

of Customs from "640,590 kilograms" to "640,589 kilograms."

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

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Establishment of a New Export Visa Arrangement and Certification Requirements for Certain Cotton, Wool, Man-Made Fiber, Silk-Blend and Non-Cotton Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Colombia

December 5, 1995.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing new export visa and certification requirements.

EFFECTIVE DATE: December 6, 1995.

FOR FURTHER INFORMATION CONTACT: Jennifer Aldrich, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

On October 31, 1995 representatives of the Governments of the United States and the Republic of Colombia signed an agreement to establish a new export visa arrangement and certification requirements for certain cotton, wool, man-made fiber, silk-blend and other vegetable fiber textiles and textile products, produced or manufactured in Colombia and exported from Colombia on and after November 10, 1995. Goods exported during the period November 10, 1995 through December 31, 1995 shall not be denied entry for lack of a visa or certification. All goods exported after January 1, 1996 must be accompanied by an appropriate export visa or certification. Certain merchandise shall be exempt from quota requirements.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to prohibit entry of certain textile products, produced or manufactured in Colombia and exported from Colombia for which the Government of the Republic of Colombia has not issued an appropriate export visa or certificate.

Facsimiles of export visa and certification stamps are on file at the U.S. Department of Commerce in Room 3100.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 59 FR 65531, published on December 20, 1994). Also see 60 FR 45144, published on August 30, 1995; 60 FR 45145, published on August 30, 1995; 60 FR 53762, published on October 17, 1995.

Requirements for participation in the Special Access Program are available in Federal Register notices 51 FR 21208, published on June 11, 1986; 52 FR 26057, published on July 10, 1987; and 54 FR 50425, published on December 6, 1989. Also see 41 FR 30707, published on July 26, 1976.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa and certification requirements set forth in the letter published below to the Commissioner of Customs.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

December 5, 1995.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive cancels and supersedes the directive issued to you on July 20, 1976, as amended, by the Chairman, Committee for the Implementation of Textile Agreements. That directive directed you to prohibit entry of certain cotton, wool, man-made fiber, silk blend, and other vegetable fiber textiles and textile products, produced or manufactured in Colombia and exported from Colombia for which the Government of the Republic of Colombia has not issued an appropriate export visa or certificate.

Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); pursuant to the Export Visa Arrangement dated October 31, 1995 between the Governments of the United States and the Republic of Colombia; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on December 6, 1995, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk-blend, and other vegetable fiber textiles and textile products in Categories 200-239, 300-369,

400-469, 600-670, and 800-899, including merged and part categories, produced or manufactured in Colombia and exported from Colombia on and after November 10, 1995 for which the Government of the Republic of Colombia has not issued an appropriate export visa fully described below. Should additional categories, merged categories or part categories become subject to import quota the entire category(s) or part category(s) shall be included in the coverage of this arrangement. Goods exported during the period November 10, 1995 through December 31, 1995 shall not be denied entry for lack of a visa or certification.

A visa must accompany each commercial shipment of the aforementioned textile products. A circular stamped marking in blue ink will appear on the front of the original commercial invoice. The original visa shall not be stamped on duplicate copies of the invoice. The original invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

Each visa stamp shall include the following information:

1. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numerical digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for Colombia is "CO"). These first two codes shall be followed by the number "1" and a five-digit serial number identifying the shipment, e.g., 5CO112345.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official of the Government of the Republic of Colombia.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation or successor document and in the Harmonized Tariff Schedule of the United States Annotated (HTSUSA or successor documents) shall be reported in the spaces provided within the visa stamp (e.g., "Cat. 352-510 DZ").

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 352/652 may be visaed as 352/652 or if the shipment consists solely of 352 merchandise, the shipment may be visaed as "Cat. 352," but not as "Cat. 652").

U.S. Customs shall not permit entry if the shipment does not have a visa, or if the visa number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the visa is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted

and only the amount entered shall be charged to any applicable quota.

The complete name and address of the actual manufacturer of the textile product must be included on the visa document. If a textile product has been processed by more than one manufacturer, the complete name and address of the last firm to substantially transform the article into a new and different article of commerce must be listed on the visa document.

If the visa is not acceptable then a new visa must be obtained from the Government of the Republic of Colombia, or a visa waiver may be issued by the U.S. Department of Commerce at the request of the Embassy of Colombia in Washington, DC, and presented to the U.S. Customs Service before any portion of the shipment will be released. The waiver, if used, only waives the requirement to present a visa with the shipment. It does not waive the quota requirement.

If the visaed invoice is deficient, the U.S. Customs Service will not return the original document after entry, but will provide a certified copy of that visaed invoice.

If import quotas are in force, U.S. Customs Service shall charge only the actual quantity in the shipment to the correct category limit. If a shipment from Colombia has been allowed entry into the commerce of the United States with either an incorrect category classification or misstatement of the quantity, and redelivery is requested but cannot be made, U.S. Customs shall charge the shipment to the correct category limit whether or not a replacement visa or visa waiver is provided.

Each shipment of items to be exempted from the bilateral agreement shall be accompanied by a certification issued by the Government of the Republic of Colombia. The certification shall be a stamped marking in blue ink on the front of the invoice.

The Government of the Republic of Colombia will include the following information on each certification:

1. authorized signature and title of the official issuing the certification;
2. identify the items exempted;
3. date the certificate was signed and certified;
4. certificate number.

5. in the space marked "Description" indicate that the shipment is either "less than \$250," "a cottage industry product of handloom fabric," or the name of the particular Colombian traditional folklore products as listed in Annex A.

An export visa will not be required for shipments of certified exempt items.

Each shipment of textile products which has been assembled in the Republic of Colombia wholly from components cut in the United States from U.S. formed fabric which are subject to the Andean Special Access Textile Program as set out in the Agreement shall be so certified by the Government of the Republic of Colombia. This certification shall be presented to the U.S. Customs Service before entry, or withdrawal from warehouse for consumption, into the customs territory of the United States (the 50 states and Puerto Rico).

Each shipment shall be certified by the stamping of the original rectangular-shaped

stamped marking in blue ink on the front of the original commercial invoice. The original copy of the invoice with the original certification will be required in order to enter the shipment into the United States. Duplicate copies of the invoice and/or certification may not be used.

Each certification shall include the following information:

1. The certification number. The certification number shall be nine digits and letters. It shall begin with one digit for the last digit of the year of export followed by the two character country code for Colombia, which is "CO." These first two codes shall be followed by the number "2" and a five-digit serial number identifying the shipment, e.g., 5CO212345.

2. The date of issuance. The date of issuance shall be the day, month and year in which the visa was issued.

3. The original signature of the issuing official of the Government of the Republic of Colombia.

4. The correct category(s), merged category(s), part category(s), quantity(s), and unit(s) of quantity in the shipment in the unit(s) of quantity provided for in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States Annotated (HTSUSA or successor documents) shall be reported in the spaces provided within the visa stamp (e.g., "Cat. 352-510 DZ").

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 352/652 may be visaed as 352/652 or if the shipment consists solely of 352 merchandise, the shipment may be visaed as "Cat. 352," but not as "Cat. 652").

U.S. Customs shall not permit entry if the shipment does not have a certification number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the certification is less than that of the shipment, entry shall not be permitted. If the quantity indicated on the certification is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

Entry of textile products subject to the certification system outlined above into the customs territory of the United States will be permitted only for those shipments accompanied by:

1. A valid certification by the Government of the Republic of Colombia.
2. A completed copy of form ITA-370P or successor document with a proper declaration by the Colombian assembler that the articles were subject to assembly in Colombia from parts described on that declaration; and
3. A proper importer's declaration.

Any shipment which is not accompanied by a valid and correct certification in accordance with the foregoing provisions shall be denied entry by the Government of the United States. If U.S. Customs determines

that the certification is invalid because of an error, and the remaining documentation fulfills requirements for entry under the Andean Special Access Textile Program then a new certification from the Government of the Republic of Colombia must be obtained or a visa waiver issued by the U.S. Department of Commerce at the request of the Government of the Republic of Colombia must be obtained and presented to the U.S. Customs Service before any portion of the shipment will be released.

Any shipment found not to be in compliance with the provisions of the Andean Special Access Textiles Program relating to trade in textile products wholly assembled of U.S. components cut from U.S. formed fabrics, may be permanently denied entry under this program.

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked or mutilated commercial sample shipments valued at U.S.\$250 or less, do not require a visa or certification for entry and shall not be charged to existing quota levels.

Visaed merchandise and products eligible for the Andean Special Access Textiles Program may not appear on the same invoice.

The visa and certification stamps are enclosed. The certification stamp for exempt items remains unchanged.

The actions taken concerning the Government of the Republic of Colombia with respect to imports of textiles and textile products in the foregoing categories have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1). This letter will be published in the Federal Register.

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Annex A—Colombian Traditional Folklore Handicraft Textile Products

"Colombian Items" are traditional Colombian products, cut, sewn or otherwise fabricated by hand in cottage units of the cottage industry. The following is the agreed upon list of such items:

1. *Bedsread*: Bedsread made on manual loom.
2. *Blouse with crochet knitted neck*: A blouse made of greige cloth heavily decorated around the neck, extending down the front and around the sleeves with hand crochet work. This blouse also has embroidered panels extending down the front on either side of the crochet work.

**Annex A—Colombian Traditional
Folklore Handicraft Textile Prod-
ucts—Continued**

3. *Embroidered Blouse*: Hand cut and hand sewn blouse with extensive hand embroidery on the upper front and lower portions.
4. *Embroidered Skirt*: Hand cut and hand sewn skirt with extensive hand embroidery.
5. *Blankets, Hand Woven*: These colorful blankets are hand woven from wool, cotton or wool and cotton, heavy yarns to form striped or block patterns. The ends may be finished with spangles formed by the ends of the yarn and knotted, or may be hemmed.
6. *Indian Embroidered Cloth*: Cloth panels hand embroidered with various crude and colorful Indian scenes. Generally these cloths are used as wall hangings.
7. *Typical Colombia Dress*: An ankle length dress with a very wide skirt trimmed with wide handmade lace. The entire dress is hand cut and hand sewn and is a typical dress for gaiety affairs.
8. *Typical Guajira Dress*: A traditional loose fitting women's garment formed by a folded rectangular piece of fabric with a hole or slot in the center for the head, with intricate embroidery around the neck. This dress is made similar to a ruana, but has the outer edges sewn together except for slots for the hands and arms, and has closures on the front.
9. *Typical Mapale Dress*: A knee length dress consisting of very wide skirt having a row of heavy ruffles around the blouse portion and two bands of wide ruffles forming the skirt. A very gay colored festival dress.
10. *Typical Mestiza Dress*: A native hand-made dress with wide neckline, ruffled collar and wide skirt and with ruffles on the lower part of the skirt.
11. *Hammock*: Multicolored stripped hammocks made by hand from coarse fabrics. Ends are formed and reinforced with strong rope.
12. *Jacket, hand knitted*: Wholly hand knitted jacket. These jackets are usually knitted from wool yarns. Patched pockets, also hand knitted, are hand sewn to the garment.
13. *Jacket of hand loomed fabric*: These jackets are wholly hand made from hand loomed fabrics. Patched pockets, also of hand loomed fabric, are hand sewn to the garment.

**Annex A—Colombian Traditional
Folklore Handicraft Textile Prod-
ucts—Continued**

14. *Ruana*: A cloak made from a heavy rectangular piece of fabric or a blanket with hole in the center for the head to pass through. This is a typical garment worn by men, women and children throughout the higher and cooler altitudes of Colombia. The men's ruana will generally have no fringes. Women's ruanas may have fringes and are sometimes slit from the neck opening to the edge to permit the wearer to put it on as a cape. Children's ruanas sometimes have a color around the opening with draw strings for a close fit. These garments are sometimes known as ponchos.
15. *Rugs, hand woven or hand knotted*: These rugs are usually made from wool yarns and are either wholly hand woven or hand knotted. They are generally square or rectangular in shape and are in colorful designs.
16. *Macrame Shawl*: Hand made shawls wholly of macrame lace or with macrame lace edge. The shawls are in various colors with the typical long fringe around the lower edges.
17. *Sweaters and Cardigans, hand knitted*: Wholly hand knitted sweaters and cardigans, generally a bulky knit with decorative vertical patterns.
18. *Table Cloths and Napkins, embroidered*: Table cloths and napkins cut and hemmed by hand and extensively embroidered by hand.
19. *Colorful waist band*: Hand plaited waist bands in multicolors. These are sometimes sewn together to form wide bands.
20. *Wall hangings, rectangular*: A colorful wall hanging made from coarse yarns connected to decorative crudely woven bands. These are hand made and come in various sizes.
21. *Wall hanging, tree*: Tree shaped wall hangings formed by connecting together crudely woven bands in graduated sizes with coarse yarns to form the outline of a tree. The wall hanging is decorated with small balls of cotton fiber.
22. *Indian Color Knapsack*: Knapsack made with belt like woven or plaited strap and multicolored bag, to be worn on the shoulder.
23. *Pillow Covers, Embroidered by hand*: Covers for throw pillow containing extensive hand embroidery covering 50 percent or more of the outer surface of the cover.
24. *Hand made macrame handbags*

**Annex A—Colombian Traditional
Folklore Handicraft Textile Prod-
ucts—Continued**

25. *Molas*: Hand applied layers of different colors, forming geometric and abstract designs, made of cotton material.
26. *Santa Rosa Tapestries, Bedspreads and Pillowcases*: Tapestries, bedspreads and pillowcases, of vivid colors, with hand applied figures forming landscapes and folk scenes, made of cotton material.

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DEPARTMENT OF ENERGY
DOE Request for an Additional 45 Days to Respond to Defense Nuclear Facilities Safety Board Recommendation 95-2, Safety Management

AGENCY: Department of Energy.

ACTION: Notice.

SUMMARY: Section 315(b) of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2286d(b) requires the Department of Energy to publish its response to Defense Nuclear Facilities Safety Board recommendations for notice and public comment. The Defense Nuclear Facilities Safety Board published Recommendation 95-2 concerning Safety Management in the Federal Register on October 19, 1995 (60 FR 54065). The Department of Energy (DOE) hereby publishes notice of a request for 45-days additional time to respond to Recommendation 95-2 as allowed by the statute cited above.

DATES: Comments, data, views, or arguments concerning the Secretary's request are due on or before January 10, 1996.

ADDRESSES: Send comments, data, views, or arguments concerning the Secretary's response to: Defense Nuclear Facilities Safety Board, 625 Indiana Avenue, N.W., Suite 700, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Mr. Peter N. Brush, Principal Deputy, Assistant Secretary for Environmental, Safety and Health, Department of Energy, 1000 Independence Avenue, S.W., Washington, D.C. 20585.

Issued in Washington, D.C., on December 1, 1995.

Mark B. Whitaker,

Departmental Representative to the Defense Nuclear Facilities Safety Board.

The Secretary of Energy