38, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

24. A change to subheadings 3823.11 through 3823.13 from any other heading, except from heading 1520.

25. A change to subheading 3823.19 from any other subheading.

26. A change to subheading 3823.70 from any other heading, except from heading 1520.

27. A change to subheadings 3824.10 through 3824.20 from any other subheading, including another subheading within that group.

28. (A) A change to subheading 3824.30 from any other subheading, except from heading 2849; or

(B) A change to subheading 3824.30 from heading 2849, whether or not there is also a change from any other subheading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

29. A change to subheadings 3824.40 through 3824.60 from any other subheading, including another subheading within that group.

30. (A) A change to subheadings 3824.71 through 3824.90 from any other chapter, except from chapters 28 through 38; or

(B) A change to subheadings 3824.71 through 3824.90 from any other subheading within chapters 28 through 38, including another subheading within that group, whether or not there is also a change from any other chapter, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

18. TCRs 5 and 8 for chapter 39 are each modified by deleting the word "percentage".

19. TCR 2 for chapter 54 is modified by deleting "5407.60.11, 5407.60.21 or 5407.60.91" and by inserting in lieu thereof "5407.61.11, 5407.61.21 or 5407.61.91".

20(a). TCR 27 for chapter 61 is modified to read as follows:

"27. (A) A change to subheading 6107.21 from tariff item 6002.92.10, provided that the good, exclusive of collar, cuffs, waistband or elastic, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or

(B) A change to subheading 6107.21 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

(b). TCR 30 for chapter 61 is modified to read as follows:

"30. (A) A change to subheading 6108.21 from tariff item 6002.92.10, provided that the good, exclusive of waistband, elastic or lace, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or

(B) A change to subheading 6108.21 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

(c). TCR 32 for chapter 61 is modified to read as follows:

"32. (A) A change to subheading 6108.31 from tariff item 6002.92.10, provided that the good, exclusive of collar, cuffs, waistband, elastic or lace, is wholly of such fabric and the good is both cut and sewn or otherwise assembled in the territory of one or more of the NAFTA parties; or

(B) A change to subheading 6108.31 from any other chapter, except from headings 5106 through 5113, 5204 through 5212, 5307 through 5308 or 5310 through 5311, chapter 54, or headings 5508 through 5516 or 6001 through 6002, provided that the good is both cut (or knit to shape) and sewn or otherwise assembled in the territory of one or more of the NAFTA parties."

21. TCR 4 for chapter 68 is modified by deleting "other" and by inserting in lieu thereof "any".

22(a). The Heading rule for chapter 71 is deleted and the following new Heading rule is inserted in lieu thereof:

"Heading rule: Pearls, permanently strung but without the addition of clasps or other ornamental features of precious metals or stones, shall be treated as an originating good only if the pearls were obtained in the territory of one or more of the Parties.".

(b). TCR 2 for chapter 71 is modified by adding after "group" the following expression:

", except from tariff items 7101.10.30 or 7101.22.30".

23. TCR 7(D) for chapter 73 is modified by deleting the semicolon after the first appearance of "I-sections" and by inserting in lieu thereof a comma.

24. TCR 27 for chapter 73 is modified by deleting "other".

ANNEX I (con.)
-24-

25(a). The following new Subheading rule is inserted immediately before TCR 1 for chapter 83:

"Subheading rule: The underscoring of the designations in subdivision 1 pertains to goods provided for in subheading 8301.20 for use in a motor vehicle of chapter 87."

(b). The designations "1.", "(A)" and "(B)" in TCR 1 for chapter 83 are underscored, and the word "other" is inserted after "any" in subdivision (A).

26. Chapter rules 2 and 3 for chapter 84 are redesignated as chapter rules 3 and 4, respectively, and new chapter rule 2 is inserted in numerical sequence:

"Chapter rule 2: For purposes of subheading 8471.49, the origin of each unit presented within a system shall be determined in accordance with the rule that would be applicable to such unit if it were presented separately; and the special rate of duty applicable to each unit presented within a system shall be the rate that is applicable to such unit under the appropriate tariff item within subheading 8471.49.

For purposes of this rule, the term "unit presented within a system" shall mean:

(a) a separate unit as described in note 5(B) to chapter 84 of the tariff schedule; or

(b) any other separate machine that is presented and classified with a system under subheading 8471.49."

27. Chapter rule 3 for chapter 84 (as redesignated) is modified by deleting "8471.92" and by inserting in lieu thereof "8471.60".

28. TCR 11 for chapter 84 is modified by deleting "8406.19" and by inserting in lieu thereof "8406.82".

29. TCR 33(A) and (B) for chapter 84 are modified by deleting "8415.81" at each instance and by inserting in lieu thereof "8415.20", and subdivision (B) is modified by deleting the word "other".

30. TCR 103(A) and (B) for chapter 84 are modified by deleting "8443.50" at each instance and by inserting in lieu thereof "8443.59".

31. TCR 130 for chapter 84 is modified by deleting "8456.90" and by inserting in lieu thereof "8456.99".

32. TCR 187(A) and (B) for chapter 84 are modified by deleting "tariff item 8469.10.40" at each instance and by inserting in lieu thereof "subheading 8469.11".

33. TCR 188 for chapter 84 is deleted and the following new TCR 188 is inserted in lieu thereof:

"188. (A) A change to subheadings 8469.12 through 8469.30 from any other heading, except from heading 8473; or

(B) A change to subheadings 8469.12 through 8469.30 from heading 8473, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

ANNEX I (con.)
-25-

34. TCRs 191 through 204, inclusive, for chapter 84 are deleted; TCR 213 is deleted; TCRs 205 through 212, inclusive, are redesignated as TCRs 206 through 213, respectively; and the following new TCRs are inserted in numerical sequence:

"191. A change to subheadings 8471.30 through 8471.41 from any subheading outside that group, except from subheadings 8471.49 or 8471.50.

Subheading 8471.49 rule: The origin of each unit presented within a system shall be determined as though each unit were presented separately and were classified under the appropriate tariff provision for that unit.

192. A change to subheading 8471.50 from any other subheading, except from subheadings 8471.30 through 8471.49.

193. A change to tariff item 8471.60.35 from any other subheading, except from subheadings 8471.49 or 8540.40 or tariff item 8540.91.15.

194. A change to tariff items 8471.60.51 or 8471.60.61 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.10, 8473.30.30 or 8473.30.60.

195. A change to tariff item 8471.60.52 or 8471.60.62 from any other tariff item, except from subheading 8471.49 or tariff item 8473.30.10.

196. A change to tariff items 8471.60.53 or 8471.60.63 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.10, 8473.30.30 or 8473.30.60.

197. A change to tariff items 8471.60.54 or 8471.60.64 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

198. A change to tariff items 8471.60.55 or 8471.60.65 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

199. A change to tariff items 8471.60.56 or 8471.60.66 from any other tariff item, except from subheading 8471.49 or tariff items 8473.30.30 or 8473.30.60.

200. A change to subheading 8471.60 from any other subheading, except from subheading 8471.49.

201. A change to subheading 8471.70 from any other subheading, except from subheading 8471.49.

202. A change to tariff item 8471.80.10 from any other tariff item, except from subheading 8471.49.

203. A change to tariff item 8471.80.40 from any other tariff item, except from subheading 8471.49.

204. A change to any other tariff item within subheading 8471.80 from tariff items 8471.80.10 or 8471.80.40 or any other subheading, except from subheading 8471.49.

205. A change to subheading 8471.90 from any other subheading."

35. The following new TCR 208A for chapter 84 is inserted immediately after TCR 208 (as redesignated):

"208A. A change to subheading 8473.10 from any other heading."

36. The text for TCR 213 for chapter 84 is deleted.

ANNEX I (con.)
-26-

37. The following new TCRs for chapter 84 are inserted immediately after TCR 215 for chapter 84:

"215A. A change to tariff item 8473.50.30 from any other tariff item.

215B. A change to tariff item 8473.50.60 from any other tariff item.

Subheading rule: Subdivision (B) of rule 215C does not apply to a part or accessory provided for in subheading 8473.50 if that part or accessory is used in the production of a good provided for in subheading 8469.11 or heading 8471.

215C. (A) A change to subheading 8473.50 from any other heading; or

(B) No required change in tariff classification to subheading 8473.50, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used."

38. TCR 218(A) and (B) for chapter 84 are modified by deleting "8475.20" at each instance and by inserting in lieu thereof "8475.29".

39. TCR 220(A) and (B) for chapter 84 are modified by deleting "8476.11" at each instance and by inserting in lieu thereof "8476.21", and by deleting "8476.19" at each instance and by inserting in lieu thereof "8476.89".

40. Chapter rule 5 for chapter 85 is modified by inserting in subdivision (a) immediately after "television picture tube" the expression "(including video monitor or video projector cathode-ray tube)", and by inserting in subdivision (b) immediately after "picture tube" the expression "(including video monitor or video projector cathode-ray tube)".

41. TCR 5 for chapter 85 is deleted and the following new TCR is inserted in lieu thereof:

"5. A change to tariff items 8504.40.60 or 8504.40.70 from any other tariff item, except from subheading 8471.49."

42. TCR 8 for chapter 85 is redesignated as TCR 8A, and the following new TCR 8 is inserted immediately after TCR 7 for such chapter:

"8. A change to tariff item 8504.90.70 from any other tariff item."

43. TCRs 11 through 14, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence:

"11. (A) A change to subheadings 8506.10 through 8506.80 from any other heading, except from tariff items 8548.10.05 or 8548.10.15; or

(B) A change to subheadings 8506.10 through 8506.80 from subheading 8506.90, whether or not there is also a change from any other heading, except from tariff items 8548.10.05 or 8548.10.15, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

12. A change to subheading 8506.90 from any other heading, except tariff items 8548.10.05 or 8548.10.15.

ANNEX I (con.)
-27-

43. TCRs 11 through 14, inclusive, for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence (continued):

"13. (A) A change to subheadings 8507.10 through 8507.80 from any other heading, except from tariff items 8548.10.05 or 8548.10.15; or

(B) A change to subheadings 8507.10 through 8507.80 from subheading 8507.90, whether or not there is also a change from any other heading, except from tariff items 8548.10.05 or 8548.10.15, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

14. A change to subheading 8507.90 from any other heading, except from tariff items 8548.10.05 or 8548.10.15."

44. TCR 15 for chapter 85 is modified by deleting from subdivision (A) the word "other" and by deleting from subdivision (B) the word "other" and by inserting after "subheading" and before the succeeding comma the expression "outside that group".

45. TCR 17 for chapter 85 is modified by deleting from subdivision (A) the word "other" and by deleting from subdivision (B) the word "other" and by inserting after "subheading" and before the succeeding comma the expression "outside that group".

46. TCR 20(A) and (B) for chapter 85 are modified by deleting "8510.20" at each instance and by inserting in lieu thereof "8510.30".

47. TCR 50 for chapter 85 is deleted and the following new TCRs are inserted in numerical sequence:

"50. A change to subheading 8517.11 from any other subheading, except from tariff items 8517.90.12, 8517.90.36, 8517.90.38 or 8517.90.44.

50A. A change to tariff item 8517.19.40 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.12, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:

(A) except as provided in subdivision (B) of this rule, for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

50B. A change to subheading 8517.19 from any other subheading, except from tariff items 8517.90.12, 8517.90.36, 8517.90.38 or 8517.90.44."

ANNEX I (con.)
-28-

48(a). TCR 51 for chapter 85 is modified by deleting "8517.20" and by inserting in lieu thereof "8517.22".

(b). TCRs 52 through 56, inclusive, for chapter 85 are deleted and the following new TCRs for chapter 85 are inserted in numerical sequence:

"52. A change to subheading 8517.21 from any other subheading, except from tariff item 8517.90.04."

53. A change to tariff item 8517.50.10 from any other subheading.

54. A change to tariff item 8517.50.50 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:

(A) except as provided in subparagraph (B) of this rule, for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

55. A change to subheading 8517.50 from any other subheading.

56. A change to tariff item 8517.80.10 from any other subheading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8473.30.10, 8517.90.16, 8517.90.24, 8517.90.26, 8517.90.32, 8517.90.36, 8517.90.38 or 8517.90.44:

(A) except as provided in subparagraph (B), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

56A. A change to subheading 8517.80 from any other subheading."

49. The following new TCR 79A for chapter 85 is inserted immediately after TCR 79 for such chapter:

"79A. A change to subheading 8525.40 from any other subheading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19 or 8529.90.23."

50. TCR 82 for chapter 85 is modified by deleting "8527.11" and by inserting in lieu thereof "8527.12".

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence:

"84. A change to tariff items 8528.12.12, 8528.12.16, 8528.12.20 or 8528.12.24 from any other heading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36, 8529.90.39, 8529.90.43, 8529.90.46 or 8529.90.49.

85. A change to tariff items 8528.12.28 or 8528.12.32 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff item 8540.11.10 or except from tariff items 7011.20.10 and 8540.91.15.

ANNEX I (con.)
-29-

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

Tariff item rule: Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1999, the text of subdivision 85 shall be replaced by the following:

A change to tariff items 8528.12.28 or 8528.12.32 from any other heading, except from tariff items 8529.90.43, 8529.90.46, 8529.90.49 or 8540.11.10 or except from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.12.36 or 8528.12.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass panel referred to in subparagraph (b) of note 5 to chapter 85 and a glass cone provided for in tariff item 7011.20.10.

86. A change to tariff items 8528.12.36 or 8528.12.40 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.12.99 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.12.36 or 8528.12.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 of chapter 85.

87. A change to tariff items 8528.12.36 or 8528.12.40 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

88. (A) A change to tariff items 8528.12.44 or 8528.12.48 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the television receiver component, may be non-originating; or

(B) A change to tariff items 8528.12.44 or 8528.12.48 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

89. (A) A change to tariff items 8528.12.52 or 8528.12.56 or Mexican tariff item 8528.12.05 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff item 8542.13.40, 8542.14.40 or 8542.19.40, used in the television receiver component, may be non-originating; or

(B) A change to tariff items 8528.12.52 or 8528.12.56 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

90. A change to tariff items 8528.12.62, 8528.12.64, 8528.12.68 or 8528.12.72 from tariff items 8528.12.04 or 8528.12.08 or any other heading, except from tariff item 8529.90.53.

91. A change to tariff items 8528.12.04 or 8528.12.08 from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.

ANNEX I (con.)
-30-

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

92. A change to subheading 8528.12 from tariff items 8528.12.04 or 8528.12.08 or any other heading, provided there is a regional value content of not less than:

(A) 60 percent where the transaction value method is used, or

(B) 50 percent where the net cost method is used.

92A. A change to subheading 8528.13 from any other heading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36 or 8529.90.39

(A) except as provided in subparagraph (b), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

92B. A change to tariff items 8528.21.16, 8528.21.19, 8528.21.24 or 8528.21.29 from any other heading, except from tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36, 8529.90.39, 8529.90.43, 8529.90.46 or 8529.90.49.

92C. A change to tariff items 8528.21.34 or 8528.21.39 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff item 8540.11.10 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 1999, the text of subdivision 92C shall be replaced by the following:

A change to tariff items 8528.21.34 or 8528.21.39 from any other heading, except from tariff items 8529.90.43, 8529.90.46, 8529.90.49 or 8540.11.10 or from tariff items 7011.20.10 or 8540.91.15.

92D. A change to tariff items 8528.21.41 or 8528.21.42 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.10 or 8540.12.50 or from tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.21.41 or 8528.21.42 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 to chapter 85.

92E. A change to tariff items 8528.21.41 or 8528.21.42 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

92F. (A) A change to tariff items 8528.21.44 or 8528.21.49 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video monitor component, may be non-originating; or

(B) A change to tariff items 8528.21.44 or 8528.21.49 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.11.30, 8540.11.44, 8540.11.48 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

ANNEX I (con.)
-31-

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

92G. (A) A change to tariff items 8528.21.51 or 8528.21.52 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video monitor component, may be non-originating; or

(B) A change to tariff items 8528.21.51 or 8528.21.52 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

92H. A change to tariff items 8528.21.55, 8528.21.60, 8528.21.65 or 8528.21.70 from tariff items 8528.21.05 or 8528.21.10 or any other heading, except from tariff item 8529.90.53.

92I. A change to tariff items 8528.21.05 or 8528.21.10 or from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.

92J. A change to subheading 8528.21 from tariff items 8528.21.05 or 8528.21.10 or any other heading, provided there is a regional value content of not less than:

(A) 60 percent where the transaction value method is used, or

(B) 50 percent where the net cost method is used.

92K. A change to subheading 8528.22 from any other heading, provided that, with respect to printed circuit assemblies (PCAs) of tariff items 8529.90.01, 8529.90.03, 8529.90.06, 8529.90.09, 8529.90.13, 8529.90.16, 8529.90.19, 8529.90.23, 8529.90.29, 8529.90.33, 8529.90.36 or 8529.90.39:

(A) except as provided in subparagraph (b), for each multiple of nine PCAs, or any portion thereof, that is contained in the good, only one PCA may be a non-originating PCA, and

(B) if the good contains less than three PCAs, all of the PCAs must be originating PCAs.

Tariff item rule: The following rule applies to a good of tariff items 8528.30.30 or 8528.30.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass panel referred to in subparagraph (b) of note 5 to chapter 85 and a glass cone provided for in tariff item 7011.20.10.

92L. A change to tariff items 8528.30.30 or 8528.30.40 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.10 or 8540.12.50 or tariff items 7011.20.10 or 8540.91.15.

Tariff item rule: The following rule applies to a good of tariff items 8528.30.30 or 8528.30.40 incorporating a picture tube of tariff items 8540.12.10 or 8540.12.50 that incorporates a glass envelope referred to in subparagraph (b) of note 5 of chapter 85:

92M. A change to tariff items 8528.30.30 or 8528.30.40 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.10, 8540.12.50 or 8540.91.15.

ANNEX I (con.)
-32-

51. TCRs 84 through 92, inclusive, for chapter 85 are deleted and the following new TCRs for such chapter are inserted in numerical sequence (continued):

"92N. (A) A change to tariff items 8528.30.50 or 8528.30.60 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff items 8540.12.20, 8540.12.70 or 8540.91.15. In addition, no more than half the number of semiconductors of tariff items 8542.13.40, 8542.14.40 or 8542.19.40, used in the video projector component, may be non-originating; or

(B) A change to tariff items 8528.30.50 or 8528.30.60 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff item 8540.12.20, 8540.12.70 or 8540.91.15. In addition, the regional value content must be not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost method is used.

92O. A change to tariff items 8528.30.62, 8528.30.64, 8528.30.66 or 8528.30.68 from tariff items 8528.30.10 or 8528.30.20 or any other heading, except from tariff item 8529.90.53.

92P. A change to tariff items 8528.30.10 or 8528.30.20 from any other heading, except from tariff items 8529.90.43, 8529.90.46 or 8529.90.49.

92Q. A change to subheading 8528.30 from tariff items 8528.30.10 or 8528.30.20 or any other heading, provided there is a regional value content of not less than:

(A) 60 percent where the transaction value method is used, or

(B) 50 percent where the net cost method is used."

52. TCR 123(A) and (B) for chapter 85 are modified by deleting "8539.40" at each instance and by inserting in lieu thereof "8539.49".

53. TCRs 135 and 136 for chapter 85 are deleted and the following new TCRs are inserted in numerical sequence:

"135. A change to subheadings 8540.40 through 8540.60 from any subheading outside that group, except from tariff item 8540.91.15.

136. A change to subheadings 8540.71 through 8540.79 from any subheading outside that group, except from tariff item 8540.99.40."

54. The subheading rule immediately preceding TCR 142 for chapter 85 is modified by deleting "8542.11 through 8542.80" and by inserting in lieu thereof "8542.12 through 8542.50".

55. TCR 143(A) and (B) for chapter 85 are modified by deleting at each instance "8543.10 through 8543.30" and by inserting in lieu thereof "8543.11 through 8543.81".

56. TCR 144(A) and (B) for chapter 85 are modified by deleting at each instance "8543.80.85" and by inserting in lieu thereof "8543.89.80".

57. TCR 145(A) and (B) for chapter 85 are modified by deleting at each instance "8543.80" and by inserting in lieu thereof "8543.89".

ANNEX I (con.)
-33-

58(a). TCR 149 for chapter 85 is modified by deleting "8548" and by inserting in lieu thereof "8547".

(b). The following new TCRs for chapter 85 are inserted in numerical sequence:

"150. A change to subheading 8548.10 from any other chapter.

151. A change to subheading 8548.90 from any other heading."

59. TCR 15 for chapter 90 is deleted and the following new TCR 15 is inserted in lieu thereof:

"15. (A) A change to subheading 9007.20 from any other heading; or

(B) A change to subheading 9007.20 from subheading 9007.92, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost is used."

60. TCR 25(A) and (B) for chapter 90 are modified by deleting at each instance "9010.30" and by inserting in lieu thereof "9010.60".

61. New TCR 41A for chapter 90 is inserted immediately after TCR 41 for such chapter:

"41A. A change to subheadings 9018.12 through 9018.14 from any other heading."

62. TCR 48 for chapter 90 is deleted and the following new TCR 48 is inserted in lieu thereof:

"48. A change to subheadings 9022.12 through 9022.14 from any subheading outside that group, except from tariff item 9022.90.05."

63. TCR 74 for chapter 90 is modified by deleting "9031.40.40" and by inserting in lieu thereof "9031.49.40"; TCRs 74 and 75 are redesignated as TCRs 75 and 75A, respectively; and the following new TCR 74 is inserted immediately before redesignated TCR 75:

"74. (A) A change to subheading 9031.41 from any other heading; or

(B) A change to subheading 9031.41 from subheading 9031.90, whether or not there is also a change from any other heading, provided there is a regional value content of not less than:

(1) 60 percent where the transaction value method is used, or

(2) 50 percent where the net cost is used."

64. TCR 75A(A) and (B) for chapter 90 (as redesignated) are modified by deleting at each instance "9031.40" and by inserting in lieu thereof "9031.49".

ANNEX I (con.)
-34-

65. TCRs 12 and 13 for chapter 96 are deleted and the following new TCRs are inserted in numerical sequance:

"12. A change to tariff item 9614.20.10 from any other chapter.

13. A change to subheading 9614.20 from tariff item 9614.20.10 or any other subheading, except from subheading 9614.90."

Other modifications to the general notes to the HTS:

1. General note 18 is modified by inserting after the expression "MPa - megapascals" the following expression: "MW - megawatts".

Annex II

MODIFICATIONS TO THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTS)

The HTS is modified as provided below, with bracketed matter included to assist in the understanding of the proclaimed modifications. The following supersedes matter now in the HTS. The subheadings and superior texts are set forth in columnar format, and material in such columns is inserted in the columns of the HTS designated "Heading/Subheading", "Article Description", "Rates of Duty 1-General", "Rates of Duty 1-Special", and "Rates of Duty 2", respectively.

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of (1) January 1, 1996, or (2) the fifteenth day after the date of publication of this proclamation in the Federal Register, the HTS is modified as provided herein:

1(a). The superior text to subheading 0105.11.00 reading "Weighing not over 185 g each:" is modified to read "Weighing not more than 185 g:".

(b). Subheadings 0105.19.00 through 0105.91.00 are superseded by the following:

	[Live...:]			
	[Weighing...:]			
"0105.12.00	Turkeys	1.6¢ each	Free (E,IL,J,MX) 0.4¢ each (CA)	4¢ each
0105.19.00	Other	1.6¢ each	Free (E,IL,J,MX) 0.4¢ each (CA)	4¢ each
	[Other:]			
0105.92.00	Chickens, weighing not more than 2,000 g	3.6¢/kg	Free (E,IL,J,MX) 0.8¢/kg (CA)	17.6¢/kg
0105.93.00	Chickens, weighing more than 2,000 g	3.6¢/kg	Free (E,IL,J,MX) 0.8¢/kg (CA)	17.6¢/kg"

2. Subheadings 0207.10 through 0207.50.00 are superseded by the following:

	[Meat...:]			
	"Of chickens:			
0207.11.00	Not cut in pieces, fresh or chilled	10.3¢/kg	Free (E,IL,J,MX) 2.2¢/kg (CA)	22¢/kg
0207.12.00	Not cut in pieces, frozen	10.3¢/kg	Free (E,IL,J,MX) 2.2¢/kg (CA)	22¢/kg
0207.13.00	Cuts and offal, fresh or chilled	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
0207.14.00	Cuts and offal, frozen	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
	Of turkeys:			
0207.24.00	Not cut in pieces, fresh or chilled	17.5¢/kg	Free (E,IL,J,MX) 3.7¢/kg (CA)	22¢/kg
0207.25	Not cut in pieces, frozen:			
0207.25.20	Valued less than 88¢/kg	10.3¢/kg	Free (E,IL,J,MX) 2.2¢/kg (CA)	22¢/kg
0207.25.40	Valued 88¢ or more per kg	11.7%	Free (E,IL,J,MX) 2.5% (CA)	25%

Annex II (con.)
-2-

2. (con.):

	[Meat...:] [con.]			
	Of turkeys (con.):			
0207.26.00	Cuts and offal, fresh or chilled.....	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
0207.27.00	Cuts and offal, frozen.....	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
	Of ducks, geese or guineas:			
0207.32.00	Not cut in pieces, fresh or chilled.....	10.3¢/kg	Free (E,IL,J,MX) 2.2¢/kg (CA)	22¢/kg
0207.33.00	Not cut in pieces, frozen.....	10.3¢/kg	Free (A,E,IL,J, MX) 2.2¢/kg (CA)	22¢/kg
0207.34.00	Fatty livers, fresh or chilled.....	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
0207.35.00	Other, fresh or chilled.....	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg
0207.36.00	Other, frozen.....	20.5¢/kg	Free (E,IL,J,MX) 4.4¢/kg (CA)	22¢/kg"

3. The article description of heading 0209.00.00 is modified to read as follows:

"Pig fat, free of lean meat, and poultry fat, not rendered or otherwise extracted, fresh, chilled, frozen, salted, in brine, dried or smoked"

4. The article description of subheading 0301.91.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

5. The article description of subheading 0302.11.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

6. The article description of subheading 0302.12.00 is modified to read as follows:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tschawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)"

7. The article description of subheading 0303.10.00 is modified to read as follows:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tschawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), excluding livers and roes"

8. The article description of subheading 0303.21.00 is modified to read as follows:

"Trout (Salmo trutta, Oncorhynchus mykiss, Oncorhynchus clarki, Oncorhynchus aguabonita, Oncorhynchus gilae, Oncorhynchus apache and Oncorhynchus chrysogaster)"

Annex II (con.)
-3-

9. The article description of subheading 0305.41.00 is modified to read as follows:

"Pacific salmon (Oncorhynchus nerka, Oncorhynchus gorbuscha, Oncorhynchus keta, Oncorhynchus tschawytscha, Oncorhynchus kisutch, Oncorhynchus masou and Oncorhynchus rhodurus), Atlantic salmon (Salmo salar) and Danube salmon (Hucho hucho)"

10. Notes 2 and 3 to chapter 4 are renumbered as 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 0405:

(a) The term "butter" means natural butter, whey butter or recombined butter (fresh, salted or rancid, including canned butter) derived exclusively from milk, with a milkfat content of 80 percent or more but not more than 95 percent by weight, a maximum milk solids-not-fat content of 2 percent by weight and a maximum water content of 16 percent by weight. Butter does not contain added emulsifiers, but may contain sodium chloride, food colors, neutralizing salts and cultures of harmless lactic-acid-producing bacteria.

(b) The expression "dairy spreads" means a spreadable emulsion of the water-in-oil type, containing milkfat as the only fat in the product, with a milkfat content of 39 percent or more but less than 80 percent by weight."

11. The following new subheading note 2 to chapter 4 is inserted:

"2. For the purposes of subheading 0405.10 the term "butter" does not include dehydrated butter or ghee (subheading 0405.90)."

12. Heading 0405.00 and subheadings 0405.00.05 through 0405.00.90, inclusive, are superseded by the following:

"0405	Butter and other fats and oils derived from milk; dairy spreads:				
0405.10	Butter:				
0405.10.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	12.3¢/kg	Free (E,IL,J,MX) 2.4¢/kg (CA)	30.9¢/kg	
0405.10.10	Described in additional U.S. note 6 to this chapter and entered pursuant to its provisions	12.3¢/kg	Free (E,IL,J) 2.4¢/kg (CA)	30.9¢/kg	
0405.10.20	Other	$1.722/kg	See 9906.04.75-9906.04.77 (MX)	$1.813/kg	
0405.20	Dairy spreads: Butter substitutes, whether in liquid or solid state: Containing over 45 percent by weight of butterfat:				
0405.20.10	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	15.4¢/kg	Free (E,IL,J,MX) 3¢/kg (CA)	31¢/kg	
0405.20.20	Described in additional U.S. note 14 to this chapter and entered pursuant to its provisions	15.4¢/kg	Free (E,IL,J) 3¢/kg (CA)	31¢/kg	
0405.20.30	Other	$2.231/kg	See 9906.04.40-9906.04.42 (MX)	$2.348/kg	

Annex II (con.)
-4-

12. (con.):

0405 (con.)	Butter and other fats and oils derived from milky dairy spreads (con.):			
0405.20 (con.)	Dairy spreads (con.):			
	Butter substitutes, whether in liquid or solid state (con.):			
0405.20.40	Other	14.6¢/kg	Free (E,IL,J) 3¢/kg (CA) 10.7¢/kg (MX)	31¢/kg
	Other:			
	Dairy products described in additional U.S. note 1 to chapter 4:			
0405.20.50	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	10%	Free (E,IL,J,MX) 2% (CA)	20%
0405.20.60	Described in additional U.S. note 10 to this chapter and entered pursuant to its provisions	10%	Free (E,IL,J) 2% (CA)	20%
0405.20.70	Other	78.7¢/kg + 9.5%	See 9906.06.43-9906.06.45 (MX)	82.8¢/kg + 10%
0405.20.80	Other	8.8%	Free (A,E,IL,J, MX) 2% (CA)	20%
0405.90	Other:			
0405.90.05	Described in general note 15 of the tariff schedule and entered pursuant to its provisions	10%	Free (E,IL,J,MX) 2% (CA)	20%
0405.90.10	Described in additional U.S. note 14 to this chapter and entered pursuant to its provisions	10%	Free (E,IL,J) 2% (CA)	20%
0405.90.20	Other	$2.084/kg + 9.5%	See 9906.04.78-9906.04.80 (MX)	$2.194/kg + 10%*

Conforming changes:

(a). Additional U.S. note 6 to chapter 4 is modified by deleting "0405.00.20" and by inserting in lieu thereof "0405.10.10".

(b). Additional U.S. note 10 to chapter 4 is modified by inserting "0405.20.60," immediately after "0404.90.30,".

(c). Additional U.S. note 14 to chapter 4 is modified by deleting "0405.00.60" and by inserting in lieu thereof "0405.20.20, 0405.90.10".

(d)(1). The superior text to subheadings 9904.04.09 through 9904.04.21 beginning with the word "Butter," is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".

(2). Subheading 9904.04.21 is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".

(e). The superior text to subheadings 9904.04.50 through 9904.05.01 beginning with the word "Dairy" is modified by inserting "0405.20.70," immediately after "0404.90.50,".

Annex II (con.)
-5-

12. (con.)

Conforming changes (con.):
(f). The immediately superior text to subheadings 9904.04.59 through 9904.04.66 is modified by inserting " 0405.20.70," immediately after "0404.10.15,".
(g). Subheading 9904.04.99 is modified by deleting "subheading 2106.90.66" and inserting in lieu thereof "subheadings 0405.20.70 or 2106.90.66".
(h)(1). The superior text to subheadings 9904.05.37 through 9904.05.47 beginning with the word "Butter" is modified by deleting "0405.00.90," and inserting in lieu thereof "0405.20.30, 0405.90.20,".
(2). Subheading 9904.05.46 is modified by deleting "0405.00.90" and inserting in lieu thereof "0405.90.20".
(3). Subheading 9904.05.47 is modified by inserting "0405.20.30," immediately before "2106.90.26".
(i). Subheading 9905.21.10 is modified by inserting "0405.20.80," immediately before "2106.90.82".
(j). The superior text to subheadings 9906.04.75 through 9906.04.77 that begins with the word "Butter" is modified by inserting "; dairy spreads" immediately after "milk", and the immediately superior text to subheading 9906.04.75 is modified by deleting "0405.00.40" and inserting in lieu thereof "0405.10.20".
(k). The immediately superior text to subheadings 9906.04.78 through 9906.04.80 is modified by deleting "0405.00.90" and inserting in lieu thereof "0405.90.20".
(l). U.S. note 5 to subchapter VI of chapter 99 is modified by inserting ", 9906.06.40" immediately after "9906.04.78".
(m). U.S. note 7 to subchapter VI of chapter 99 is modified by inserting "9906.06.43," immediately before "9906.15.01,".
(n). Subchapter VI of chapter 99 is modified by inserting the following provisions immediately after subheading 9906.06.39:

	[Goods of Mexico,...:]	
	"Butter and other fats and oils derived	
	from milk; dairy spreads:	
	Provided for in subheading 0405.20.30:	
9906.06.40	Subject to the quantitative	
	limits specified in U.S. note 5	
	to this subchapter.....	Free (MX)
	Other:	
9906.06.41	Valued not over $1.57/kg.....	$1.054/kg (MX)
9906.06.42	Other.....	67% (MX)
	Provided for in subheading 0405.20.70:	
9906.06.43	Subject to the quantitative	
	limits specified in U.S. note 7	
	to this subchapter.....	Free (MX)
	Other:	
9906.06.44	Valued not over 74.8¢/kg.....	49.2¢/kg (MX)
9906.06.45	Other.....	65.7% (MX)"

Annex II (con.)
-6-

13. The article description of heading 0504.00.00 is modified to read as follows:

"Guts, bladders and stomachs of animals (other than fish), whole and pieces thereof, fresh, chilled, frozen, salted, in brine, dried or smoked"

14. Subheadings 0602.91.00 through 0602.99.90 and the immediately preceding superior text "Other:" are superseded by the following:

	[Other...:]				
"0602.90	Other:				
	Herbaceous perennials:				
0602.90.20	Orchid plants.....	Free			25%
	Other:				
0602.90.30	With soil attached to roots....	1.4%	Free (A,E,IL,J, MX)		30%
			0.4% (CA)		
0602.90.40	Other.....	4.8%	Free (A,E,IL,J, MX)		30%
			1.1% (CA)		
	Other:				
0602.90.50	Mushroom spawn.....	1.9¢/kg	Free (CA,E,IL,J, MX)		2.2¢/kg
	Other:				
0602.90.60	With soil attached to roots....	1.9%	Free (A,E,IL,J, MX)		25%
			0.6% (CA)		
0602.90.90	Other.....	6.6%	Free (A,E,IL,J, MX)		25%"
			1.5% (CA)		

15. Subdivisions (c) and (d) of note 3 to chapter 7 are modified to read as follows:

"(c) flour, meal, powder, flakes, granules and pellets of potatoes (heading 1105);

(d) flour, meal and powder of the dried leguminous vegetables of heading 0713 (heading 1106)."

16(a). Subheading 0712.10.00 is deleted.

(b). The following new subheading 0712.90.30 is inserted in numerical order:

	[Dried...:]				
	[Other...:]				
"0712.90.30	Potatoes whether or not cut or sliced but not further prepared.....	2.7¢/kg	Free (A,CA,E,IL, J)		6¢/kg"
			1.1¢/kg (MX)		

17(a). The article description of heading 0714 is modified to read as follows:

"Cassava (manioc), arrowroot, salep, Jerusalem artichokes, sweet potatoes and similar roots and tubers with high starch or inulin content, fresh, chilled, frozen or dried, whether or not sliced or in the form of pellets; sago pith;"

Annex II (con.)
-7-

17. (con.)
(b). Subheadings 0714.10.00 and 0714.20.00 are superseded by the following:

	[Cassava...:]			
"0714.10	Cassava (manioc):			
0714.10.10	Frozen	7.9%	Free (A,E,IL,J, MX) 3.5% (CA)	35%
0714.10.20	Other	11.3%	Free (A*,E,IL,J, MX) 5% (CA)	50%
0714.20	Sweet potatoes:			
0714.20.10	Frozen	6.7%	Free (A,E,IL,J, MX) 1.4% (CA)	35%
0714.20.20	Other	8.2%	Free (A*,E,IL,J, MX) 2% (CA)	50%"

Conforming changes: The immediately superior text to subheading 0714.90.10 reading "Fresh:" is modified to read "Fresh or chilled:", and general note 4(d) is modified by deleting "0714.10.00 Costa Rica" and "0714.20.00 Dominican Republic" and by inserting in numerical sequence "0714.10.20 Costa Rica" and "0714.20.20 Dominican Republic".

(c). The following new subheading 0714.90.45 is inserted in numerical sequence:

	[Cassava...:]			
	[Other:]			
"0714.90.45	Frozen	6.7%	Free (A,E,IL,J, MX) 1.4% (CA)	35%"

18. Subheadings 0801.10.00 through 0801.30.00 are superseded by the following:

	[Coconuts,...:]			
	"Coconuts:			
0801.11.00	Desiccated		Free	7.7¢/kg
0801.19.00	Other		Free	7.7¢/kg
	Brazil nuts:			
0801.21.00	In shell		Free	9.9¢/kg
0801.22.00	Shelled		Free	9.9¢/kg
	Cashew nuts:			
0801.31.00	In shell		Free	4.4¢/kg
0801.32.00	Shelled		Free	4.4¢/kg"

Annex II (con.)
-8-

19. Subheadings 0807.10 through 0807.10.80, inclusive, are superseded by the following:

	[Melons...:]			
	"Melons (including watermelons):			
0807.11	Watermelons:			
0807.11.30	If entered during the period from December 1, in any year, to the following March 31, inclusive.....	16.3%	Free (A,E,IL,J, MX) 4% (CA)	35%
0807.11.40	If entered at any other time.....	19%	Free (E,IL,J) 4% (CA) See 9906.08.09-9906.08.11 (MX)	35%
0807.19	Other:			
	Cantaloupes:			
0807.19.10	If entered during the period from August 1 to September 15, inclusive, in any year.....	17.6%	Free (E,IL,J) 4% (CA) 14% (MX)	35%
0807.19.20	If entered at any other time...	33.3%	Free (A,E,IL,J) 7% (CA) See 9906.08.07-9906.08.08 (MX)	35%
	Ogen and Galia melons:			
0807.19.50	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	2.9%	Free (A,CA,E,IL, J,MX)	35%
0807.19.60	If entered at any other time...	11.4%	Free (A,E,IL,J, MX) 2.8% (CA)	35%
	Other:			
0807.19.70	If entered during the period from December 1, in any year, to the following May 31, inclusive.....	7.5%	Free (A,CA,E,IL, J) See 9906.08.12-9906.08.13 (MX)	35%
0807.19.80	If entered at any other time...	32.7%	Free (E,IL,J) 7% (CA) 28% (MX)	35%"

20. The following new subheading 0810.50.00 is inserted in numerical order:

	[Other...:]		
"0810.50.00	Kiwi fruit.....	Free	2.8¢/kg"

Conforming changes: Subheading 0810.90.20 is redesignated as 0810.90.25, and the article description of that subheading is modified to read as follows: "Berries and tamarinds".

Annex II (con.)
-9-

21. Subheadings 0901.30.00 and 0901.40.00 are superseded by the following:

	[Coffee,...:]				
"0901.90	Other:				
0901.90.10		Coffee husks and skins.....	Free		10%
0901.90.20		Coffee substitutes containing coffee.....	2.7¢/kg	Free (CA,E,IL,J, MX)	6.6¢/kg"

22. Subdivision (A) of note 2 to chapter 11 is modified by adding after the last sentence the following new sentence:

"However, germ of cereals, whole, rolled, flaked or ground is always classified in heading 1104."

23. The article description of heading 1105 is modified to read as follows:

"Flour, meal, powder, flakes, granules and pellets of potatoes:"

24. The article description of subheading 1105.10.00 is modified to read as follows:

"Flour, meal and powder"

25. The article description of heading 1106 is modified to read as follows:

"Flour, meal and powder of the dried leguminous vegetables of heading 0713, of sago or of roots or tubers of heading 0714 or of the products of chapter 8:"

26. The article description of subheading 1106.10.00 is modified to read as follows:

"Of the dried leguminous vegetables of heading 0713"

27. The article description of subheading 1106.20.00 is modified to read as follows:

"Of sago or of roots or tubers of heading 0714"

28. The article description of subheading 1106.30 is modified to read as follows:

"Of the products of chapter 8:"

29. The article description of heading 1212 is modified by deleting the expression "fresh or dried," and inserting the expression "fresh, chilled, frozen or dried," in lieu thereof.

30. Subdivision (d) of note 1 to chapter 13 is modified to read as follows:

"(d) Vegetable saps or extracts constituting alcoholic beverages (chapter 22);"

31. Subdivision (h) of note 1 to chapter 13 is modified to read as follows:

"(h) Essential oils, concretes, absolutes, resinoids, extracted oleoresins, aqueous distillates or aqueous solutions of essential oils or preparations based on odoriferous substances of a kind used for the manufacture of beverages (chapter 33); or"

Annex II (con.)
-10-

32. The article description of heading 1301 is modified to read as follows:

"Lac; natural gums, resins, gum-resins and oleoresins (for example, balsams):"

33. Subheading 1402.91.00, the superior text thereto, and subheading 1402.99.00 are superseded by the following:

	[Vegetable...:]				
"1402.90	Other:				
1402.90.10	Vegetable hair	0.5¢/kg	Free (CA,E,IL,J, MX)	2.2¢/kg	
1402.90.90	Other	Free		20%"	

34. Subdivision (e) of note 1 to chapter 15 is modified by deleting the expression "in an isolated state".

35. The article description of heading 1501.00.00 is modified to read as follows:

"Pig fat (including lard) and poultry fat, other than that of heading 0209 or 1503"

36. The article description of heading 1502.00.00 is modified to read as follows:

"Fats of bovine animals, sheep or goats, other than those of heading 1503"

37. Heading 1519 and subheadings 1519.11.00 through 1519.20.60 are deleted.

Conforming change: General note 4(d) is modified by deleting "1519.11.00 Malaysia" and "1519.12.00 Malaysia", and by inserting in numerical sequence "3823.11.00 India; Malaysia" and "3823.12.00 India; Malaysia" in lieu thereof.

38. Heading 1520 and subheadings 1520.10.00 and 1520.90.00 are superseded by the following:

"1520.00.00	Glycerol, crude; glycerol waters and glycerol lyes	Free		2.2¢/kg"

39. Note 1 to chapter 16 is modified by inserting the expression "or heading 0504" after the expression "chapter 2 or 3".

40. The following new subheading is inserted in numerical order:

	[Other...:]			
	[Of...:]			
"1602.32.00	Of chickens	8.8%	Free (A,E,IL,J, MX) 2% (CA)	20%"

Annex II (con.)
-11-

41. Subheading 1702.10.00 is superseded by the following:

	[Other...:]				
	"Lactose and lactose syrup:				
1702.11.00	Containing by weight 99 percent or more lactose, expressed as anhydrous lactose, calculated on the dry matter....	8.8%	Free (E,IL,J,MX) 2% (CA)	50%
1702.19.00	Other.....	8.8%	Free (E,IL,J,MX) 2% (CA)	50%"

42(a). Subheading 1704.90.20 is superseded by the following:

	[Sugar...:]			
	[Other:]			
	[Confections...:]			
	"Other:			
1704.90.25	Cough drops.....	Free		30%
1704.90.35	Other.....	6.5%	Free (A,E,IL,J, MX) 1.4% (CA)	40%"

(b). The following new additional U.S. note 11 is inserted in chapter 17:

"11. For the purposes of subheading 1704.90.25, "cough drops" must contain a minimum of 5 mg per dose of menthol, of eucalyptol, or of a combination of menthol and eucalyptol."

43. Note 3 to chapter 19 is modified to read as follows:

"3. Heading 1904 does not cover preparations containing more than 6 percent by weight of cocoa calculated on a totally defatted basis or coated with chocolate or other food preparations containing cocoa of heading 1806 (heading 1806)."

44. The article description of heading 1901 is modified to read as follows:

"Malt extract; food preparations of flour, meal, starch or malt extract, not containing cocoa or containing less than 40 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 0401 to 0404, not containing cocoa or containing less than 5 percent by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included:"

45. The article description of heading 1904 is modified by deleting the language following the semicolon and inserting the following in lieu thereof:

"cereals (other than corn (maize)) in grain form or in the form of flakes or other worked grains (except flour and meal), pre-cooked or otherwise prepared, not elsewhere specified or included:"

Annex II (con.)
-12-

46. The following new subheadings 1904.20, 1904.20.10 and 1904.20.90 are inserted in numerical order:

	[Prepared...:]				
"1904.20	Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals:				
1904.20.10	In airtight containers and not containing apricots, citrus fruits, peaches or pears.....	6.5%	Free (E,IL,J) 1.4% (CA) 4.9% (MX)	35%	
1904.20.90	Other.....	16.6%	Free (E,IL,J) 3.5% (CA) 7% (MX)	35%"	

47. The article description of heading 2004 is modified to read as follows:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 2006:"

48(a). The article description of heading 2005 is modified to read as follows:

"Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, not frozen, other than products of heading 2006:"

(b). Subheading 2005.30.00 is deleted.

(c). The following new subheading 2005.90.30 is inserted in numerical order:

	[Other...:]				
	[Other...:]				
"2005.90.30	Sauerkraut.....	6.6%	Free (E,IL,J) 1.5% (CA) 3% (MX)	50%"	

49. The article description of heading 2006.00 is modified to read as follows:

"Vegetables, fruit, nuts, fruit-peel and other parts of plants preserved by sugar (drained, glacé, or crystallized):"

50. Subdivision (f) of note 1 to chapter 21 is deleted, and subdivisions (g) and (h) are redesignated as (f) and (g), respectively.

51(a). The numerical subheading code "2101.10" is deleted; the article description is modified to read as follows:

"Extracts, essences and concentrates of coffee, and preparations with a basis of these extracts, essences or concentrates or with a basis of coffee".

(b). The superior text reading "Extracts, essences and concentrates:" is designated as subheading 2101.11, and subheadings 2101.10.21 and 2101.10.29 are redesignated as 2101.11.21 and 2101.11.29, respectively.

(c). The superior text reading "Other:" is designated as subheading 2101.12 and is modified to read as follows:

"Preparations with a basis of extracts, essences or concentrates or with a basis of coffee:"

Annex II (con.)
-13-

51. (con.)
(d). Subheadings 2101.10.32, 2101.10.34, 2101.10.38, 2101.10.44, 2101.10.48, 2101.10.54, 2101.10.58, and 2101.10.90 are redesignated as 2101.12.32, 2101.12.34, 2101.12.38, 2101.12.44, 2101.12.48, 2101.12.54, 2101.12.58, and 2101.12.90, respectively; additional U.S. note 7 to chapter 17 is modified by deleting "2101.10.44" and inserting in lieu thereof "2101.12.44"; additional U.S. note 8 to chapter 17 is modified by deleting "2101.10.54" and inserting in lieu thereof "2101.12.54"; and additional U.S. note 9 to chapter 17 is modified by deleting "2101.10.34" and inserting in lieu thereof "2101.12.34".

52. The following new subheadings are inserted in numerical order:

	[Food...]				
	[Other:]				
	"Compound alcoholic preparations of an alcoholic strength by volume exceeding 0.5 percent vol., of a kind used for the manufacture of beverages:				
2106.90.12	Containing not over 20 percent of alcohol by weight.....	5.8¢/kg + 2.6%	Free (A,CA,E,IL, J,MX)	44¢/kg + 25%
2106.90.15	Containing over 20 percent but not over 50 percent of alcohol by weight.....	11.6¢/kg + 2.6%	Free (A,CA,E,IL, J,MX)	88¢/kg + 25%
2106.90.18	Containing over 50 percent of alcohol by weight.....	23.3¢/kg + 2.6%	Free (A,CA,E,IL, J,MX)	$1.76/kg + 25%"

53. The article description of heading 2206.00 is modified by inserting a comma after the expression "non-alcoholic beverages".

54(a). The article description of heading 2208 is modified to read as follows:

"Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80 percent vol; spirits, liqueurs and other spirituous beverages:"

(b). Subheadings 2208.10 through 2208.10.90 are deleted.

(c). The following new subheadings are inserted in numerical order:

	[Undenatured...:]				
"2208.60	Vodka:				
	In containers each holding not over 4 liters:				
2208.60.10	Valued not over $2.05/liter.....	59.5¢/pf. liter	Free (A,CA,E,IL, J,MX)	$1.78/pf. liter
2208.60.20	Valued over $2.05/liter.....	11.6¢/pf. liter	Free (A,CA,E,IL, J,MX)	$1.78/pf. liter
2208.60.50	In containers each holding over 4 liters.....	29¢/pf. liter	Free (A*,CA,E, IL,J,MX)	$1.32/pf. liter
2208.70.00	Liqueurs and cordials.....	11.6¢/pf. liter	Free (A,CA,E,IL, J,MX)	$3.08/pf. liter"

Conforming change: General note 4(d) is modified by deleting "2208.90.70 Russia" and by inserting in numerical sequence "2208.60.50 Russia".

54. (con.)
(d). Subheading 2208.90.45 is redesignated as 2208.90.46, and the text of that subheading is modified to read "Kirschwasser and ratafia".

(e). Subheadings 2208.90.60 through 2208.90.70, inclusive, and the immediately preceding superior text "Vodka:" and "In containers each holding not over 4 liters:" are deleted.

55. The following new subheading is inserted in numerical order:

	[Oilcake...:]			
"2306.70.00	Of corn (maize) germ.....	0.57¢/kg	Free (A,CA,E, IL,J,MX)	0.7¢/kg"

56. Subheading 2401.20.20 is superseded by the following:

	[Unmanufactured...:]			
	[Tobacco,...:]			
	[Not...:]			
	[Other:]			
	"Containing over 35 percent wrapper tobacco:			
2401.20.14	Wrapper tobacco.....	Free		$6.45/kg
2401.20.18	Other.....	Free		$6.45/kg"

57. Subdivision (g) of note 2 to chapter 25 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

58. Subheadings 2503, 2503.10.00 and 2503.90.00 are superseded by the following:

"2503.00.00	Sulfur of all kinds, other than sublimed sulfur, precipitated sulfur and colloidal sulfur.....	Free		Free"

59. Subheadings 2513.21.00 and 2513.29.00 and the immediately preceding superior text "Emery, natural corundum, natural garnet and other natural abrasives:" are superseded by the following:

	[Pumice;...:]			
"2513.20	Emery, natural corundum, natural garnet and other natural abrasives:			
2513.20.10	Crude or in irregular pieces.....	Free		Free
2513.20.90	Other.....	0.44/kg	Free (A,CA,E, IL,J,MX)	2.2¢/kg"

60. Subheading 2530.30.00 is deleted, the rate of duty in rate column numbered 2 of subheading 2530.90.00 is deleted, and the rate of duty of "0.3¢/kg" is inserted in lieu thereof.

61. Subdivision (e) of note 1 to chapter 26 is modified to read as follows:

"(e) Waste or scrap of precious metal or of metal clad with precious metal; other waste or scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal (heading 7112); or"

Conforming change: Subheadings 2620.90.70, 2620.90.80 and 2620.90.90 are redesignated as 2620.90.60, 2620.90.75 and 2620.90.85, respectively.

Annex II (con.)
-15-

62. The article description of heading 2602.00.00 is modified by deleting the expression "manganiferous iron ores" and inserting the expression "ferruginous manganese ores" in lieu thereof.

63. The following new additional U.S. note 8 is inserted in numerical sequence in the additional U.S. notes to chapter 27:

"8. Subheading 2712.10.00 does not include petroleum jelly, suitable for use for the care of the skin, put up in packings of a kind sold at retail for such use (subheading 3304.99.10)."

64. Subheading 2707.60.00 is superseded by the following:

	[Oils...:]				
"2707.60		Phenols:			
2707.60.10		Metacresol, orthocresol, paracresol and metaparacresol, all the foregoing having a purity of 75 percent or more by weight	1¢/kg + 3.4%	Free (A,CA,E, IL,J,MX)	15.4¢/kg + 42.5%
2707.60.20		Other	2.9¢/kg + 12.5%	Free (A,CA,E, IL,J,MX)	7.7¢/kg + 29.5%"

Conforming change: Subheading 2707.99.30 is deleted.

65. Subdivision (d) of note 1 to chapter 28 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

66. Subdivision (e) of note 3 to chapter 28 is modified by deleting the expression "heading 3823" at each instance, and inserting the expression "heading 3824" in lieu thereof.

67. Subdivision (g) of note 3 to chapter 28 is modified to read as follows:

"(g) The metals, whether or not pure, metal alloys or cermets, including sintered metal carbides (metal carbides sintered with a metal), of section XV; or"

68(a). Subheading 2827.37.00 is deleted.

(b). The following new subheading 2827.39.25 is inserted in numerical order:

	[Chlorides,...:]				
	[Other...:]				
	[Other:]				
"2827.39.25		Of tin	4.2%	Free (A*,CA,E, IL,J,MX)	25%"

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2827.37.00 India" and by inserting in numerical sequence "2827.39.25 India" in lieu thereof.

69(a). Subheading 2835.21.00 is deleted.

Annex II (con.)
-16-

69. (con.)
(b). The following new subheading 2835.29.20 is inserted in numerical order:

	[Phosphinates...:]				
	[Phosphates:]				
	[Other:]				
"2835.29.20	Of trisammonium	1.5%		Free (A*,E,IL,J, MX)	8.5%"
				0.3% (CA)	

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2835.21.00 India" and by inserting in numerical sequence "2835.29.20 India".

70(a). Subheading 2836.93.00 is deleted.

(b). The following new subheading 2836.99.20 is inserted in numerical order:

	[Carbonates;...:]				
	[Other:]				
	[Other:]				
"2836.99.20	Bismuth carbonate	6.4%		Free (A*,CA,E, IL,J,MX)	35%"

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2836.93.00 India" and by inserting in numerical sequence "2836.99.20 India".

71. Subheading 2841.60.00 is superseded by the following:

	[Salts...:]				
	"Manganites, manganates and permanganates:				
2841.61.00	Potassium permanganate	5%		Free (A*,CA,E,IL, J,MX)	25%
2841.69.00	Other	5%		Free (A*,CA,E,IL, J,MX)	25%"

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2841.60.00 India" and by inserting in numerical sequence "2841.61.00 India" and "2841.69.00 India".

72. Heading 2848 and subheadings 2848.10.00 and 2848.90.00 are superseded by the following:

"2848.00	Phosphides, whether or not chemically defined, excluding ferrophosphorus:				
2848.00.10	Of copper (phosphor copper), containing more than 15 percent by weight of phosphorus	2.6%		Free (A*,CA,E, IL,J,MX)	32.5%
2848.00.90	Of other metals or of nonmetals	Free			25%"

Conforming change: General note 4(d) to the tariff schedule is modified by deleting "2848.10.00 India" and by inserting in numerical sequence "2848.00.10 India".

73. Subdivision (f) of note 1 to chapter 29 is modified by inserting the expression "(including an anticaking agent)" after the word "stabilizer".

Annex II (con.)
-17-

74(a). Subdivision (a) of note 2 to chapter 29 is modified to read as follows:

"(a) Goods of heading 1504 or crude glycerol of heading 1520;"

(b). Subparagraph (ij) of note 2 to chapter 29 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

75. Subdivision (b) of note 5 to chapter 29 is modified by deleting the expression "or glycerol", and subdivision (d) of such note 5 is modified by deleting the expression "and glycerol".

76. Subheadings 2903.40, 2903.40.10 and 2903.40.40 are superseded by the following:

	[Halogenated...:]			
	"Halogenated derivatives of acyclic hydrocarbons containing two or more different halogens:			
2903.41.00	Trichlorofluoromethane.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%
2903.42.00	Dichlorodifluoromethane.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%
2903.43.00	Trichlorotrifluoroethanes.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%
2903.44.00	Dichlorotetrafluoroethanes and chloropentafluoroethane.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%
2903.45.00	Other derivatives perhalogenated only with fluorine and chlorine.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%
2903.46.00	Bromochlorodifluoromethane, bromotrifluoromethane and dibromotetrafluoroethanes.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%
2903.47.00	Other perhalogenated derivatives.....	3.7%	Free (A*,CA,E,IL, J,MX)	25%
2903.49	Other:			
2903.49.10	Bromochloromethane.....	Free		25%
2903.49.90	Other.....	3.7%	Free (A*,CA,E,IL, J,K,MX)	25%"

Conforming changes: General note 4(d) is modified by deleting "2903.40.40 India" and by inserting in lieu thereof the following: "2903.41.00 India", "2903.42.00 India", "2903.43.00 India", "2903.44.00 India", "2903.45.00 India", "2903.46.00 India", "2903.47.00 India", and "2903.49.90 India".

77(a). Subheading 2905.21.00 is deleted.

Annex II (con.)
-18-

77. (con.)
(b). Subheading 2905.29.00 is superseded by the following:

	[Acyclic...:]				
	[Unsaturated...:]				
"2905.29	Other:				
2905.29.10	Allyl alcohol	6.7%	Free (A*,CA,E, IL,J,MX)	45%	
2905.29.90	Other	3.7%	Free (A*,CA,E, IL,J,K,MX)	25%*	

Conforming changes: General note 4(d) is modified by deleting "2905.21.00 India" and "2905.29.00 India" and by inserting in numerical sequence "2905.29.10 India" and "2905.29.90 India".

78. The following new subheading is inserted in numerical order:

	[Acyclic...:]				
	[Other...:]				
"2905.45.00	Glycerol	0.5¢/kg	Free (A*,CA,E, IL,J,MX)	4.4¢/kg*	

Conforming change: General note 4(d) is modified by inserting in numerical sequence "2905.45.00 India".

79. Subheadings 2914.30, 2914.30.10, and 2914.30.50 are superseded by the following:

	[Ketones...:]				
	"Aromatic ketones without other oxygen function:				
2914.31.00	Phenylacetone (Phenylpropan-2-one)	10.6%	Free (A*,CA,E, IL,J,MX)	15.4¢/kg + 5%	
2914.39	Other:				
2914.39.10	7-Acetyl-1,1,3,4,4,6-hexamethyl-tetrahydronaphthalene; 1-(2-Naphthalenyl)ethanone; and 6-Acetyl-1,1,2,3,3,5-hexamethyl-indan	Free		15.4¢/kg + 5%	
2914.39.90	Other	10.6%	Free (A*,CA,E,IL, J,K,MX)	15.4¢/kg + 5%*	

Conforming changes: General note 4(d) is modified by deleting "2914.30.50 India" and by inserting in numerical sequence "2914.31.00 India" and "2914.39.90 India".

80. Subheading 2914.41.00 (and the superior text thereto) and subheadings 2914.49 through 2914.49.90 are superseded by the following:

	[Ketones...:]				
"2914.40	Ketone-alcohols and ketone-aldehydes:				
2914.40.10	4-Hydroxy-4-methylpentan-2-one (Diacetone alcohol)	4%	Free (A*,CA,E, IL,J,MX)	25%	

Annex II (con.)
-19-

80. (con.):

	[Ketones...:] [con.]				
2914.40 (con.)	Ketone-alcohols and ketone-aldehydes (con.):				
	Other:				
	Aromatic:				
2914.40.20	1,2,3-Indantrione monohydrate (Ninhydrin)	9.9%	Free (A*,CA,E, IL,J) 7.7% (MX)	15.4¢/kg + 42%	
2914.40.40	Other	9.9%	Free (CA,E,IL,J, K) 7.7% (MX)	15.4¢/kg + 42%	
	Other:				
2914.40.60	1,3-Dihydroxyacetone	Free		20%	
2914.40.90	Other	4.8%	Free (A*,CA,E,IL, J,K,MX)	20%*	

Conforming change: General note 4(d) is modified by deleting "2914.41.00 India", "2914.49.20 India", and "2914.49.90 India" and by inserting in numerical sequence "2914.40.10 India", "2914.40.20 India", and "2914.40.90 India".

81. Subheadings 2916.33 through 2916.33.50 are superseded by the following:

	[Unsaturated...:]				
	[Aromatic...:]				
"2916.34	Phenylacetic acid and its salts:				
2916.34.10	Phenylacetic acid (α-Toluic acid)	6.6%	Free (CA,E,IL, J,MX)	15.4¢/kg + 40.5%	
	Other:				
2916.34.15	Odoriferous or flavoring compounds	10.8%	Free (A*,CA,E, IL,J,MX)	15.4¢/kg + 58%	
	Other:				
2916.34.25	Products described in additional U.S. note 3 to section VI	12.1%	Free (CA,E,IL, J,MX)	15.4¢/kg + 57%	
2916.34.55	Other	3¢/kg + 14.3%	Free (CA,E,IL, J,MX)	15.4¢/kg + 57%	
2916.35	Esters of phenylacetic acid:				
2916.35.15	Odoriferous or flavoring compounds	10.8%	Free (A*,CA,E, IL,J,MX)	15.4¢/kg + 58%	
	Other:				
2916.35.25	Products described in additional U.S. note 3 to section VI	12.1%	Free (CA,E,IL, J,MX)	15.4¢/kg + 57%	
2916.35.55	Other	3¢/kg + 14.3%	Free (CA,E,IL, J,MX)	15.4¢/kg + 57%*	

Conforming change: General note 4(d) is modified by deleting "2916.33.20 India" and by inserting in numerical sequence "2916.34.15 India" and "2916.35.15 India".

Annex II (con.)
-20-

82. The following new subheadings 2922.43, 2922.43.10 and 2922.43.50 are inserted in numerical order:

	[Oxygen-function...:]				
	[Amino-acids...:]				
"2922.43	Anthranilic acid and its salts:				
2922.43.10	Products described in additional U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,K,MX)	15.4¢/kg + 50%	
2922.43.50	Other.....	3¢/kg + 13.8%	Free (CA,E,IL, J,K,MX)	15.4¢/kg + 50%"	

83. The article description of subheading 2922.49.10 is modified by inserting the following chemical name in alphabetical order:

"8-(8-Methoxyethoxyethyl)-4-aminobenzoate;"

84. The article description of subheading 2922.50.10 is modified by deleting the chemical name, "8-(8-Methoxyethoxyethyl)-4-aminobenzoate;".

85. The article description of subheading 2922.50.13 is modified by deleting the chemical name, "Propranolol hydrochloride;".

86. The following new subheading 2924.22.00 is inserted in numerical order:

	[Carboxyamide-function...:]				
	[Cyclic...:]				
"2924.22.00	2-Acetamido-benzoic acid.....	3¢/kg + 15.8%	Free (CA,E,IL, J) 2.5¢/kg + 12.6% (MX)	15.4¢/kg + 58%"	

87. Subheadings 2932.90 through 2932.90.90 are superseded by the following:

	[Heterocyclic...:]				
	"Other:				
2932.91.00	Isosafrole.....	12.1%	Free (CA,E,IL, J,MX)	15.4¢/kg + 52%	
2932.92.00	1-(1,3-Benzodioxol-5-yl)propan-2-one.....	12.1%	Free (CA,E,IL, J,MX)	15.4¢/kg + 52%	
2932.93.00	Piperonal (heliotropin).....	4.8%	Free (CA,E,IL, J,MX)	45%	
2932.94.00	Safrole.....	6.9%	Free (A*,CA,E, IL,J,MX)	45%	
2932.99	Other:				
	Aromatic:				
	Pesticides:				
2932.99.04	2,2-Dimethyl-1,3-benzodioxol-4-yl methylcarbamate (Bendiocarb).....	Free		15.4¢/kg + 40.5%	
2932.99.08	2-Ethoxy-2,3-dihydro-3,3-dimethyl-5-benzofuranylmethanesulfonate...	6.7%	Free (A*,CA,E, IL,J,MX)	15.4¢/kg + 40.5%	
2932.99.20	Other.....	10.2%	Free (A*,CA,E, IL,J,MX)	15.4¢/kg + 40%	

Annex II (con.)
-21-

87. (con.):

	[Heterocyclic...:] [con.]			
	Other (con.):			
	Other (con.):			
	Aromatic (con.):			
2932.99.32	Benzofuran (Coumarone); and Dibenzofuran (Diphenylene oxide).....	Free		Free
2932.99.35	2-Hydroxy-3-dibenzofuran-carboxylic acid.....	7.3%	Free (CA,E,IL, J,MX)	15.4¢/kg + 66.5%
2932.99.39	Benzointetrahydropyranyl ester; and Xanthen-9-one.....	5.8%	Free (CA,E,IL, J,MX)	15.4¢/kg + 39.5%
2932.99.55	Bis-O-[(4-methylphenyl)-methylene]-D-glucitol (Dimethylbenzylidene sorbitol); and Rhodamine 2C base.....	Free		15.4¢/kg + 52%
	Other:			
2932.99.60	Products described in additional U.S. note 3 to section VI.....	12.1%	Free (CA,E,IL, J,K,MX)	15.4¢/kg + 52%
2932.99.70	Other.....	3¢/kg + 14.3%	Free (CA,E,IL, J,K,L,MX)	15.4¢/kg + 52%
	Other:			
2932.99.80	Paraldehyde, USP grade.....	Free		25%
2932.99.90	Other.....	3.7%	Free (A*,CA,E, IL,J,K,MX)	25%*

Conforming changes: General note 4(d) is modified by deleting "2932.90.08 India", "2932.90.20 India", "2932.90.37 India", and "2932.90.90 India" and by inserting in numerical sequence "2932.94.00 India", "2932.99.08 India", "2932.99.20 India", and "2932.99.90 India".

88(a). The article description of heading 2933 is modified to read as follows:

"Heterocyclic compounds with nitrogen hetero-atom(s) only:"

(b). The following new subheadings 2933.32 through 2933.32.50 are inserted in numerical order:

	[Heterocyclic...:]			
	[Compounds...:]			
"2933.32	Piperidine and its salts:			
2933.32.10	Piperidine.....	3¢/kg + 14.3%	Free (CA,E,IL,J) 1.4¢/kg + 6.4% (MX)	15.4¢/kg + 52%
2933.32.50	Other.....	12.1%	Free (CA,E,IL,J) 5.4% (MX)	15.4¢/kg + 52%*

Conforming change: Subheadings 2933.39.60 and 2933.39.90 are redesignated as 2933.39.61 and 2933.39.91, respectively.

Annex II (con.)
-22-

88. (con.)

(c). The superior text immediately preceding subheading 2933.51 and appearing at the same level of indentation as the article description of subheading 2933.40 is modified to read as follows:

"Compounds containing a pyrimidine ring (whether or not hydrogenated) or piperazine ring in the structure:"

89(a). The article description of heading 2934 is modified to read as follows:

"Nucleic acids and their salts; other heterocyclic compounds:"

(b). The following new subheading 9906.29.40 is inserted in numerical sequence in subchapter VI of chapter 99:

	[Goods of Mexico,...:]	
"9906.29.40	Nucleic acids and their salts (provided for in subheading 2934.90.39).....	5.4% (MX)"

90. Subheading 2939.40.00 is superseded by the following:

	[Vegetable...:]		
	"Ephedrines and their salts:		
2939.41.00	Ephedrine and its salts.....	Free	15.4¢/kg + 59%
2939.42.00	Pseudoephedrine and its salts.....	Free	15.4¢/kg + 59%
2939.49.00	Other.....	Free	15.4¢/kg + 59%"

91. Subheading 2939.60.00 is superseded by the following:

	[Vegetable...:]		
	"Alkaloids of rye ergot and their derivatives; salts thereof:		
2939.61.00	Ergometrine and its salts.....	Free	25%
2939.62.00	Ergotamine and its salts.....	Free	25%
2939.63.00	Lysergic acid and its salts.....	Free	25%
2939.69.00	Other.....	Free	25%"

92(a). Notes 2 and 3 to chapter 30 are redesignated as notes 3 and 4, respectively, and the following new note 2 is inserted:

"2. For the purposes of heading 3002, the expression "modified immunological products" applies only to monoclonal antibodies (MABs), antibody fragments, antibody conjugates and antibody fragment conjugates."

(b). Note 3 to chapter 30 (as redesignated above) is modified by deleting the expression "note 3(d)" and inserting the expression "note 4(d)" in lieu thereof.

93(a). The article description of heading 3002 is modified by deleting the expression "blood fractions;" and inserting the following expression in lieu thereof: "blood fractions and modified immunological products, whether or not obtained by means of biotechnological processes;".

Annex II (con.)
-23-

93. (con.)
(b). The article description of subheading 3002.10.00 is modified by adding at the end thereof the expression "and modified immunological products, whether or not obtained by means of biotechnological processes".

(c). Subheadings 3002.31.00, the superior text thereto reading "Vaccines for veterinary medicine:", and 3002.39.00 are superseded by the following:

	[Human...:]			
"3002.30.00	Vaccines for veterinary medicine.....	Free		Free"

94. The article description of heading 3006 is modified to read as follows:

"Pharmaceutical goods specified in note 4 to this chapter:"

95. Subdivision (c) of note 1 to chapter 31 is modified by deleting the expression "heading 3823" and inserting the expression "heading 3824" in lieu thereof.

96(a). Subheading 3201.30.00 is deleted.

(b). Subheading 3201.90.20 is redesignated as 3201.90.25, and the article description of such subheading 3201.90.25 is superseded by the following:

"Extracts of canaigre, chestnut, curupay, divi-divi, eucalyptus, gambier, hemlock, larch, mangrove, myrobalan, oak, sumac, tara, urunday or valonia"

97. Subheading 3206.10.00 is superseded by the following:

	[Other...:]				
	"Pigments and preparations based on titanium dioxide:				
3206.11.00	Containing 80 percent or more by weight of titanium dioxide calculated on the dry weight.....	6%		Free (A*,CA,E, IL,J,MX)	30%
3206.19.00	Other.....	6%		Free (A*,CA,E, IL,J,MX)	30%"

Conforming change: General note 4(d) is modified by deleting "3206.10.00 India" and by inserting in lieu thereof "3206.11.00 India" and "3206.19.00 India".

98. The article description of subheading 3214.10.00 is modified to read as follows:

"Glaziers' putty, grafting putty, resin cements, caulking compounds and other mastics; painters' fillings".

99. Subparagraph (a) of note 1 to chapter 33 is superseded by the following:

"(a) Natural oleoresins or vegetable extracts of heading 1301 or 1302;"

100. Notes 2 and 3 to chapter 33 are redesignated as notes 3 and 4, respectively, and the following new note 2 is inserted:

"2. The expression "odoriferous substances" in heading 3302 refers only to the substances of heading 3301, to odoriferous constituents isolated from those substances or to synthetic aromatics."

Annex II (con.)
-24-

101. The article description of heading 3301 is modified by inserting the expression "extracted oleoresins;" after the expression "resinoids;".

102(a). The article description of heading 3302 is modified to read as follows:

"Mixtures of odoriferous substances and mixtures (including alcoholic solutions) with a basis of one or more of these substances, of a kind used as raw materials in industry; other preparations based on odoriferous substances, of a kind used for the manufacture of beverages:".

(b). Subheading 3302.10.30 is superseded by the following:

	[Mixtures...:]				
	[Of...:]				
	[Containing...:]				
	"Containing over 20 percent of alcohol by weight:				
	Preparations requiring only the addition of ethyl alcohol or water to produce a beverage suitable for human consumption:				
3302.10.40	Containing over 20 percent but not over 50 percent of alcohol by weight.....	11.6¢/kg + 2.6%	Free (A*,CA,E, IL,J,MX)	88¢/kg + 25%
3302.10.50	Containing over 50 percent of alcohol by weight.....	23.3¢/kg + 2.6%	Free (A*,CA,E, IL,J,MX)	$1.76/kg + 25%
3302.10.90	Other.....	3.8%	Free (CA,E,IL, J,MX)	50%"

Conforming change: General note 4(d) is modified by inserting in numerical sequence "3302.10.40 India" and "3302.10.50 India".

103. Subheading 3304.99.00 is superseded by the following:

	[Beauty...:]			
	[Other:]			
"3304.99	Other:			
3304.99.10	Petroleum jelly put up for retail sale.....	Free		75%
3304.99.50	Other.....	2.9%	Free (A*,E,IL, J,MX) 0.9% (CA)	75%"

Conforming change: General note 4(d) is modified by deleting "3304.99.00 India" and by inserting in lieu thereof "3304.99.50 India".

104(a). The article description of heading 3306 is modified to read as follows:

"Preparations for oral or dental hygiene, including denture fixative pastes and powders; yarn used to clean between the teeth (dental floss), in individual retail packages:".

Annex II (con.)
-25-

104. (con.)
(b). The following new subheading 3306.20.00 is inserted in numerical order:

	[Preparations...:]				
"3306.20.00	Yarn used to clean between the teeth (dental floss).....	3.3%		Free (A*,E,IL, J,MX) 1.1% (CA)	88¢/kg + 75%"

Conforming change: General note 4(d) to the HTS is modified by inserting in numerical sequence "3306.20.00 India".

105. Subdivision (a) of note 5 to chapter 34 is modified by deleting the expression "heading 1516, 1519 or 3402" and inserting the expression "1516, 3402 or 3823" in lieu thereof.

106. Subheadings 3502.10 through 3502.90.00 are superseded by the following:

	[Albumins,...:]			
	"Egg albumin:			
3502.11.00	Dried.....	55.5¢/kg	Free (E,IL,J,MX) 11.9¢/kg (CA)	59.5¢/kg
3502.19.00	Other.....	11.3¢/kg	Free (E,IL,J,MX) 2.4¢/kg (CA)	24.3¢/kg
3502.20.00	Milk albumin, including concentrates of two or more whey proteins.....	Free		Free
3502.90.00	Other.....	Free		Free"

107. Note 1 to chapter 37 is modified by deleting the word "materials".

108. Note 2 to chapter 37 is modified to read as follows:

"2. In this chapter the word "photographic" relates to the process by which visible images are formed, directly or indirectly, by the action of light or other forms of radiation on photosensitive surfaces."

109(a). The superior text immediately preceding subheading 3702.31.00 and after subheading 3702.20.00 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

(b). The superior text immediately preceding subheading 3702.41.00 and after subheading 3702.39.00 is modified by deleting the expression "without sprocket holes," and inserting the expression "without perforations," in lieu thereof.

110. The following new subdivision (d) of note 1 to chapter 38 is inserted:

"(d) Spent catalysts of a kind used for the extraction of base metals or for the manufacture of chemical compounds of base metals (heading 2620), spent catalysts of a kind used principally for the recovery of precious metal (heading 7112) or catalysts consisting of metals or metal alloys in the form of, for example, finely divided powder or woven gauze (section XIV or XV)."

111. Note 2 to chapter 38 is modified by deleting the expression "Heading 3823" and inserting the expression "Heading 3824" in lieu thereof.

Annex II (con.)
-26-

112. The article description of subheading 3806.20.00 is modified to read as follows:

"Salts of rosin, of resin acids or of derivatives of rosin or resin acids, other than salts of rosin adducts"

113(a). The article description of heading 3822.00 is modified to read as follows:

"Diagnostic or laboratory reagents on a backing and prepared diagnostic or laboratory reagents whether or not on a backing, other than those of heading 3002 or 3006:"

(b). The following new subheading is inserted in numerical sequence in subchapter VI of chapter 99:

	[Goods of Mexico,...:]	
"9906.38.22	Diagnostic or laboratory reagents on a backing of paper (provided for in subheading 3822.00.50).....	Free (MX)"

114. The following heading and subheadings are redesignated as follows:

Present number	New number
3823	3824
3823.10.00	3824.10.00
3823.20.00	3824.20.00
3823.30.00	3824.30.00
3823.40	3824.40
3823.40.10	3824.40.10
3823.40.20	3824.40.20
3823.40.50	3824.40.50
3823.50.00	3824.50.00
3823.60.00	3824.60.00
3823.90	3824.90
3823.90.11	3824.90.11
3823.90.19	3824.90.19
3823.90.21	3824.90.21
3823.90.22	3824.90.22
3823.90.25	3824.90.25
3823.90.26	3824.90.26
3823.90.28	3824.90.28
3823.90.31	3824.90.31
3823.90.32	3824.90.32
3823.90.33	3824.90.33
3823.90.34	3824.90.34
3823.90.35	3824.90.35
3823.90.36	3824.90.36
3823.90.39	3824.90.39
3823.90.40	3824.90.40
3823.90.45	3824.90.45
3823.90.46	3824.90.46
3823.90.47	3824.90.47
3823.90.70	3824.90.70
3823.90.90	3824.90.90

114. (con.)

Conforming changes: General note 4(d) to the HTS is modified by deleting the subheadings and countries set forth in the column labelled "Present provision" and by inserting in numerical sequence the subheadings and countries set forth in the column labelled "New provision":

Present provision		New provision	
3823.20.00	India	3824.20.00	India
3823.30.00	India	3824.30.00	India
3823.60.00	India	3824.60.00	India
3823.90.19	India	3824.90.19	India
3823.90.22	India	3824.90.22	India
3823.90.25	India	3824.90.25	India
3823.90.31	India	3824.90.31	India
3823.90.32	India	3824.90.32	India
3823.90.33	India	3824.90.33	India
3823.90.34	India	3824.90.34	India
3823.90.36	India	3824.90.36	India
3823.90.40	Brazil; India; Malaysia	3824.90.40	Brazil; India; Malaysia
3823.90.46	India	3824.90.46	India

115. The following new heading 3823 and its subheadings are inserted in numerical order:

"3823	Industrial monocarboxylic fatty acids; acid oils from refining; industrial fatty alcohols:			
	Industrial monocarboxylic fatty acids; acid oils from refining:			
3823.11.00	Stearic acid	2.9¢/kg + 5.3%	Free (A*,E,IL, J,MX) 0.6¢/kg + 1.2% (CA)	6.6¢/kg + 25%
3823.12.00	Oleic acid	2.9¢/kg + 4.4%	Free (A*,E,IL, J,MX) 0.6¢/kg + 1% (CA)	6.6¢/kg + 20%
3823.13.00	Tall oil fatty acids	4.4%	Free (CA,E,IL,J, MX)	20%
3823.19	Other:			
3823.19.20	Derived from coconut, palm-kernel or palm oil	4.1%	Free (A*,E,IL,J, MX) 1% (CA)	20%
3823.19.40	Other	4.4%	Free (E,IL,J,MX) 1% (CA)	20%
3823.70	Industrial fatty alcohols:			
	Derived from fatty substances of animal or vegetable origin:			
3823.70.20	Oleyl alcohol	7%	Free (E,IL,J,MX) 1.5% (CA)	39.5%
3823.70.40	Other	4%	Free (E,IL,J,MX) 1% (CA)	25%
3823.70.60	Other	3.3%	Free (E,IL,J,MX) 0.7% (CA)	25%"

Annex II (con.)
-28-

115. (con.)

Conforming change: General note 4(d) is modified by inserting in numerical sequence "3823.19.20 India".

116. The following new subheadings 3824.71.00 and 3824.79.00 are inserted in numerical order:

	[Prepared...:] "Mixtures containing perhalogenated derivatives of acyclic hydrocarbons containing two or more different halogens:			
3824.71.00	Containing acyclic hydrocarbons perhalogenated only with fluorine and chlorine.....	3.7%	Free (CA,E,IL, J,MX)	25%
3824.79.00	Other.....	3.7%	Free (CA,E,IL, J,MX)	25%"

117(a). Subdivision (d) of note 2 to chapter 39 is modified to read as follows:

"(d) Solutions (other than collodions) consisting of any of the products specified in headings 3901 to 3913 in volatile organic solvents when the weight of the solvent exceeds 50 percent of the weight of the solution (heading 3208); stamping foils of heading 3212;"

(b). Subdivisions (g) through (v) of note 2 to chapter 39 are redesignated as (h) through (w), respectively, and the following new subdivision (g) is inserted:

"(g) Diagnostic or laboratory reagents on a backing of plastics (heading 3822);"

118. Note 4 to chapter 39 is modified to read as follows:

"4. The expression "copolymers" covers all polymers in which no single monomer unit contributes 95 percent or more by weight to the total polymer content.

For the purposes of this chapter, except where the context otherwise requires, copolymers (including co-polycondensates, co-polyaddition products, block copolymers and graft copolymers) and polymer blends are to be classified in the heading covering polymers of that comonomer unit which predominates by weight over every other single comonomer unit. For the purposes of this note, constituent comonomer units of polymers falling in the same heading shall be taken together.

If no single comonomer unit predominates, copolymers or polymer blends, as the case may be, are to be classified in the heading which occurs last in numerical order among those which equally merit consideration."

Annex II (con.)
-29-

119. Subheading note 1 to chapter 39 is modified to read as follows:

"1. Within any one heading of this chapter, polymers (including copolymers) and chemically modified polymers are to be classified according to the following provisions:

(a) Where there is a subheading named "Other" in the same series:

(1) The designation in a subheading of a polymer by the prefix "poly" (e.g., polyethylene and polyamide-6,6) means that the constituent monomer unit or monomer units of the named polymer taken together must contribute 95 percent or more by weight of the total polymer content.

(2) The copolymers named in subheadings 3901.30, 3903.20, 3903.30 and 3904.30 are to be classified in those subheadings, provided that the comonomer units of the named copolymers contribute 95 percent or more by weight of the total polymer content.

(3) Chemically modified polymers are to be classified in the subheading named "Other", provided that the chemically modified polymers are not more specifically covered by another subheading.

(4) Polymers not meeting (1), (2) or (3), above, are to be classified in the subheading, among the remaining subheadings in the series, covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading shall be taken together. Only the constituent comonomer units of the polymers in the series of subheadings under consideration are to be compared.

(b) Where there is no subheading named "Other" in the same series:

(1) Polymers are to be classified in the subheading covering polymers of that monomer unit which predominates by weight over every other single comonomer unit. For this purpose, constituent monomer units of polymers falling in the same subheading shall be taken together. Only the constituent comonomer units of the polymers in the series under consideration are to be compared.

(2) Chemically modified polymers are to be classified in the subheading appropriate to the unmodified polymer.

Polymer blends are to be classified in the same subheading as polymers of the same monomer units in the same proportions."

120. Subheading 3901.90.50 is superseded by the following:

	[Polymers...:]				
	[Other:]				
	"Other:				
3901.90.55	Ethylene copolymers.....	11.3%	Free (A,CA,E, IL,J,MX)		43%
3901.90.90	Other.....	1.3¢/kg + 7.2%	Free (A,CA,E,IL, J,K,MX)		2.2¢/kg + 33.5%"

Annex II (con.)
-30-

121. Subheadings 3905.11.00 through 3905.90.80 are superseded by the following:

	[Polymers...:]			
	"Polyvinyl acetate:			
3905.12.00	In aqueous dispersion.....	4%	Free (A,CA,E,IL, J,MX)	37.5%
3905.19.00	Other.....	4%	Free (A,CA,E,IL, J,MX)	37.5%
	Vinyl acetate copolymers:			
3905.21.00	In aqueous dispersion.....	4%	Free (A,CA,E,IL, J,MX)	37.5%
3905.29.00	Other.....	4%	Free (A,CA,E,IL, J,MX)	37.5%
3905.30.00	Polyvinyl alcohol, whether or not containing unhydrolyzed acetate groups.....	3.2%	Free (A,CA,E,IL, J,MX)	37.5%
	Other:			
3905.91	Copolymers:			
3905.91.10	Containing by weight 50 percent or more of derivatives of vinyl acetate.....	4%	Free (A,CA,E,IL, J,K,MX)	37.5%
3905.91.50	Other.....	5.3%	Free (A,CA,E,IL, J,K,MX)	43.5%
3905.99	Other:			
3905.99.30	Polyvinyl carbazole (including adjuvants).....	Free		43.5%
3905.99.80	Other.....	5.3%	Free (A,CA,E,IL, J,K,MX)	43.5%"

122. Subheadings 4010.10 through 4010.99.50 are superseded by the following:

	[Conveyor...:]			
	"Conveyor belts or belting:			
4010.11.00	Reinforced only with metal.....	3.8%	Free (A,E,IL,J, MX) 0.8% (CA)	25%
4010.12	Reinforced only with textile materials:			
4010.12.10	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, MX) 1% (CA)	30%
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.12.50	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.12.55	Other.....	7.4%	Free (A,E,IL,J) MX) 1.6% (CA)	74%
4010.12.90	Other.....	2.2%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%

Annex II (con.)
-31-

122. (con.):

	[Conveyor...:]			
	Conveyor belts or belting (con.):			
4010.13.00	Reinforced only with plastics.....	5.8%	Free (A,E,IL,J, MX)	25%
			0.8% (CA)	
4010.19	Other:			
	Combined with textile materials:			
4010.19.10	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, MX)	30%
			1% (CA)	
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.19.50	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, MX)	74%
			1.6% (CA)	
4010.19.55	Other.....	7.4%	Free (A,E,IL,J, MX)	74%
			1.6% (CA)	
4010.19.80	Other.....	2.2%	Free (E,IL,J)	25%
			0.4% (CA)	
			1.6% (MX)	
4010.19.90	Other.....	3.8%	Free (A,E,IL,J, MX)	25%
			0.8% (CA)	
	Transmission belts or belting:			
4010.21	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 60 cm but not exceeding 180 cm:			
4010.21.30	Combined with textile materials.....	4.4%	Free (B,E,IL,J, MX)	30%
			1% (CA)	
4010.21.60	Other.....	3.6%	Free (A,E,IL,J, MX)	25%
			0.8% (CA)	
4010.22	Endless transmission belts of trapezoidal cross section (V-belts), whether or not grooved, of a circumference exceeding 180 cm but not exceeding 240 cm:			
4010.22.30	Combined with textile materials.....	4.4%	Free (B,E,IL,J, MX)	30%
			1% (CA)	
4010.22.60	Other.....	3.6%	Free (A,E,IL,J, MX)	25%
			0.8% (CA)	

Annex II (con.)
-32-

122. (con.):

	[Conveyor...:]			
	Transmission belts or belting (con.):			
4010.23	Endless synchronous belts of a circumference exceeding 60 cm but not exceeding 150 cm:			
	Combined with textile materials:			
4010.23.30	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, MX) 1% (CA)	30%
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.23.41	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.23.45	Other.....	7.4%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.23.50	Other.....	2.2%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%
4010.23.90	Other.....	3.8%	Free (A,E,IL,J, MX) 0.8% (CA)	25%
4010.24	Endless synchronous belts of a circumference exceeding 150 cm but not exceeding 198 cm:			
	Combined with textile materials:			
4010.24.30	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, MX) 1% (CA)	30%
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.24.41	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.24.45	Other.....	7.4%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.24.50	Other.....	2.2%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%
4010.24.90	Other.....	3.8%	Free (A,E,IL,J, MX) 0.8% (CA)	25%

Annex II (con.)
-33-

122. (con.):

	[Conveyor...:]			
	Transmission belts or belting (con.):			
4010.29	Other:			
	Of trapezoidal cross section (V-belts and V-belting):			
4010.29.10	Combined with textile materials.....	4.4%	Free (B,E,IL,J, MX) 1% (CA)	30%
4010.29.20	Other.....	3.6%	Free (A,E,IL,J, MX) 0.8% (CA)	25%
	Other:			
	Combined with textile materials:			
4010.29.30	With textile components in which vegetable fibers predominate by weight over any other single textile fiber.....	4.7%	Free (A,E,IL,J, MX) 1% (CA)	30%
	With textile components in which man-made fibers predominate by weight over any other single textile fiber:			
4010.29.41	Of a width exceeding 20 cm.....	8%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.29.45	Other.....	7.4%	Free (A,E,IL,J, MX) 1.6% (CA)	74%
4010.29.50	Other.....	2.2%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%
4010.29.90	Other.....	3.8%	Free (A,E,IL,J, MX) 0.8% (CA)	25%[2]

123. The article description of subheading 4104.31 is modified by deleting the expression "grain splits:" and inserting the expression "full grain splits:" in lieu thereof.

Annex II (con.)
-34-

124. Note 2 to chapter 42 is deleted and the following new note 2 inserted in lieu thereof:

"2. (A) In addition to the provisions of note 1, above, heading 4202 does not cover:

(a) Bags made of sheeting of plastics, whether or not printed, with handles, not designed for prolonged use (heading 3923);

(b) Articles of plaiting materials (heading 4602).

(B) Articles of headings 4202 and 4203 which have parts of precious metal or metal clad with precious metal, of natural or cultured pearls, of precious or semiprecious stones (natural, synthetic or reconstructed) remain classified in those headings even if such parts constitute more than minor fittings or minor ornamentation, provided that those parts do not give the articles their essential character. If, on the other hand, the parts give the articles their essential character, the articles are to be classified in chapter 71."

125. Note 1 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

126. Subdivision (b) of note 2 to chapter 43 is modified by inserting the expression "or wool" after the expression "hair".

127. Subdivision (b) of note 1 to chapter 44 is superseded by the following:

"(b) Bamboo or other materials of a woody nature of a kind used primarily for plaiting, in the rough, whether or not split, sawn lengthwise or cut to length (heading 1401);"

128. Note 6 to chapter 44 is modified to read as follows:

"6. Subject to note 1 above and except where the context otherwise requires, any reference to "wood" in a heading of this chapter applies also to bamboo and other materials of a woody nature."

129. The following new subheading note 1 to chapter 44 is inserted after note 6 to chapter 44:

"Subheading Note

1. For the purposes of subheadings 4403.41 to 4403.49, 4407.24 to 4407.29, 4408.31 to 4408.39 and 4412.13 to 4412.99, the expression "tropical wood" means one of the following types of wood:

Abura, Acajou d'Afrique, Afromosia, Ako, Alan, Andiroba, Aningré, Avodiré, Azobé, Balau, Balsa, Basé clair, Basé foncé, Cativo, Cedro, Dabema, Dark Red Meranti, Dibétou, Doussié, Framiré, Freijo, Fromager, Fuma, Geronggang, Ilomba, Iroko, Ipé, Jaboty, Jelutong, Jequitiba, Jongkong, Kapur, Kempas, Keruing, Kosipo, Kotibé, Koto, Light Red Meranti, Limba, Louro, Magarandiba, Mahogany, Makoré, Maroscrio, Mengkulang, Meranti Bakau, Merawan, Merbau, Merpauh, Mersawa, Mobi, Niangon, Nyatoh, Obeche, Okoumé, Onzabili, Orey, Ovangkol, Ozigo, Padauk, Paldao, Palissandre de Guatemala, Palissandre de Para, Palissandre de Rio, Palissandre de Rose, Pau Marfim, Pulai, Punah, Ramin, Sapelli, Saqui-Saqui, Sepetir, Sipo, Sucupira, Suren, Teak, Tiama, Tola, Virola, White Lauan, White Meranti, White Seraya, Yellow Meranti."

Annex II (con.)
-35-

130. Subheadings 4403.31.00 (and the superior text thereto reading "Other, of the following tropical woods:") through 4403.35.00, inclusive, are superseded by the following:

	[Wood...:]			
	"Other, of tropical wood specified in subheading note 1 to this chapter:			
4403.41.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau	Free		Free
4403.49.00	Other	Free		Free"

131. Subheadings 4407.21.00 (and the superior text thereto reading "Of the following tropical woods:"), 4407.22.00 and 4407.23.00 are superseded by the following:

	[Wood...:]			
	"Of tropical wood specified in subheading note 1 to this chapter:			
4407.24.00	Virola, Mahogany (Swietenia spp.), Imbuia and Balsa	Free		$1.27/m³
4407.25.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau	Free		$1.27/m³
4407.26.00	White Lauan, White Meranti, White Seraya, Yellow Meranti and Alan	Free		$1.27/m³
4407.29.00	Other	Free		$1.27/m³"

132. Subheading 4408.20.00 is superseded by the following:

	[Veneer...:]			
	"Of tropical wood specified in subheading note 1 to this chapter:			
4408.31.00	Dark Red Meranti, Light Red Meranti and Meranti Bakau	Free		20%
4408.39.00	Other	Free		20%"

133. Subheading 4410.10.00 is superseded by the following:

	[Particle...:]			
	"Of wood:			
"4410.11.00	Waferboard, including oriented strand board	2.4%	Free (A,CA,E,IL, J,MX)	40%
4410.19.00	Other	2.4%	Free (A,CA,E,IL, J,MX)	40%"

Annex II (con.)
-36-

134. Subheadings 4412.11 through 4412.99.90 are superseded by the following:

	[Plywood,...:]			
	[Plywood...:]			
"4412.11	With at least one outer ply of tropical wood specified in subheading note 1 to this chapter:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.13.05	With a face ply of birch (Betula spp.)	1.8%	Free (A*,CA,E, IL,J,MX)	50%
4412.13.25	With a face ply of Spanish cedar (Cedrela spp.) or walnut (Juglans spp.)	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.13.30	Other	8%	Free (A*,CA,E, IL,J,MX)	40%
"12.13.95	Other	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.14	Other, with at least one outer ply of nonconiferous wood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.14.05	With a face ply of birch (Betula spp.)	1.8%	Free (A,CA,E, IL,J,MX)	50%
4412.14.25	With a face ply of Spanish cedar (Cedrela spp.) or walnut (Juglans spp.)	6.8%	Free (A*,CA,E, IL,J,MX)	40%
4412.14.30	Other	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.14.55	Other	8%	Free (A*,CA,E, IL,J,MX)	40%
4412.19	Other, with both outer plies of coniferous wood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.19.10	With a face ply of Parana pine (Araucaria angustifolia)	3%	Free (A*,E,IL,J, MX) 1% (CA)	40%
4412.19.30	With a face ply of European red pine (Pinus silvestris)	4.5%	Free (A*,E,IL,J, MX) 1% (CA)	40%
4412.19.40	Other	15.2%	Free (A*,E,IL,J, MX) 4% (CA)	40%

Annex II (con.)
-37-

134. (con.):

	[Plywood,...:] [con.]			
	[Plywood...:] [con.]			
4412.19 (con.)	Other, with both outer plies of coniferous wood (con.):			
4412.19.50	Other.....	6.8%	Free (E,IL,J) 1.6% (CA) 5.6% (MX)	40%
	Other, with at least one outer ply of nonconiferous wood			
4412.22	With at least one ply of tropical wood specified in subheading note 3 to this chapter:			
4412.22.05	Containing at least one layer of particle board.....	2.4%	Free (A,CA,E, IL,J,MX)	40%
	Other:			
	Plywood:			
	Not surface covered, or clear surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.22.10	With a face ply of birch (Betula spp.).....	1.8%	Free (A,CA,E, IL,J,MX)	70%
4412.22.30	Other.....	8%	Free (AP*,CA,E, IL,J,MX)	40%
4412.22.40	Other.....	8%	Free (AP*,CA,E, IL,J,MX)	40%
4412.22.50	Other.....	2.4%	Free (A,CA,E, IL,J,MX)	40%
4412.25.00	Other, containing at least one layer of particle board.....	2.4%	Free (A,CA,E, IL,J,MX)	40%
4412.29	Other:			
	Plywood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.29.15	With a face ply of birch (Betula spp.).....	1.8%	Free (A,CA,E, IL,J,MX)	70%
4412.29.35	Other.....	8%	Free (AP*,CA,E, IL,J,MX)	40%
4412.29.45	Other.....	8%	Free (AP*,CA,E, IL,J,MX)	40%
4412.29.55	Other.....	2.4%	Free (A,CA,E, IL,J,MX)	40%

Annex II (con.)
-38-

134. (con.):

	[Plywood,...:] [con.]			
	Other:			
4412.92	With at least one ply of tropical wood specified in subheading note 1 to this chapter:			
4412.92.05	Containing at least one layer of particle board	2.4%	Free (A,CA,E, IL,J,MX)	40%
	Other:			
	Plywood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.92.10	With a face ply of of Parana pine (Araucaria angustifolia)	3%	Free (A*,E,IL,J, MX) 1% (CA)	40%
4412.92.30	With a face ply of European red pine (Pinus silvestris)	4.5%	Free (A,E,IL,J, MX) 1% (CA)	40%
4412.92.40	Other	15.2%	Free (A*,E,IL,J, MX) 4% (CA)	40%
4412.92.50	Other	6.8%	Free (A,E,IL,J, MX) 1.6% (CA)	40%
4412.92.90	Other	2.4%	Free (A,E,IL,J, MX) 0.8% (CA)	40%
4412.93.00	Other, containing at least one layer of particle board	2.4%	Free (A,CA,E, IL,J,MX)	40%
4412.99	Other:			
	Plywood:			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply:			
4412.99.15	With a face ply of Parana pine (Araucaria angustifolia)	3%	Free (A*,E,IL,J, MX) 1% (CA)	40%

Annex II (con.)
-39-

134. (con.):

	[Plywood,...:] (con.] Other (con.):			
4412.99 (con.)	Other (con.):			
	Plywood (con.):			
	Not surface covered, or surface covered with a clear or transparent material which does not obscure the grain, texture or markings of the face ply (con.):			
4412.99.35	With a face ply of European red pine (Pinus silvestris).....	4.5%	Free (A,E,IL,J, MX)	40%
			1% (CA)	
4412.99.45	Other.....	15.2%	Free (A*,E,IL,J, MX)	40%
			4% (CA)	
4412.99.55	Other.....	6.8%	Free (A,E,IL,J, MX)	40%
			1.6% (CA)	
4412.99.95	Other.....	2.4%	Free (A,E,IL,J, MX)	40%*
			0.8% (CA)	

Conforming changes: General note 4(d) is modified by deleting the subheading and countries referenced in Column A below and by inserting in numerical sequence the subheadings and countries referenced in Column B below:

Column A		Column B	
4412.11.10	Indonesia	4412.13.05	Indonesia
4412.11.20	Indonesia	4412.13.25	Brazil; Indonesia
4412.11.50	Indonesia	4412.13.30	Brazil; Indonesia
4412.12.15	Brazil	4412.13.55	Brazil; Indonesia
4412.12.20	Brazil; Indonesia	4412.14.25	Brazil
4412.12.50	Brazil; Indonesia	4412.14.30	Brazil; Indonesia
4412.29.30	Brazil; Indonesia	4412.14.55	Brazil; Indonesia
4412.29.40	Brazil; Indonesia	4412.22.30	Brazil; Indonesia
4412.99.10	Brazil	4412.22.40	Brazil; Indonesia
4412.99.40	Indonesia	4412.29.35	Brazil; Indonesia
		4412.29.45	Brazil; Indonesia
		4412.92.10	Brazil
		4412.92.40	Indonesia
		4412.99.15	Brazil
		4412.99.45	Indonesia

135. The article description of heading 4415 is modified by deleting the expression "load boards, of wood:" and inserting the expression "load boards, of wood; pallet collars of wood:" in lieu thereof.

136. The article description of subheading 4415.20 is modified by deleting the expression "load boards:" and inserting the expression "load boards; pallet collars:" in lieu thereof.

Annex II (con.)
-40-

137. Note 1 to chapter 46 is modified by deleting the expression "strips of other vegetable material (for example, raffia, narrow leaves or strips cut from broad leaves) or bark," and inserting the expression "strips of other vegetable material (for example, strips of bark, narrow leaves and raffia or other strips obtained from broad leaves)," in lieu thereof.

138. The title of section X is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

139. The title of chapter 47 is modified by deleting the expression "WASTE AND SCRAP OF PAPER OR PAPERBOARD" and inserting the expression "RECOVERED (WASTE AND SCRAP) PAPER OR PAPERBOARD" in lieu thereof.

140(a). The article description of heading 4706 is superseded by the following:

"Pulps of fibers derived from recovered (waste and scrap) paper or paperboard or of other fibrous cellulosic material:"

(b). The following new subheading is inserted in numerical order:

	[Pulps...:]		
"4706.20.00	Pulps of fibers derived from recovered (waste and scrap) paper or paperboard.....	Free	Free"

141(a). The article description of heading 4707 is modified to read as follows:

"Recovered (waste and scrap) paper and paperboard:"

(b). The article description of subheading 4707.10 is modified to read as follows:

Unbleached kraft paper or paperboard or corrugated paper or paperboard".

(c). The article description of subheading 4707.20 is modified by deleting "Of other" and by inserting in lieu thereof "Other", and the article description of subheading 4707.30 is modified by deleting "Of paper" and by inserting in lieu thereof "Paper".

142. Subdivisions (f) through (o) of note 1 to chapter 48 are redesignated as (g) through (p), respectively, and the following new subdivision (f) is inserted in alphabetical order:

"(f) Paper impregnated with diagnostic or laboratory reagents (heading 3822);"

143. Note 2 to chapter 48 is modified by deleting the expression ", for example, by coating or impregnation".

144. Note 3 to chapter 48 is modified to read as follows:

"3. In this chapter, the expression "newsprint" means uncoated paper of a kind used for the printing of newspapers, of which not less than 65 percent by weight of the total fiber content consists of wood fibers obtained by a mechanical or chemi-mechanical process, unsized or very lightly sized, having a surface roughness Parker Print Surf (1 MPa) on each side exceeding 2.5 micrometers (microns), weighing not less than 40 g/m^2 and not more than 65 g/m^2."

Annex II (con.)
-41-

145(a). Note 4 to chapter 48 is modified by deleting the sentence reading "* Brightness is to be measured by the Elrepho, GE or any equivalent internationally recognized brightness testing method." and by deleting the "*" symbol wherever it appears in such note.

(b). Such note 4 to chapter 48 is further modified by deleting the expression "2.5 kPa/g/m^2" at each appearance and by inserting the expression "2.5 kPa$\cdot$m^2/g" in lieu thereof.

146. Note 6 to chapter 48 is modified to read as follows:

"6. Except where the terms of the headings otherwise require, paper, paperboard, cellulose wadding and webs of cellulose fibers answering to a description in two or more of the headings 4801 to 4811 are to be classified under that one of such headings which occurs last in numerical order in the tariff schedule."

147. Note 7 to chapter 48 is modified to read as follows:

"7. (A) Headings 4801, 4802, 4804 to 4808 and 4811 apply only to paper, paperboard, cellulose wadding and webs of cellulose fibers:

(a) In strips or rolls of a width exceeding 15 cm; or

(b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state.

Except that hand-made paper and paperboard in any size or shape as made directly and having all its edges deckled remains classified, subject to the provisions of note 6, in heading 4802.

(B) Headings 4803 and 4809 apply only to paper, cellulose wadding and webs of cellulose fibers:

(a) In strips or rolls of a width exceeding 36 cm; or

(b) In rectangular (including square) sheets with one side exceeding 36 cm and the other side exceeding 15 cm in the unfolded state."

148. Subdivision (a) of subheading note 2 to chapter 48 is modified by deleting the expression "38" and inserting the expression "3.7 kPa$\cdot$m^2/g" in lieu thereof.

149. Subheading note 3 to chapter 48 is modified by deleting the expression "20 kgf" and inserting the expression "196 newtons" in lieu thereof.

150. Subheading note 4 to chapter 48 is modified by deleting the expression "15" and inserting the expression "1.47 kPa$\cdot$m^2/g" in lieu thereof.

151. The article description of heading 4803.00 is modified to read as follows:

"Toilet or facial tissue stock, towel or napkin stock and similar paper of a kind used for household or sanitary purposes, cellulose wadding and webs of cellulose fibers, whether or not creped, crinkled, embossed, perforated, surface-colored, surface decorated or printed, in rolls or sheets:"

152. The article description of heading 4805 is modified to read as follows:

"Other uncoated paper and paperboard, in rolls or sheets, not further worked or processed than as specified in note 2 to this chapter:"

Annex II (con.)
-42-

153. Subheadings 4807.91.00 (and the superior text thereto reading "Other:") and 4807.99 through 4807.99.40 are superseded by the following:

	[Composite...:]				
"4807.90	Other:				
4807.90.10	Straw paper and paperboard, whether or not covered with paper other than straw paper	2.2%		Free (A,CA,E, IL,J,MX)	30%
	Other:				
4807.90.20	Cloth-lined or reinforced paper	1.9%		Free (A,CA,E, IL,J,MX)	22.5%
4807.90.40	Other	Free			30%"

154. The article description of heading 4808 is modified to read as follows:

"Paper and paperboard, corrugated (with or without glued flat surface sheets), creped, crinkled, embossed or perforated, in rolls or sheets, other than paper of the kind described in heading 4803:"

155. The article description of heading 4809 is modified to read as follows:

"Carbon paper, self-copy paper and other copying or transfer papers (including coated or impregnated paper for duplicator stencils or offset plates), whether or not printed, in rolls or sheets:"

156. The article description of heading 4811 is modified to read as follows:

"Paper, paperboard, cellulose wadding and webs of cellulose fibers, coated, impregnated, covered, surface-colored, surface-decorated or printed, in rolls or sheets, other than goods of the kind described in heading 4803, 4809 or 4810:"

157. The article description of heading 4818 is modified to read as follows:

"Toilet paper and similar paper, cellulose wadding or webs of cellulose fibers, of a kind used for household or sanitary purposes, in rolls of a width not exceeding 36 cm, or cut to size or shape; handkerchiefs, cleansing tissues, towels, tablecloths, table napkins, diapers, tampons, bed sheets and similar household, sanitary or hospital articles, articles of apparel and clothing accessories, of paper pulp, paper, cellulose wadding or webs of cellulose fibers:"

158(a). Subheading 4823.30.00 is deleted.

(b). The following new subheading 4823.90.30 is inserted in numerical order:

	[Other...:]				
	[Other:]				
	[Other:]				
"4823.90.30	Cards, not punched, for punchcard machines, whether or not in stripe	3.1%		Free (A,CA,E, IL,J,MX)	30%"

159(a). Subdivision (e) of note 1 to section XI is superseded by the following:

"(e) Articles of heading 3005 or 3006 (for example, wadding, gauze, bandages and similar articles for medical, surgical, dental or veterinary purposes, sterile surgical suture materials); yarn used to clean between the teeth, in individual retail packages (dental floss), of heading 3306;"

(b). Subdivision (s) of note 1 to section XI is modified by deleting the word "or".

Annex II (con.)
-43-

159. (con.)
(c). Subdivision (t) of note 1 to section XI is modified by deleting the period (".") at the end thereof and inserting a semicolon (";") in lieu thereof.

(d). The following new subdivisions (u) and (v) of note 1 to section XI are inserted in alphabetical sequence:

"(u) Articles of chapter 96 (for example, brushes, travel sets for sewing, slide fasteners and typewriter ribbons); or"

(v) Articles of chapter 97."

160. Subdivision (b) of note 5 to section XI is modified to read as follows:

"(b) Dressed for use as sewing thread; and"

161. Subdivision (f) of note 7 to section XI is modified to read as follows:

"(f) Knitted or crocheted to shape, whether presented as separate items or in the form of a number of items in the length."

162. Note 8 to section XI is modified to read as follows:

"8. For the purposes of chapters 50 to 60:

(a) Chapters 50 to 55 and 60 and, except where the context otherwise requires, chapters 56 to 59 do not apply to goods made up within the meaning of note 7 above; and

(b) Chapters 50 to 55 and 60 do not apply to goods of chapters 56 to 59."

163. Note 13 to section XI is modified by inserting the following new final sentence:

"For the purposes of this note, the expression "textile garments" means garments of headings 6101 to 6114
and headings 6201 to 6211."

164. Subdivision (B)(c) of subheading note 2 to section XI is modified to read as follows:

"(c) In the case of embroidery of heading 5810 and goods thereof, only the ground fabric shall be taken into account. However, embroidery without visible ground, and goods thereof, shall be classified with reference to the embroidering threads alone."

165. Note 1 to chapter 52 is modified to read as follows:

"For the purposes of subheadings 5209.42 and 5211.42, the expression "denim" means fabrics of yarns of different colors, of 3-thread or 4-thread twill, including broken twill, warp faced, the warp yarns of which are of one and the same color and the weft yarns of which are unbleached, bleached, dyed grey or colored a lighter shade of the color of the warp yarns."

Conforming change: The title "Note" is deleted and the title "Subheading Note" is inserted in lieu thereof.

Annex II (con.)
-44-

166. Subheading 5205.25.00 is superseded by the following:

	[Cotton...:] [Single...:]				
*5205.26.00		Measuring less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.27.00		Measuring less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.28.00		Measuring less than 83.33 decitex (exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%*

167. Subheading 5205.45.00 is superseded by the following:

	[Cotton...:] [Multiple...:]				
*5205.46.00		Measuring per single yarn less than 125 decitex but not less than 106.38 decitex (exceeding 80 metric number but not exceeding 94 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.47.00		Measuring per single yarn less than 106.38 decitex but not less than 83.33 decitex (exceeding 94 metric number but not exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%
5205.48.00		Measuring per single yarn less than 83.33 decitex (exceeding 120 metric number).....	12%	Free (IL) 2.4% (CA) 6.3% (MX)	34.1%*

168. The article description of subheading 5209.42.00 is modified by deleting the expression "Blue denim" and inserting the word "Denim" in lieu thereof.

169. The article description of subheading 5211.42.00 is modified by deleting the expression "Blue denim" and inserting the word "Denim" in lieu thereof.

Annex II (con.)
-45-

170. Subheadings 5407.60 through 5407.60.99 are superseded by the following:

	[Woven...:]			
	"Other woven fabrics, containing 85 percent or more by weight of polyester filaments:			
5407.61	Containing 85 percent or more by weight of non-textured polyester filaments:			
	Dyed, measuring less than 77 cm in width or less than 77 cm between selvages, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling:			
5407.61.11	Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter.....	23.3¢/kg + 21.6%	Free (IL) 4.8¢/kg + 4.5% (CA) 10.8% (MX)	26.3¢/kg + 81%
5407.61.19	Other.....	23.3¢/kg + 21.6%	Free (IL) 4.8¢/kg + 4.5% (CA) 10.8% (MX)	26.3¢/kg + 81%
	Of yarns of different colors, the thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling:			
5407.61.21	Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter.....	21.9¢/kg + 20.3%	Free (IL) 4.8¢/kg + 4.5% (CA) 10.8% (MX)	26.3¢/kg + 81%
5407.61.29	Other.....	21.9¢/kg + 20.3%	Free (IL) 4.8¢/kg + 4.5% (CA) 10.8% (MX)	26.3¢/kg + 81%

Annex II (con.)
-46-

170. (con.):

	[Woven...:]			
	Other woven fabrics, containing 85 percent or more by weight of polyester filaments (con.):			
5407.61 (con.)	Containing 85 percent or more by weight of non-textured polyester filaments (con.):			
	Other:			
5407.61.91	Wholly of polyester, of single yarns measuring not less than 75 decitex but not more than 80 decitex, having 24 filaments per yarn and with a twist of 900 or more turns per meter....	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	81%
5407.61.99	Other.....	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	81%
5407.69	Other:			
5407.69.10	Unbleached or bleached.....	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	81%
5407.69.20	Dyed.....	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	81%
	Of yarns of different colors:			
5407.69.30	The thread count of which per cm (treating multiple (folded) or cabled yarns as single threads) is over 69 but not over 142 in the warp and over 31 but not over 71 in the filling.....	19.4¢/kg + 18%	Free (IL) 4.8¢/kg + 4.5% (CA) 10.6% (MX)	24.3¢/kg + 81%
5407.69.40	Other.....	15.3%	Free (IL) 3.4% (CA) 8.4% (MX)	81%
5407.69.90	Printed.....	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	81%*

Annex II (con.)
-47-

171. Heading 5603.00 and subheadings 5603.00.10 through 5603.00.90 are superseded by the following:

"5603	Nonwovens, whether or not impregnated, coated, covered or laminated:			
	Of man-made filaments:			
5603.11.00	Weighing not more than 25 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.12.00	Weighing more than 25 g/m^2 but not more than 70 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.13.00	Weighing more than 70 g/m^2 but not more than 150 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.14	Weighing more than 150 g/m^2:			
5603.14.30	Laminated fabrics	9.6%	Free (IL) 3.2% (CA) 8% (MX)	83.5%
5603.14.90	Other	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
	Other:			
5603.91.00	Weighing not more than 25 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.92.00	Weighing more than 25 g/m^2 but not more than 70 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.93.00	Weighing more than 70 g/m^2 but not more than 150 g/m^2	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%
5603.94	Weighing more than 150 g/m^2:			
5603.94.10	Floor covering underlays	2.7%	Free (B,IL) 0.6% (CA) 1.9% (MX)	40%
	Other:			
5603.94.30	Laminated fabrics	9.6%	Free (IL) 3.2% (CA) 8% (MX)	83.5%
5603.94.90	Other	7.5%	Free (B,IL) 2.5% (CA) 6.5% (MX)	74%"

172. The article description of heading 5804 is modified by deleting the expression "in motifs:" and inserting the expression "in motifs, other than fabrics of heading 6002:" in lieu thereof.

173. Note 4 to chapter 59 is modified by inserting the word "and" after the semicolon in subdivision (b); replacing "; and" in subdivision (c) with a period; deleting subdivision (d); and inserting the following new second paragraph after subdivision (c) and appearing at the same indentation level as that subdivision designation:

"This heading does not, however, apply to plates, sheets or strip of cellular rubber, combined with textile fabric, where the textile fabric is present merely for reinforcing purposes (chapter 40), or textile products of heading 5811."

174. Subdivision (a)(i) of note 7 to chapter 59 is modified to read as follows:

"(i) Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams);"

175. The article description of heading 5910.00 is modified to read as follows:

"Transmission or conveyor belts or belting, of textile material, whether or not impregnated, coated, covered or laminated with plastics, or reinforced with metal or other material:"

176. The article description of subheading 5911.10 is modified to read as follows:

"Textile fabrics, felt and felt-lined woven fabrics, coated, covered or laminated with rubber, leather or other material, of a kind used for card clothing, and similar fabrics of a kind used for other technical purposes, including narrow fabrics made of velvet impregnated with rubber, for covering weaving spindles (weaving beams):"

177. Subdivision (a) of note 3 to chapter 61 is modified to read as follows:

"(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in identical fabric and comprising:

one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and

one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

Annex II (con.)
-49-

177. (con.):

The term "suit" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;
- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;
- dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels."

178. Notes 5 through 9 to chapter 61 are redesignated as notes 6 through 10, respectively, and the following new note 5 is inserted:

"5. Heading 6109 does not cover garments with a drawstring, ribbed waistband or other means of tightening at the bottom of the garment." .

179. Subheading 6115.12.00 is superseded by the following:

	[Panty...:]				
	[Panty...:]				
"6115.12	Of synthetic fibers, measuring per single yarn 67 decitex or more:				
6115.12.10	Surgical panty hose with graduated compression for orthopedic treatment	3.5%	Free (A,E,IL,J, MX) 1.1% (CA)	40%	
6115.12.20	Other	16.6%	Free (IL) 3.4% (CA) 8.4% (MX)	72%	

180. Subheadings 6115.19.10 and 6115.19.90 are superseded by the following:

	[Panty...:]			
	[Panty...:]			
	[Of other...:]			
"6115.19.20	Surgical panty hose with graduated compression for orthopedic treatment	3.5%	Free (A,E,IL,J, MX) 1.1% (CA)	40%
	Other:			
6115.19.40	Containing 70 percent of more by weight of silk or silk waste	14.1%	Free (E,IL,J) 3.4% (CA) 8.4% (MX)	90%
6115.19.80	Other	16.8%	Free (E*,IL) 3.4% (CA) 8.4% (MX)	90%*

Annex II (con.)
-50-

181. Subheadings 6115.92.10 and 6115.92.20 are superseded by the following:

	[Pantyhose, tights, stockings, socks and similar knitted hosiery, including graduated compression hosiery and footwear without applied soles, knitted or crocheted:]				
	[Other:]				
	[Of cotton:]				
*6115.92.30	Surgical stockings with graduated compression for orthopedic treatment	3.5%		Free (A,E,IL,J, NC) 1.1% (CA)	40%
	Other:				
6115.92.60	Containing lace or net	18%		Free (IL) 4% (CA) 9.6% (MX)	90%
6115.92.90	Other	14.2%		Free (IL) 2.8% (CA) 7.3% (MX)	51%*

182. Subheadings 6115.93.10, 6115.93.15 and 6115.93.20 are superseded by the following:

	[Pantyhose, tights, stockings, socks and similar knitted hosiery, including graduated compression hosiery and footwear without applied soles, knitted or crocheted:]				
	[Other:]				
	[Of synthetic fibers:]				
*6115.93.30	Surgical stockings with graduated compression for orthopedic treatment	9.5%		Free (A,E,IL,J, NC) 1.1% (CA)	40%
	Other:				
6115.93.60	Containing lace or net	18.0%		Free (IL) 4% (CA) 9.6% (MX)	90%
6115.93.90	Other	15.5%		Free (IL) 3.1% (CA) 7.6% (MX)	51%*

Conforming change: The article description of subheading 9905.90.09 is modified by deleting the expression "subheading 9021.19" and inserting the expression "subheading 6115.12.10, 6115.19.20, 6115.92.30, 6115.93.30 or 9021.19" in lieu thereof.

183. The article description of subheading 6116.10 is modified to read as follows:

"Impregnated, coated or covered with plastics or rubber:"

184. Subdivision (a) of note 3 to chapter 62 is modified to read as follows:

"(a) The term "suit" means a set of garments composed of two or three pieces made up, in respect of their outer surface, in identical fabric and comprising:

- one suit coat or jacket the outer shell of which, exclusive of sleeves, consists of four or more panels, designed to cover the upper part of the body, possibly with a tailored waistcoat in addition whose front is made from the same fabric as the outer surface of the other components of the set and whose back is made from the same fabric as the lining of the suit coat or jacket; and

- one garment designed to cover the lower part of the body and consisting of trousers, breeches or shorts (other than swimwear), a skirt or a divided skirt, having neither braces nor bibs.

184. (con.):

All of the components of a "suit" must be of the same fabric construction, color and composition; they must also be of the same style and of corresponding or compatible size. However, these components may have piping (a strip of fabric sewn into the seam) in a different fabric.

If several separate components to cover the lower part of the body are presented together (for example, two pairs of trousers or trousers and shorts, or a skirt or divided skirt and trousers), the constituent lower part shall be one pair of trousers or, in the case of women's or girls' suits, the skirt or divided skirt, the other garments being considered separately.

The term "suit" includes the following sets of garments, whether or not they fulfill all the above conditions:

- morning dress, comprising a plain jacket (cutaway) with rounded tails hanging well down at the back and striped trousers;
- evening dress (tailcoat), generally made of black fabric, the jacket of which is relatively short at the front, does not close and has narrow skirts cut in at the hips and hanging down behind;
- dinner jacket suits, in which the jacket is similar in style to an ordinary jacket (though perhaps revealing more of the shirt front), but has shiny silk or imitation silk lapels."

185. Subheading 6305.31.00 is superseded by the following:

[Books...:] [Of man-made...:]			
"6305.32.00	Flexible intermediate bulk containers.... 9.3%	Free (IL) 1.9% (CA) 5.1% (MX)	102%
6305.33.00	Other, of polyethylene or polypropylene strip or the like..... 9.3%	Free (IL) 1.9% (CA) 5.1% (MX)	103%"

186(a). Subdivision (a) of note 1 to chapter 64 is modified to read as follows:

"(a) Disposable foot or shoe coverings of flimsy material (for example, paper, sheeting of plastics) without applied soles. These products are classified according to their constituent material;"

(b). Subdivisions (b) through (e) of note 1 to chapter 64 are redesignated as subdivisions (c) through (f), respectively, and the following new subdivision (b) is inserted:

"(b) Footwear of textile material, without an outer sole glued, sewn or otherwise affixed or applied to the upper (section XI);"

187. Note 2 to chapter 64 is modified to read as follows:

"2. For the purposes of heading 6406, the term "parts" does not include pegs, protectors, eyelets, hooks, buckles, ornaments, braid, laces, pompons or other trimmings (which are to be classified in their appropriate headings) or buttons or other goods of heading 9606."

188. Note 3 to chapter 64 is modified to read as follows:

"3. For the purposes of this chapter:

(a) The terms "rubber" and "plastics" include woven fabrics or other textile products with an external layer of rubber or plastics being visible to the naked eye; for the purpose of this provision, no account should be taken of any resulting change of color; and

(b) The term "leather" refers to the goods of headings 4104 to 4109."

189(a). Subheading note 1 to chapter 64 is modified by deleting the expressions "6402.11" and "6403.11" and substituting the expressions "6402.12" and "6403.12", respectively, in lieu thereof.

(b). Subdivision (b) of such subheading note 1 is modified by inserting the expression "snowboard boots," after the expression "cross-country ski footwear,".

190. The article description of subheading 6401.92.30 is modified to read as follows:

"Ski-boots and snowboard boots"

191. Subheading 6402.11.00 is superseded by the following:

	[Other...:]				
	[Sports...:]				
"6402.12.00	Ski-boots, cross-country ski footwear and snowboard boots.....	3.6%		Free (IL,MX) 1.2% (CA)	35%"

192. Subheadings 6403.11, 6403.11.30 and 6403.11.60 are superseded by the following:

	[Footwear...]				
	[Sports...:]				
"6403.12	Ski-boots, cross-country ski footwear and snowboard boots:				
6403.12.30	Welt footwear.....	Free			20%
6403.12.60	Other.....	4%		Free (IL,MX) 2% (CA)	20%"

193. Subheading 6810.20.00 is deleted.

194. The article description of heading 6815 is modified by deleting the expression "including articles of peat)" and inserting the expression "including carbon fibers, articles of carbon fibers and articles of peat)" in lieu thereof.

195. Subdivisions (b) through (l) of note 2 to chapter 69 are redesignated as subdivisions (c) through (m), respectively, and the following new subdivision (b) is inserted:

"(b) Articles of heading 6804;"

196. The article description of subheading 6903.10.00 is modified to read as follows:

"Containing by weight more than 50 percent of graphite or other carbon or of a mixture of these products"

197. The following new subheading 6909.12.00 is inserted in numerical sequence:

	[Ceramic...:]				
	[Ceramic...:]				
"6909.12.00	Articles having a hardness equivalent to 9 or more on the Mohs scale.....	6.4%		Free (A,E,IL,J, MX) 1.6% (CA)	45%"

198. Subdivision (c) of note 2 to chapter 70 is modified to read as follows:

"(c) The expression "absorbent, reflecting or non-reflecting layer" means a microscopically thin coating of metal or of a chemical compound (for example, metal oxide) which absorbs, for example, infrared light; or which improves the reflecting qualities of the glass while still allowing it to retain a degree of transparency or translucency; or which prevents light from being reflected on the surface of the glass."

199(a). The article description of heading 7003 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7003.11.00 is redesignated as subheading 7003.12.00, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

200(a). The article description of heading 7004 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7004.10 is redesignated as subheading 7004.20, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(c). Subheading 7004.10.10 is redesignated as 7004.20.10, and its article description is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(d). Subheadings 7004.10.20 and 7004.10.50 are redesignated as 7004.20.20 and 7004.20.50, respectively.

201(a). The article description of heading 7005 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

(b). Subheading 7005.10 is modified by deleting the expression "absorbent or reflecting" and inserting the expression "absorbent, reflecting or non-reflecting" in lieu thereof.

202. Subheadings 7010.90 and 7010.90.05 through 7010.90.50 are superseded by the following:

	[Carboys,...:]			
"7010.20	Stoppers, lids and other closures:			
7010.20.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
7010.20.30	Other.....	6.6%	Free (A,E,IL,J, MX) 1.5% (CA)	75%

Annex II (con.)
-54-

202. (con.):

	[Carboys,...:] [con.]			
	Other, of a capacity:			
7010.91	Exceeding 1 liter:			
7010.91.05	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/ gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.91.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
7010.91.30	Other.....	6.6%	Free (A,E,IL,J, MX) 1.5% (CA)	75%
7010.91.50	Other containers (with or without their closures).....	Free		4.9%
7010.92	Exceeding 0.33 liter but not exceeding 1 liter:			
7010.92.05	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/ gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.92.20	Produced by automatic machine.....	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
7010.92.30	Other.....	6.6%	Free (A,E,IL,J, MX) 1.5% (CA)	75%
7010.92.50	Other containers (with or without their closures).....	Free		4.9%
7010.93	Exceeding 0.15 liter but not exceeding 0.33 liter:			
7010.93.05	Serum bottles, vials and other pharmaceutical containers.....	Free		50¢/ gross

Annex II (con.)
-55-

202. (con.):

	[Carboys,...:] [con.]			
	Other, of a capacity (con.):			
7010.93 (con.)	Exceeding 0.15 liter but not exceeding 0.33 liter (con.):			
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.93.20	Produced by automatic machine	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
7010.93.30	Other	6.6%	Free (A,E,IL,J, MX) 1.5% (CA)	75%
7010.93.50	Other containers (with or without their closures)	Free		4.9%
7010.94	Not exceeding 0.15 liter:			
7010.94.05	Serum bottles, vials and other pharmaceutical containers	Free		50¢/ gross
	Containers (with or without their closures) of a kind used for the conveyance or packing of perfume or other toilet preparations; other containers if fitted with or designed for use with ground glass stoppers:			
7010.94.20	Produced by automatic machine	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
7010.94.30	Other	6.6%	Free (A,E,IL,J, MX) 1.5% (CA)	75%
7010.94.50	Other containers (with or without their closures)	Free		4.9%"

203. Subheadings 7019.10 through 7019.90.50 are superseded by the following:

	[Glass...:]			
	"Slivers, rovings, yarn and chopped strands:			
7019.11.00	Chopped strands, of a length of not more than 50 mm	5.7%	Free (A,CA,E,IL, J,MX)	50%
7019.12.00	Rovings	5.5%	Free (A,E,IL,J, MX) 1.2% (CA)	50%

203. (con.):

	[Glass...:] [con.]				
	Slivers, rovings, yarn and chopped strands (con.):				
7019.19	Other:				
	Yarns:				
	Not colored:				
7019.19.05	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free			50%
7019.19.15	Other	7.2%	Free (CA,IL) 4.1% (MX)		50%
	Colored:				
7019.19.24	Fiberglass rubber reinforcing yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free			60%
7019.19.28	Other	9.1%	Free (CA,IL) 5.2% (MX)		60%
7019.19.30	Chopped strands, of a length more than 50 mm	5.7%	Free (A,CA,E,IL, J,MX)		50%
7019.19.70	Fiberglass rubber reinforcing cord, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free			50%
7019.19.90	Other	4.2%	Free (CA,E*,IL, J*) 2.4% (MX)		50%

203. (con.):

	[Glass...:] [con.]			
	Thin sheets (voiles), webs, mats, mattresses, boards and similar nonwoven products:			
7019.31.00	Mats	5.4%	Free (A,B,CA,E, IL,J,MX)	50%
7019.32.00	Thin sheets (voiles)	5.4%	Free (A,B,E,IL, J,MX) 1.2% (CA)	50%
7019.39	Other:			
7019.39.10	Insulation products	5.7%	Free (A,B,E,IL, J,MX) 1.2% (CA)	50%
7019.39.50	Other	5.7%	Free (A,B,E,IL, J,MX) 1.2% (CA)	50%
7019.40	Woven fabrics of rovings:			
	Of a width not exceeding 30 cm:			
7019.40.05	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free		50%
7019.40.15	Other	6%	Free (IL) 1.2% (CA) 3.3% (MX)	50%
	Other:			
	Not colored:			
7019.40.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free		50%
7019.40.40	Other	8.1%	Free (IL) 1.6% (CA) 4.5% (MX)	50%
	Colored:			
7019.40.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free		60%
7019.40.90	Other	10.3%	Free (IL) 2.2% (CA) 5.9% (MX)	60%

Annex II (con.)
-58-

203. (con.):

	[Glass...:] [con.]				
	Other woven fabrics:				
7019.51	Of a width not exceeding 30 cm:				
7019.51.10	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free			50%
7019.51.90	Other.....	6%	Free (IL) 1.2% (CA) 3.3% (MX)		50%
7019.52	Of a width exceeding 30 cm, plain weave, weighing less than 250 g/m^2, of filaments measuring per single yarn not more than 136 tex:				
	Not colored:				
7019.52.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free			50%
7019.52.40	Other.....	8.1%	Free (IL) 1.6% (CA) 4.5% (MX)		50%
	Colored:				
7019.52.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds.....	Free			60%
7019.52.90	Other.....	10.3%	Free (IL) 2.2% (CA) 5.9% (MX)		60%

Annex II (con.)
-59-

203. (con.):

	[Glass...t] [con.]				
	Other woven fabrics (con.):				
7019.59	Other:				
	Not colored:				
7019.59.30	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free			50%
7019.59.40	Other	8.1%	Free (IL) 1.6% (CA) 4.5% (MX)		50%
	Colored:				
7019.59.70	Fiberglass tire cord fabric woven from electrically nonconductive continuous fiberglass filaments 9 microns in diameter to 11 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds	Free			60%
7019.59.90	Other	10.3%	Free (IL) 2.2% (CA) 5.9% (MX)		60%
7019.90	Other:				
7019.90.10	Woven	6.1%	Free (E,IL,J,MX) 1.3% (CA)		60%
7019.90.50	Other	5.4%	Free (A,B,E,IL, J,MX) 1.2% (CA)		50%*

Conforming change: Additional U.S. note 6 to chapter 70 is deleted.

204(a). Subdivisions (d) through (o) of note 3 to chapter 71 are redesignated as (e) through (p), respectively, and the following new subdivision (d) is inserted:

"(d) Supported catalysts (heading 3815);"

(b). Subdivision (e) (as redesignated) of note 3 to chapter 71 is modified to read as follows:

"(e) Articles of heading 4202 or 4203 referred to in note 2(B) to chapter 42;"

Annex II (con.)
-60-

205. Notes 8, 9 and 10 to chapter 71 are redesignated as notes 9, 10 and 11, respectively, and the following new note 8 is inserted in numerical sequence:

"8. Subject to note 1(a) to section VI, goods answering to a description in heading 7112 are to be classified in that heading and in no other heading of the tariff schedule."

Conforming change: Note 11 (as redesignated) to chapter 71 is modified by deleting the expression "note 8" and inserting the expression "note 9" in lieu thereof.

206(a). The article description of heading 7101 is modified by deleting the expression "ungraded".

(b). Subheadings 7101.10.00 and 7101.22.00 are superseded by the following:

	[Pearls,...:]				
"7101.10	Natural pearls:				
7101.10.30	Graded and temporarily strung for convenience of transport	Free			10%
7101.10.60	Other	Free			10%
	[Cultured pearls:]				
7101.22	Worked:				
7101.22.30	Graded and temporarily strung for convenience of transport	1.3%	Free (A,CA,E, IL,J,MX)		10%
7101.22.60	Other	1.3%	Free (A,CA,E, IL,J,MX)		10%"

207. The article description of heading 7112 is modified by deleting the expression "clad with precious metal:" and inserting the following in lieu thereof:

"clad with precious metal; other waste and scrap containing precious metal or precious metal compounds, of a kind used principally for the recovery of precious metal:"

208. Subheadings 7116.10.15 and 7116.10.20 are superseded by the following:

	[Articles...:]				
	[Of...:]				
"7116.10.25	Cultured	8.8%	Free (A,CA,E IL,J,MX)		110%"

209. Notes 3 through 6 to section XV are redesignated as 5 through 8, respectively, and the following new section notes 3 and 4 are inserted in numerical sequence:

"3. Throughout the schedule, the expression "base metals" means: iron and steel, copper, nickel, aluminum, lead, zinc, tin, tungsten (wolfram), molybdenum, tantalum, magnesium, cobalt, bismuth, cadmium, titanium, zirconium, antimony, manganese, beryllium, chromium, germanium, vanadium, gallium, hafnium, indium, niobium (columbium), rhenium and thallium.

4. Throughout the schedule, the term "cermets" means products containing a microscopic heterogeneous combination of a metallic component and a ceramic component. The term "cermets" includes sintered metal carbides (metal carbides sintered with a metal)."

210. Note 6 and note 7(b) (as redesignated) to section XV are each modified by deleting the expression "note 3" and inserting the expression "note 5" in lieu thereof.

211. Additional U.S. note 1 to section XV is deleted, and additional U.S. note 2 is redesignated as additional U.S. note 1 and the title "Additional U.S. Notes" modified to read "Additional U.S. Note".

212(a). Subdivision (l) of note 1 to chapter 72 is modified to read as follows:

"(l) Bars and rods, hot-rolled, in irregularly wound coils

Hot-rolled products in irregularly wound coils, which have a solid cross-section in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods)."

(b). Subdivision (m) of note 1 to chapter 72 is modified to read as follows:

"(m) Other bars and rods

Products which do not conform to any of the definitions at (ij), (k) or (l) above or to the definition of wire, which have a uniform solid cross-section along their whole length in the shape of circles, segments of circles, ovals, rectangles (including squares), triangles or other convex polygons (including "flattened circles" and "modified rectangles", of which two opposite sides are convex arcs, the other two sides being straight, of equal length and parallel). These products may:

- have indentations, ribs, grooves or other deformations produced during the rolling process (reinforcing bars and rods);

- be twisted after rolling."

213. Subdivision (e) of subheading note 1 to chapter 72 is modified to read as follows:

"(e) Silico-manganese steel

Alloy steels containing by weight:

- not more than 0.7 percent of carbon,

- 0.5 percent or more but not more than 1.9 percent of manganese, and

- 0.6 percent or more but not more than 2.3 percent of silicon, but no other element in a proportion that would give the steel the characteristics of another alloy steel."

214. Subheadings 7201.30.00 and 7201.40.00 are superseded by the following:

	[Pig...:]			
"7201.50	Alloy pig iron; spiegeleisen:			
7201.50.30	Alloy pig iron.....	Free		$1.11/t
7201.50.60	Spiegeleisen.....	0.1%	Free (CA,E,IL,J, MX)	0.53¢"

Annex II (con.)
-62-

215. Heading 7208 (including its subordinate provisions) is superseded by the following:

"7208	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated:			
7208.10	In coils, not further worked than hot-rolled, with patterns in relief:			
7208.10.15	Pickled	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44¢/kg + 20%
	Other:			
7208.10.30	Of a thickness of 4.75 mm or more	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.10.60	Of a thickness of less than 4.75 mm	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
	Other, in coils, not further worked than hot-rolled, pickled:			
7208.25	Of a thickness of 4.75 mm or more:			
7208.25.30	Of high-strength steel	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.25.60	Other	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44¢/kg + 20%
7208.26.00	Of a thickness of 3 mm or more but less than 4.75 mm	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44¢/kg + 20%
7208.27.00	Of a thickness of less than 3 mm	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44¢/kg + 20%
	Other, in coils, not further worked than hot-rolled:			
7208.36.00	Of a thickness exceeding 10 mm	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.37.00	Of a thickness of 4.75 mm or more but not exceeding 10 mm	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.38.00	Of a thickness of 3 mm or more but less than 4.75 mm	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
7208.39.00	Of a thickness of less than 3 mm	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
7208.40	Not in coils, not further worked than hot-rolled, with patterns in relief:			
7208.40.30	Of a thickness of 4.75 mm or more	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7208.40.60	Of a thickness less than 4.75 mm	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%

215. (con.):

7208 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, hot-rolled, not clad, plated or coated (con.):				
	Other, not in coils, not further worked than hot-rolled:				
7208.51.00	Of a thickness exceeding 10 mm.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%	
7208.52.00	Of a thickness of 4.75 mm or more but not exceeding 10 mm.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%	
7208.53.00	Of a thickness of 3 mm or more but less than 4.75 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%	
7208.54.00	Of a thickness of less than 3 mm.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%	
7208.90.00	Other.....	4%	Free (E,IL,J) 1% (CA) 3.5% (MX)	20%"	

216. Heading 7209 (including its subordinate provisions) is superseded by the following:

"7209	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated:				
	In coils, not further worked than cold-rolled (cold-reduced):				
7209.15.00	Of a thickness of 3 mm or more.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	
7209.16.00	Of a thickness exceeding 1 mm but less than 3 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	
7209.17.00	Of a thickness of 0.5 mm or more but not exceeding 1 mm.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	
7209.18	Of a thickness of less than 0.5 mm:				
7209.18.15	Of high-strength steel.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	
	Other:				
7209.18.25	Of a thickness of less than 0.361 mm (blackplate).....	2.6%	Free (E,IL,J) 0.6% (CA) 2.2% (MX)	20%	
7209.18.60	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	

216. (con.):

7209 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of 600 mm or more, cold-rolled (cold-reduced), not clad, plated or coated (con.):				
	Not in coils, not further worked than cold-rolled (cold-reduced):				
7209.25.00	Of a thickness of 3 mm or more	4.1%		Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7209.26.00	Of a thickness exceeding 1 mm but less than 3 mm	4.1%		Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7209.27.00	Of a thickness of 0.5 mm or more but not exceeding 1 mm	4.1%		Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7209.28.00	Of a thickness of less than 0.5 mm	4.1%		Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%
7209.90.00	Other	4.1%		Free (E,IL,J) 1% (CA) 3.5% (MX)	0.44/kg + 20%*

217. Subheadings 7210.31.00 and 7210.39.00 and the superior text thereto reading "Electrolytically plated or coated with zinc:" are superseded by the following:

	[Flat-rolled...:]				
*7210.30.00	Electrolytically plated or coated with zinc	5.2%		Free (E,IL,J) 1.3% (CA) 4.5% (MX)	21.5%*

218. Subheading 7210.60.00 is superseded by the following:

	[Flat-rolled...:]				
	*Plated or coated with aluminum:				
7210.61.00	Plated or coated with aluminum-zinc alloys	5.2%		Free (E,IL,J) 1.3% (CA) 4.5% (MX)	21.5%
7210.69.00	Other	5.2%		Free (E,IL,J) 1.3% (CA) 4.5% (MX)	21.5%*

219. Heading 7211 (including its subordinate provisions) is superseded by the following:

*7211	Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated:				
	Not further worked than hot-rolled:				
7211.13.00	Universal mill plate	4.8%		Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%
7211.14.00	Other, of a thickness of 4.75 mm or more	4.8%		Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%

Annex II (con.)
-65-

219. (con.):

7211 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated (con.):				
	Not further worked than hot-rolled (con.):				
7211.19	Other:				
	Of a width of less than 300 mm:				
7211.19.15	Of high-strength steel.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%	
	Other:				
7211.19.20	Of a thickness exceeding 1.25 mm.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%	
7211.19.30	Other.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (MX)	25%	
	Other:				
7211.19.45	Of high-strength steel.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%	
	Other:				
7211.19.60	Pickled.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	
7211.19.75	Other.....	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%	
	Not further worked than cold-rolled (cold-reduced):				
7211.23	Containing by weight less than 0.25 percent of carbon:				
	Of a width of less than 300 mm:				
	Of a thickness exceeding 1.25 mm:				
7211.23.15	Of high-strength steel.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (MX)	25%	
7211.23.20	Other.....	4.6%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%	
7211.23.30	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm.....	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (MX)	25%	
7211.23.45	Of a thickness not exceeding 0.25 mm.....	1.9%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%	
7211.23.60	Other.....	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%	

Annex II (con.)
-66-

219. (con.):

7211 (con.)	Flat-rolled products of iron or nonalloy steel, of a width of less than 600 mm, not clad, plated or coated (con.):			
	Not further worked than cold-rolled (cold-reduced) (con.):			
7211.29	Other:			
	Of a width of less than 300 mm:			
7211.29.20	Of a thickness exceeding 0.25 mm	2.7%	Free (E,IL,J) 0.6% (CA) 2.3% (MX)	25%
7211.29.45	Other	1.9%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	25%
7211.29.60	Other	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	0.4¢/kg + 20%
7211.90.00	Other	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	20%*

220. Subheadings 7212.21.00 and 7212.29.00 and the superior text thereto reading "Electrolytically plated or coated with zinc:" are superseded by the following:

	[Flat-rolled...:]			
*7212.20.00	Electrolytically plated or coated with zinc	5.2%	Free (E,IL,J) 1.3% (CA) 4.5% (MX)	21.5%*

221. Heading 7213 (including its subordinate provisions) is superseded by the following:

*7213	Bars and rods, hot-rolled, in irregularly wound coils, of iron or nonalloy steel:			
7213.10.00	Concrete reinforcing bars and rods	3.9%	Free (E,IL,J) 0.9% (CA) 3.4% (MX)	20%
7213.20.00	Other, of free-cutting steel	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (MX)	5.5%
	Other:			
7213.91	Of circular cross section measuring less than 14 mm in diameter:			
7213.91.30	Not tempered, not treated and not partly manufactured	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (MX)	5.5%
	Other:			
7213.91.45	Containing by weight 0.6 percent or more of carbon	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (MX)	5.5%
7213.91.60	Other	1.8%	Free (E,IL,J) 0.4% (CA) 1.6% (MX)	6%
7213.99.00	Other	1.5%	Free (E,IL,J) 0.3% (CA) 1.3% (MX)	5.5%*

Annex II (con.)
-67-

222. Subheadings 7214.30.00 through 7214.60.00 are superseded by the following:

	[Other...:]			
"7214.30.00	Other, of free-cutting steel.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (MX)	20%
	Other:			
7214.91.00	Of rectangular (other than square) cross section.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (MX)	20%
7214.99.00	Other.....	3.8%	Free (E,IL,J) 0.9% (CA) 3.2% (MX)	20%"

223. Subheadings 7215.20.00, 7215.30.00, and 7215.40.00 are superseded by the following:

	[Other...:]			
"7215.50.00	Other, not further worked than cold-formed or cold-finished.....	6%	Free (E,IL,J) 1.5% (CA) 5.2% (MX)	0.3¢/kg + 20%"

224. Subheadings 7216.60.00 and 7216.90.00 are superseded by the following:

	[Angles,...:]			
	"Angles, shapes and sections, not further worked than cold-formed or cold-finished:			
7216.61.00	Obtained from flat-rolled products.....	3.9%	Free (A,E,IL,J, MX) 0.9% (CA)	20%
7216.69.00	Other.....	3.9%	Free (A,E,IL,J, MX) 0.9% (CA)	20%
	Other:			
7216.91.00	Cold-formed or cold-finished from flat-rolled products.....	3.5%	Free (E,IL,J) 0.8% (CA) 3% (MX)	20%
7216.99.00	Other.....	3.5%	Free (E,IL,J) 0.8% (CA) 3% (MX)	20%"

Annex II (con.)
-68-

225. Heading 7217 (including its subordinate provisions) is superseded by the following:

*7217	Wire of iron or nonalloy steel:			
7217.10	Not plated or coated, whether or not polished:			
	Containing by weight less than 0.25 percent of carbon:			
	Flat wire:			
7217.10.10	Of a thickness not exceeding 0.25 mm	3.6%	Free (E,IL,J) 0.8% (CA) 2.9% (MX)	25%
7217.10.20	Of a thickness exceeding 0.25 mm but not exceeding 1.25 mm	2.6%	Free (E,IL,J) 0.6% (CA) 2.2% (MX)	25%
7217.10.30	Of a thickness exceeding 1.25 mm	4.1%	Free (E,IL,J) 1% (CA) 3.5% (MX)	25%
	Round wire:			
7217.10.40	With a diameter of less than 1.5 mm	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
7217.10.50	With a diameter of 1.5 mm or more	1.2%	Free (E,IL,J) 0.3% (CA) 1% (MX)	7%
7217.10.60	Other wire	4.4%	Free (E,IL,J) 1.1% (CA) 3.8% (MX)	25%
	Other:			
7217.10.70	Flat wire	2.6%	Free (E,IL,J) 0.6% (CA) 2.2% (MX)	25%
7217.10.80	Round wire	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
7217.10.90	Other wire	4.4%	Free (E,IL,J) 1.1% (CA) 3.8% (MX)	25%
7217.20	Plated or coated with zinc:			
7217.20.15	Flat wire	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%
	Round wire:			
7217.20.30	With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon	1.2%	Free (E,IL,J) 0.3% (CA) 1% (MX)	7%
7217.20.45	Other	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%
	Other:			
7217.20.60	Containing by weight less than 0.25 percent of carbon	4.5%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%
7217.20.75	Other	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%

Annex II (con.)
-69-

225. (con.):

7217 (con.)	Wire of iron or nonalloy steel (con.):				
7217.30	Plated or coated with other base metals:				
7217.30.15	Flat wire	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%	
	Round wire:				
7217.30.30	With a diameter of 1.5 mm or more and containing by weight less than 0.25 percent of carbon	1.2%	Free (E,IL,J) 0.3% (CA) 1% (MX)	7%	
7217.30.45	Other	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	25%	
	Other:				
7217.30.60	Containing by weight less than 0.25 percent of carbon	4.5%	Free (E,IL,J) 1.1% (CA) 3.9% (MX)	25%	
7217.30.75	Other	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	26%	
7217.90	Other:				
7217.90.10	Coated with plastics	0.7%	Free (E,IL,J) 0.1% (CA) 0.6% (MX)	2%	
7217.90.50	Other	4.2%	Free (E,IL,J) 1% (CA) 3.7% (MX)	35%*	

226. Subheading 7218.90.00 is superseded by the following:

	[Stainless...:]				
	"Other:				
7218.91.00	Of rectangular (other than square) cross-section	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	29%	
7218.99.00	Other	4.2%	Free (E,IL,J) 1% (CA) 3.6% (MX)	29%*	

227. Subheading 7222.10 is superseded by the following:

	[Other...:]				
	"Bars and rods, not further worked than hot-rolled, hot-drawn or extruded:				
7222.11.00	Of circular cross-section	8.5%	Free (E,IL,J) 2.1% (CA) 7.4% (MX)	29%	
7222.19.00	Other	8.5%	Free (E,IL,J) 2.1% (CA) 7.4% (MX)	29%*	

Annex II (con.)
-70-

228. Subheading 7225.10.00 is superseded by the following:

	[Flat-rolled...:]				
	"Of silicon electrical steel:				
7225.11.00	Grain-oriented.....	4.6%	Free (CA,E,IL, J,MX)	28%	
7225.19.00	Other.....	4.6%	Free (CA,E,IL, J,MX)	28%"	

229. Subheading 7225.90.00 is superseded by the following:

	[Flat-rolled...:]				
	"Other:				
7225.91.00	Electrolytically plated or coated with zinc.....	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	28%	
7225.92.00	Otherwise plated or coated with zinc.....	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	28%	
7225.99.00	Other.....	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	28%"	

230. Subheadings 7226.10, 7226.10.10 and 7226.10.50 are superseded by the following:

	[Flat-rolled...:]				
	"Of silicon electrical steel:				
7226.11	Grain-oriented:				
7226.11.10	Of a width of 300 mm or more.....	4.6%	Free (CA,E,IL, J,MX)	28%	
7226.11.90	Of a width of less than 300 mm.....	5.6%	Free (CA,E,IL, J,MX)	33%	
7226.19	Other:				
7226.19.10	Of a width of 300 mm or more.....	4.6%	Free (CA,E,IL, J,MX)	28%	
7226.19.90	Of a width of less than 300 mm.....	5.6%	Free (CA,E,IL, J,MX)	33%"	

231. The following new subheadings 7226.93.00 and 7226.94.00 are inserted in numerical sequence:

	[Flat-rolled...:]				
	[Other:]				
"7226.93.00	Electrolytically plated or coated with zinc.....	5%	Free (E,IL,J) 1.2% (CA) 4.4% (MX)	33%	
7226.94.00	Otherwise plated or coated with zinc.....	5%	Free (E,IL,J) 1.2% (CA) 4.4% (MX)	33%"	

Annex II (con.)
-71-

232. Subheadings 7304.20 through 7304.20.80 are superseded by the following:

	[Tubes,...:]				
	"Casing, tubing and drill pipe, of a kind used in drilling for oil or gas:				
7304.21	Drill pipe:				
7304.21.30	Of iron or nonalloy steel.....	6.4%	Free (E,IL,J) 1.6% (CA) 5.6% (MX)	25%	
7304.21.60	Of alloy steel.....	6%	Free (E,IL,J) 1.5% (CA) 5.2% (MX)	35%	
7304.29	Other:				
	Casing:				
	Of iron or nonalloy steel:				
7304.29.10	Threaded or coupled.....	4.8%	Free (E,IL,J) 1.2% (CA) 4.2% (MX)	20%	
7304.29.20	Other.....	0.4%	Free (E,IL,J) 0.1% (CA) 0.3% (MX)	1%	
	Of alloy steel:				
7304.29.30	Threaded or coupled.....	5%	Free (E,IL,J) 1.2% (CA) 4.3% (MX)	28%	
7304.29.40	Other.....	2.6%	Free (E,IL,J) 0.6% (CA) 2.3% (MX)	8.5%	
	Tubing:				
7304.29.50	Of iron or nonalloy steel.....	6.4%	Free (E,IL,J) 1.6% (CA) 5.6% (MX)	25%	
7304.29.60	Of alloy steel.....	6%	Free (E,IL,J) 1.5% (CA) 5.2% (MX)	35%"	

233. The article description of heading 7305 is modified by deleting the expression "internal and external" before the expression "circular cross sections".

234. Subheadings 7314.11 (including its immediately superior text reading "Woven products:") through 7314.50.00, inclusive, are superseded by the following:

	[Cloth...:]				
	"Woven cloth:				
7314.12	Endless bands for machinery, of stainless steel:				
7314.12.10	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,MX) 0.9% (CA)	35%	
7314.12.20	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,MX) 0.9% (CA)	50%	

Annex II (con.)
-72-

234. (con.):

	[Cloth...:] [con.]			
	Woven cloth (con.):			
7314.12 (con.)	Endless bands for machinery, of stainless steel (con.):			
	With meshes finer than 36 wires to the lineal centimeter in warp or filling:			
	Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines:			
7314.12.30	With 94 or more wires to the lineal centimeter.....	Free		75%
7314.12.60	Other.....	8%	Free (A,E,IL,J, MX) 2% (CA)	75%
7314.12.90	Other.....	5.8%	Free (A,B,E,IL, J,MX) 1.4% (CA)	60%
7314.13.00	Other endless bands for machinery.....	3.9%	Free (A,B,E,IL, J) 0.9% (CA) 3.4% (MX)	60%
7314.14	Other woven cloth, of stainless steel:			
7314.14.10	With meshes not finer than 12 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,MX) 0.9% (CA)	35%
7314.14.20	With meshes finer than 12 but not finer than 36 wires to the lineal centimeter in warp or filling.....	3.9%	Free (A,B,E,IL, J,MX) 0.9% (CA)	50%
	With meshes finer than 36 wires to the lineal centimeter in warp or filling:			
	Fourdrinier wires, seamed or not seamed, suitable for use in papermaking machines:			
7314.14.30	With 94 or more wires to the lineal centimeter.....	Free		75%
7314.14.60	Other.....	8%	Free (A,E,IL,J, MX) 2% (CA)	75%
7314.14.90	Other.....	5.8%	Free (A,B,E,IL, J,MX) 1.4% (CA)	60%
7314.19.00	Other.....	3.9%	Free (A,B,E,IL, J) 0.9% (CA) 3.4% (MX)	60%
7314.20.00	Grill, netting and fencing, welded at the intersection, of wire with a maximum cross-sectional dimension of 3 mm or more and having a mesh size of 100 cm^2 or more.....	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	45%

Annex II (con.)
-73-

234. (con.):

	[Cloth...:] [con.]			
	Other grill, netting and fencing, welded at the intersections:			
7314.31	Plated or coated with zinc:			
7314.31.10	Wire fencing coated or plated with zinc, whether or not covered with plastics material	0.2¢/kg	Free (CA,E,IL,J) 0.1¢/kg (MX)	1.1¢/kg
7314.31.50	Other	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	45%
7314.39.00	Other	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	45%
	Other cloth, grill, netting and fencing:			
7314.41.00	Plated or coated with zinc	0.2¢/kg	Free (CA,E,IL,J) 0.1¢/kg (MX)	1.1¢/kg
7314.42.00	Coated with plastics	0.2¢/kg	Free (CA,E,IL,J) 0.1¢/kg (MX)	1.1¢/kg
7314.49	Other:			
7314.49.30	Not cut to shape	4.6%	Free (A,E,IL,J, MX) 1.1% (CA)	45%
7314.49.60	Cut to shape	3.8%	Free (A,B,E,IL, J,MX) 0.9% (CA)	35%
7314.50.00	Expanded metal	3%	Free (A,CA,E,IL, J,MX)	45%*

235. Subheading 7414.10 is redesignated as subheading 7414.20, the article description "Endless bands, for machinery:" is deleted and "Cloth:" is inserted in lieu thereof, and subheadings 7414.10.30, 7414.10.60, and 7414.10.90 are redesignated as 7414.20.30, 7414.20.60, and 7414.20.90, respectively.

236. Subheadings 7418.10 through 7418.10.50 are superseded by the following:

	[Table,...:]			
	"Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:			
7418.11	Pot scourers and scouring or polishing pads, gloves and the like:			
7418.11.20	Of copper-zinc base alloys (brass)	3.4%	Free (A,E,IL,J, MX) 0.7% (CA)	40%
7418.11.40	Other	4.1%	Free (A,E,IL,J, MX) 0.9% (CA)	40%
7418.19	Other:			
7418.19.10	Coated or plated with precious metals	3.6%	Free (A,E,IL,J, MX) 0.8% (CA)	50%

236. (con.):

	[Table,...:] [con.] Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like (con.):			
7418.19 (con.)	Other (con.):			
	Other:			
7418.19.20	Of copper-zinc base alloys (brass).....	3.6%	Free (A,E,IL,J, MX) 0.7% (CA)	40%
7418.19.50	Other.....	4.1%	Free (A,E,IL,J, MX) 0.9% (CA)	40%*

237. The following new subheading note 2 to chapter 75 is added, and the title "Subheading Note" is modified to read "Subheading Notes":

"2. Notwithstanding the provisions of chapter note 1 (c), for the purposes of subheading 7508.10 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

238. Heading 7508.00 and subheadings 7508.00.10 and 7508.00.50 are superseded by the following:

"7508	Other articles of nickel:			
7508.10.00	Cloth, grill and netting, of nickel wire.....	4.5%	Free (A,B,E,IL, J,MX) 1.1% (CA)	45%
7508.90	Other:			
7508.90.10	Stranded wire.....	4%	Free (A,B,E,IL, J,MX) 0.9% (CA)	35%
7508.90.50	Other.....	4.5%	Free (A,B,E,IL, J,MX) 1.1% (CA)	45%*

239. The following new subheading note 2 to chapter 76 is added, and the title "Subheading Note" is modified to read "Subheading Notes":

"2. Notwithstanding the provisions of chapter note 1 (c), for the purposes of subheading 7616.91 the term "wire" applies only to products, whether or not in coils, of any cross-sectional shape, of which no cross-sectional dimension exceeds 6 mm."

240. Subheadings 7615.10 through 7615.10.90, inclusive, are superseded by the following:

	[Table,...:] "Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like:			
7615.11.00	Pot scourers and scouring or polishing pads, gloves and the like.....	3.5%	Free (A,E,IL,J, MX) 0.7% (CA)	45.5%

Annex II (con.)
-75-

240. (con.):

[Table,...:] [con.]				
	Table, kitchen or other household articles and parts thereof; pot scourers and scouring or polishing pads, gloves and the like (con.):			
7615.19	Other:			
	Cooking and kitchen ware:			
	Enameled or glazed or containing nonstick interior finishes:			
7615.19.10	Cast	3.6%	Free (A*,E,IL,J, MX) 0.7% (CA)	45.5%
7615.19.30	Other	4.7%	Free (A,E,IL,J, MX) 1.1% (CA)	45.5%
	Not enameled or glazed and not containing nonstick interior finishes:			
7615.19.50	Cast	3.6%	Free (A,E,IL,J, MX) 0.7% (CA)	45.5%
7615.19.70	Other	3.6%	Free (A,E,IL,J, MX) 0.8% (CA)	45.5%
7615.19.90	Other	3.5%	Free (A,E,IL,J, MX) 0.7% (CA)	45.5%*

Conforming change: General note 4(d) is modified by deleting "7615.10.10 Thailand" and by inserting in lieu thereof "7615.19.10 Thailand".

241. Subheading 7616.90 and subheadings 7616.90.10 and 7616.90.50 are superseded by the following:

[Other:]				
	"Other:			
7616.91.00	Cloth, grill, netting and fencing, of aluminum wire	4.4%	Free (A,B,E,IL, J,MX) 1.1% (CA)	45%
7616.99	Other:			
7616.99.10	Luggage frames	Free		45%
7616.99.50	Other	4.4%	Free (A,B,E,IL, J,MX) 1.1% (CA)	45%*

Annex II (con.)
-76-

242. Heading 7907 is redesignated as 7907.00, and subheadings 7907.10.00 through 7907.90.60 are superseded by the following:

	[Other...:]			
"7907.00.10	Articles of a type used for household, table or kitchen use; toilet and sanitary wares; all the foregoing and parts thereof of zinc...	3.2%	Free (A,E,IL,J, MX) 0.6% (CA)	40%
7907.00.80	Other.....	4.6%	Free (A,B,E,IL, J,MX) 1.1% (CA)	45%"

243. Heading 8005 is redesignated as 8005.00, and subheadings 8005.10.00 and 8005.20.00 are redesignated as 8005.00.10 and 8005.00.20, respectively.

244. Subheading 8202.32.00 is redesignated as 8202.39.00, and its article description is modified to read as follows:

"Other, including parts"

245(a). Subheadings 8207.11.00, 8207.12, 8207.12.30, and 8207.12.60 are redesignated as 8207.13.00, 8207.19, 8207.19.30, and 8207.19.60, respectively.

(b). The article description of subheading 8207.13.00 (as redesignated) is modified to read as follows:

"With working part of cermets"

(c). The article description of subheading 8207.19 is modified to read as follows:

"Other, including parts:"

246. The article description of heading 8209 is modified by deleting "sintered metal carbides or".

247(a). The article descriptions of subheadings 8211.91 and 8211.92 are each modified by deleting the expression ", and parts thereof".

(b). The article description of subheading 8211.91.60 is modified by deleting the expression "(including parts)"; such subheading is redesignated as 8211.91.80; and subheading 8211.92.80 is redesignated as 8211.92.90.

(c). The article description of subheading 8211.93.00 is modified by deleting the expression ", and parts thereof (except blades)".

Annex II (con.)
-77-

247. (con.)
(d). The following new subheadings are inserted in numerical sequence:

	[Knives...:]				
	[Other:]				
"8211.95	Handles of base metal:				
8211.95.10	For table knives having fixed blades.....	8.4¢ each + 5.6%	Free (A,E,IL, J,MX) 1.2% (CA)	8¢ each + 45%
8211.95.50	For other knives having fixed blades.....	0.4¢ each + 6.1%	Free (A,E,IL, J,MX) 1.2% (CA)	8¢ each + 45%
8211.95.90	Other.....	3¢ each + 5.4%	Free (A,E,IL, J,MX) 0.5¢ each + 0.9% (CA)	35¢ each + 55%"

248. Subdivision (o) of note 1 to section XVI is modified by deleting the expression "Interchangeable tools of heading 8207 or brushes of a kind used as parts of machines of heading 9603;" and by inserting in lieu thereof the following:

"interchangeable tools of heading 8207 or brushes of a kind used as parts of machines (heading 9603);"

249(a). Subdivision (a) of note 2 to section XVI is modified by deleting the expression "(other than headings 8485 and 8548)" and inserting the expression "(other than headings 8409, 8431, 8448, 8466, 8473, 8485, 8503, 8522, 8529, 8538 and 8548)" in lieu thereof.

(b). Subdivision (b) of note 2 to section XVI is modified by deleting the expression "of that kind" and inserting the expression "of that kind or in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate".

(c). Subdivision (c) of note 2 to section XVI is modified to read as follows:

"(c) All other parts are to be classified in heading 8409, 8431, 8448, 8466, 8473, 8503, 8522, 8529 or 8538 as appropriate or, failing that, in heading 8485 or 8548."

250. Subdivision (b) of note 1 to chapter 84 is modified to read as follows:

"(b) Machinery or appliances (for example, pumps) of ceramic material and ceramic parts of machinery or appliances of any material (chapter 69);"

251. The following new last paragraph of note 2 to chapter 84 is inserted:

"Heading 8424 does not cover:

Ink-jet printing machines (heading 8443 or 8471)."

Annex II (con.)
-78-

252. Note 4 to chapter 84 is modified to read as follows:

"4. Heading 8457 applies only to machine tools for working metal, other than lathes (including turning centers), which can carry out different types of machining operations either:

(a) by automatic tool change from a magazine or the like in conformity with a machining program (machining centers),

(b) by the automatic use, simultaneously or sequentially, of different unit heads working on a fixed position workpiece (unit construction machines, single station), or

(c) by the automatic transfer of the workpiece to different unit heads (multi-station transfer machines)."

253. Subdivision (B) and the final paragraph of note 5 to chapter 84 are modified to read as follows:

"(B) Automatic data processing machines may be in the form of systems consisting of a variable number of separate units. Subject to paragraph (E) below, a unit is to be regarded as being a part of a complete system if it meets all the following conditions:

(a) It is of a kind solely or principally used in an automatic data processing system;

(b) It is connectable to the central processing unit either directly or through one or more other units; and

(c) It is able to accept or deliver data in a form (codes or signals) which can be used by the system.

(C) Separately presented units of an automatic data processing machine are to be classified in heading 8471.

(D) Printers, keyboards, X-Y coordinate input devices and disk storage units which satisfy the conditions of paragraphs (B)(b) and (B)(c) above, are in all cases to be classified as units of heading 8471.

(E) Machines performing a specific function other than data processing and incorporating or working in conjunction with an automatic data processing machine are to be classified in the headings appropriate to their respective functions or, failing that, in residual headings."

254. The following new note 8 to chapter 84 is inserted in numerical sequence:

"8. For the purposes of heading 8470, the term "pocket-size" applies only to machines the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

255. Subheading note 1 to chapter 84 is redesignated as subheading note 2, the existing title thereto is modified to read "Subheading Notes", and the following new subheading note 1 is inserted thereafter:

"1. For the purposes of subheading 8471.49, the term "systems" means automatic data processing machines whose units satisfy the conditions laid down in note 5(B) to chapter 84 and which comprise at least a central processing unit, one input unit (for example, a keyboard or a scanner), and one output unit (for example, a visual display unit or a printer)."

Annex II (con.)
-79-

256. Subheadings 8406.11 (and the superior text thereto reading "Turbines:"), 8406.11.10, 8406.11.90, 8406.19, 8406.19.10 and 8406.19.90 are superseded by the following:

	[Steam...:]			
"8406.10	Turbines for marine propulsion:			
8406.10.10	Steam turbines	7.3%	Free (A,CA,E,IL, J,MX)	20%
8406.10.90	Other	2.7%	Free (A,CA,E,IL, J,MX)	27.5%
	Other turbines:			
8406.81	Of an output exceeding 40 MW:			
8406.81.10	Steam turbines	7.3%	Free (A,CA,E,IL, J,MX)	20%
8406.81.90	Other	2.7%	Free (A,CA,E,IL, J,MX)	27.5%
8406.82	Of an output not exceeding 40 MW:			
8406.82.10	Steam turbines	7.3%	Free (A,CA,E,IL, J,MX)	20%
8406.82.90	Other	2.7%	Free (A,CA,E,IL, J,MX)	27.5%"

257. The following new subheading 8415.20.00 is inserted in numerical sequence:

	[Air...:]			
"8415.20.00	Of a kind used for persons, in motor vehicles	1.9%	Free (A,B,CA,E, IL,J,MX)	35%"

258. The article description of heading 8422 is modified to read as follows:

"Dishwashing machines; machinery for cleaning or drying bottles or other containers; machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; other packing or wrapping machinery (including heat-shrink wrapping machinery); machinery for aerating beverages; parts thereof:"

259. The article description of subheading 8422.30 is modified to read as follows:

"Machinery for filling, closing, sealing or labeling bottles, cans, boxes, bags or other containers; machinery for capsuling bottles, jars, tubes and similar containers; machinery for aerating beverages:"

260. The article description of subheading 8422.40 is modified to read as follows:

"Other packing or wrapping machinery (including heat-shrink wrapping machinery):"

261(a). The article description of heading 8443 is modified to read as follows:

"Printing machinery, including ink-jet printing machines, other than those of heading 8471; machines for uses ancillary to printing; parts thereof:"

261. (con.)
(b). Subheadings 8443.50, 8443.50.10 and 8443.50.50 are superseded by the following:

	[Printing...:]			
	"Other printing machinery:			
8443.51	Ink-jet printing machinery:			
8443.51.10	Textile printing machinery.....	4.1%	Free (A,CA,E,IL, J,MX)	40%
8443.51.50	Other.....	2%	Free (A,CA,E,IL, J,MX)	25%
8443.59	Other:			
8443.59.10	Textile printing machinery.....	4.1%	Free (A,CA,E,IL, J,MX)	40%
8443.59.50	Other.....	2%	Free (A,CA,E,IL, J,MX)	25%*

262. Subheadings 8456.90 through 8456.90.80 are superseded by the following:

	[Machine...:]			
	"Other:			
8456.91.00	For dry etching patterns on semiconductor materials.....	Free		35%
8456.99	Other:			
	for working metal:			
8456.99.10	Focused ion beam milling machines designed to produce or repair masks and reticles of semiconductor device designs.....	Free		30%
8456.99.30	Other.....	4%	Free (A,CA,E,IL, J,MX)	30%
8456.99.50	Other.....	2.7%	Free (A,CA,E,IL, J,MX)	35%*

263. The article description of heading 8458 is modified by inserting the expression "(including turning centers)" after the word "Lathes".

264. The article description of heading 8459 is modified by inserting the expression "(including turning centers)" after the word "lathes".

265. The article description of heading 8460 is modified by deleting the expression ", sintered metal carbides".

266. The article description of heading 8461 is modified by deleting the expression ", sintered metal carbides".

267. The article description of heading 8463 is modified by deleting the expression ", sintered metal carbides".

268. The article description of heading 8467 is modified by inserting the word ", hydraulic" after the word "pneumatic".

Annex II (con.)
-81-

269(a). The article description of heading 8469 is modified to read as follows:

"Typewriters other than printers of heading 8471; word processing machines:"

(b). Subheadings 8469.10 through 8469.39.00 are superseded by the following:

	[Typewriters...:]			
	"Automatic typewriters and word processing machines:			
8469.11.00	Word processing machines.....	1.3%	Free (A,CA,E,IL, J,MX)	35%
8469.12.00	Automatic typewriters.....	1.3%	Free (A*,CA,E,IL, J,MX)	35%
8469.20.00	Other typewriters, electric.....	Free		Free
8469.30.00	Other typewriters, nonelectric.....	Free		Free"

Conforming change: General note 4(d) is modified by deleting "8469.10.80 Indonesia" and by inserting in lieu thereof "8469.12.00 Indonesia".

270(a). The article description of heading 8470 is modified to read as follows:

"Calculating machines and pocket-size data recording, reproducing and displaying machines with calculating functions; accounting machines, postage-franking machines, ticket-issuing machines and similar machines, incorporating a calculating device; cash registers:"

(b). The article description of subheading 8470.10.00 is modified by deleting the expression "external source of power" and inserting the expression "external source of electric power and pocket-size data recording, reproducing and displaying machines with calculating functions" in lieu thereof.

271. Subheadings 8471.20.00 through 8471.99.90 are superseded by the following:

	[Automatic...:]			
"8471.30.00	Portable digital automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display.....	3.1%	Free (A,C,CA,E, IL,J,MX)	35%
	Other digital automatic data processing machines:			
8471.41.00	Comprising in the same housing at least a central processing unit and an input and output unit, whether or not combined.....	3.1%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49	Other, entered in the form of systems:			
8471.49.10	Digital processing units entered with the rest of a system, whether or not containing in the same housing one or two of the following types of unit: storage units, input units, output units....	3.1%	Free (A,C,CA,E, IL,J,MX)	35%
	Input or output units, entered with the rest of a system, whether or not containing storage units in the same housing:			
8471.49.15	Combined input/output units....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%

Annex II (con.)
-82-

271. (con.):

	[Automatic...t] [con.] Other digital automatic data processing machines (con.):			
8471.49 (con.)	Other, entered in the form of systems (con.):			
	Input or output units, entered with the rest of a system, whether or not containing storage units in the same housing (con.):			
	Other:			
8471.49.21	Keyboards	Free		35%
	Display units:			
8471.49.24	Without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm	Free		35%
	Other:			
8471.49.26	With color cathode-ray tube (CRT)	2.2%	Free (A*,C,CA,E, IL,J,MX)	35%
8471.49.29	Other	2.2%	Free (A*,C,CA,E, IL,J,MX)	35%
	Printer units:			
	Laser:			
8471.49.31	Capable of producing more than 20 pages per minute	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.32	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.33	Light bar electronic type	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.34	Ink jet	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.35	Thermal transfer	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.36	Ionographic	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.37	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other:			
8471.49.42	Optical scanners and magnetic ink recognition devices	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.49.48	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%

Annex II (con.)
-83-

271. (con.):

	[Automatic...:] [con.]			
	Other digital automatic data processing machines (con.):			
8471.49 (con.)	Other, entered in the form of systems (con.):			
8471.49.50	Storage units, entered with the rest of a system.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other:			
8471.49.60	Control or adapter units.....	Free		35%
8471.49.70	Power supplies.....	1.8%	Free (A,CA,E, IL,J,MX)	35%
	Other:			
8471.49.85	Units suitable for physical incorporation into automatic data processing machines or units thereof.....	Free		35%
8471.49.95	Other.....	2.2%	Free (A,CA,E, IL,J,MX)	35%
8471.50	Digital processing units other than those of subheadings 8471.41 and 8741.49, whether or not containing in the same housing one or two of the following types of unit: storage units, input units, output units:			
8471.50.40	Digital processing units for automatic data processing machines, unhoused, consisting of a printed circuit (single or multiple) with one or more electronic integrated circuits or other semiconductor devices mounted directly thereon, certified as units designed for use other than in automatic data processing machines of subheading 8471.30 or 8471.41.....	Free		35%
8471.50.80	Other.....	3.1%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60	Input or output units, whether or not containing storage units in the same housing:			
8471.60.10	Combined input/output units.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other:			
8471.60.20	Keyboards.....	Free		35%
	Display units:			
8471.60.30	Without cathode-ray tube (CRT), having a visual display diagonal not exceeding 30.5 cm.....	Free		35%
	Other:			
8471.60.35	With color cathode-ray tube (CRT).....	2.2%	Free (A*,C,CA,E, IL,J,MX)	35%
8471.60.45	Other.....	2.2%	Free (A*,C,CA,E, IL,J,MX)	35%

Annex II (con.)
-84-

271. (con.):

	[Automatic...:] [con.]			
8471.60 (con.)	Input or output units, whether or not containing storage units in the same housing (con.):			
	Other (con.):			
	Printer units:			
	Assembled units incorporating at least the media transport, control and print mechanisms:			
	Laser:			
8471.60.51	Capable of producing more than 20 pages per minute.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.52	Other.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.53	Light bar electronic type.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.54	Ink jet.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.55	Thermal transfer.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.56	Ionographic.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.57	Other.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other:			
	Laser:			
8471.60.61	Capable of producing more than 20 pages per minute.....	Free		35%
8471.60.62	Other.....	Free		35%
8471.60.63	Light bar electronic type.....	Free		35%
8471.60.64	Ink jet.....	Free		35%
8471.60.65	Thermal transfer.....	Free		35%
8471.60.66	Ionographic.....	Free		35%
8471.60.67	Other.....	Free		35%
	Other:			
8471.60.70	Units suitable for physical incorporation into automatic data processing machines or units thereof.....	Free		35%
	Other:			
8471.60.80	Optical scanners and magnetic ink recognition devices.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.60.90	Other.....	2.2%	Free (A,C,CA,E, IL,J,MX)	35%

Annex II (con.)
-85-

271. (con.):

	[Automatic...:] [con.]			
8471.70	Storage units:			
	Magnetic disk drive units:			
	For a disk of a diameter exceeding 21 cm:			
8471.70.10	Without read-write unit assembled therein; read-write units entered separately	Free		35%
8471.70.20	Units for physical incorporation into automatic data processing machines or units thereof	Free		35%
8471.70.30	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other:			
8471.70.40	Not assembled in cabinets, and without attached external power supply	Free		35%
8471.70.50	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
	Other storage units:			
8471.70.60	Not assembled in cabinets for placing on a table, desk, wall, floor or similar place	Free		35%
8471.70.90	Other	2.2%	Free (A,C,CA,E, IL,J,MX)	35%
8471.80	Other units of automatic data processing machines:			
8471.80.10	Control or adapter units	Free		35%
	Other:			
8471.80.40	Units suitable for physical incorporation into automatic data processing machines	Free		35%
8471.80.90	Other	2.2%	Free (A,CA,E, IL,J,MX)	35%
8471.90.00	Other	2.2%	Free (A,CA,E, IL,J,MX)	35%*

Conforming changes: General note 4(d) is modified by deleting "8471.92.32 Malaysia; Thailand" and "8471.92.34 Malaysia; Thailand" and by inserting in lieu thereof "8471.49.26 Malaysia; Thailand", "8471.49.29 Malaysia; Thailand", "8471.60.35 Malaysia; Thailand" and "8471.60.45 Malaysia; Thailand".

Annex II (con.)
-86-

272. The following new provisions are inserted after subheading 8473.40.90:

	[Parts...:]			
"8473.50	Parts and accessories equally suitable for use with machines of two or more of the headings 8469 to 8472:			
8473.50.30	Printed circuit assemblies.....	Free		35%
8473.50.60	Parts and accessories, including face plates and lock latches, of printed circuit assemblies.....	Free		35%
8473.50.90	Other.....	Free		35%"

Conforming changes:

(a). Subheading 8473.30.10 is modified by deleting ", other than for power supplies for automatic data processing machines".

(b). Subheadings 8473.30.35, 8473.30.45 and 8473.30.50 and the superior texts reading "Other:" and "Parts of power supplies for automatic data processing machines:" are deleted and the following new provision is inserted in lieu thereof:

	[Parts...:]			
	[Parts...:]			
	[Not...:]			
"8473.30.50	Other.....	Free		35%"

273. Subheading 8475.20.00 is superseded by the following:

	[Machines...:]			
	"Machines for manufacturing or hot-working glass or glassware:			
8475.21.00	Machines for making optical fibers and preforms thereof.....	2.3%	Free (A,CA,E, IL,J,MX)	35%
8475.29.00	Other.....	2.3%	Free (A,CA,E, IL,J,MX)	35%"

274. Subheadings 8476.11.00 and 8476.19.00 (and the superior text thereto reading "Machines:") are superseded by the following:

	[Automatic...:]			
	"Automatic beverage-vending machines:			
8476.21.00	Incorporating heating or refrigerating devices.....	2.3%	Free (A,CA,E,IL, J,MX)	35%
8476.29.00	Other.....	2.3%	Free (A,CA,E,IL, J,MX)	35%
	Other machines:			
8476.81.00	Incorporating heating or refrigerating devices.....	2.3%	Free (A,CA,E,IL, J,MX)	35%
8476.89.00	Other.....	2.3%	Free (A,CA,E,IL, J,MX)	35%"

Annex II (con.)
-87-

275. The following new subheadings are inserted in numerical sequence in heading 8479:

	[Machines...:]			
"8479.50.00	Industrial robots, not elsewhere specified or included	3.2%	Free (A,CA,E, IL,J,MX)	35%
8479.60.00	Evaporative air coolers	3.6%	Free (A,CA,E, IL,J,MX)	40%"

276(a). The article description of heading 8483 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

(b). The article description of subheading 8483.40 is modified by deleting the expression "ball screws;" and inserting the expression "ball or roller screws;" in lieu thereof.

(c). The article description of subheading 8483.40.80 is modified to read as follows: "Ball or roller screws".

277(a). The article description of heading 8484 is modified by inserting the expression "; mechanical seals" after the expression "similar packings".

(b). The following new subheading is inserted in numerical sequence in heading 8484:

	[Gaskets...]			
"8484.20.00	Mechanical seals	5%	Free (A,B,CA,E, IL,J,MX)	45%"

278. The first sentence of the second paragraph of note 4 to chapter 85 is modified to read as follows:

"The term "printed circuits" does not cover circuits combined with elements other than those obtained during the printing process, nor does it cover individual, discrete resistors, capacitors or inductances."

279. The following new note 7 to chapter 85 is inserted:

"7. For the purposes of heading 8548, "spent primary cells, spent primary batteries and spent electric storage batteries" are those which are neither usable as such because of breakage, cutting up, wear or other reasons, nor capable of being recharged."

280. The following new subheading note 1 to chapter 85 is inserted:

"Subheading Note

1. Subheadings 8519.92 and 8527.12 cover only cassette players with built-in amplifier, without built-in loudspeaker, capable of operating without an external source of electric power and the dimensions of which do not exceed 170 mm x 100 mm x 45 mm."

281. Subheading 8502.30.00 is superseded by the following:

	[Electric...:]			
	"Other generating sets:			
8502.31.00	Wind-powered	2.8%	Free (A,B,C,CA, E,IL,J,MX)	35%
8502.39.00	Other	2.8%	Free (A,B,C,CA, E,IL,J,MX)	35%"

Annex II (con.)
-88-

282(a). The article description of heading 8504 is modified to read as follows:

"Electrical transformers, static converters (for example, rectifiers) and inductors; power supplies for automatic data processing machines or units thereof of heading 8471; parts thereof:"

(b). The article description of subheading 8504.40 is modified to read as follows:

"Static converters; power supplies for automatic data processing machines or units thereof of heading 8471:"

(c). Subheading 8504.40.80 is deleted and the following new subheadings are added in numerical sequence:

	[Electrical...:]			
	[Static...:]			
	"Power supplies for automatic data processing machines or units thereof of heading 8471:			
8504.40.60	Suitable for physical incorporation into automatic data processing machines or units thereof of heading 8471.....	Free		35%
8504.40.70	Other.....	1.8%	Free (A,CA,E, IL,J,MX)	35%
8504.40.90	Other.....	2.4%	Free (A,B,C,CA, E,IL,J,MX)	35%[n]

(d). Subheadings 8504.90.60 and 8504.90.90 are superseded by the following:

	[Electrical...:]			
	[Parts:]			
	"Of power supplies for automatic data processing machines or units thereof of heading 8471:			
8504.90.20	Printed circuit assemblies.....	Free		35%
8504.90.40	Other.....	Free		35%
	Other:			
8504.90.70	Printed circuit assemblies.....	2.9%	Free (A,B,CA,E, IL,J,MX)	35%
8504.90.95	Other.....	2.9%	Free (A,B,CA,E, IL,J,MX)	35%[n]

283. Heading 8506 (including its subordinate provisions) is superseded by the following:

"8506	Primary cells and primary batteries; parts thereof:			
8506.10.00	Manganese dioxide.....	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%
8506.30	Mercuric oxide:			
8506.30.10	Having an external volume not exceeding 300 cm^3.....	4.3%	Free (A,CA,E, IL,J,MX)	35%
8506.30.50	Other.....	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%

Annex II (con.)
-89-

283. (con.):

8506.(con.)	Primary cells and primary batteries; parts thereof (con.):			
8506.40	Silver oxide:			
8506.40.10	Having an external volume not exceeding 300 cm^3	4.3%	Free (A,CA,E, IL,J,MX)	35%
8506.40.50	Other	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%
8506.50.00	Lithium	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%
8506.60.00	Air-zinc	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%
8506.80.00	Other	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%
8506.90.00	Parts	4.3%	Free (A,E,IL,J, MX) 1% (CA)	35%*

284(a). The article description of heading 8510 is modified to read as follows:

"Shavers, hair clippers and hair-removing appliances, with self-contained electric motor; parts thereof:"

(b). The following new subheadings 8510.30.00 and 8510.90.55 are inserted in numerical sequence:

	[Shavers,...:]			
*8510.30.00	Hair-removing appliances	4.2%	Free (A,E,IL,J, MX) 0.8% (CA)	40%*
	[Parts:]			
*8510.90.55	Other	4.2%	Free (A,CA,E,IL, J,MX)	40%*

285. The article description of heading 8515 is modified by deleting the expression "sintered metal carbides" and inserting the word "cermets" in lieu thereof.

286(a). The article description of heading 8517 is modified to read as follows:

"Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof:"

Annex II (con.)
-90-

286. (con.)
(b). Subheading 8517.10.00 is superseded by the following:

	[Electrical...t]			
	"Telephone sets; videophones:			
8517.11.00	Line telephone sets with cordless handsets	3.6%	Free (A,B,C,CA,E, IL,J,MX)	35%
8517.19	Other:			
8517.19.40	Videophones	8.5%	Free (A*,B,CA,E, IL,J,MX)	35%
8517.19.80	Other	8.5%	Free (A*,B,CA,E, IL,J,MX)	35%*

Conforming change: General note 4(d) is modified by deleting "8517.10.00 Thailand" and by inserting in lieu thereof "8517.19.40 Thailand" and "8517.19.80 Thailand".

(c). Subheading 8517.20.00 is superseded by the following:

	[Electrical...t]			
	"Facsimile machines and teleprinters:			
8517.21.00	Facsimile machines	4.7%	Free (A*,CA,E, IL,J,MX)	35%
8517.22.00	Teleprinters	4.7%	Free (A,CA,E, IL,J,MX)	35%*

Conforming change: General note 4(d) is modified by deleting "8517.82.40 Thailand" and by inserting in numerical sequence "8517.21.00 Thailand".

(d). Subheadings 8517.40, 8517.40.10, and 8517.40.50 are redesignated as 8517.50, 8517.50.10, and 8517.50.50, respectively; the article description of subheading 8517.50 (as redesignated) is modified by deleting the expression "systems:" and inserting the expression "systems or for digital line systems:" in lieu thereof.

(e). Subheading 8517.40.70 is deleted and the following new provisions are inserted in numerical sequence in lieu thereof:

	[Electrical...t]			
	[Other...t]			
	[Other:]			
	"Telegraphic:			
8517.50.60	For carrier-current line systems	3.7%	Free (A,CA,E,IL, J,MX)	35%
8517.50.90	Other	4.7%	Free (A,CA,E,IL, J,MX)	35%*

(f). Subheadings 8517.81.00 (and the superior text thereto reading "Other apparatus:"), 8517.82, 8517.82.40 and 8517.82.80 are deleted and the following new provisions are inserted in lieu thereof:

	[Electrical...t]			
"8517.80	Other apparatus:			
8517.80.10	Telephonic	8.5%	Free (A,B,CA,E, IL,J,MX)	35%
8517.80.20	Telegraphic	4.7%	Free (A,CA,E, IL,J,MX)	35%*

286. (con.)
(g). The superior text immediately preceding subheading 8517.90.16 reading "Parts for articles of subheadings 8517.20, 8517.30, 8517.40.50 and 8517.81:" is modified by deleting provisions "8517.20," and "8517.40.50 and 8517.81" and inserting provisions "8517.22," and "8517.50.50 and 8517.80.10", respectively, in lieu thereof.

287. Subheading 8519.91 is superseded by the following:

	[Turntables,...:]				
	[Other...:]				
"8519.92.00	Pocket-size cassette players.....	2.2%		Free (A,E,IL, J,MX) 0.7% (CA)	35%
8519.93	Other, cassette type:				
8519.93.40	Designed exclusively for motor-vehicle installation.....	3.7%		Free (A,B,CA,E, IL,J,MX)	35%
8519.93.80	Other.....	2.2%		Free (A,E,IL,J, MX) 0.7% (CA)	35%*

288. Subheading 8520.31.00 is superseded by the following:

	[Magnetic...:]				
	[Other...:]				
"8520.32.00	Digital audio type.....	2.3%		Free (A,B,E,IL, J,MX) 0.7% (CA)	35%
8520.33.00	Other, cassette type.....	2.3%		Free (A,B,E,IL, J,MX) 0.7% (CA)	35%*

289. The article description of heading 8522 is modified to read as follows:

"Parts and accessories suitable for use solely or principally with the apparatus of headings 8519 to 8521:"

290. The following new subheading 8523.30.00 is inserted in numerical order:

	[Prepared...:]				
"8523.30.00	Cards incorporating a magnetic stripe.....	2.5%		Free (A,E,IL,J, MX) 0.8% (CA)	80%*

291. Subheadings 8524.10.00 through 8524.90.40 are superseded by the following:

	[Records,...:]				
"8524.10.00	Phonograph records.....	2.9%		Free (A,E,IL,J, MX) 0.7% (CA)	30%
	Discs for laser reading systems:				
8524.31.00	For reproducing phenomena other than sound or image.....	5.8¢/m^2 of recording surface		Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface

Annex II (con.)
-92-

291. (con.):

	[Records,...:] [con.]			
	Discs for laser reading systems (con.):			
8524.32.00	For reproducing sound only.....	5.8¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
8524.39.00	Other.....	4.3%	Free (A,E,IL, J,MX) 1% (CA)	80%
8524.40.00	Magnetic tapes for reproducing phenomena other than sound or image.....	7.7¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
	Other magnetic tapes:			
8524.51	Of a width not exceeding 4 mm:			
8524.51.10	News sound recordings relating to current events.....	Free		Free
8524.51.30	Other.....	7.7¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
8524.52	Of a width exceeding 4 mm but not exceeding 6.5 mm:			
8524.52.10	Video tape recordings.....	0.53¢/lin. m	Free (A,E,IL, J,MX) 0.1¢/lin. m (CA)	3.3¢/lin. m
8524.52.20	Other.....	7.7¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
8524.53	Of a width exceeding 6.5 mm:			
8524.53.10	Video tape recordings.....	0.4¢/lin. m	Free (A,E,IL, J,MX) 0.1¢/lin. m (CA)	3.3¢/lin. m
8524.53.20	Other.....	7.7¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
8524.60.00	Cards incorporating a magnetic stripe.....	5.8¢/m^2 of recording surface	Free (A,E,IL, J,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface

Annex II (con.)
-93-

291. (con.):

	[Records,...:] [con.]			
	Other:			
8524.91.00	For reproducing phenomena other than sound or image.....	5.8¢/m^2 of recording surface	Free (A,E,IL, $\frac{1}{2}$,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface
8524.99	Other:			
8524.99.20	Master records or metal matrices therefrom for use in the production of sound records for export; recordings on wire.....	Free		Free
8524.99.40	Other.....	5.8¢/m^2 of recording surface	Free (A,E,IL, $\frac{1}{2}$,MX) 1.9¢/m^2 of recording surface (CA)	86.1¢/m^2 of recording surface"

292(a). The article description of heading 8525 is modified by deleting the expression "cameras:" and inserting the following in lieu thereof:

"cameras; still image video cameras or other video camera recorders:"

(b). Subheadings 8525.20.50 and 8525.20.60 (and the superior text thereto reading "Other:") are deleted, and the following new subheading is inserted in lieu thereof:

	[Transmission...:]			
	[Transmission...:]			
"8525.20.90	Other.....	3.6%	Free (A,B,C,CA, E,IL,J,MX)	35%"

(c). The following new subheading is inserted in numerical sequence:

	[Transmission...:]			
"8525.40.00	Still image video cameras and other video camera recorders.....	3.4%	Free (A,CA,E, IL,J,MX)	35%"

293. Subheadings 8527.11 through 8527.11.60 and the intervening superior text reading "Other:" are superseded by the following:

	[Reception...:]			
	[Radiobroadcast...:]			
"8527.12.00	Pocket-size radio cassette players.....	2.2%	Free (A,CA,E, IL,J,MX)	35%
8527.13	Other apparatus combined with sound recording or reproducing apparatus:			
8527.13.11	Combinations incorporating tape players which are incapable of recording.....	2.2%	Free (A,CA,E, IL,J,MX)	35%

Annex II (con.)
-94-

293. (con.):

	[Reception...:] [con.]			
	[Radiobroadcast...:] [con.]			
8527.13 (con.)	Other apparatus combined with sound recording or reproducing apparatus (con.):			
	Other:			
8527.13.20	Radio-tape recorder combinations	2.9%	Free (CA,E,IL, J,MX)	35%
8527.13.40	Radio-phonograph combinations	2.6%	Free (CA,E,IL, J,MX)	35%
8527.13.60	Other	2.2%	Free (A,CA,E, IL,J,MX)	35%*

294(a). The article description of heading 8528 is modified to read as follows:

"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus; video monitors and video projectors:"

(b). Subheadings 8528.10 through 8528.20.00, inclusive, are superseded by the following:

	[Reception...:]			
	"Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus:			
8528.12	Color:			
	Incomplete or unfinished (including assemblies for television receivers consisting of all the parts specified in additional U.S. note 10 to this chapter plus a power supply), not incorporating a cathode-ray tube, flat panel screen or similar display device:			
8528.12.04	Incorporating video recording or reproducing apparatus	2.3%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.12.08	Other	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm:			
	Incorporating video recording or reproducing apparatus:			
8528.12.12	With a video display diagonal not exceeding 33.02 cm	2.3%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.12.16	Other	3.9%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%

Annex II (con.)
-95-

294. (con.)
(b). (con.):

	[Reception...:] [con.] Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):			
8528.12 (con.)	Color (con.):			
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm (con.):			
8528.12.20	Other: With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.12.24	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal exceeding 35.56 cm:			
8528.12.28	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.12.32	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Non-high definition, projection type, with a cathode-ray tube:			
8528.12.36	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.12.40	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	High definition, non-projection type, with a cathode-ray tube:			
8528.12.44	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.12.48	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%

294. (con.)
(b). (con.):

	[Reception...:] [con.]			
	Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):			
8528.12 (con.)	Color (con.):			
	High definition, projection type, with a cathode-ray tube:			
8528.12.52	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.12.56	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	With a flat panel screen: Incorporating video recording or reproducing apparatus:			
8528.12.62	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.12.64	Other.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
	Other:			
8528.12.68	With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.12.72	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Other: Incorporating video recording or reproducing apparatus:			
8528.12.76	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.12.80	Other.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
	Other:			
8528.12.84	With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.12.88	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%

Annex II (con.)
-97-

294. (con.)
(b). (con.):

	[Reception...:] [con.]			
	Reception apparatus for television, whether or not incorporating radiobroadcast receivers or sound or video recording or reproducing apparatus (con.):			
8528.13.00	Black and white or other monochrome.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Video monitors:			
8528.21	Color:			
	Incomplete or unfinished (including assemblies consisting of the parts specified in subdivisions (a), (b), (c) and (e) in additional U.S. note 10 to this chapter plus a power supply), not incorporating a cathode-ray tube, flat panel screen or similar display device:			
8528.21.05	Incorporating video recording or reproducing apparatus.....	2.3%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.21.10	Other.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal not exceeding 35.56 cm:			
	Incorporating video recording or reproducing apparatus:			
8528.21.16	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A*,E,IL, J,MX) 0.7% (CA)	25%
8528.21.19	Other.....	3.9%	Free (A*,E,IL, J,MX) 0.7% (CA)	25%
	Other:			
8528.21.24	With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL, J,MX) 1% (CA)	35%
8528.21.29	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%

Annex II (con.)
-98-

294. (con.)
(b). (con.):

	[Reception...:] [con.] Video monitors (con.):			
8528.21 (con.)	Color (con.):			
	Non-high definition, having a single picture tube intended for direct viewing (non-projection type), with a video display diagonal exceeding 35.56 cm:			
8528.21.34	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
8528.21.39	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
	Non-high definition, projection type, with a cathode-ray tube:			
8528.21.41	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A*,E,IL, J,MX) 0.7% (CA)	25%
8528.21.42	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
	High definition, non-projection type, with a cathode-ray tube:			
8528.21.44	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
8528.21.49	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
	High definition, projection type, with a cathode-ray tube:			
8528.21.51	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
8528.21.52	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
	With a flat panel screen:			
	Incorporating video recording or reproducing apparatus:			
8528.21.55	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.21.60	Other.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%

Annex II (con.)
-99-

294. (con.)
(b). (con.):

	[Reception...:] [con.]			
	Video monitors (con.):			
8528.21 (con.)	Color (con.):			
	With a flat panel screen (con.):			
	Other:			
8528.21.65	With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.21.70	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	Other:			
	Incorporating video recording or reproducing apparatus:			
8528.21.75	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.21.80	Other.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
	Other:			
8528.21.85	With a video display diagonal not exceeding 33.02 cm.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.21.90	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.22.00	Black and white or other monochrome.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
8528.30	Video projectors:			
	Color:			
	Incomplete or unfinished (including assemblies consisting of the parts specified in subdivisions (a), (b), (c) and (e) in additional U.S. note 10 to this chapter plus a power supply), not incorporating a cathode-ray tube, flat panel screen or similar display device:			
8528.30.10	Incorporating video recording or reproducing apparatus.....	2.3%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.30.20	Other.....	3%	Free (B,E,IL,J, MX) 1% (CA)	35%

Annex II (con.)
-100-

294. (con.)
(b). (con.):

	[Reception...:] [con.]			
8528.30 (con.)	Video projectors (con.):			
	Color (con.):			
	Non-high definition, with a cathode-ray tube:			
8528.30.30	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A*,E,IL,J, MX) 0.7% (CA)	25%
8528.30.40	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	High definition, with a cathode-ray tube:			
8528.30.50	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL,J, MX) 0.7% (CA)	25%
8528.30.60	Other.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%
	With a flat panel screen:			
	Incorporating video recording or reproducing apparatus:			
8528.30.62	With a video display diagonal not exceeding 33.02 cm.....	2.3%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
8528.30.64	Other.....	3.9%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
	Other:			
8528.30.66	With a video display diagonal not exceeding 33.02 cm.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
8528.30.68	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
	Other:			
8528.30.72	Incorporating video recording or reproducing apparatus.....	3.9%	Free (A,E,IL, J,MX) 0.7% (CA)	25%
8528.30.78	Other.....	5%	Free (B,E,IL, J,MX) 1% (CA)	35%
8528.30.90	Black and white or other monochrome.....	5%	Free (B,E,IL,J, MX) 1% (CA)	35%*

Annex II (con.)
-101-

294. (con.)
(b). (con.)
Conforming changes: General note 4(d) is modified by deleting "8528.10.04 Hungary", "8528.10.11 Malaysia", "8528.10.13 Malaysia", and "8528.10.34 Malaysia" and by inserting in numerical sequence the following subheadings and countries:

"8528.12.04	Hungary	8528.21.16	Malaysia
8528.12.12	Malaysia	8528.21.19	Malaysia
8528.12.16	Malaysia	8528.21.41	Malaysia
8528.12.36	Malaysia	8528.30.10	Hungary
8528.21.05	Hungary	8528.30.30	Malaysia"

295. The article description of heading 8537 is modified to read as follows:

"Boards, panels, consoles, desks, cabinets and other bases, equipped with two or more apparatus of heading 8535 or 8536, for electric control or the distribution of electricity, including those incorporating instruments or apparatus of chapter 90, and numerical control apparatus, other than switching apparatus of heading 8517:"

296(a). The following new subheading 8539.32.00 is inserted in numerical order:

	[Electrical...:]			
	[Discharge...:]			
"8539.32.00	Mercury or sodium vapor lamps; metal halide lamps	3.2%	Free (A,E,IL,J, MX) 0.7% (CA)	20%"

(b). Subheadings 8539.40, 8539.40.40 and 8539.40.80 are superseded by the following:

	[Electrical...:]			
	"Ultraviolet or infrared lamps; arc lamps:			
8539.41.00	Arc lamps	3.4%	Free (A,CA,E, IL,J,MX)	35%
8539.49.00	Other	3.2%	Free (A,CA,E, IL,J,MX)	35%"

297. Subheadings 8540.30.00 through 8540.49.00 are superseded by the following:

	[Thermionic,...:]			
"8540.40.00	Data/graphic display tubes, color, with a phosphor dot screen pitch smaller than 0.4 mm	4.8%	Free (B,CA,E, IL,J,MX)	35%
8540.50.00	Data/graphic display tubes, black and white or other monochrome	4.8%	Free (B,CA,E, IL,J,MX)	35%
8540.60.00	Other cathode-ray tubes	4.8%	Free (B,CA,E, IL,J,MX)	35%
	Microwave tubes (for example, magnetrons, klystrons, traveling wave tubes, carcinotrons), excluding grid-controlled tubes:			
8540.71	Magnetrons:			
8540.71.20	Modified for use as parts of microwave ovens	Free		35%
8540.71.40	Other	4%	Free (CA,E,IL, J,MX)	35%

Annex II (con.)
-102-

297. (con.):

	[Thermionic,...:] [con.] Microwave tubes (for example, magnetrons, klystrons, traveling wave tubes, carcinotrons), excluding grid-controlled tubes (con.):			
8540.72.00	Klystrons.....	3.8%	Free (CA,E,IL, J,MX)	35%
8540.79.00	Other.....	4%	Free (CA,E,IL, J,MX)	35%*

298. Subheadings 8542.11 (and the superior text thereto reading "Monolithic integrated circuits:") through 8542.90.00 are superseded by the following:

	[Electronic...:] "Monolithic digital integrated circuits:			
8542.12.00	Cards incorporating electronic integrated circuits ("smart" cards).....	Free		35%
8542.13	Metal oxide semiconductors (MOS technology):			
8542.13.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.13.80	Other.....	Free		35%
8542.14	Circuits obtained by bipolar technology:			
8542.14.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.14.80	Other.....	Free		35%
8542.19	Other, including circuits obtained by a combination of bipolar and MOS technologies (BIMOS technology):			
8542.19.40	For high definition television, having greater than 100,000 gates...	Free		35%
8542.19.80	Other.....	Free		35%
8542.30.00	Other monolithic integrated circuits.....	Free		35%
8542.40.00	Hybrid integrated circuits.....	Free		35%
8542.50.00	Electronic microassemblies.....	Free		35%
8542.90.00	Parts.....	Free		35%*

299(a). Subheading 8543.10 is superseded by the following:

	[Electrical...:] "Particle accelerators:			
8543.11.00	Ion implanters for doping semiconductor materials.....	Free		35%
8543.19.00	Other.....	3.1%	Free (A,CA,E, IL,J,MX)	35%*

(b). The following new subheading 8543.40.00 is inserted in numerical sequence:

	[Electrical...:]			
"8543.40.00	Electric fence energizers.....	3.4%	Free (A,CA,E, IL,J,MX)	35%*

Annex II (con.)
-103-

299. (con.)
(c). Subheadings 8543.80 through 8543.80.98 are superseded by the following:

	[Electrical...:]			
	"Other machines and apparatus:			
8543.81.00	Proximity cards and tags.....	3.4%	Free (A,CA,E, IL,J,MX)	35%
8543.89	Other:			
8543.89.40	Electric synchros and transducers; flight data recorders; defrosters and demisters with electric resistors for aircraft.....	3.4%	Free (A,C,CA,E, IL,J,MX)	35%
8543.89.60	Articles designed for connection to telegraphic or telephonic apparatus or instruments or to telegraphic or telephonic networks.....	3.4%	Free (A,B,CA,E, IL,J,MX)	35%
8543.89.70	Electric luminescent lamps.....	2%	Free (A,CA,E, IL,J,MX)	20%
	Other:			
8543.89.80	Microwave amplifiers.....	3.4%	Free (A,B,CA,E, IL,J,MX)	35%
	Other:			
8543.89.85	For electrical nerve stimulation.....	2.3%	Free (A,CA,E, IL,J,MX)	35%
8543.89.90	Other.....	3.4%	Free (A,B,CA,E, IL,J,MX)	35%*

300. Heading 8548.00.00 is superseded by the following:

"8548	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries; electrical parts of machinery or apparatus, not specified or included elsewhere in this chapter:			
8548.10	Waste and scrap of primary cells, primary batteries and electric storage batteries; spent primary cells, spent primary batteries and spent electric storage batteries:			
	Spent primary cells, spent primary batteries and spent electric storage batteries:			
8548.10.05	For recovery of lead.....	1.4% on the value of the lead content	Free (A,CA,E, IL,J,MX)	11.5%
8548.10.15	Other.....	Free		Free
	Other:			
8548.10.25	For recovery of lead.....	1.4% on the value of the lead content	Free (A,CA,E, IL,J,MX)	11.5%
8548.10.35	Other.....	Free		Free
8548.90.00	Other.....	2.3%	Free (A,B,E, IL,J,MX) 0.7% (CA)	35%*

Annex II (con.)
-104-

301. Note 4 to section XVII is modified to read as follows:

"4. For the purposes of this section:

(a) Vehicles specially constructed to travel on both road and rail are classified under the appropriate heading of chapter 87;

(b) Amphibious motor vehicles are classified under the appropriate heading of chapter 87;

(c) Aircraft specially constructed so that they can also be used as road vehicles are classified under the appropriate heading of chapter 88."

302. Note 2 to chapter 87 is modified by adding the following new second paragraph:

"Machines and working tools designed for fitting to tractors of heading 8701 as interchangeable equipment remain classified in their respective headings even if presented with the tractor, and whether or not mounted on it."

303. The following new subheading note is inserted in chapter 88:

"Subheading Note

1. For the purposes of subheadings 8802.11 to 8802.40, the expression "unladen weight" means the weight of the machine in normal flying order, excluding the weight of crew and of fuel and equipment other than permanently fitted items of equipment."

304(a). The article description of heading 8802 is modified to read as follows:

"Other aircraft (for example, helicopters, airplanes); spacecraft (including satellites) and suborbital and spacecraft launch vehicles:"

(b). The article description of subheading 8802.50 is modified to read as follows, and such subheading is redesignated as 8802.60:

"Spacecraft (including satellites) and suborbital and spacecraft launch vehicles"

(c). Subheadings 8802.50.30 and 8802.50.90 are redesignated as 8802.60.30 and 8802.60.90, respectively, and general note 4(d) is modified by deleting "8802.50.90 Russia" and by inserting in lieu thereof "8802.60.90 Russia".

305. The article description of heading 8804.00.00 is modified to read as follows:

"Parachutes (including dirigible parachutes and paragliders) and rotochutes; parts thereof and accessories thereto"

306. Subdivision (h) of note 1 to chapter 90 is modified by inserting the following new text after the expression "(heading 8522);":

"still image video cameras and other video camera recorders (heading 8525);"

307(a). Subheading 9007.21 and the superior text thereto reading "Projectors:" are superseded by the following:

"9007.20	Projectors:	
		For film of less than 16 mm:"

(b). Subheadings 9007.21.40 and 9007.21.80 are redesignated as subheadings 9007.20.20 and 9007.20.40, respectively.

Annex II (con.)
-105-

307. (con.)
(c). The numerical subheading code number "9007.29" is deleted; the article description "Other:" is retained at its existing level of indentation.

(d). Subheadings 9007.29.40 and 9007.29.80 are redesignated as 9007.20.60 and 9007.20.80, respectively.

308(a). The article description of heading 9010 is modified by deleting the expression "apparatus for the projection" and inserting the expression "apparatus for the projection or drawing" in lieu thereof.

(b). Subheadings 9010.20 through 9010.30.00 are superseded by the following:

	[Apparatus...:]			
	"Apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials:			
9010.41.00	Direct write-on-wafer apparatus.....	Free		35%
9010.42.00	Step and repeat aligners.....	Free		35%
9010.49.00	Other.....	Free		35%
9010.50	Other apparatus and equipment for photographic (including cinematographic) laboratories; negatoscopes:			
9010.50.10	Contact printers.....	1.3%	Free (A,CA,E, IL,J,MX)	35%
9010.50.20	Developing tanks.....	2.3%	Free (A,E,IL,J, MX) 0.7% (CA)	45%
	Photographic film viewers, titlers, splicers and editors, all the foregoing and combinations thereof:			
	Articles containing an optical lens or designed to contain such a lens:			
9010.50.30	Editors and combination editor-splicers, for cinematographic film.....	6.2%	Free (A,CA,E, IL,J,MX)	45%
9010.50.40	Other.....	7.2%	Free (A,CA,E, IL,J,MX)	45%
9010.50.50	Other.....	2.8%	Free (A,CA,E, IL,J,MX)	35%
9010.50.60	Other.....	Free		35%
9010.60.00	Projection screens.....	3.4%	Free (A,CA,E, IL,J,MX)	50%"

309. The following new subheadings are inserted in numerical sequence:

	[Instruments...:]			
	[Electrodiagnostic...:]			
"9018.12.00	Ultrasonic scanning apparatus.....	2.5%	Free (A,CA,E, IL,J,MX)	35%
9018.13.00	Magnetic resonance imaging apparatus.....	2.5%	Free (A,CA,E, IL,J,MX)	35%
9018.14.00	Scintigraphic apparatus.....	2.5%	Free (A,CA,E, IL,J,MX)	35%"

310. Subheading 9022.11.00 is superseded by the following:

	[Apparatus...:]				
	[Apparatus...:]				
*9022.12.00	Computed tomography apparatus.....	1.3%		Free (A,E,IL,J, MX) 0.4% (CA)	35%
9022.13.00	Other, for dental uses.....	1.3%		Free (A,E,IL,J, MX) 0.4% (CA)	35%
9022.14.00	Other, for medical, surgical or veterinary uses.....	1.3%		Free (A,E,IL,J, MX) 0.4% (CA)	35%*

311(a). Subheadings 9025.20 through 9025.20.80 are deleted.

(b). The following new subheading 9025.80.15 is inserted in numerical sequance:

	[Hydrometers...:]				
	[Other...:]				
	[Other:]				
*9025.80.15	Barometers, not combined with other instruments.....	2.1%		Free (A,C,E, IL,J,MX) 0.5% (CA)	40%*

312. Subheadings 9030.81 through 9030.89.80, inclusive, are superseded by the following:

	[Oscilloscopes,...:]				
	[Other...:]				
*9030.82.00	For measuring or checking semiconductor wafers or devices.....	Free			40%
9030.83.00	Other, with a recording device.....	3.6%		Free (A,B,C,E, IL,J,MX) 0.9% (CA)	40%
9030.89.00	Other.....	3.6%		Free (A,B,C,E, IL,J,MX) 0.9% (CA)	40%*

313. Subheadings 9031.40 through 9031.40.90, inclusive, are superseded by the following:

	[Measuring...:]				
	*Other optical instruments and appliances:				
9031.41.00	For inspecting semiconductor wafers or devices or for inspecting photomasks or reticles used in manufacturing semiconductor devices.....	Free			50%
9031.49	Other:				
9031.49.40	Coordinate-measuring machines.....	7.4%		Free (A,CA,E, IL,J,MX)	50%
9031.49.80	Other.....	7.4%		Free (A,CA,E, IL,J,MX)	50%*

313. (con.)
Conforming change: The article description for subheading 9031.90.45 is modified by deleting "9031.40.40" and by inserting in lieu thereof "9031.49.40".

314(a). The superior text immediately preceding subheading 9101.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

(b). The article description, "Battery powered:", in subheading 9101.91 is replaced by the article description, "Electrically operated:".

315(a). The superior text immediately preceding subheading 9102.11 is modified by deleting the expression "battery powered" and inserting the expression "electrically operated" in lieu thereof.

(b). The article description, "Battery powered:", in subheading 9102.91 is replaced by the article description, "Electrically operated:".

316. The article description, "Battery powered:", in subheading 9103.10 is replaced by the article description, "Electrically operated:".

317(a). The article description, "Battery or AC powered:", in subheading 9105.11 is replaced by the article description, "Electrically operated:".

(b). The article description, "Battery or AC powered:", in subheading 9105.21 is replaced by the article description, "Electrically operated:".

(c). The article description, "Battery or AC powered:", in subheading 9105.91 is replaced by the article description, "Electrically operated:".

318. The superior text, "Battery powered:", immediately preceding subheading 9108.11 is replaced by the article description, "Electrically operated:".

319. The superior text, "Battery or AC powered:", immediately preceding subheading 9109.11 is replaced by the article description, "Electrically operated:".

320. Subdivision (m) of note 1 to chapter 95 is superseded by the following:

"(m) Pumps for liquids (heading 8413), filtering or purifying machinery and apparatus for liquids or gases (heading 8421), electric motors (heading 8501), electric transformers (heading 8504) or radio remote control apparatus (heading 8526);"

321(a). Subheading 9614.10.00 is deleted.

Annex II (con.)
-108-

321. (con.)
(b). Subheading 9614.20.40 is superseded by the following:

	[Smoking...:]				
	[Pipes...:]				
	"Of wood or root:				
9614.20.10	Roughly shaped blocks of wood or root, for the manufacture of pipes	Free			10%
9614.20.15	Other	0.5¢ each + 3.7%	Free (A,E,IL,J, MX) 0.1¢ each + 0.8% (CA)		5¢ each + 60%"

322. Note 3 to chapter 97 is modified to read as follows:

"Heading 9703 does not apply to mass-produced reproductions or works of conventional craftsmanship of a commercial character, even if these articles are designed or created by artists."

323. Conforming changes in chapters 98 and 99 of the tariff schedule and other modifications:

(A). Modifications to chapter 98 of the tariff schedule--
(1). U.S. note 6 to subchapter X of chapter 98 is modified by deleting:

(a). from subdivision (a)(vii) the expression "subheading 7508.00.50" and by inserting in lieu thereof the expression "subheadings 7508.10 and 7508.90.50";

(b). from subdivision (a)(viii) the expression "subheading 7616.90" and by inserting in lieu thereof the expression "subheadings 7616.91 and 7616.99.50";

(c). from subdivision (a)(x) the subheading number "7907.90.60" and by inserting in lieu thereof "7907.00.60";

(d). from subdivision (a)(xiv) the expression "and 8548.00;" and by inserting in lieu thereof "and 8548.90;"; and

(e). from subdivision (a)(xv) the subheading number "8802.50.90" at each instance and by inserting in lieu thereof "8802.60.90".

(2). U.S. note 2 to subchapter XVII of chapter 98 is modified by deleting:
(a). from subdivision (f) the expression "7018.90 and 7019.20" and by inserting in lieu thereof "7018.90, 7019.40, 7019.51, 7019.52 and 7019.59";

(b). from subdivision (o) the expression "(except subheading 7907.10)" and by inserting in lieu thereof "(except gutters, roof capping, skylight frames and other fabricated building components, of zinc)"; and

Annex II (con.)
-109-

323. (con.):
(A). (con.)--
(2). (con.):
(c). from subdivision (u) the expression "8519.91" and by inserting in lieu thereof "8519.92"; such subdivision is further modified by deleting the expression "subheadings 8532.90, 8539.90, 8543.10, 8543.20, 8543.30, 8543.80.60, 8543.80.85, 8543.80.94, 8543.80.98, 8543.90, 8544.70, 8546.90, 8547.20 and 8548.00)" and by inserting in lieu thereof "subheadings 8532.90 and 8539.90, subheadings 8543.11 through 8543.81, subheadings 8543.89.60, 8543.89.80, 8543.89.85, 8543.89.90, 8543.90, 8544.70, 8546.90, 8547.20 and 8548.90)".

(3). The superior text immediately preceding subheading 9817.00.80 is modified by deleting the expression "section VI or in chapter 26" and by inserting in lieu thereof "section VI, chapter 26 or subheading 8548.10".

(4). Heading 9817.82.01 is modified by deleting "8207.12.60" and by inserting in lieu thereof "8207.19.60".

(B). Modifications to chapter 99 of the tariff schedule--

(1). The article description of heading 9901.00.50 is modified by deleting the subheading number "3823" and by inserting in lieu thereof "3824".

(2). The article description of heading 9902.08.07 is modified by deleting the subheading number "0807.10.20" and by inserting in lieu thereof "0807.19.10".

(3). The article description of subheading 9903.23.20 is modified by deleting the subheading number "2101.10.21" and by inserting in lieu thereof "2101.11.21".

(4). The article description of subheading 9903.41.15 is modified by deleting the subheading number "8471.20" and by inserting in lieu thereof "8471.30 or 8471.41".

(5). The article descriptions of subheadings 9903.41.20 and 9903.41.25 are each modified by deleting the subheading number " 8471.91" and by inserting in lieu thereof "8471.49.10 or 8471.50".

(6). The article descriptions of subheadings 9903.41.40 and 9903.41.45 are each modified by deleting the subheading numbers "8528.10.28, 8528.10.48, 8528.10.77 or 8528.10.79" and by inserting in lieu thereof "8528.12.32, 8528.12.48 or 8528.12.88".

(7)(a). The superior text to subheadings 9904.17.17 through 9904.17.48 beginning with the word "Articles", the superior text immediately preceding subheading 9904.17.31, and the article description of subheading 9904.17.46 are each modified by deleting the subheading number "2101.10.48" and by inserting in lieu thereof "2101.12.48".

(b). The superior text to subheadings 9904.17.49 through 9904.17.65 beginning with the word "Articles" and the article description of subheading 9904.17.59 are each modified by deleting the subheading number "2101.10.58" and by inserting in lieu thereof "2101.12.58".

Annex II (con.)
-110-

323. (con.):
(B). (con.)--
(7). (con.)

(c). The superior text to subheadings 9904.17.66 through 9904.17.84 beginning with the word "Blended" and the article description of subheading 9904.17.81 are each modified by deleting the subheading number "2101.10.38" and by inserting in lieu thereof "2101.12.38".

(8). The article description of subheading 9905.00.00 is modified by deleting the subheading numbers "4010.10", "7318.23", "7508.00", "7616.90", "8520.31", "8548.00", and "9030.81" from the listing of headings and subheadings and by inserting the following numbers in numerical sequence therein:

"4010.21.30
4010.21.60
4010.22.30
4010.22.60
4010.29.10
4010.29.20.
7508.10
7508.90
7616.91
7616.99
8520.32
8520.33
8548.90
9030.83"

(9). The article description of subheading 9905.00.20 is modified by inserting after "4412.19" the subheading number ", 4412.92".

(10). The article description of subheading 9905.00.30 is modified by deleting the subheading numbers "5407.60.91" and "5407.60.99" from the enumeration of headings and subheadings and by inserting in numerical sequence the following numbers: "5407.61.91", "5407.61.99", "5407.69.20", "5407.69.40", and "5407.69.90".

(11). The article description of subheading 9905.40.15 is modified by deleting the subheading number "4010.99" and by inserting in lieu thereof "4010.23 or 4010.29".

(12). The article descriptions of subheadings 9905.56.10 and 9905.56.20 are each modified by deleting "5603.00" and by inserting in lieu thereof "5603".

(13). The article description of subheading 9905.70.10 is modified by deleting the expression "heading 7019.20" and by inserting in lieu thereof "subheading 7019.40, 7019.51, 7019.52 or 7019.59".

(14). The article description of subheading 9905.72.10 is modified by deleting the subheading numbers "7217.13, 7217.23 or 7217.33" and by inserting in lieu thereof "7217.30".

(15). The article description of subheading 9905.72.20 is modified by deleting the subheading number "7217.31.30" and by inserting in lieu thereof "7217.10.80".

(16). The article description of subheading 9905.72.30 is modified by deleting the subheading number "7217.32.10" and by inserting in lieu thereof "7217.20.45".

Annex II (con.)
-111-

323. (con.):
(B). (con.)--

(17). The article description of subheading 9905.76.30 is modified by deleting the subheading number "7616.90.50" and by inserting in lieu thereof "7616.99.50".

(18). The article description of subheading 9905.79.10 is modified by deleting the subheading number "7907.90.60" and by inserting in lieu thereof "7907.00.60".

(19). The article description of subheading 9905.82.35 is modified by deleting the expression "or 8211.91.60" and by inserting in lieu thereof ", 8211.91.80 or 8211.95.10".

(20). The article description of subheading 9905.85.21 is modified by deleting the subheading number "8506.11.00" and by inserting in lieu thereof "8506.10 having an external volume not exceeding 300 cm^3".

(21). The article description of subheading 9905.85.22 is modified by deleting the subheading number "8506.19.00" and inserting in lieu thereof "8506.50 having an external volume not exceeding 300 cm^3".

(22). The article description of subheading 9905.85.23 is modified by deleting the subheading number "8506.20.00" and by inserting in lieu thereof "8506.10 through 8506.80 having an external volume exceeding 300 cm^3".

(23). The article description of subheading 9905.85.25 is modified--

(a). by deleting the subheading number "8506.11.00" and by inserting in lieu thereof "8506.10 having an external volume not exceeding 300 cm^3";

(b). by deleting the subheading numbers "8506.12.00 or 8506.13.00" and by inserting in lieu thereof "8506.30.10 or 8506.40.10"; and

(c). by deleting the expression "parts of dry cell batteries of subheading 8506.20.00 other than 6 volt alkaline lantern batteries" and by inserting in lieu thereof "parts of dry cell batteries having an external volume exceeding 300 cm^3 of subheadings 8506.10 through 8506.80 other than 6 volt alkaline lantern batteries".

(24). The article description of subheading 9905.85.55 is modified by deleting the subheading number "8527.11," and by inserting in lieu thereof "8525.40, 8527.12, 8527.13,".

(25). The immediately superior text to subheading 9906.08.07 is modified by deleting "0807.10.20" and by inserting in lieu thereof "0807.19.20".

(26). The immediately superior text to subheading 9906.08.09 is modified by deleting "0807.10.40" and by inserting in lieu thereof "0807.11.40".

(27). The immediately superior text to subheading 9906.08.12 is modified by deleting "0807.10.70" and by inserting in lieu thereof "0807.19.70".

Annex II (con.)
-112-

323. (con.):
(B). (con.)--
(28)(a). The immediately superior text to subheading 9906.21.01 is modified by deleting "2101.10.48" and by inserting in lieu thereof "2101.12.48".

(b). The immediately superior text to subheading 9906.21.04 is modified by deleting "2101.10.38" and by inserting in lieu thereof "2101.12.38".

(c). The immediately superior text to subheading 9906.21.07 is modified by deleting "2101.10.58" and by inserting in lieu thereof "2101.12.58".

(29). The immediately superior text to subheading 9906.38.03 is modified by deleting "3823.90.45" and by inserting in lieu thereof "3824.90.45".

(30). Subheading 9906.56.01 and heading 9907.56.01 are each modified by deleting "subheading 5603.00.90" and by inserting in lieu thereof "heading 5603".

(31). The article description of heading 9907.48.03 is modified by deleting "4823.30" and by inserting in lieu thereof "4823.90.30".

(32). Heading 9907.84.15 is modified by deleting "8471.92.52" and by inserting in lieu thereof "8471.49.37 or 8471.60.57".

(33). Heading 9907.85.02 is modified by deleting "8524.23.10" and by inserting in lieu thereof "8524.53.10".

(C). Other modifications
(1). The Chemical Abstracts Service (CAS) registry number "8063-82-9" listed in the Pharmaceutical Appendix to the HTS for the product described by the International Non-proprietary Name of Hypromellose is deleted and the CAS number "9004-65-3" is inserted in lieu thereof.

(2). Headings 9902.29.28 and 9902.38.23 are deleted.

(3). Subheadings 9906.29.25 through 9906.29.27, inclusive, are deleted.

(4). Heading 9907.38.02 is deleted.

Annex III

Section A. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-General subcolumn.

(1). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS subheading	1996	1997	1998	1999	2000	2001	2002	2003	2004
2101.12.38	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.48	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.58	34.1¢/kg + 9.5%	33.2¢/kg + 9.2%	32.3¢/kg + 9%	31.4¢/kg + 8.8%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%	30.5¢/kg + 8.5%
2101.12.90	9.5%	9.2%	9%	8.8%	8.5%	8.5%	8.5%	8.5%	8.5%
2208.90.46	11.6¢/pf. liter	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2933.39.61	12.1%	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2933.39.91	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.3%	6.5%
3824.40.10	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3824.60.00	5.5%	5.4%	5.2%	5%	4.9%	4.9%	4.9%	4.9%	4.9%
3824.90.19	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3824.90.22	3¢/kg + 14.3%	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.3%	6.5%
3824.90.25	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3824.90.28	3¢/kg + 12.2%	2.6¢/kg + 11.5%	2.2¢/kg + 10.8%	1.8¢/kg + 10%	1.5¢/kg + 9.3%	1.1¢/kg + 8.6%	0.7¢/kg + 7.9%	0.4¢/kg + 7.2%	6.5%
3824.90.31	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3824.90.32	15.3%	14.2%	13.1%	12%	10.9%	9.8%	8.7%	7.6%	6.5%
3824.90.35	8.6%	7.9%	7.2%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3824.90.36	7%	6.9%	6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3824.90.45	6.8%	6.7%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
3824.90.46	15.7%	14.6%	13.4%	12.2%	11.1%	10%	8.8%	7.6%	6.5%

99-194 O - 95 - 34 : QL 3 Part 2

Annex III (con.)
-2-

Section A. (continued)

(1). (con.)

HTS Provision	1996	1997	1998	1999	2000	2001	2002	2003	2004
7003.12.00	1.6%	1.6%	1.5%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
7004.20.10	2.9%	2%	1%	Free	Free	Free	Free	Free	Free
7004.20.20	1.2¢/kg + 1.8%	1.1¢/kg + 1.8%	1.1¢/kg + 1.7%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%	1¢/kg + 1.6%
7414.20.60	7.2%	5.8%	4.4%	3%	3%	3%	3%	3%	3%
7414.20.90	3.7%	3.4%	3.2%	3%	3%	3%	3%	3%	3%
8005.00.10	5.4%	4.6%	3.8%	3%	3%	3%	3%	3%	3%
8005.00.20	3.6%	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8202.39.00	1.9%	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8207.13.00	5.8%	5%	4.3%	3.6%	3.6%	3.6%	3.6%	3.6%	3.6%
8207.19.30	6.3%	5.9%	5.4%	5%	5%	5%	5%	5%	5%
8207.19.60	3.4%	3.2%	3.1%	2.9%	2.9%	2.9%	2.9%	2.9%	2.9%
8211.91.80	0.4¢ each + 5.6%	0.3¢ each + 5.4%	0.3¢ each + 5.1%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%
8517.50.10	3.7%	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8802.60.90	2.2%	1.5%	0.7%	Free	Free	Free	Free	Free	Free
9007.20.20	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.20.40	6.2%	5.7%	5.3%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
9007.20.60	1.3%	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9007.20.80	5.6%	4.9%	4.2%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%

Section A. (continued)

(2).. For each of the following provisions, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting, on January 1, the rate of duty specified for such provision in the first dated column in the table below in lieu thereof, and (ii) on January 1 for each of the subsequent dated columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such provisions in lieu thereof on the date specified.

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
0105.12.00	1.5¢ each	1.3¢ each	1.1¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each
0105.19.00	1.5¢ each	1.3¢ each	1.1¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each	0.9¢ each
0105.92.00	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0105.93.00	3.2¢/kg	2.8¢/kg	2.4¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg	2¢/kg
0207.11.00	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.12.00	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.13.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.14.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.24.00	16.9¢/kg	16.2¢/kg	15.6¢/kg	15¢/kg	15¢/kg	15¢/kg	15¢/kg	15¢/kg
0207.25.20	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.25.40	11.3%	10.8%	10.4%	10%	10%	10%	10%	10%
0207.26.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.27.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.32.00	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.33.00	9.9¢/kg	9.5¢/kg	9.2¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg	8.8¢/kg
0207.34.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.35.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0207.36.00	19.8¢/kg	19.1¢/kg	18.3¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg	17.6¢/kg
0405.10.20	$1.677/kg	$1.632/kg	$1.586/kg	$1.541/kg	$1.541/kg	$1.541/kg	$1.541/kg	$1.541/kg
0405.20.30	$2.172/kg	$2.113/kg	$2.055/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg	$1.996/kg
0405.20.40	14.3¢/kg	13.9¢/kg	13.5¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg	13.1¢/kg
0405.20.70	76.6¢/kg + 9.2%	74.5¢/kg + 9%	72.5¢/kg + 8.8%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%	70.4¢/kg + 8.5%
0405.20.80	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
0405.90.20	$2.03/kg + 9.2%	$1.975/kg + 9%	$1.92/kg + 8.8%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%	$1.865/kg + 8.5%
0602.90.40	4.5%	4.2%	3.8%	3.5%	3.5%	3.5%	3.5%	3.5%

Annex III (con.)
-4-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
0602.90.50	1.8¢/kg	1.7¢/kg	1.5¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg	1.4¢/kg
0712.90.30	2.6¢/kg	2.5¢/kg	2.4¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg	2.3¢/kg
0714.20.10	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
0714.20.20	7.3%	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%
0714.90.45	6.5%	6.3%	6.2%	6%	6%	6%	6%	6%
0807.11.30	14.5%	12.7%	10.8%	9%	9%	9%	9%	9%
0807.11.40	18.5%	18%	17.5%	17%	17%	17%	17%	17%
0807.19.10	16.4%	15.2%	14%	12.8%	12.8%	12.8%	12.8%	12.8%
0807.19.20	32.4%	31.5%	30.7%	29.8%	29.8%	29.8%	29.8%	29.8%
0807.19.50	2.6%	2.2%	1.9%	1.6%	1.6%	1.6%	1.6%	1.6%
0807.19.60	10.2%	8.9%	7.6%	6.3%	6.3%	6.3%	6.3%	6.3%
0807.19.70	7%	6.4%	5.9%	5.4%	5.4%	5.4%	5.4%	5.4%
0807.19.80	31.5%	30.3%	29.2%	28%	28%	28%	28%	28%
0901.90.20	2.4¢/kg	2.1¢/kg	1.8¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg	1.5¢/kg
1602.32.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1702.11.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1702.19.00	8.2%	7.6%	7%	6.4%	6.4%	6.4%	6.4%	6.4%
1704.90.35	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1904.20.10	6.3%	6.1%	5.8%	5.6%	5.6%	5.6%	5.6%	5.6%
1904.20.90	16.2%	15.8%	15.3%	14.9%	14.9%	14.9%	14.9%	14.9%
2005.90.30	6.2%	5.7%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%
2106.90.12	5.4¢/kg + 2.5%	5¢/kg + 2.3%	4.6¢/kg + 2.1%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%	4.2¢/kg + 1.9%
2106.90.15	10.8¢/kg + 2.5%	10¢/kg + 2.3%	9.2¢/kg + 2.1%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%
2106.90.18	21.8¢/kg + 2.5%	20.2¢/kg + 2.3%	18.6¢/kg + 2.1%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%
2208.60.10	55.4¢/pf. liter	51.4¢/pf. liter	47.4¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter	43.3¢/pf. liter

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
2208.60.20	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2208.60.50	27.1¢/pf. liter	25.1¢/pf. liter	23.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter	21.1¢/pf. liter
2208.70.00	10.8¢/pf. liter	10¢/pf. liter	9.2¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter	8.4¢/pf. liter
2306.70.00	0.51¢/kg	0.45¢/kg	0.38¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg	0.32¢/kg
2513.20.90	0.3¢/kg	0.1¢/kg	Free	Free	Free	Free	Free	Free
2707.60.10	1¢/kg + 3.3%	0.9¢/kg + 3.1%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%	0.9¢/kg + 3%
2836.99.20	6.1%	5.8%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2905.29.10	6.3%	5.9%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
2914.31.00	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2914.39.90	10%	9.3%	8.7%	8.1%	7.4%	6.8%	6.1%	5.5%
2914.40.20	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2914.40.40	9.4%	8.8%	8.2%	7.7%	7.2%	6.6%	6%	5.5%
2916.34.10	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2916.34.15	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2916.34.25	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.34.55	2.6¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 9%	1.5¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.4¢/kg + 1.8%	Free
2916.35.15	10.3%	9.7%	9.2%	8.7%	8.1%	7.6%	7%	6.5%
2916.35.25	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2916.35.55	2.6¢/kg + 12.5%	2.2¢/kg + 10.7%	1.8¢/kg + 9%	1.5¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.4¢/kg + 1.8%	Free
2922.43.10	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2922.43.50	2.6¢/kg + 12.9%	2.2¢/kg + 12%	1.8¢/kg + 11%	1.5¢/kg + 10.1%	1.1¢/kg + 9.2%	0.7¢/kg + 8.3%	0.4¢/kg + 7.4%	6.5%
2924.22.00	2.6¢/kg + 14.6%	2.2¢/kg + 13.5%	1.8¢/kg + 12.3%	1.5¢/kg + 11.1%	1.1¢/kg + 10%	0.7¢/kg + 8.8%	0.4¢/kg + 7.7%	6.5%
2932.91.00	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.92.00	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.94.00	6.8%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%

Annex III (con.)
-6-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
2932.99.08	6.6%	6.6%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.99.20	9.7%	9.3%	8.8%	8.3%	7.9%	7.4%	7%	6.5%
2932.99.35	7%	6.8%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
2932.99.60	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
2932.99.70	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.32.10	2.6¢/kg + 13.3%	2.2¢/kg + 12.3%	1.8¢/kg + 11.4%	1.5¢/kg + 10.4%	1.1¢/kg + 9.4%	0.7¢/kg + 8.4%	0.4¢/kg + 7.5%	6.5%
2933.32.50	11.4%	10.7%	10%	9.3%	8.6%	7.9%	7.2%	6.5%
3302.10.40	10.8¢/kg + 2.5%	10¢/kg + 2.3%	9.2¢/kg + 2.1%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%	8.4¢/kg + 1.9%
3302.10.50	21.8¢/kg + 2.5%	20.2¢/kg + 2.3%	18.6¢/kg + 2.1%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%	17¢/kg + 1.9%
3302.10.90	2.5%	1.3%	Free	Free	Free	Free	Free	Free
3304.99.50	2%	1%	Free	Free	Free	Free	Free	Free
3306.20.00	2.2%	1.1%	Free	Free	Free	Free	Free	Free
3502.11.00	53.6¢/kg	51.6¢/kg	49.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg	47.6¢/kg
3502.19.00	10.9¢/kg	10.5¢/kg	10.1¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg	9.7¢/kg
3823.11.00	2.7¢/kg + 4.9%	2.5¢/kg + 4.5%	2.3¢/kg + 4.2%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%	2.1¢/kg + 3.8%
3823.12.00	2.7¢/kg + 4.1%	2.5¢/kg + 3.8%	2.3¢/kg + 3.5%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%	2.1¢/kg + 3.2%
3823.13.00	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
3823.19.20	3.6%	3.2%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%
3823.19.40	4.1%	3.8%	3.5%	3.2%	3.2%	3.2%	3.2%	3.2%
3823.70.20	6.5%	6%	5.6%	5.1%	5.1%	5.1%	5.1%	5.1%
3823.70.40	3.5%	3%	2.5%	2%	2%	2%	2%	2%
3823.70.60	3.1%	2.8%	2.6%	2.4%	2.4%	2.4%	2.4%	2.4%
3901.90.55	10.7%	10.1%	9.5%	8.9%	8.3%	7.7%	7.1%	6.5%
3901.90.90	0.9¢/kg + 7%	0.4¢/kg + 6.7%	6.5%	6.5%	6.5%	6.5%	6.5%	6.5%
4010.11.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%

Section A. (continued)

(2) (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
4010.12.10	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.12.55	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.12.90	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.13.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.19.10	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.19.55	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.19.80	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.19.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.21.30	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.21.60	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.22.30	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.22.60	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.23.30	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.23.45	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.23.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.23.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.24.30	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.24.45	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.24.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.24.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4010.29.10	4.1%	3.7%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4010.29.20	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
4010.29.30	4.5%	4.3%	4.1%	4.1%	4.1%	4.1%	4.1%	4.1%
4010.29.45	7%	6.7%	6.4%	6.4%	6.4%	6.4%	6.4%	6.4%
4010.29.50	2.1%	2%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
4010.29.90	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
4410.11.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4410.19.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.13.05	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.14.05	1.2%	0.6%	Free	Free	Free	Free	Free	Free

Annex III (con.)
-8-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
4412.14.25	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.19.10	2%	1%	Free	Free	Free	Free	Free	Free
4412.19.30	4.2%	3.8%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.19.40	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.19.50	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.22.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.22.10	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.22.50	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.25.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.29.15	1.2%	0.6%	Free	Free	Free	Free	Free	Free
4412.29.55	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.92.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.92.10	2%	1%	Free	Free	Free	Free	Free	Free
4412.92.30	4.2%	3.8%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.92.40	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.92.50	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.92.90	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.93.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4412.99.15	2%	1%	Free	Free	Free	Free	Free	Free
4412.99.35	4.2%	3.8%	3.4%	3.4%	3.4%	3.4%	3.4%	3.4%
4412.99.45	12.8%	10.4%	8%	8%	8%	8%	8%	8%
4412.99.55	6.3%	5.7%	5.1%	5.1%	5.1%	5.1%	5.1%	5.1%
4412.99.95	1.6%	0.8%	Free	Free	Free	Free	Free	Free
4807.90.10	2%	1.7%	1.4%	1.1%	0.8%	0.6%	0.3%	Free
4807.90.20	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
4823.90.30	2.7%	2.3%	2%	1.6%	1.2%	0.8%	0.4%	Free
5407.61.11	22.8¢/kg + 21.2%	22.3¢/kg + 20.7%	21.8¢/kg + 20.2%	21.4¢/kg + 19.8%	20.9¢/kg + 19.4%	20.4¢/kg + 18.9%	19.9¢/kg + 18.4%	19.4¢/kg + 18%
5407.61.19	22.8¢/kg + 21.2%	22.3¢/kg + 20.7%	21.8¢/kg + 20.2%	21.4¢/kg + 19.8%	20.9¢/kg + 19.4%	20.4¢/kg + 18.9%	19.9¢/kg + 18.4%	19.4¢/kg + 18%
5407.61.21	20.7¢/kg + 19.1%	19.5¢/kg + 18%	18.2¢/kg + 16.9%	17¢/kg + 15.8%	15.8¢/kg + 14.7%	14.6¢/kg + 13.5%	13.4¢/kg + 12.4%	12.2¢/kg + 11.3%

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
5407.61.29	20.7¢/kg + 19.1%	19.5¢/kg + 18%	18.2¢/kg + 16.9%	17¢/kg + 15.8%	15.8¢/kg + 14.7%	14.6¢/kg + 13.5%	13.4¢/kg + 12.4%	12.2¢/kg + 11.3%
5407.61.91	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.61.99	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.10	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.20	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5407.69.30	17¢/kg + 15.8%	14.6¢/kg + 13.5%	12.2¢/kg + 11.2%	9.7¢/kg + 9%	7.3¢/kg + 6.8%	4.9¢/kg + 4.5%	2.4¢/kg + 2.2%	Free
5407.69.40	14.4%	13.6%	12.8%	11.9%	11%	10.2%	9.4%	8.5%
5407.69.90	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
5603.11.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.12.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.13.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.14.30	6.4%	3.2%	Free	Free	Free	Free	Free	Free
5603.14.90	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.91.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.92.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.93.00	5%	2.5%	Free	Free	Free	Free	Free	Free
5603.94.10	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
5603.94.30	6.4%	3.2%	Free	Free	Free	Free	Free	Free
5603.94.90	5%	2.5%	Free	Free	Free	Free	Free	Free
6115.12.10	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.12.20	16.4%	16.2%	16%	15.7%	15.5%	15.3%	15.1%	14.9%
6115.19.20	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.19.40	12.7%	11.2%	9.8%	8.4%	6.9%	5.5%	4%	2.6%
6115.19.80	16.7%	16.6%	16.5%	16.4%	16.3%	16.2%	16.1%	16%
6115.92.30	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.92.60	17%	16%	15%	14%	13%	12%	11%	10%
6115.92.90	14.1%	14%	14%	13.9%	13.8%	13.7%	13.6%	13.5%
6115.93.30	2.3%	1.2%	Free	Free	Free	Free	Free	Free
6115.93.60	19.6%	19.5%	19.4%	19.3%	19.2%	19%	18.9%	18.8%
6115.93.90	15.2%	15.1%	15%	15%	14.9%	14.8%	14.7%	14.6%

Annex III (con.)
-10-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
6305.32.00	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6305.33.00	9.2%	9.1%	9%	8.8%	8.7%	8.6%	8.5%	8.4%
6402.12.00	2.4%	1.2%	Free	Free	Free	Free	Free	Free
6403.12.60	4%	2%	Free	Free	Free	Free	Free	Free
6909.12.00	5.6%	4.8%	4%	4%	4%	4%	4%	4%
7010.20.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.20.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.91.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.91.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.92.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.92.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.93.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.93.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7010.94.20	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7010.94.30	6.1%	5.7%	5.2%	5.2%	5.2%	5.2%	5.2%	5.2%
7019.11.00	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.12.00	5.3%	5%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
7019.19.15	7.1%	7%	7%	6.9%	6.8%	6.7%	6.6%	6.5%
7019.19.28	8.8%	8.6%	8.3%	8%	7.8%	7.5%	7.3%	7%
7019.19.30	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.31.00	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.32.00	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7019.39.10	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.39.50	5.4%	5.2%	4.9%	4.9%	4.9%	4.9%	4.9%	4.9%
7019.40.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.40.90	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%
7019.52.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.52.90	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%
7019.59.40	8%	7.9%	7.8%	7.7%	7.6%	7.5%	7.4%	7.3%
7019.59.90	9.9%	9.5%	9%	8.6%	8.2%	7.8%	7.4%	7%

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7019.90.10	5.6%	5.2%	4.8%	4.8%	4.8%	4.8%	4.8%	4.8%
7019.90.50	5.1%	4.7%	4.3%	4.3%	4.3%	4.3%	4.3%	4.3%
7101.22.30	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7101.22.60	0.8%	0.4%	Free	Free	Free	Free	Free	Free
7116.10.25	7.7%	6.6%	5.5%	5.5%	5.5%	5.5%	5.5%	5.5%
7201.50.60	0.1%	Free	Free	Free	Free	Free	Free	Free
7208.10.15	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.10.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.10.60	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.25.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.25.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.26.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.27.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7208.36.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.37.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.38.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.39.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.40.30	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.40.60	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.51.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.52.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.53.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.54.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7208.90.00	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.15.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.16.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.17.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.18.15	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.18.25	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7209.18.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free

Annex III (con.)
-12-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7209.25.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.26.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.27.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.28.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7209.90.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7210.30.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.61.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7210.69.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7211.13.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.14.00	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.19.15	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.19.20	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.19.30	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.19.45	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.19.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.19.75	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7211.23.15	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.23.20	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7211.23.30	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.23.45	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.23.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.29.20	2.4%	2%	1.7%	1.4%	1%	0.7%	0.3%	Free
7211.29.45	1.7%	1.4%	1.2%	1%	0.7%	0.5%	0.2%	Free
7211.29.60	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7211.90.00	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7212.20.00	4.6%	3.9%	3.2%	2.6%	2%	1.3%	0.6%	Free
7213.10.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7213.20.00	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.91.30	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7213.91.45	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7213.91.60	1.6%	1.4%	1.2%	0.9%	0.7%	0.5%	0.2%	Free
7213.99.00	1.3%	1.1%	1%	0.8%	0.6%	0.4%	0.2%	Free
7214.30.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.91.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7214.99.00	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7215.50.00	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7216.61.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7216.69.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7216.91.00	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7216.99.00	3.1%	2.6%	2.2%	1.8%	1.3%	0.9%	0.4%	Free
7217.10.10	2.9%	2.5%	2.1%	1.7%	1.3%	0.8%	0.4%	Free
7217.10.20	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.10.30	3.6%	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.10.40	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.10.50	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.10.60	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.10.70	2.2%	1.9%	1.6%	1.3%	1%	0.6%	0.3%	Free
7217.10.80	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.10.90	3.8%	3.3%	2.8%	2.2%	1.6%	1.1%	0.6%	Free
7217.20.15	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.20.30	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.20.45	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.20.60	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
7217.20.75	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.30.15	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.30.30	1%	0.9%	0.8%	0.6%	0.4%	0.3%	0.2%	Free
7217.30.45	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7217.30.60	3.9%	3.4%	2.8%	2.2%	1.7%	1.1%	0.6%	Free
7217.30.75	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7217.90.10	0.6%	0.5%	0.4%	0.4%	0.3%	0.2%	0.1%	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7217.90.50	3.7%	3.2%	2.6%	2.1%	1.6%	1.1%	0.5%	Free
7218.91.00	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7218.99.00	3.6%	3.1%	2.6%	2.1%	1.6%	1%	0.5%	Free
7222.11.00	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7222.19.00	7.4%	6.4%	5.3%	4.2%	3.2%	2.1%	1.1%	Free
7225.11.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.19.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.91.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.92.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7225.99.00	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.11.10	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.11.90	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7226.19.10	4.1%	3.5%	2.9%	2.3%	1.7%	1.2%	0.6%	Free
7226.19.90	4.9%	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
7226.93.00	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7226.94.00	4.4%	3.8%	3.2%	2.5%	1.9%	1.3%	0.6%	Free
7304.21.30	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.21.60	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7304.29.10	4.2%	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.20	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	Free	Free
7304.29.30	4.3%	3.7%	3.1%	2.5%	1.9%	1.2%	0.6%	Free
7304.29.40	2.3%	2%	1.6%	1.3%	1%	0.7%	0.3%	Free
7304.29.50	5.6%	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.29.60	5.2%	4.5%	3.8%	3%	2.2%	1.5%	0.8%	Free
7314.12.10	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.12.20	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.12.60	7%	6%	5%	4%	3%	2%	1%	Free
7314.12.90	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
7314.13.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.14.10	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7314.14.20	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.14.60	7%	6%	5%	4%	3%	2%	1%	Free
7314.14.90	5%	4.3%	3.6%	2.9%	2.2%	1.4%	0.7%	Free
7314.19.00	3.4%	2.9%	2.4%	2%	1.5%	1%	0.5%	Free
7314.20.00	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.31.10	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.31.50	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.39.00	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.41.00	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.42.00	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	0.1¢/kg	Free	Free	Free
7314.49.30	4%	3.4%	2.8%	2.3%	1.7%	1.1%	0.6%	Free
7314.49.60	3.3%	2.8%	2.4%	1.9%	1.4%	0.9%	0.5%	Free
7314.50.00	2.7%	2.3%	1.9%	1.5%	1.1%	0.8%	0.4%	Free
7418.11.20	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.11.40	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7418.19.10	3.4%	3.2%	3%	3%	3%	3%	3%	3%
7418.19.20	3.3%	3.1%	3%	3%	3%	3%	3%	3%
7418.19.50	3.8%	3.4%	3%	3%	3%	3%	3%	3%
7508.10.00	4%	3.5%	3%	3%	3%	3%	3%	3%
7508.90.10	3.7%	3.3%	3%	3%	3%	3%	3%	3%
7508.90.50	4%	3.5%	3%	3%	3%	3%	3%	3%
7615.11.00	3.4%	3.2%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.10	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.30	4.1%	3.6%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.50	3.4%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.70	3.5%	3.3%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7615.19.90	3.4%	3.2%	3.1%	3.1%	3.1%	3.1%	3.1%	3.1%
7616.91.00	3.8%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7616.99.50	3.8%	3.1%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
7907.00.10	3.2%	3.1%	3%	3%	3%	3%	3%	3%

Annex III (con.)
-16-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
7907.00.60	4.1%	3.5%	3%	3%	3%	3%	3%	3%
8211.95.10	0.3¢ each + 5.4%	0.3¢ each + 5.1%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%	0.3¢ each + 4.9%
8406.10.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.10.90	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8406.81.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.81.90	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8406.82.10	7.2%	7%	6.9%	6.7%	6.7%	6.7%	6.7%	6.7%
8406.82.90	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8415.20.00	1.7%	1.6%	1.4%	1.4%	1.4%	1.4%	1.4%	1.4%
8443.51.10	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.51.50	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8443.59.10	3.6%	3.1%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8443.59.50	1.3%	0.7%	Free	Free	Free	Free	Free	Free
8456.99.30	3.9%	3.7%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
8456.99.50	2.5%	2.4%	2.2%	2.2%	2.2%	2.2%	2.2%	2.2%
8469.11.00	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8469.12.00	0.9%	0.4%	Free	Free	Free	Free	Free	Free
8471.30.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.41.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.49.10	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.49.15	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.26	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.29	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.31	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.32	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.33	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.34	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.35	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.36	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.37	1.5%	0.7%	Free	Free	Free	Free	Free	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8471.49.42	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.48	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.50	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.49.70	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8471.49.95	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.50.80	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8471.60.10	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.35	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.45	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.51	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.52	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.53	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.54	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.55	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.56	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.57	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.80	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.60.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.70.30	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.70.50	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.70.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.80.90	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8471.90.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8475.21.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8475.29.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.21.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.29.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.81.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8476.89.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8479.50.00	3%	2.7%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%

Annex III (con.)
-18-

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8479.60.00	3.4%	3.1%	2.8%	2.8%	2.8%	2.8%	2.8%	2.8%
8484.20.00	4.6%	4.3%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
8502.31.00	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8502.39.00	2.7%	2.6%	2.5%	2.5%	2.5%	2.5%	2.5%	2.5%
8504.40.70	1.2%	0.6%	Free	Free	Free	Free	Free	Free
8504.40.90	2.1%	1.8%	1.5%	1.5%	1.5%	1.5%	1.5%	1.5%
8504.90.70	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%
8504.90.95	2.8%	2.6%	2.5%	2.4%	2.4%	2.4%	2.4%	2.4%
8506.10.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.30.10	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.30.50	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.40.10	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.40.50	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.50.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.60.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.80.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8506.90.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%
8517.11.00	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8517.50.60	3.3%	2.8%	2.3%	2.3%	2.3%	2.3%	2.3%	2.3%
8519.92.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8519.93.80	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8520.32.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8520.33.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8523.30.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
8524.10.00	2.6%	2.2%	1.8%	1.8%	1.8%	1.8%	1.8%	1.8%
8524.31.00	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8524.32.00	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8524.39.00	3.7%	3.2%	2.7%	2.7%	2.7%	2.7%	2.7%	2.7%

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8524.40.00	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.51.30	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.52.10	0.46¢/$\frac{1}{2}$in. ■	0.4¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■	0.33¢/$\frac{1}{2}$in. ■
8524.52.20	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.53.10	0.26¢/lin. ■	0.13¢/lin. ■	Free	Free	Free	Free	Free	Free
8524.53.20	6.8¢/m^2 of recording surface	5.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface	4.8¢/m^2 of recording surface
8524.60.00	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8524.91.00	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8524.99.40	3.9¢/m^2 of recording surface	1.9¢/m^2 of recording surface	Free	Free	Free	Free	Free	Free
8525.20.90	2.4%	1.2%	Free	Free	Free	Free	Free	Free
8525.40.00	2.9%	2.5%	2.1%	2.1%	2.1%	2.1%	2.1%	2.1%
8527.12.00	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.13.11	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8527.13.20	2%	1%	Free	Free	Free	Free	Free	Free
8527.13.40	1.8%	0.9%	Free	Free	Free	Free	Free	Free
8527.13.60	1.5%	0.7%	Free	Free	Free	Free	Free	Free
8528.12.04	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.08	2%	1%	Free	Free	Free	Free	Free	Free
8528.12.12	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.20	2%	1%	Free	Free	Free	Free	Free	Free

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8528.12.62	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.68	2%	1%	Free	Free	Free	Free	Free	Free
8528.12.76	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.12.84	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.05	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.10	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.16	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.24	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.35	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.65	2%	1%	Free	Free	Free	Free	Free	Free
8528.21.75	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.21.85	2%	1%	Free	Free	Free	Free	Free	Free
8528.30.10	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.30.20	2%	1%	Free	Free	Free	Free	Free	Free
8528.30.62	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8528.30.66	2%	1%	Free	Free	Free	Free	Free	Free
8539.32.00	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8539.41.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8539.49.00	2.9%	2.7%	2.4%	2.4%	2.4%	2.4%	2.4%	2.4%
8540.40.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.50.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.60.00	4.2%	3.6%	3%	3%	3%	3%	3%	3%
8540.71.40	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8540.72.00	3.7%	3.5%	3.3%	3.3%	3.3%	3.3%	3.3%	3.3%
8540.79.00	3.9%	3.8%	3.7%	3.7%	3.7%	3.7%	3.7%	3.7%
8543.19.00	2.7%	2.3%	1.9%	1.9%	1.9%	1.9%	1.9%	1.9%
8543.40.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.81.00	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.40	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.60	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%

Section A. (continued)

(2). (con.)

HTS Provision	1997	1998	1999	2000	2001	2002	2003	2004
8543.89.80	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8543.89.85	1.6%	0.8%	Free	Free	Free	Free	Free	Free
8543.89.90	3.1%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
8548.10.05	0.9% on the value of the lead content	0.5% on the value of the lead content	Free	Free	Free	Free	Free	Free
8548.10.25	0.9% on the value of the lead content	0.5% on the value of the lead content	Free	Free	Free	Free	Free	Free
8548.90.00	1.6%	0.8%	Free	Free	Free	Free	Free	Free
9010.50.10	0.9%	0.4%	Free	Free	Free	Free	Free	Free
9010.50.20	1.5%	0.8%	Free	Free	Free	Free	Free	Free
9010.50.30	5.5%	4.7%	3.9%	3.9%	3.9%	3.9%	3.9%	3.9%
9010.50.40	6.3%	5.4%	4.5%	4.5%	4.5%	4.5%	4.5%	4.5%
9010.50.50	1.9%	0.9%	Free	Free	Free	Free	Free	Free
9010.60.00	3.2%	2.9%	2.6%	2.6%	2.6%	2.6%	2.6%	2.6%
9018.12.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.13.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9018.14.00	1.7%	0.8%	Free	Free	Free	Free	Free	Free
9022.12.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.13.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9022.14.00	0.8%	0.4%	Free	Free	Free	Free	Free	Free
9025.80.15	1.7%	1.4%	1%	1%	1%	1%	1%	1%
9030.83.00	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9030.89.00	3%	2.3%	1.7%	1.7%	1.7%	1.7%	1.7%	1.7%
9031.49.40	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9031.49.80	6.1%	4.8%	3.5%	3.5%	3.5%	3.5%	3.5%	3.5%
9614.20.15	0.4¢ each + 3.5%	0.4¢ each + 3.4%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%	0.4¢ each + 3.2%

Section A. (continued)

(3). For each of the following subheadings, the Rates of Duty 1-General subcolumn is modified (i) by deleting the rate of duty in such subcolumn and inserting the rate of duty specified for such subheading in the first column in the table below in lieu thereof, and (ii) for each of the subsequent columns the rates of duty in the Rates of Duty 1-General subcolumn are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the dates announced for each column in this table by the United States Trade Representative in the Federal Register, at any time after the United States Trade Representative has determined that other major countries provide adequate entity coverage under the Agreement on Government Procurement, entered into on April 15, 1994, or under another binding international agreement.

HTS Subheadings	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
8517.19.40	7.6%	6.8%	5.9%	5.1%	4.2%
8517.19.80	7.6%	6.8%	5.9%	5.1%	4.2%
8517.21.00	4.2%	3.7%	3.3%	2.8%	2.3%
8517.22.00	4.2%	3.7%	3.3%	2.8%	2.3%
8517.50.50	6.8%	5.1%	3.4%	1.7%	Free
8517.50.90	4.2%	3.7%	3.3%	2.8%	2.3%
8517.80.10	7.6%	6.8%	5.9%	5.1%	4.2%
8517.80.20	4.2%	3.7%	3.3%	2.8%	2.3%

Section B. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Canada under terms of general note 12 to the HTS.

Effective with respect to goods of Canada, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1-Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998
2101.12.32	2%	1%	Free
2101.12.54	2%	1%	Free
2101.12.90	2%	1%	Free
7414.20.60	2%	1%	Free

Annex III (con.)
-23-

Section B. (continued)
(1). (con.)

HTS Subheading	1996	1997	1998
7414.20.90	0.8%	0.4%	Free
8211.91.80	1.2%	0.6%	Free
8211.92.90	1.2%	0.6%	Free
9007.20.20	0.4%	0.2%	Free
9007.20.40	1.4%	0.7%	Free

(2). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "CA" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "CA" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1997	1998
0105.12.00	0.2¢ each	Free
0105.19.00	0.2¢ each	Free
0105.92.00	0.4¢/kg	Free
0105.93.00	0.4¢/kg	Free
0207.11.00	1.1¢/kg	Free
0207.12.00	1.1¢/kg	Free
0207.13.00	2.2¢/kg	Free
0207.14.00	2.2¢/kg	Free
0207.24.00	1.8¢/kg	Free
0207.25.20	1.1¢/kg	Free
0207.25.40	1.2%	Free
0207.26.00	2.2¢/kg	Free
0207.27.00	2.2¢/kg	Free
0207.32.00	1.1¢/kg	Free
0207.33.00	1.1¢/kg	Free
0207.34.00	2.2¢/kg	Free
0207.35.00	2.2¢/kg	Free
0207.36.00	2.2¢/kg	Free
0405.10.05	1.2¢/kg	Free
0405.10.10	1.2¢/kg	Free

Annex III (con.)
-24-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
0405.20.10	1.5¢/kg	Free
0405.20.20	1.5¢/kg	Free
0405.20.40	1.5¢/kg	Free
0405.20.50	1%	Free
0405.20.60	1%	Free
0405.20.80	1%	Free
0405.90.05	1%	Free
0405.90.10	1%	Free
0602.90.30	0.2%	Free
0602.90.40	0.5%	Free
0602.90.60	0.3%	Free
0602.90.90	0.7%	Free
0714.10.10	1.7%	Free
0714.10.20	2.5%	Free
0714.20.10	0.7%	Free
0714.20.20	1%	Free
0714.90.45	0.7%	Free
0807.11.30	2%	Free
0807.11.40	2%	Free
0807.19.10	2%	Free
0807.19.20	3.5%	Free
0807.19.60	1.4%	Free
0807.19.80	3.5%	Free
1602.32.00	1%	Free
1702.11.00	1%	Free
1702.19.00	1%	Free
1704.90.35	0.7%	Free
1904.20.10	0.7%	Free
1904.20.90	1.7%	Free
2005.90.30	0.7%	Free
2835.29.20	0.1%	Free
3304.99.50	0.4%	Free
3306.20.00	0.5%	Free
3502.11.00	5.9¢/kg	Free
3502.19.00	1.2¢/kg	Free
3823.11.00	0.3¢/kg + 0.6%	Free
3823.12.00	0.3¢/kg + 0.5%	Free
3283.19.20	0.5%	Free

Annex III (con.)
-25-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
3823.19.40	0.5%	Free
3823.70.20	0.7%	Free
3823.70.40	0.5%	Free
3823.70.60	0.3%	Free
4010.11.00	0.4%	Free
4010.12.10	0.5%	Free
4010.12.50	0.8%	Free
4010.12.55	0.8%	Free
4010.12.90	0.2%	Free
4010.13.00	0.4%	Free
4010.19.10	0.5%	Free
4010.19.50	0.8%	Free
4010.19.55	0.8%	Free
4010.19.80	0.2%	Free
4010.19.90	0.4%	Free
4010.21.30	0.5%	Free
4010.21.60	0.4%	Free
4010.22.30	0.5%	Free
4010.22.60	0.4%	Free
4010.23.30	0.5%	Free
4010.23.41	0.8%	Free
4010.23.45	0.8%	Free
4010.23.50	0.2%	Free
4010.23.90	0.4%	Free
4010.24.30	0.5%	Free
4010.24.41	0.8%	Free
4010.24.45	0.8%	Free
4010.24.50	0.2%	Free
4010.24.90	0.4%	Free
4010.29.10	0.5%	Free
4010.29.20	0.4%	Free
4010.29.30	0.5%	Free
4010.29.41	0.8%	Free
4010.29.45	0.8%	Free
4010.29.50	0.2%	Free
4010.29.90	0.4%	Free
4412.19.10	0.5%	Free
4412.19.30	0.5%	Free

Annex III (con.)
-26-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
4412.19.40	2%	Free
4412.19.50	0.8%	Free
4412.92.10	0.5%	Free
4412.92.30	0.5%	Free
4412.92.40	2%	Free
4412.92.50	0.8%	Free
4412.92.90	0.4%	Free
4412.99.15	0.5%	Free
4412.99.35	0.5%	Free
4412.99.45	2%	Free
4412.99.55	0.8%	Free
4412.99.95	0.4%	Free
5205.26.00	1.2%	Free
5205.27.00	1.2%	Free
5205.28.00	1.2%	Free
5205.46.00	1.2%	Free
5205.47.00	1.2%	Free
5205.48.00	1.2%	Free
5407.61.11	2.4¢/kg + 2.2%	Free
5407.61.19	2.4¢/kg + 2.2%	Free
5407.61.21	2.4¢/kg + 2.2%	Free
5407.61.29	2.4¢/kg + 2.2%	Free
5407.61.91	1.7%	Free
5407.61.99	1.7%	Free
5407.69.10	1.7%	Free
5407.69.20	1.7%	Free
5407.69.30	2.4¢/kg + 2.2%	Free
5407.69.40	1.7%	Free
5407.69.90	1.7%	Free
5603.11.00	1.2%	Free
5603.12.00	1.2%	Free
5603.13.00	1.2%	Free
5603.14.30	1.6%	Free
5603.14.90	1.2%	Free
5603.91.00	1.2%	Free
5603.92.00	1.2%	Free
5603.93.00	1.2%	Free
5603.94.10	0.3%	Free

Annex III (con.)
-27-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
5603.94.30	1.6%	Free
5603.94.90	1.2%	Free
6115.12.10	0.5%	Free
6115.12.20	1.7%	Free
6115.19.20	0.5%	Free
6115.19.40	1.7%	Free
6115.19.80	1.7%	Free
6115.92.30	0.5%	Free
6115.92.60	2%	Free
6115.92.90	1.4%	Free
6115.93.30	0.5%	Free
6115.93.60	2%	Free
6115.93.90	1.5%	Free
6305.32.00	0.9%	Free
6305.33.00	0.9%	Free
6402.12.00	0.6%	Free
6403.12.60	1%	Free
6909.12.00	0.8%	Free
7010.20.20	0.3%	Free
7010.20.30	0.7%	Free
7010.91.20	0.3%	Free
7010.91.30	0.7%	Free
7010.92.20	0.3%	Free
7010.92.30	0.7%	Free
7010.93.20	0.3%	Free
7010.93.30	0.7%	Free
7010.94.20	0.3%	Free
7010.94.30	0.7%	Free
7019.12.00	0.6%	Free
7019.32.00	0.6%	Free
7019.39.10	0.6%	Free
7019.39.50	0.6%	Free
7019.40.15	0.6%	Free
7019.40.40	0.8%	Free
7019.40.90	1.1%	Free
7019.51.90	0.6%	Free
7019.52.40	0.8%	Free
7019.52.90	1.1%	Free

Annex III (con.)
-28-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
7019.59.40	0.8%	Free
7019.59.90	1.1%	Free
7019.90.10	0.6%	Free
7019.90.50	0.6%	Free
7208.10.15	0.5%	Free
7208.10.30	0.6%	Free
7208.10.60	0.4%	Free
7208.25.30	0.6%	Free
7208.25.60	0.5%	Free
7208.26.00	0.5%	Free
7208.27.00	0.5%	Free
7208.36.00	0.6%	Free
7208.37.00	0.6%	Free
7208.38.00	0.4%	Free
7208.39.00	0.4%	Free
7208.40.30	0.6%	Free
7208.40.60	0.4%	Free
7208.51.00	0.6%	Free
7208.52.00	0.6%	Free
7208.53.00	0.4%	Free
7208.54.00	0.4%	Free
7208.90.00	0.5%	Free
7209.15.00	0.5%	Free
7209.16.00	0.5%	Free
7209.17.00	0.5%	Free
7209.18.15	0.5%	Free
7209.18.25	0.3%	Free
7209.18.60	0.5%	Free
7209.25.00	0.5%	Free
7209.26.00	0.5%	Free
7209.27.00	0.5%	Free
7209.28.00	0.5%	Free
7209.90.00	0.5%	Free
7210.30.00	0.6%	Free
7210.61.00	0.6%	Free
7210.69.00	0.6%	Free
7211.13.00	0.6%	Free
7211.14.00	0.6%	Free

Annex III (con.)
-29-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
7211.19.15	0.5%	Free
7211.19.20	0.5%	Free
7211.19.30	0.3%	Free
7211.19.45	0.4%	Free
7211.19.60	0.5%	Free
7211.19.75	0.4%	Free
7211.23.15	0.3%	Free
7211.23.20	0.5%	Free
7211.23.30	0.3%	Free
7211.23.45	0.2%	Free
7211.23.60	0.5%	Free
7211.29.20	0.3%	Free
7211.29.45	0.2%	Free
7211.29.60	0.5%	Free
7211.90.00	0.5%	Free
7212.20.00	0.6%	Free
7213.10.00	0.4%	Free
7213.20.00	0.1%	Free
7213.91.30	0.1%	Free
7213.91.45	0.1%	Free
7213.91.60	0.2%	Free
7213.99.00	0.1%	Free
7214.30.00	0.4%	Free
7214.91.00	0.4%	Free
7214.99.00	0.4%	Free
7215.50.00	0.7%	Free
7216.61.00	0.4%	Free
7216.69.00	0.4%	Free
7216.91.00	0.4%	Free
7216.99.00	0.4%	Free
7217.10.10	0.4%	Free
7217.10.20	0.3%	Free
7217.10.30	0.5%	Free
7217.10.40	0.5%	Free
7217.10.50	0.1%	Free
7217.10.60	0.5%	Free
7217.10.70	0.3%	Free
7217.10.80	0.5%	Free

Annex III (con.)
-30-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
7217.10.90	0.5%	Free
7217.20.15	0.5%	Free
7217.20.30	0.1%	Free
7217.20.45	0.5%	Free
7217.20.60	0.5%	Free
7217.20.75	0.5%	Free
7217.30.15	0.5%	Free
7217.30.30	0.1%	Free
7217.30.45	0.5%	Free
7217.30.60	0.5%	Free
7217.30.75	0.5%	Free
7217.90.10	Free	Free
7217.90.50	0.5%	Free
7218.91.00	0.5%	Free
7218.99.00	0.5%	Free
7222.11.00	1%	Free
7222.19.00	1%	Free
7225.91.00	0.5%	Free
7225.92.00	0.5%	Free
7225.99.00	0.5%	Free
7226.93.00	0.6%	Free
7226.94.00	0.6%	Free
7304.21.30	0.8%	Free
7304.21.60	0.7%	Free
7304.29.10	0.6%	Free
7304.29.20	Free	Free
7304.29.30	0.6%	Free
7304.29.40	0.3%	Free
7304.29.50	0.8%	Free
7304.29.60	0.7%	Free
7314.12.10	0.4%	Free
7314.12.20	0.4%	Free
7314.12.60	1%	Free
7314.12.90	0.7%	Free
7314.13.00	0.4%	Free
7314.14.10	0.4%	Free
7314.14.20	0.4%	Free
7314.14.60	1%	Free

Annex III (con.)
-31-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
7314.14.90	0.7%	Free
7314.19.00	0.4%	Free
7314.20.00	0.5%	Free
7314.31.50	0.5%	Free
7314.39.00	0.5%	Free
7314.49.30	0.5%	Free
7314.49.60	0.4%	Free
7418.11.20	0.3%	Free
7418.11.40	0.4%	Free
7418.19.10	0.4%	Free
7418.19.20	0.3%	Free
7418.19.50	0.4%	Free
7508.10.00	0.5%	Free
7508.90.10	0.4%	Free
7508.90.50	0.5%	Free
7615.11.00	0.3%	Free
7615.19.10	0.3%	Free
7615.19.30	0.5%	Free
7615.19.50	0.3%	Free
7615.19.70	0.4%	Free
7615.19.90	0.3%	Free
7616.91.00	0.5%	Free
7616.99.50	0.5%	Free
7907.00.10	0.3%	Free
7907.00.60	0.5%	Free
8211.95.10	0.6%	Free
8211.95.50	0.6%	Free
8211.95.90	0.2¢ each + 0.4%	Free
8506.10.00	0.5%	Free
8506.30.50	0.5%	Free
8506.40.50	0.5%	Free
8506.50.00	0.5%	Free
8506.60.00	0.5%	Free
8506.80.00	0.5%	Free
8506.90.00	0.5%	Free
8510.30.00	0.4%	Free
8519.92.00	0.3%	Free
8519.93.80	0.3%	Free

Annex III (con.)
-32-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
8520.32.00	0.3%	Free
8520.33.00	0.3%	Free
8523.30.00	0.4%	Free
8524.10.00	0.3%	Free
8524.31.00	0.9¢/m^2 of recording surface	Free
8524.32.00	0.9¢/m^2 of recording surface	Free
8524.39.00	0.5%	Free
8524.40.00	0.9¢/m^2 of recording surface	Free
8524.51.30	0.9¢/m^2 of recording surface	Free
8524.52.10	Free	Free
8524.52.20	0.9¢/m^2 of recording surface	Free
8524.53.10	Free	Free
8524.53.20	0.9¢/m^2 of recording surface	Free
8524.60.00	0.9¢/m^2 of recording surface	Free
8524.91.00	0.9¢/m^2 of recording surface	Free
8524.99.40	0.9¢/m^2 of recording surface	Free
8528.12.04	0.3%	Free
8528.12.08	0.5%	Free
8528.12.12	0.3%	Free
8528.12.16	0.3%	Free
8528.12.20	0.5%	Free
8528.12.24	0.5%	Free
8528.12.28	0.3%	Free
8528.12.32	0.5%	Free
8528.12.36	0.3%	Free
8528.12.40	0.5%	Free
8528.12.44	0.3%	Free
8528.12.48	0.5%	Free
8528.12.52	0.3%	Free
8528.12.56	0.5%	Free

Annex III (con.)
-33-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
8528.12.62	0.3%	Free
8528.12.64	0.3%	Free
8528.12.68	0.5%	Free
8528.12.72	0.5%	Free
8528.12.76	0.3%	Free
8528.12.80	0.3%	Free
8528.12.84	0.5%	Free
8528.12.88	0.5%	Free
8528.13.00	0.5%	Free
8528.21.05	0.3%	Free
8528.21.10	0.5%	Free
8528.21.16	0.3%	Free
8528.21.19	0.3%	Free
8528.21.24	0.5%	Free
8528.21.29	0.5%	Free
8528.21.34	0.3%	Free
8528.21.39	0.5%	Free
8528.21.41	0.3%	Free
8528.21.42	0.5%	Free
8528.21.44	0.3%	Free
8528.21.49	0.5%	Free
8528.21.51	0.3%	Free
8528.21.52	0.5%	Free
8528.21.55	0.3%	Free
8528.21.60	0.3%	Free
8528.21.65	0.5%	Free
8528.21.70	0.5%	Free
8528.21.75	0.3%	Free
8528.21.80	0.3%	Free
8528.21.85	0.5%	Free
8528.21.90	0.5%	Free
8528.22.00	0.5%	Free
8528.30.10	0.3%	Free
8528.30.20	0.5%	Free
8528.30.30	0.3%	Free
8528.30.40	0.5%	Free
8528.30.50	0.3%	Free
8528.30.60	0.5%	Free

Annex III (con.)
-34-

Section B. (continued)
(2) (con.)

HTS Subheading	1997	1998
8528.30.62	0.3%	Free
8528.30.64	0.3%	Free
8528.30.66	0.5%	Free
8528.30.68	0.5%	Free
8528.30.72	0.3%	Free
8528.30.78	0.5%	Free
8528.30.90	0.5%	Free
8539.32.00	0.3%	Free
8548.90.00	0.3%	Free
9010.50.20	0.3%	Free
9022.12.00	0.2%	Free
9022.13.00	0.2%	Free
9022.14.00	0.2%	Free
9025.80.15	0.2%	Free
9030.83.00	0.4%	Free
9030.89.00	0.4%	Free
9614.20.15	0.4%	Free

Section C. Continuation of previously proclaimed staged reductions of the rates of duty in the Rates of Duty 1-Special subcolumn on certain goods of Mexico under terms of general note 12 to the HTS.

Effective with respect to goods of Mexico, under the terms of general note 12 to the HTS, entered, or withdrawn from warehouse for consumption, the Rates of Duty 1-Special subcolumn is modified on or after the dates as specified in this section.

(1). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1996	1997	1998	1999	2000	2001	2002	2003
2933.39.61	5.4%	2.7%	Free	Free	Free	Free	Free	Free
2933.39.91	1.4¢/kg + 6.4%	0.7¢/kg + 3.2%	Free	Free	Free	Free	Free	Free
3824.40.10	1.4¢/kg + 5.4%	0.7¢/kg + 2.7%	Free	Free	Free	Free	Free	Free
3824.40.50	2%	1%	Free	Free	Free	Free	Free	Free
3824.90.28	2.5¢/kg + 9.5%	2.2¢/kg + 8.1%	1.8¢/kg + 6.8%	1.4¢/kg + 5.4%	1.1¢/kg + 4%	0.7¢/kg + 2.7%	0.3¢/kg + 1.3%	Free
3824.90.90	3.5%	3%	2.5%	2%	1.5%	1%	0.5%	Free

Section C. (continued)

(2). On or after January 1 of each of the years listed below, for each of the following subheadings, the Rates of Duty 1-Special subcolumn is modified (i) by deleting the rate of duty preceding the symbol "MX" in parentheses and inserting the rate of duty specified for such subheading in the first dated column in the table below in lieu thereof, and (ii) for each of the subsequent dated columns the rates of duty that are followed by the symbol "MX" in parentheses are deleted and the following rates of duty are inserted in such subheadings in lieu thereof on the date specified.

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
0405.20.40	9.2¢/kg	7.7¢/kg	6.1¢/kg	4.6¢/kg	3¢/kg	1.5¢/kg	Free
0712.90.30	0.5¢/kg	Free	Free	Free	Free	Free	Free
0807.19.10	12%	10%	8%	6%	4%	2%	Free
0807.19.80	25.6%	25.3%	21%	18.6%	16.3%	14%	11.6% 1/
1904.20.10	4.2%	3.5%	2.8%	2.1%	1.4%	0.7%	Free
1904.20.90	3.5%	Free	Free	Free	Free	Free	Free
2005.90.30	1.5%	Free	Free	Free	Free	Free	Free
2914.40.20	6.6%	5.5%	4.4%	3.3%	2.2%	1.1%	Free
2914.40.40	6.6%	5.5%	4.4%	3.3%	2.2%	1.1%	Free
2924.22.00	2.2¢/kg + 10.8%	1.8¢/kg + 9%	1.4¢/kg + 7.2%	1.1¢/kg + 5.4%	0.7¢/kg + 3.6%	0.3¢/kg + 1.8%	Free
2933.32.10	0.7¢/kg + 3.2%	Free	Free	Free	Free	Free	Free
2933.32.50	2.7%	Free	Free	Free	Free	Free	Free
4010.12.90	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.19.80	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.23.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free

1/ For subheading 0807.19.80, the rates of duty after 2003 will be as follows:
Effective with respect to articles entered on or after January 1, 2004-- 9.3%
Effective with respect to articles entered on or after January 1, 2005-- 7%
Effective with respect to articles entered on or after January 1, 2006-- 4.6%
Effective with respect to articles entered on or after January 1, 2007-- 2.3%
Effective with respect to articles entered on or after January 1, 2008-- Free

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
4010.24.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4010.29.50	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
4412.19.50	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
5205.26.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.27.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.28.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.46.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.47.00	4.2%	2.1%	Free	Free	Free	Free	Free
5205.48.00	4.2%	2.1%	Free	Free	Free	Free	Free
5407.61.11	7.2%	3.6%	Free	Free	Free	Free	Free
5407.61.19	7.2%	3.6%	Free	Free	Free	Free	Free
5407.61.21	7.1%	3.5%	Free	Free	Free	Free	Free
5407.61.29	7.1%	3.5%	Free	Free	Free	Free	Free
5407.61.91	5.6%	2.8%	Free	Free	Free	Free	Free
5407.61.99	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.10	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.20	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.30	7.1%	3.5%	Free	Free	Free	Free	Free
5407.69.40	5.6%	2.8%	Free	Free	Free	Free	Free
5407.69.90	5.6%	2.8%	Free	Free	Free	Free	Free
5603.11.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.12.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.13.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.14.30	5.3%	2.6%	Free	Free	Free	Free	Free
5603.14.90	4.3%	2.1%	Free	Free	Free	Free	Free
5603.91.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.92.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.93.00	4.3%	2.1%	Free	Free	Free	Free	Free
5603.94.10	1.3%	0.6%	Free	Free	Free	Free	Free
5603.94.30	5.3%	2.6%	Free	Free	Free	Free	Free

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
5603.94.90	4.3%	2.1%	Free	Free	Free	Free	Free
6115.12.20	5.6%	2.8%	Free	Free	Free	Free	Free
6115.19.40	5.6%	2.8%	Free	Free	Free	Free	Free
6115.19.80	5.6%	2.8%	Free	Free	Free	Free	Free
6115.92.60	6.4%	3.2%	Free	Free	Free	Free	Free
6115.92.90	4.9%	2.4%	Free	Free	Free	Free	Free
6115.93.60	6.4%	3.2%	Free	Free	Free	Free	Free
6115.93.90	5.2%	2.6%	Free	Free	Free	Free	Free
6305.32.00	3.4%	1.7%	Free	Free	Free	Free	Free
6305.33.00	3.4%	1.7%	Free	Free	Free	Free	Free
7019.19.15	2.7%	1.3%	Free	Free	Free	Free	Free
7019.19.28	3.4%	1.7%	Free	Free	Free	Free	Free
7019.19.90	1.2%	Free	Free	Free	Free	Free	Free
7019.40.15	2.2%	1.1%	Free	Free	Free	Free	Free
7019.40.40	3%	1.5%	Free	Free	Free	Free	Free
7019.40.90	3.9%	1.9%	Free	Free	Free	Free	Free
7019.51.90	2.2%	1.1%	Free	Free	Free	Free	Free
7019.52.40	3%	1.5%	Free	Free	Free	Free	Free
7019.52.90	3.9%	1.9%	Free	Free	Free	Free	Free
7019.59.40	3%	1.5%	Free	Free	Free	Free	Free
7019.59.90	3.9%	1.9%	Free	Free	Free	Free	Free
7208.10.15	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.10.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.10.60	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.25.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.25.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.26.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.27.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7208.36.00	3.6%	3%	2.4%	1.8%	1.2%	0.6	Free
7208.37.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free

Section C. (continued)

(2). (con.)

NTS Subheading	1997	1998	1999	2000	2001	2002	2003
7208.38.00	2.9	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.39.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.40.30	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.40.60	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.51.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.52.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7208.53.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.54.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7208.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.15.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.16.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.17.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.18.15	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.18.25	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
7209.18.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.25.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.26.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.27.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.28.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7209.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7210.30.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7210.61.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7210.69.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7211.13.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.14.00	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7211.19.15	3.4%	2.8%	2.2%	1.7%	1.1%	0.5%	Free
7211.19.20	3.4%	2.8%	2.2%	1.7%	1.1%	0.5%	Free
7211.19.30	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.19.45	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7211.19.60	3%	2.5%	2%	1.5%	1%	0.5%	Free

Annex III (con.)
-40-

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7211.19.75	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7211.23.15	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.23.20	3.4%	2.8%	2.2%	1.7%	1.1%	0.5%	Free
7211.23.30	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.23.45	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
7211.23.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7211.29.20	2%	1.7%	1.3%	1%	0.6%	0.3%	Free
7211.29.45	1.4%	1.2%	0.9%	0.7%	0.4%	0.2%	Free
7211.29.60	3%	2.5%	2%	1.5%	1%	0.5%	Free
7211.90.00	3%	2.5%	2%	1.5%	1%	0.5%	Free
7212.20.00	3.9%	3.2%	2.6%	1.9%	1.3%	0.6%	Free
7213.10.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7213.20.00	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.30	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.45	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7213.91.60	1.3%	1.1%	0.9%	0.6%	0.4%	0.2%	Free
7213.99.00	1.1%	0.9%	0.7%	0.5%	0.3%	0.1%	Free
7214.30.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7214.91.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7214.99.00	2.8%	2.3%	1.8%	1.4%	0.9%	0.4%	Free
7215.50.00	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7216.91.00	2.6%	2.2%	1.7%	1.3%	0.8%	0.4%	Free
7216.99.00	2.6%	2.2%	1.7%	1.3%	0.8%	0.4%	Free
7217.10.10	2.5%	2.1%	1.6%	1.2%	0.8%	0.4%	Free
7217.10.20	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free
7217.10.30	3%	2.5%	2%	1.5%	1%	0.5%	Free
7217.10.40	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.10.50	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.10.60	3.3%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
7217.10.70	1.9%	1.6%	1.2%	0.9%	0.6%	0.3%	Free

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7217.10.80	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.10.90	3.3%	2.7%	2.2%	1.6%	1.1%	0.5%	Free
7217.20.15	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.20.30	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.20.45	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.20.60	3.3%	2.8%	2.2%	1.6%	1.1%	0.5%	Free
7217.20.75	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.30.15	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.30.30	0.9%	0.7%	0.6%	0.4%	0.3%	0.1%	Free
7217.30.45	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7217.30.60	3.3%	2.8%	2.2%	1.6%	1.1%	0.5%	Free
7217.30.75	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7217.90.10	0.5%	0.4%	0.3%	0.2%	0.1%	Free	Free
7217.90.50	3.1%	2.6%	2.1%	1.5%	1%	0.5%	Free
7218.91.00	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7218.99.00	3.1%	2.6%	2%	1.5%	1%	0.5%	Free
7222.11.00	6.3%	5.3%	4.2%	3.1%	2.1%	1%	Free
7222.19.00	6.3%	5.3%	4.2%	3.1%	2.1%	1%	Free
7226.93.00	3.7%	3.1%	2.5%	1.8%	1.2%	0.6%	Free
7226.94.00	3.7%	3.1%	2.5%	1.8%	1.2%	0.6%	Free
7304.21.30	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.21.60	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7304.29.10	3.6%	3%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.20	0.3%	0.2%	0.2%	0.1%	0.1%	Free	Free
7304.29.30	3.7%	3.1%	2.4%	1.8%	1.2%	0.6%	Free
7304.29.40	1.9%	1.6%	1.3%	0.9%	0.6%	0.3%	Free
7304.29.50	4.8%	4%	3.2%	2.4%	1.6%	0.8%	Free
7304.29.60	4.5%	3.7%	3%	2.2%	1.5%	0.7%	Free
7314.13.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free
7314.19.00	2.9%	2.4%	1.9%	1.4%	0.9%	0.4%	Free

Section C. (continued)

(2). (con.)

HTS Subheading	1997	1998	1999	2000	2001	2002	2003
7314.31.10	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free
7314.41.00	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free
7314.42.00	0.1¢/kg	0.1¢/kg	Free	Free	Free	Free	Free
9906.06.41	90.3¢/kg	75.3¢/kg	60.2¢/kg	45.2¢/kg	30.1¢/kg	15.1¢/kg	Free
9906.06.42	57.4%	47.9%	38.3%	28.7%	19.1%	9.6%	Free
9906.06.44	42.2¢/kg	35.2¢/kg	28.1¢/kg	21.1¢/kg	14.1¢/kg	7¢/kg	Free
9906.06.45	56.3%	47%	37.6%	28.2%	18.8%	9.4%	Free
9906.29.40	2.7%	Free	Free	Free	Free	Free	Free

(3). On January 1, 2003, the Rates of Duty 1-Special subcolumn for subheadings 0405.10.20, 0405.20.30, 0405.20.70, 0405.90.20, 2101.12.38, 2101.12.48 and 2101.12.58 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "Free" rate of duty followed by the symbol "MX" in parenthesis.

(4). On January 1, 2003, the Rates of Duty 1-Special subcolumn for subheadings 0807.11.40, 0807.19.70 and 3824.90.45 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "MX" symbol, alphabetically, in the parenthesis following the "Free" rate of duty in such subcolumn.

(5). On January 1, 2008, the Rates of Duty 1-Special subcolumn for subheading 0807.19.20 is modified by deleting the "(MX)" symbol and the rate preceding such symbol and inserting a "MX" symbol, alphabetically, in the parenthesis following the "Free" rate of duty in such subcolumn.

ANNEX IV

TECHNICAL MODIFICATIONS TO PROCLAMATION 6763
OF DECEMBER 23, 1994

Effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the effective dates in such proclamation:

The Annex to Presidential Proclamation 6763 of December 23, 1994, is modified as follows:

In section A of such Annex:

1. Item 26 is modified by deleting ", the designation "b" for the remaining text, subdivisions (b)(1) and (2) shall then be redesignated as "(a)" and "(b)",".

2. Item 32(d) is modified by inserting after "(a)(i)" the expression "of additional U.S. note 5".

3. Item 36 is modified by deleting "subdivision (a) of additional U.S. note 3" and by inserting in lieu thereof "subdivision (a) of additional U.S. note 1".

4. Item 38 is modified by deleting "subdivision (a) of additional U.S. note 4" and by inserting in lieu thereof "subdivision (a) of additional U.S. note 3".

4. Item 119(a) is modified by deleting "2-(N-Benzyl-N-tert-butylamino)-4'-hydroxy-3'-hydromethylacetophenone hydrochloride;" from the article description of subheading 2922.50.07.

5. Item 321 is modified by adding a conforming change as follows:

"Conforming change: The article description for subheading 8529.90.53 is modified by deleting "8528.10.64 and 8528.10.68" and inserting "8528.10.61, 8528.10.63, 8528.10.67 and 8528.10.69" in lieu thereof."

In section B(1) of such Annex by deleting "Additional U.S. note 5 to chapter 20: Countries identified in additional U.S. note 6 to chapter 20" and inserting in lieu thereof "Additional U.S. note 5 to chapter 20: Countries or territories identified in additional U.S. note 6 to this chapter combined (aggregate)".

In section E(2) of such Annex by inserting "2925.20.90" in numerical sequence.

Proclamation 6858 of December 13, 1995

Wright Brothers Day, 1995

By the President of the United States of America
A Proclamation

Today, the United States aviation industry helps to drive our economy and provides business and recreational opportunities to our citizens that were unthinkable just a century ago. Our reliance on air transit grows each year, challenging the aviation community and the Federal Aviation Administration (FAA) to meet new safety and operational demands.

Our air transportation system, already the safest and most efficient in the world, continues to improve. In fact, efforts are underway to craft reforms that enhance the efficiency of the FAA so that America's leadership in air transportation, begun with the Wright brothers' historic flight on December 17, 1903, can continue well into the next century.

The Congress, by a joint resolution approved December 17, 1963 (77 Stat. 402; 36 U.S.C. 169), has designated December 17 of each year as "Wright Brothers Day" and has authorized and requested the President to issue annually a proclamation inviting the people of the United States to observe that day with appropriate ceremonies and activities.

NOW, THEREFORE, I, WILLIAM J. CLINTON, President of the United States of America, do hereby proclaim December 17, 1995, as Wright Brothers Day.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6859 of December 13, 1995

To Modify the Tariff-Rate Quota on Italian-Type Cheeses From Poland

By the President of the United States of America
A Proclamation

1. On May 17, 1995, the United States and Poland signed a Record of Understanding Between Poland and the United States of America on Agricultural Items, which provides for an increase in the allocation to Poland of the in-quota quantity of the tariff-rate quota on Italian-type cheeses.

2. Section 404(d)(3) of the Uruguay Round Agreements Act ("the URAA")(19 U.S.C. 3601(d)(3)) authorizes the President to allocate the in-quota quantity of a tariff-rate quota for any agricultural product among supplying countries or customs areas and to modify any allocation as the President determines appropriate.

3. Accordingly, pursuant to section 404(d)(3) of the URAA, I have determined that it is appropriate to proclaim an increase in the allocation to Poland of the in-quota quantity of the tariff-rate quota for Italian-type cheeses.

4. 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 Harmonized Tariff Schedule of the United States ("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. The modification of the allocation to Poland of the in-quota quantity of the tariff-rate quota for Italian-type cheeses is such an action.

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 but not limited to section 404(d)(3) of the URAA (19 U.S.C. 3601(d)(3)) and section 604 of the 1974 Act (19 U.S.C. 2483), do proclaim that:

(1) Additional U.S. note 21 to chapter 4 of the HTS is modified by deleting the quantity "1,100,000" set out opposite Poland and inserting "1,325,000" in lieu thereof.

(2) This proclamation is effective with respect to goods entered or withdrawn from warehouse for consumption on or after the date of signature of this proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand this thirteenth day of December, in the year of our Lord nineteen hundred and ninety-five, and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Proclamation 6860 of January 2, 1996

Death of Admiral Arleigh A. Burke

By the President of the United States of America
A Proclamation

As a mark of respect for the memory of Admiral Arleigh Burke, one of our Nation's foremost naval heroes, I hereby order, by the authority vested in me as President of the United States of America by section 175 of title 36 of the United States Code, that the flag of the United States shall be flown at half-staff upon all public buildings and grounds, at all military posts and naval stations, and on all naval vessels of the Federal Government in the District of Columbia and throughout the United States and its Territories and possessions until interment. I also direct that the flag shall be flown at half-staff for the same period at all United States embassies, legations, consular offices, and other facilities abroad, including all military facilities and naval vessels and stations.

IN WITNESS WHEREOF, I have hereunto set my hand this second day of January, in the year of our Lord nineteen hundred and ninety-six,

and of the Independence of the United States of America the two hundred and twentieth.

WILLIAM J. CLINTON

Page

A

Adult Education Act, amendments 715
Age Discrimination in Employment Act of 1967, amendments 8
Agricultural Adjustment Act of 1938, amendments 948
Agricultural Foreign Investment Disclosure Act of 1978, amendments 712
Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1995, amendments 195, 196
Agricultural Trade Development and Assistance Act of 1954, amendments 709
Agriculture and Food Act of 1981, amendments 710
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299
Alaska National Interest Lands Conservation Act, amendments 355
Alaska Native Claims Settlement Act, amendments 155, 353
Alaska Power Administration Asset Sale and Termination Act 557
Alaska Railroad Transfer Act of 1982, amendments 951
Americans with Disabilities Act of 1990, amendments 8, 16, 608
Animal Welfare Act, amendments 711, 948
Anti-Drug Abuse Act of 1988, amendments 722, 728
Architect of the Capitol Human Resources Act, amendments 41
Armored Car Industry Reciprocity Act of 1993, amendments 954
Asbestos Hazard Emergency Response Act of 1986, amendments 725
Atlantic Tunas Convention Act of 1975, amendments 384–386
Atlantic Tunas Convention Authorization Act of 1995 382
Augustus F. Hawkins-Robert T. Stafford Elementary and Secondary School Improvement Amendments of 1988, amendments 715
Automotive Propulsion Research and Development Act of 1978, amendments 724

B

Black Lung Benefits Act, amendments 722

Page

C

Carl D. Perkins Vocational and Applied Technology Education Act, amendments 714, 715
Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, amendments 715
Central Bering Sea Fisheries Enforcement Act of 1992, amendments 391
Central Intelligence Act of 1949, amendments 969
Central Intelligence Agency Voluntary Separation Pay Act, amendments 968
CFTC Reauthorization Act of 1995 154
Chacoan Outliers Protection Act of 1995 158
Charitable Gift Annuity Antitrust Relief Act of 1995 687
Child Nutrition Act of 1966, amendments 710
Civil Justice Reform Act of 1990, amendments 292
Civil Rights Act of 1964, amendments 8, 728
Clayton Act, amendments 949
Clean Air Act, amendments 580, 773
Coast Guard Authorization Act of 1988, amendments 724
Colorado River Basin Salinity Control Act, amendments 255
Columbia River Gorge National Scenic Area Act, amendments 710
Commodity Exchange Act, amendments 154
Communications Act of 1934, amendments 712, 729
Communications Satellite Act of 1962, amendments 729
Competitiveness Policy Council Act, amendments 701
Congressional Accountability Act of 1995 3
Congressional Accountability Act of 1995, amendments 538
Congressional Budget and Impoundment Control Act of 1974, amendments 50, 60, 62
Congressional Operations Appropriations Act, 1996 514
Conrail Privatization Act, amendments 953
Consolidated Omnibus Budget Reconciliation Act of 1985, amendments 725
Consumer-Patient Radiation Health and Safety Act of 1981, amendments 719

NOTE: Part 1 contains pages 1–988; Part 2 contains pages 989–2058. Each part contains entire Popular Name and Subject Indexes.

Page

Corning National Fish Hatchery Conveyance Act 261
Court Reporter Fair Labor Amendments of 1995 264
Cranston-Gonzalez National Affordable Housing Act, amendments 720, 721

D

Deepwater Port Act of 1974, amendments 724
Defense Production Act Amendments of 1995 689
Defense Production Act of 1950, amendments 689
Department of Defense Appropriations Act, 1995, amendments 79, 80, 83
Department of Defense Appropriations Act, 1996 636
Department of Education Organization Act, amendments 714
Department of Energy Act of 1978—Civilian Applications, amendments 716
Department of Energy Organization Act, amendments 560, 718
Department of Housing and Urban Development Act, amendments 701
Department of the Interior and Related Agencies Appropriations Act, 1995, amendments 208, 210
Department of Transportation and Related Agencies Appropriations Act, 1994, amendments 225
Department of Transportation and Related Agencies Appropriations Act, 1995, amendments 224, 605
Department of Transportation and Related Agencies Appropriations Act, 1996 436
Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1995, amendments 198
Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1995, amendments 88
Digital Performance Right in Sound Recordings Act of 1995 336

Page

Dire Emergency Supplemental Appropriations for Disaster Assistance, Food Stamps, Unemployment Compensation Administration, and Other Urgent Needs,and Transfers, and Reducing Funds Budgeted for Military Spending Act of 1990, amendments 538
District of Columbia Appropriations Act, 1995, amendments 109
District of Columbia Convention Center and Sports Arena Authorization Act of 1995, amendments 267
District of Columbia Emergency Highway Relief Act 257
District of Columbia Financial Responsibility and Management Assistance Act of 1995 97
District of Columbia Procurement Practices Act of 1985, amendments 148–151
District of Columbia Revenue Act of 1939, amendments 120
District of Columbia Self-Government and Governmental Reorganization Act, amendments 107, 115, 116, 140–142, 147, 148, 151, 152
Domestic Volunteer Service Act of 1973, amendments 726
Doug Barnard, Jr.—1996 Atlanta Centennial Olympic Games Commemorative Coin Act, amendments 784

E

Edible Oil Regulatory Reform Act 546
Education for Economic Security Act, amendments 731
Eisenhower Exchange Fellowship Act of 1990, amendments 776
Electric and Hybrid Vehicle Research, Development, and Demonstration Act of1976, amendments 717
Elementary and Secondary Education Act of 1965, amendments 72
Emergency Food Assistance Act of 1983, amendments 710
Emergency Rail Services Act of 1970, amendments 951

Page

Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995, amendments 201
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194
Energy and Water Development Appropriations Act, 1991, amendments 419
Energy and Water Development Appropriations Act, 1996 402
Energy Policy Act of 1992, amendments 717–719, 949
Energy Policy and Conservation Act, amendments 716–718, 722
Energy Reorganization Act of 1974, amendments 731
Environmental Research, Development, and Demonstration Authorization Act of 1976, amendments 728
Environmental Research, Development, and Demonstration Authorization Act of 1987, amendments 728
Equal Credit Opportunity Act, amendments 948
Ethics in Government Act of 1978, amendments 704, 705
Executive Office Appropriations Act, 1996 477
Export Enhancement Act of 1988, amendments 713
Export-Import Act of 1945, amendments 984

F

Fair Credit Reporting Act, amendments 948, 974
Fair Debt Collection Practices Act, amendments 949
Fair Housing Act, amendments 787
Fair Labor Standards Act of 1938, amendments 10, 264, 722, 955
Family and Medical Leave Act of 1993, amendments 9, 41
Federal-Aid Highway Act of 1973, amendments 724

Page

Federal Aviation Administration Authorization Act of 1994, amendments 953
Federal Deposit Insurance Corporation Improvement Act of 1991, amendments 729
Federal Election Campaign Act of 1971, amendments 791, 948
Federal Energy Administration Act of 1974, amendments 717
Federal Home Loan Bank Act, amendments 732, 733
Federal Nonnuclear Energy Research and Development Act of 1974, amendments 727
Federal Property and Administrative Services Act of 1949, amendments 730
Federal Regulation of Lobbying Act, amendments 701
Federal Reports Elimination and Sunset Act of 1995 707
Federal Trademark Dilution Act of 1995 985
Federal Water Pollution Control Act, amendments 726, 727
Federal Workforce Restructuring Act of 1994, amendments 490
Federally Supported Health Centers Assistance Act of 1995 777
Fisheries Act of 1995 366
Fishermen's Protective Act of 1967, amendments 366
Flood Control Act of 1962, amendments 560
Food, Agriculture, Conservation, and Trade Act of 1990, amendments 709–711
Food Security Act of 1985, amendments 709, 710
Food Stamp Act of 1977, amendments 710, 711
Foreign Agents Registration Act of 1938, amendments 699, 704
Foreign Assistance Act of 1961, amendments 723, 724
Foreign Relations Authorization Act, Fiscal Year 1979, amendments 723
Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, amendments 191, 260, 277, 423, 960
Foreign Service Act of 1980, amendments 701
Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992, amendments 713
Futures Trading Act of 1986, amendments 710

Page

G

Geothermal Energy Research, Development, and Demonstration Act of 1974, amendments 717
Government Employee Rights Act of 1991, amendments 40, 41

H

Hawaiian Home Lands Recovery Act 357
Hazardous Materials Transportation Authorization Act of 1994, amendments 605
High-Performance Computing Act of 1991, amendments 719
High Plains States Groundwater Demonstration Program Act of 1983, amendments 721
High Seas Driftnet Fishing Moratorium Protection Act 391
High Seas Fishing Compliance Act of 1995 367
Higher Education Act of 1965, amendments 219, 715, 716
Horse Protection Act of 1970, amendments 711
House Employees Position Classification Act, amendments 522
Housing Act of 1949, amendments 701, 710
Housing and Community Development Act of 1987, amendments 720
Housing and Urban Development Act of 1968, amendments 721
Housing for Older Persons Act of 1995 787

I

ICC Termination Act of 1995 803
Immigration and Nationality Act, amendments 467
Independent Agencies Appropriations Act, 1990, amendments 486
Independent Agencies Appropriations Act, 1992, amendments 490
Independent Agencies Appropriations Act, 1996 480
Indian Child Protection and Family Violence Prevention Act, amendments 190
Inlands Waterway Revenue Act of 1978, amendments 954
Inspector General Act of 1978, amendments 949
Intelligence Authorization Act for Fiscal Year 1996 961

Page

Intercoastal Shipping Act, 1933, amendments 953
Intermodal Surface Transportation Efficiency Act of 1991, amendments 574, 577, 582, 592–595, 598–604, 625, 725
Internal Revenue Code of 1986, amendments 93, 943
International Surface Transportation Efficiency Act of 1991, amendments 957
Interstate Land Sales Full Disclosure Act, amendments 720
Investment Advisers Act of 1940, amendments 685
Investment Company Act of 1940, amendments 682, 683

J

James Madison-Bill of Rights Commemorative Coin Act, amendments 725
Jerusalem Embassy Act of 1995 398
Jobs Through Exports Act of 1992, amendments 712
Judicial Improvements Act of 1990, amendments 635

L

Labor Management Relations Act, 1947, amendments 954
Land and Water Conservation Fund Act of 1965, amendments 721
Legal Services Corporation Act, amendments 730
Legislative Branch Appropriations Act, 1989, amendments 529
Legislative Branch Appropriations Act, 1990, amendments 220, 525
Legislative Branch Appropriations Act, 1991, amendments 518
Legislative Branch Appropriations Act, 1993, amendments 432, 529
Legislative Branch Appropriations Act, 1995, amendments 518
Legislative Branch Appropriations Act, 1996 514
Lobbying Disclosure Act of 1995 691
Longshore and Harbor Workers' Compensation Act, amendments 722
Low-Income Home Energy Assistance Act of 1981, amendments 721

M

Magnetic Fusion Energy Engineering Act, amendments 421

Page

Magnetic Fusion Energy Engineering Act of 1980, amendments 717
Mail Order Consumer Protection Amendments of 1983, amendments 732
Marine Mammal Protection Act Amendments of 1994, amendments 390
Marine Plastic Pollution Research and Control Act of 1987, amendments 724
Merchant Marine Act, 1920, amendments 949
Merchant Marine Act, 1936, amendments 954
Methane Transportation Research, Development, and Demonstration Act of 1980, amendments 717
Metric Conversion Act of 1975, amendments 734
Mexican Debt Disclosure Act of 1995 89
Migrant and Seasonal Agricultural Worker Protection Act, amendments 432–434, 953
Migration and Refugee Assistance Act of 1962, amendments 723
Military Construction Appropriations Act, 1996 283
Milwaukee Railroad Restructuring Act, amendments 952
Mineral Leasing Act, amendments 560, 721, 722, 724
Mining and Minerals Policy Act of 1970, amendments 721

N

National Agricultural Research, Extension, and Teaching Policy Act of 1977, amendments 710–712
National Capital Area Interest Arbitration Standards Act of 1995 463
National Defense Authorization Act for Fiscal Year 1991, amendments 714
National Defense Authorization Act for Fiscal Years 1988 and 1989, amendments 714
National Drug Interdiction Act of 1986, amendments 722
National Energy Conservation Policy Act, amendments 718
National Highway System Designation Act of 1995 568
National Highway System Designation Act of 1995, amendments 956
National Oceanic and Atmospheric Administration Authorization Act of 1992, amendments 391

Page

National Science Foundation Act of 1950, amendments 731
National Security Act of 1947, amendments 964, 965, 977, 978
National Trails System Act, amendments 949
Navajo-Hopi Land Settlement Act of 1974, amendments 189
Neighborhood Reinvestment Corporation Act, amendments 731
Noise Control Act of 1972, amendments 955
North Pacific Anadromous Stocks Act of 1992, amendments 391
Northeast Rail Service Act of 1981, amendments 953
Northwest Atlantic Fisheries Convention Act of 1995 377
Nuclear Safety Research, Development, and Demonstration Act of 1980, amendments 717
Nuclear Waste Policy Act of 1982, amendments 716, 719

O

Ocean Thermal Energy Conversion Research, Development, and Demonstration Act, amendments 716
Oil Pollution Act of 1990, amendments 546, 547
Omnibus Budget Reconciliation Act of 1987, amendments 720
Omnibus Budget Reconciliation Act of 1990, amendments 192
Omnibus Budget Reconciliation Act of 1993, amendments 96
Outer Continental Shelf Deep Water Royalty Relief Act 563
Outer Continental Shelf Lands Act, amendments 563, 565, 722
Outer Continental Shelf Lands Act Amendments of 1978, amendments 713

P

Panama Canal Act of 1979, amendments 732
Paperwork Reduction Act of 1995 163
Perishable Agricultural Commodities Act, 1930, amendments 424
Perishable Agricultural Commodities Act Amendments of 1995 424
Persian Gulf Conflict Supplemental Authorization and Personnel Benefits Act of 1991, amendments 712

Page

Philanthropy Protection Act of 1995 682
Postal Service Appropriations Act, 1996 476
Powerplant and Industrial Fuel Use Act of 1978, amendments 716, 727
Presidential Protection Assistance Act of 1976, amendments 496
Private Securities Litigation Reform Act of 1995 737
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act 507
Public Health Service Act, amendments 719, 720, 727, 777
Public Works Employment Act of 1976, amendments 725

R

Railroad Retirement Act of 1974, amendments 733, 950
Railroad Retirement Solvency Act of 1983, amendments 733
Railroad Revitalization and Regulatory Reform Act of 1976, amendments 953
Railroad Unemployment Insurance Act, amendments 950
Railway Labor Act, amendments 950
Reclamation Reform Act of 1982, amendments 721
Regional Rail Reorganization Act of 1973, amendments 951
Rehabilitation Act of 1973, amendments 714, 715, 731
Research Facilities Act, amendments 711
Right to Financial Privacy Act of 1978, amendments 734
Robert T. Stafford Disaster Relief and Emergency Assistance Act, amendments 729
Rock Island Railroad Transition and Employee Assistance Act, amendments 952
Rural Electrification Act of 1936, amendments 711

S

Safe Drinking Water Act, amendments 727
Sea of Okhotsk Fisheries Enforcement Act of 1995 391
Securities Act of 1933, amendments 684, 685, 737, 749, 756, 757, 762
Securities Exchange Act of 1934, amendments 684, 743, 753, 756–758, 762

Page

Sex Crimes Against Children Prevention Act of 1995 774
Shipping Act, 1916, amendments 953
Shipping Act of 1984, amendments 954
Small Business Act, amendments 295, 722, 730
Small Business Administration Reauthorization and Amendment Act of 1988, amendments 297
Small Business Investment Act of 1958, amendments 295
Small Business Lending Enhancement Act of 1995 295
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 981
Social Security Act, amendments 215, 294
Social Security Amendments of 1983, amendments 720
South Pacific Tuna Act of 1988, amendments 395
Stevenson-Wydler Technology Innovation Act of 1980, amendments 734
Supplemental Appropriations Act, 1977, amendments 45
Supplemental Appropriations Act, 1983, amendments 517
Supplemental Appropriations Act of 1993, amendments 41
Surface Transportation and Uniform Relocation Assistance Act of 1987, amendments 607, 608

T

Toxic Substances Control Act, amendments 719, 728
Trade Act of 1974, amendments 705
Trademark Act of 1946, amendments 985
Treasury Department Appropriations Act, 1995, amendments 226, 227, 230
Treasury Department Appropriations Act, 1996 468
Treasury, Postal Service, and General Government Appropriations Act, 1990, amendments 486
Treasury, Postal Service, and General Government Appropriations Act, 1992, amendments 490
Treasury, Postal Service, and General Government Appropriations Act, 1993, amendments 734

Page

Treasury, Postal Service, and General Government Appropriations Act, 1995, amendments 226, 227, 468, 495
Treasury, Postal Service, and General Government Appropriations Act, 1996 468
Truth in Lending Act, amendments 161, 271
Truth in Lending Act Amendments of 1995 271
Truth in Lending Class Action Relief Act of 1995 161

U

Unfunded Mandates Reform Act of 1995 48
Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, amendments 724
United States-Canada Free-Trade Agreement Implementation Act of 1988, amendments 712
United States Housing Act of 1937, amendments 235, 236, 720

V

Veterans' Compensation Cost-of-Living Adjustment Act of 1995 555

Page

Veterans Education and Employment Amendments of 1989, amendments 722
Violent Crime Control Appropriations Act, 1995, amendments 198
Vocational Education Act of 1917, amendments 715

W

Water Quality Act of 1987, amendments 727
Water Resources Development Act of 1986, amendments 713
Water Resources Development Act of 1992, amendments 407
Water Resources Research Act of 1984, amendments 721
Wind Energy Systems Act of 1980, amendments 716
Woodrow Wilson Memorial Bridge Authority Act of 1995 627
World Cup USA 1994 Commemorative Coin Act, amendments 725

Y

Yukon River Salmon Act of 1995 392

Page

A

Aged Persons
Housing for Older Persons Act of 1995 787
Agriculture
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299
CFTC Reauthorization Act of 1995 154
Edible Oil Regulatory Reform Act 546
Migrant and seasonal agricultural workers' compensation 432
Perishable Agricultural Commodities Act Amendments of 1995 424
Alabama
Seybourn H. Lynne Federal Courthouse, designation 799
Alaska
Alaska Power Administration Asset Sale and Termination Act 557
Native claims settlement 155, 353
North slope oil, exports 560
American Sugar Cane League Foundation 304
Appropriations
Agriculture, Rural Development, Food and Drug Administration and related agencies, 1996 299
Authorization
CFTC Reauthorization Act of 1995 154
Colorado river basin salinity control program 256
Hawaiian Home Lands 364
Indian child protection and family violence programs 190
Navajo-Hopi Relocation Housing Program 189
Congressional operations, 1996 514
Continuing, 1996 ..... 278, 540, 548, 767
Defense Department, 1996 636
Emergency supplemental and rescissions, 1995 ..... 73, 194
Energy and water development, 1996 402
Executive Office, 1996 477
Independent agencies, 1996 480
Intelligence Authorization Act for Fiscal Year 1996 961
Legislative Branch, 1996 514
Military construction, 1996 283
Postal Service, 1996 476
Transportation Department and related agencies, 1996 436
Treasury, Postal Service, and General Government, 1996 468
Aquaculture
See Fish and Wildlife

Page

Archaeology
See Historic Preservation
Arizona
Chacoan Outliers Protection Act of 1995 158
Arkansas
Corning National Fish Hatchery Conveyance Act 261
Armed Forces
Defense Production Act Amendments of 1995 689
Department of Defense Appropriations Act, 1996 636
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Military Construction Appropriations Act, 1996 283
Audio Recordings
See Communications

B

Boards, Committees, Councils, Etc.
Administrative Conference of the United States, termination 480
Advisory Commission on Intergovernmental Relations, termination 480
Commodity Futures Trading Commission, appropriations authorization 154
Federal Communications Commission, certified sales and exchanges 93
Interagency Council on Statistical Policy, establishment 168
National Commission on Restructuring the Internal Revenue Service, establishment 509
Railroad-Shipper Transportation Advisory Council, establishment 937
Surface Transportation Board, establishment 932
Bridges
See Highways and Roads
Budget
Fiscal year, 1996 996
Burger, Warren 995
Burke, Arleigh A. 2057

C

California
Agricultural Research Station, land conveyance 304
Air quality control standards 88
Don Edwards San Francisco Bay National Wildlife Refuge, designation 790

Page

Canada
Coast Guard Emergency Response Plan ... 566
Yukon River Salmon Act of 1995 ... 392
Charities and Charitable Organizations
Charitable Gift Annuity Antitrust Relief Act of 1995 ... 687
Philanthrophy Protection Act of 1995 ... 682
Children, Youth, and Families
Au pair programs, extension ... 776
Child and spousal support, information retrieval system, deadline extension ... 294
Indian child protection and family violence prevention programs, appropriation authorization ... 190
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act ... 507
Sex Crimes Against Children Prevention Act of 1995 ... 774
Cigarettes
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act ... 507
Claims
Alaska native claims settlement ... 155, 353
Hawaiian Home Lands Recovery Act ... 357
Coast Guard
Emergency Response Plan ... 566
Coins
See Currency
Colorado
River basin salinity control program, authorization ... 255
Winfield Scott Stratton Post Office, designation ... 397
Commerce and Trade
Charitable Gift Annuity Antitrust Relief Act of 1995 ... 687
ICC Termination Act of 1995 ... 803
Philanthropy Protection Act of 1995 ... 682
Private Securities Litigation Reform Act of 1995 ... 737
Truth in Lending Act Amendments of 1995 ... 271
Communications
Digital Performance Right in Sound Recordings Act of 1995 ... 336
Concurrent Resolutions
Architect of the Capitol, catafalque authorization ... 995
Capitol buildings and grounds
Jerusalem, anniversary celebration ... 1033
Days of remembrance of victims of the Holocaust ... 991, 1037
Raoul Wallenberg, dedication ceremony and bust placement ... 1033

Page

Ringling Bros. and Barnum & Bailey Circus, anniversary commemoration ... 992
Special Olympics torch relay ... 994
Soap box derby races ... 996
Congress
Adjournment ... 991–993, 995, 1030–1032, 1035
Joint Session ... 991
Enrolled bills, corrections
Alaska native claims settlement (H.R. 402) ... 1033
Colorado river basin salinity control (S. 523) ... 1031
ICC Termination Act of 1995 (H.R. 2539) ... 1037
Lobbying Disclosure Act of 1995 (S. 1060) ... 1036
Medicare select policies (H.R. 483) ... 1030
EXPO '98, participation ... 1036
Federal Budget, fiscal year 1996 ... 996
George M. White, retirement ... 1035
President Lee Teng-hui, private visit ... 993
Yitzhak Rabin, life and legacy ... 1034
Congress
Congressional Accountability Act of 1995 ... 3
Congressional Operations Appropriations Act, 1996 ... 514
House of Representatives
Committees and officers, law references ... 186
Election reports, filing ... 792
Legislative Branch Appropriations Act, 1996 ... 514
Lobbying Disclosure Act of 1995 ... 691
Office of Compliance, establishment ... 24
Senate consultants, appointment and compensation ... 45
Unfunded Mandates Reform Act of 1995 ... 48
Consumer Protection
Truth in Lending Act Amendments of 1995 ... 271
Contracts
Chacoan Outliers Protection Act of 1995 ... 159
Cook Inlet Regional Corporation ... 155
Copyrights
Digital Performance Right in Sound Recordings Act of 1995 ... 336
Outer Continental Shelf Deep Water Royalty Relief Act ... 563
Courts
Civil Justice Expense and Delay Reduction Demonstration Programs, extension ... 292
Court Reporter Fair Labor Amendments of 1995 ... 264

Page

Federal Sentencing Guidelines amendments, disapproval 334
Private Securities Litigation Reform Act of 1995 737
Temporary Federal judgeships, commencement date 635
Truth in Lending Class Action Relief Act of 1995 161
Venue, rules clarification 293
Credit
See Loans
Creek Native Association, Inc. 353
Currency
Coins
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 981
Specifications and design changes 784
Mexican Debt Disclosure Act of 1995 89
Treasury Department Appropriations Act, 1996 468

D

Dams
See Locks and Dams
Debts
See Loans
Disaster Assistance
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194
District of Columbia
District of Columbia Convention Center and Sports Arena Authorization Act of 1995 267
District of Columbia Emergency Highway Relief Act 257
District of Columbia Financial Responsibility and Management Assistance Act of 1995 97
Financial Responsibility and Management Assistance Authority, establishment and organization 100
National Capital Area Interest Arbitration Standards Act of 1995 463
Office of the Chief Financial Officer, establishment 142
Office of the Inspector General, establishment 148
Ronald Reagan Building and International Trade Center, designation 766

Page

Woodrow Wilson Memorial Bridge Authority Act of 1995 627
Drugs and Drug Abuse
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299

E

Education
Indian education, technical amendments 72
Elections
Federal election campaign reports, electronic filing and preservation 791
Energy
Alaska Power Administration Asset Sale and Termination Act 557
Alaskan North Slope oil, exports 560
Energy and Water Development Appropriations Act, 1996 402
Environmental Protection
Employer trip reduction programs 773
Exports and Imports
Tied aid credit program, extension 984

F

Federal Buildings and Facilities
Albert V. Bryan United States Courthouse, VA, designation 800
Bruce R. Thompson United States Courthouse and Federal Building, NV, designation 786
George J. Mitchell Post Office Building, ME, designation 266
Howard H. Baker, Jr. United States Courthouse, TN, designation 794
Prohibition of Cigarette Sales to Minors in Federal Buildings and Lands Act 507
Romano L. Mazzoli Federal Building, KY, designation 789
Ronald Reagan Building and International Trade Center, DC, designation 766
Seybourn H. Lynne Federal Courthouse, AL, designation 799
William J. Hughes Technical Center, NJ, designation 461
Winfield Scott Stratton Post Office, CO, designation 397
Fish and Wildlife
Atlantic Tunas Convention Authorization Act of 1995 382
Corning National Fish Hatchery Conveyance Act 261
Don Edwards San Francisco Bay National Wildlife Refuge, CA, designation 790

Page

Fish and Wildlife—Continued
Fairport National Fish Hatchery, IA, conveyance ... 262
Fisheries Act of 1995 ... 366
High Seas Drifnet Fishing Moratorium Protection Act ... 391
High Seas Fishing Compliance Act of 1995 ... 367
New London National Fish Hatchery Production Facility, MN, conveyance ... 263
Northwest Atlantic Fisheries Convention Act of 1995 ... 377
Sea of Okhotsk Fisheries Enforcement Act of 1995 ... 391
Triploid grass carp certification inspection fees, authorization ... 350
Yukon River Salmon Act of 1995 ... 392
Food
See Agriculture
Foreign Relations
Au pair programs, extension ... 776
Jerusalem Embassy Act of 1995 ... 398
Middle East peace facilitation, extension ... 191, 260, 277, 423, 960
Forests and Forestry
Timber
Emergency salvage program ... 240
Goshawk Habitat Conservation Area ... 212

G

Government Employees
Congressional Accountability Act of 1995 ... 3
Farm Credit Administration health plan, enrollment coverage ... 328
Lobbying Disclosure Act of 1995 ... 691
Government Operation
Federal Reports Elimination and Sunset Act of 1995 ... 707
Paperwork Reduction Act of 1995 ... 163
Government Organization
Administrative Conference of the United States, termination ... 480
Advisory Commission on Intergovernmental Relations, termination ... 480
Federally Supported Health Centers Assistance Act of 1995 ... 777
Government Information Locator Service, establishment ... 180
ICC Termination Act of 1995 ... 803
Office of Information and Regulatory Affairs, establishment ... 166
Grants
Chacoan Outliers Protection Act of 1995 ... 159
Greater Washington Soap Box Derby Association ... 996

Page

H

Hawaii
Hawaiian Home Lands Recovery Act ... 357
Health and Health Care
Dayton Area Health Plan enrollment requirement, extension ... 802
Federally Supported Health Centers Assistance Act of 1995 ... 777
Group Health Plans, special rules, extension ... 96
Medicare select policies ... 192
Self-employed health insurance deduction, extension and increase ... 93
Highways and Roads
Department of Transportation and Related Agencies Appropriations Act, 1996 ... 436
District of Columbia Emergency Highway Relief Act ... 257
National Highway System Designation Act of 1995 ... 568
Woodrow Wilson Memorial Bridge Authority Act of 1995 ... 627
Historic Preservation
Chacoan Outliers Protection Act of 1995 ... 158
Housing
Housing for Older Persons Act of 1995 ... 787
Navajo-Hopi Relocation Program, appropriation authorization ... 189

I

Illinois
Lake County Forest Preserve District, land conveyance ... 290
Immigration
Immigration and Nationality Act, amendments ... 467
Indians
See Native Americans
Insurance
Medicare select policies ... 192
Self-employed health insurance deduction, extension and increase ... 93
Intergovernmental Relations
Child and spousal support, information retrieval systems, deadline extension ... 294
Medicare select policies ... 192
Migrant and seasonal agricultural workers' compensation ... 432
National Highway System Designation Act of 1995 ... 568
Paperwork Reduction Act of 1995 ... 163
State income taxation, pension income ... 979

Page

Unfunded Mandates Reform Act of 1995 48

Iowa
Fairport National Fish Hatchery, conveyance 262

Israel
Jerusalem, anniversary commemoration 1033
Jerusalem Embassy Act of 1995 398

K

Kentucky
Romano L. Mazzoli Federal Building, designation 789

Korean War
Veterans of Foreign Wars, membership eligibility 47

L

Labor and Employment
Congressional Accountability Act of 1995 3
Court Reporter Fair Labor Amendments of 1995 264
Migrant and seasonal agricultural workers' compensation 432
National Capital Area Interest Arbitration Standards Act of 1995 463

Law Enforcement and Crime
Federal Sentencing Guidelines amendments, disapproval 334
Sex Crimes Against Children Prevention Act of 1995 774

Loans
Mexican Debt Disclosure Act of 1995 89
Small Business Lending Enhancement Act of 1995 295
Truth in Lending Act Amendments of 1995 271

Locks and Dams
Colorado river basin salinity control program, authorization 255

Louisiana
USDA Houma Sugar Cane Research Laboratory, land conveyance 304

M

Maine
George J. Mitchell Post Office Building, designation 266

Maritime Affairs
Coast Guard Emergency Response Plan 566

Maryland
Woodrow Wilson Memorial Bridge Authority Act of 1995 627

Medicare
See Health and Health Care

Page

Mexico
Mexican Debt Disclosure Act of 1995 89

Military
See Armed Forces; National Defense

Minerals and Mining
Alaska native claims settlement 353

Minnesota
National Fish Hatchery Production Facility, conveyance 263

Montana Creek Native Association, Inc. 353

N

National Defense
Defense Production Act Amendments of 1995 689
Department of Defense Appropriations Act, 1996 636
Emergency Supplemental Appropriations and Rescissions for the Department of Defense to Preserve and Enhance Military Readiness Act of 1995 73
Intelligence Authorization Act for Fiscal Year 1996 961

National Forest System
Goshawk Habitat Conservation Areas, timber sales 212

Native Americans
Alaska native claims settlement 155, 353
Chacoan Outliers Protection Act of 1995 158
Hawaiian Home Lands Recovery Act 357
Indian child protection and family violence prevention programs, appropriations authorization 190
Indian education, technical amendments 72
Navajo-Hopi Relocation Housing Program, appropriation authorization 189

Nevada
Bruce R. Thompson United States Courthouse and Federal Building, designation 786

New Jersey
William J. Hughes Technical Center 461

New Mexico
Chacoan Outliers Protection Act of 1995 158

O

Oil
See Energy

Page

Oklahoma
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 194

P

Patents and Trademarks
Biotechnological process patents..... 351
Federal Trademark Dilution Act of 1995..... 985
Portugal
EXPO '98, U.S. participation..... 1036
Postal Service
George J. Mitchell Post Office Building, ME, designation..... 266
Proclamations
Deaths
Arleigh A. Burke..... 2057
Bosnia-Herzegovina, U.S. delegation..... 1809
Yitzahk Rabin..... 1855
Special observances
Adoption Month..... 1853
America Goes Back to School 1811
American Heart Month..... 1748
American Indian Heritage Month 1854
American Red Cross Month 1752
Asian/Pacific American Heritage Month 1782
Bill of Rights Day..... 1043, 1862
Breast Cancer Awareness Month 1838
Cancer Control Month..... 1771
Captive Nations Week..... 1801
Character Counts Week..... 1848
Child Abuse Prevention Month 1769
Child Health Day..... 1834
Child Support Awareness Month 1806
Children's Day..... 1840
Citizenship Day..... 1831
Classical Music Month..... 1812
Columbus Day..... 1843
Constitution Week 1831
Consumers Week..... 1850
Crime Victims' Rights Week 1778
D.A.R.E. Day 1774
Day of Mourning in Memory of Those Who Died in Oklahoma City 1776
Day of Prayer..... 1757
Defense Transportation Day..... 1785
Disability Employment Awareness Month 1839
Domestic Violence Awareness Month 1835

Page

Drunk and Drugged Driving Prevention Month 1042, 1859
Education and Sharing Day, U.S.A. 1773
Energy Awareness Month..... 1837
Family Week..... 1858
Farm-City Week 1858
Farm Safety..... 1837
Father's Day 1800
Fire Prevention Week 1845
Flag Day 1799
Flag Week..... 1799
Forest Products Week 1849
Former Prisoner of War Recognition Day..... 1770
General Pulaski Memorial Day 1846
German-American Day 1841
Gold Star Mother's Day..... 1832
Good Teen Day 1744
Great American Smokeout Day 1857
Greek Independence Day: A National Day of Celebration of Greek and American Democracy 1759
Health Week..... 1827
Hispanic Heritage Month 1829
Historically Black Colleges and Universities Week..... 1833
Homeownership Day..... 1798
Human Rights Day..... 1043, 1862
Human Rights Week 1043, 1862
Irish-American Heritage Month..... 1751
Jewish Heritage Week 1775
Korean War Veterans Armistice Day..... 1803
Labor History Month..... 1788
Law Day, U.S.A. 1779
Leif Erikson Day..... 1844
Loyalty Day 1781
Maritime Day 1790
Martin Luther King, Jr., Federal Holiday 1745
Minority Enterprise Development Week..... 1807
Mother's Day 1783
Oklahoma City Bombing Victims..... 1774
Older Americans Month..... 1782
Older Workers Employment Week..... 1749
Pan American Day 1772
Pan American Week..... 1772
Parents' Day 1802
Park Week 1755
Peace Officers Memorial Day..... 1787
Pearl Harbor Remembrance Day..... 1863
Poison Prevention Week 1750
Police Week..... 1787
POW/MIA Recognition Day 1810
Prayer for Peace, Memorial Day..... 1789

Page

Public Health Week ... 1756
Rehabilitation Week ... 1830
Safe Boating Week ... 1784
Save Your Vision Week ... 1754
School Lunch Week ... 1842
Small Business Week ... 1780
Thanksgiving Day ... 1856
Transportation Week ... 1785
United Nations Day ... 1851
Veterans Day ... 1852
Volunteer Week ... 1777
White Cane Safety Day ... 1847
Women's Equality Day ... 1808
Women's History Month ... 1753
World AIDS Day ... 1041, 1861
World Trade Week ... 1796
World War II, fiftieth anniversary ... 1797
Wright Brothers Day ... 1044, 2056
Year of the Grandparent ... 1746
Tariffs
Generalized System of Preferences, amendments and modifications ... 1747, 1758, 1791, 1803
Harmonized Tariff Schedule, modifications ... 1864
North American Free Trade Agreement, rules of origin ... 1864
Poland, Italian-type cheeses ... 2056
Tobacco and tobacco products ... 1813
Uruguay Round of Multilateral Trade Negotiations, implementation ... 1045, 1760
Public Information
Government Information Locator Service, establishment ... 180
Paperwork Reduction Act of 1995 ... 163
Public Lands
Agricultural Research Station, CA, land conveyance ... 304
Agriculture Department ... 304
Agricultural Research Service property, TN, land conveyance ... 304
Houma Sugar Cane Research Laboratory, LA, land conveyance
Don Edwards San Francisco Bay National Wildlife Refuge, CA, designation ... 790
Hawaiian Homes Lands Recovery Act ... 357
Lake County Forest Preserve District, IL, land conveyance ... 290
Outer Continental Shelf Deep Water Royalty Relief Act ... 563
Pecan Genetics and Improvement Research Laboratory, TX, land conveyance ... 304

R

Rabin, Yitzhak ... 1034, 1855

Page

Roads
See Highways and Roads
Royalties
See Copyrights

S

Securities
Commodity Futures Trading Commission, appropriation authorization ... 154
Philanthropy Protection Act of 1995 ... 682
Private Securities Litigation Reform Act of 1995 ... 737
Small Business
Small Business Lending Enhancement Act of 1995 ... 295
Smithsonian Institution
Board of Regents, appointments ... 795–798
Smithsonian Institution Sesquicentennial Commemorative Coin Act of 1995 ... 981
Sound Recordings
See Communications
Sports
District of Columbia Convention Center and Sports Arena Authorization Act of 1995 ... 267
State and Local Governments
See Intergovernmental Relations

T

Taxes
Charitable Annuity Antitrust Relief Act of 1995 ... 687
Internal Revenue Code
Earned income credit, excessive investment income, denial ... 95
Federal Communications Commission, certified sales and exchanges ... 93
Involuntary conversions, special rules ... 94
Self-employed health insurance deduction, extension and increase ... 93
State income tax, pension income ... 979
Teng-hui, Lee ... 993
Tennessee
Agricultural Research Service property, land conveyance ... 304
Howard H. Baker, Jr. United States Courthouse, designation ... 794
Terrorism
Emergency Supplemental Appropriations for Additional Disaster Assistance, for Anti-terrorism Initiatives, for Assistance in the Recovery from the Tragedy that Occurred at Oklahoma City, and Rescissions Act, 1995 ... 194

Page

Texas
Pecan Genetics and Improvement Research Laboratory, land conveyance 304
Texas A&M University 304
Timber
See Forests and Forestry
Transportation
Department of Transportation and Related Agencies Appropriations Act, 1996 436
ICC Termination Act of 1995 803
National Highway System Designation Act of 1995 568

U

University of Tennessee 304
Urban and Rural Areas
Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1996 299

Page

V

Vessels
See Maritime Affairs
Veterans
Korean War, Veterans of Foreign Wars, membership eligibility 47
Veterans' Compensation Cost-of-Living Adjustment Act of 1995 555
Virginia
Albert V. Byran United States Courthouse, designation 800
Woodrow Wilson Memorial Bridge Authority Act of 1995 627

W

Wallenberg, Raoul 1033
Water
Outer Continental Shelf Deep Water Royalty Relief Act 563
White, George M. 1035
Wildlife
See Fish and Wildlife