Public Law 101-382
101st Congress

An Act

Aug. 20, 1990
[H.R. 1594]

To make miscellaneous and technical changes to various trade laws.

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

Customs and Trade Act of 1990.
Exports.
Imports.
19 USC 2101 note.

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TITLE I—TRADE AGENCY AUTHORIZATIONS, CUSTOMS USER FEES, AND OTHER PROVISIONS

Subtitle A—Trade Agency Authorizations for Fiscal Years 1991 and 1992

SEC. 101. UNITED STATES INTERNATIONAL TRADE COMMISSION.

Section 330(e)(2) of the Tariff Act of 1930 (19 U.S.C. 1330(e)(2)) is amended to read as follows:

"(2)(A) There are authorized to be appropriated to the Commission for necessary expenses (including the rental of conference rooms in the District of Columbia and elsewhere) not to exceed the following:

"(i) $41,170,000 for fiscal year 1991.

"(ii) $44,052,000 for fiscal year 1992.

"(B) Not to exceed $2,500 of the amount authorized to be appropriated for any fiscal year under subparagraph (A) may be used, subject to the approval of the Chairman of the Commission, for reception and entertainment expenses.

"(C) No part of any sum that is appropriated under the authority of subparagraph (A) may be used by the Commission in the making of any special study, investigation, or report that is requested by any agency of the executive branch unless that agency reimburses the Commission for the cost thereof.".

SEC. 102. UNITED STATES CUSTOMS SERVICE.

Section 301(b) of the Customs Procedural Reform and Simplification Act of 1978 (19 U.S.C. 2075(b)) is amended to read as follows:

"(b) AUTHORIZATION OF APPROPRIATIONS.—

"(1) FOR NONCOMMERCIAL OPERATIONS.—There are authorized to be appropriated for the salaries and expenses of the Customs Service that are incurred in noncommercial operations not to exceed the following:

"(A) $516,217,000 for fiscal year 1991.

"(B) $542,091,000 for fiscal year 1992.

"(2) FOR COMMERCIAL OPERATIONS.—(A) There are authorized to be appropriated for the salaries and expenses of the Customs Service that are incurred in commercial operations not less than the following:

"(i) $672,021,000 for fiscal year 1991.

"(ii) $705,793,000 for fiscal year 1992.

"(B) The monies authorized to be appropriated under subparagraph (A) for any fiscal year, except for such sums as may be necessary for the salaries and expenses of the Customs Service that are incurred in connection with the processing of merchandise that is exempt from the fees imposed under section 13031(a)(9) and (10) of the Consolidated Omnibus Budget Reconciliation Act of 1985, shall be appropriated from the Customs User Fee Account.

"(3) FOR AIR INTERDICTION.—There are authorized to be appropriated for the operation (including salaries and expenses) and maintenance of the air interdiction program of the Customs Service not to exceed the following:

"(A) $143,047,000 for fiscal year 1991.

"(B) $150,199,000 for fiscal year 1992.".

SEC. 103. OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE.

(a) IN GENERAL.—Section 141(g)(1) of the Trade Act of 1974 (19 U.S.C. 2171(g)(1)) is amended to read as follows:

"(g)(1)(A) There are authorized to be appropriated to the Office for the purposes of carrying out its functions not to exceed the following:

"(i) $23,250,000 for fiscal year 1991.

"(ii) $21,077,000 for fiscal year 1992.

"(B) Of the amounts authorized to be appropriated under subparagraph (A) for any fiscal year—

"(i) not to exceed $98,000 may be used for entertainment and representation expenses of the Office;

"(ii) not to exceed $2,050,000 may be used to pay the United States share of the expenses of binational panels and extraordinary challenge committees convened pursuant to chapter 19 of the United States-Canada Free-Trade Agreement; and

"(iii) not to exceed $1,000,000 shall remain available until expended.".

(b) CONFORMING AMENDMENT.—Section 406(b)(2) of the United States-Canada Free-Trade Agreement Act of 1988 (19 U.S.C. 2112 note) is amended to read as follows:

"(2) The United States Trade Representative is authorized to transfer to any department or agency of the United States, from sums appropriated pursuant to the authorization provided under paragraph (1) or section 141(g)(1) of the Trade Act of 1974, such funds as may be necessary to facilitate the payment of the expenses described in paragraph (1).".

Subtitle B—Customs User Fees

SEC. 111. CUSTOMS USER FEES.

(a) MERCHANDISE PROCESSING FEES.—Paragraphs (9) and (10) of section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a) (9) and (10)) are amended to read as follows:

"(9) For the processing of merchandise that is formally entered or released during any fiscal year, a fee, subject to the limitations in subsection (b)(8)(A), in an amount equal to 0.17 percent ad valorem.

"(10) For the processing of merchandise that is informally entered or released, other than at—

"(A) a centralized hub facility,

"(B) an express consignment carrier facility, or

"(C) a small airport or other facility to which section 236 of the Trade and Tariff Act of 1984 applies,

a fee of—

"(i) $2 if the entry or release is automated and not prepared by customs personnel;

"(ii) $5 if the entry or release is manual and not prepared by customs personnel; or

"(iii) $8 if the entry or release, whether automated or manual, is prepared by customs personnel.

For provisions relating to the informal entry or release of merchandise at facilities referred to in subparagraphs (A), (B), and (C), see subsection (b)(9).".

(b) LIMITATIONS ON FEES.—Subsection (b) of section 13031 of such Act of 1985 (19 U.S.C. 58c(b)) is amended as follows:

(1) Subparagraph (B) of paragraph (1) is amended to read as follows:

"(B) the arrival of any railroad car the journey of which originates and terminates in the same country, but only if no passengers board or disembark from the train and no cargo is loaded or unloaded from such car while the car is within any country other than the country in which such car originates and terminates; or". Railroads.

(2) Paragraph (8) is amended—

(A) by redesignating subparagraph (A) as subparagraph (D),

(B) by striking out subparagraph (B),

(C) by inserting before subparagraph (D) (as redesignated by this paragraph) the following:

"(A)(i) Subject to clause (ii), the fee charged under subsection (a)(9) for the formal entry or release of merchandise may not exceed $400 or be less than $21.

"(ii) A surcharge of $3 shall be added to the fee determined after application of clause (i) for any manual entry or release of merchandise.

"(B) No fee may be charged under subsection (a) (9) or (10) for the processing of any article that is—

"(i) provided for under any item in chapter 98 of the Harmonized Tariff Schedule of the United States, except subheading 9802.00.60 or 9802.00.80,

"(ii) a product of an insular possession of the United States, or

"(iii) a product of any country listed in subdivision (c)(ii)(B) or (c)(v) of general note 3 to such Schedule.

"(C) For purposes of applying subsection (a) (9) or (10)—

"(i) expenses incurred by the Secretary of the Treasury in the processing of merchandise do not include costs incurred in—

"(I) air passenger processing,

"(II) export control, or

"(III) international affairs, and

"(ii) any reference to a manual entry or release includes—

"(I) any entry or release filed by a broker or importer that requires the recording of cargo selectivity data by customs personnel, except when the recording of such data is required because of a temporary administrative or technical failure in the Customs Service automated commercial system that prevents the filing of entries or release in that system by brokers and importers that are certified by the Customs Service to do so; and

"(II) any entry or release filed by a broker or importer that is not certified by the Customs Service to file entries and releases in the Customs Service automated commercial system.",

(D) by amending subparagraph (D) (as redesignated by this paragraph)—

(i) by striking out "be based" in clause (ii) and inserting "except as otherwise provided in this paragraph, be based",

(ii) by striking out "and" at the end of clause (iii),

(iii) by striking out the period at the end of clause (iv) and inserting "; and", and

(iv) by inserting after clause (iv) the following new clause:

Agriculture and agricultural commodities.

"(v) in the case of agricultural products of the United States that are processed and packed in a foreign trade zone, be applied only to the value of material used to make the container for such merchandise, if such merchandise is subject to entry and the container is of a kind normally used for packing such merchandise.", and

(E) by adding at the end thereof the following new subparagraph:

"(E) For purposes of subsection (a) (9) and (10), merchandise is entered or released, as the case may be, if the merchandise is—

"(i) permitted or released under section 448(b) of the Tariff Act of 1930,

"(ii) entered or released from customs custody under section 484(a)(1)(A) of the Tariff Act of 1930, or

"(iii) withdrawn from warehouse for consumption.".

(3) Paragraph (9) is amended to read as follows:

"(9)(A) With respect to the processing of merchandise that is informally entered or released at a centralized hub facility, an express consignment carrier facility, or a small airport or other facility, the following reimbursements and payments are required: Aircraft and air carriers. Airports. Transportation.

"(i) In the case of a centralized hub facility or small airport or other facility—

"(I) the reimbursement which such facility is required to make during the fiscal year under section 9701 of title 31, United States Code or section 236 of the Trade and Tariff Act of 1984; and

"(II) an annual payment by the facility to the Secretary of the Treasury, which is in lieu of the payment of fees under subsection (a)(10) for such fiscal year, in an amount equal to the reimbursement under subclause (I).

"(ii) In the case of an express consignment carrier facility—

"(I) an amount, for which the Customs Service shall be reimbursed under section 524 of the Tariff Act of 1930, equal to the cost of the customs inspectional services provided by the Customs Service at the facility during the fiscal year; and

"(II) an annual payment by the facility to the Secretary of the Treasury, which is in lieu of the payment of fees under subsection (a)(10) for such fiscal year, in an amount equal to the reimbursement made under subclause (I).

"(B) For purposes of this paragraph:

"(i) The terms 'centralized hub facility' and 'express consignment carrier facility' have the respective meanings that are applied to such terms in part 128 of chapter I of title 19, Code of Federal Regulations, as in effect on July 30, 1990.

"(ii) The term 'small airport or other facility' means any airport or facility to which section 236 of the Tariff and Trade Act of 1984 applies.".

(4) Paragraph (10) is amended by striking out "under subsection (a)(10)" and inserting "under subsection (a) (9) or (10)".

(5) The following new paragraph is added at the end:

"(11) No fee may be charged under subsection (a) (9) or (10) with respect to products of Israel if an exemption with respect to the fee is implemented under section 112 of the Customs and Trade Act of 1990.". Israel.

(c) DISPOSITION OF FEES.—Subsection (f) of section 13031 of such Act of 1985 (19 U.S.C. 58c(f)) is amended—

(1) by striking out "All funds" in paragraph (2) and inserting in lieu thereof "Except as otherwise provided in this subsection, all funds"; and

(2) by amending paragraph (3) to read as follows:

"(3)(A) The Secretary of the Treasury, in accordance with section 524 of the Tariff Act of 1930 and subject to subparagraph (B), shall directly reimburse, from the fees collected under subsection (a) (other than subsection (a) (9) or (10)), each appropriation for the

amount paid out of that appropriation for the costs incurred by the Secretary—

"(i) in providing—

"(I) inspectional overtime services, and

"(II) all preclearance services for which the recipients of such services are not required to reimburse the Secretary of the Treasury, and

"(ii) to the extent funds remain available to make reimbursements under clause (i), in providing salaries for full-time and part-time inspectional personnel and equipment that enhance customs services for those persons or entities that are required to pay fees under paragraphs (1) through (8) of subsection (a) (distributed on a basis proportionate to the fees collected under subsection (a)(1) through (a)(8)).

Funds described in clause (ii) shall only be available to reimburse costs in excess of the highest amount appropriated for such costs during the period beginning with fiscal year 1990 and ending with the current fiscal year.

"(B) Reimbursement of appropriations under this paragraph—

"(i) except for costs described in subparagraph (A)(i) (I) and (II), shall be subject to apportionment or similar administrative practices;

"(ii) shall be made at least quarterly; and

"(iii) to the extent necessary, may be made on the basis of estimates made by the Secretary of the Treasury and adjustments shall be made in subsequent reimbursements to the extent that the estimates were in excess of, or less than, the amounts required to be reimbursed.

"(C)(i) For fiscal year 1991 and subsequent fiscal years, the amount required to fully reimburse inspectional overtime and preclearance costs shall be projected from actual requirements, and only the excess of collections over such projected costs for such fiscal year shall be used as provided in subparagraph (A)(ii).

"(ii) The excess of collections over inspectional overtime and preclearance costs (under subparagraph (A)(i)) reimbursed for fiscal years 1989 and 1990 shall be available in fiscal year 1991 and subsequent fiscal years for the purposes described in subparagraph (A)(ii), except that $30,000,000 of such excess shall remain without fiscal year limitation in a contingency fund and, in any fiscal year in which receipts are insufficient to cover the costs described in subparagraph (A) (i) and (ii), shall be used for—

"(I) the costs of providing the services described in paragraph (A)(i), and

"(II) after the costs described in subclause (I) are paid, the costs of providing the personnel and equipment described in subparagraph (A)(ii) at the preceding fiscal year level.

Reports.

"(D) At the close of each fiscal year, the Secretary of the Treasury shall submit a report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives summarizing the expenditures, on a port-by-port basis, for which reimbursement has been provided under subparagraph (A)(ii).".

(d) ENFORCEMENT AUTHORITY.—Subsection (g) of section 13031 of such Act of 1985 (19 U.S.C. 58c(g)) is amended—

(1) by amending the heading to read as follows: "REGULATIONS AND ENFORCEMENT.—"; and

(2) by adding at the end the following new paragraph:

"(3) Except to the extent otherwise provided in regulations, all administrative and enforcement provisions of customs laws and regulations, other than those laws and regulations relating to drawback, shall apply with respect to any fee prescribed under subsection (a) of this section, and with respect to persons liable therefor, as if such fee is a customs duty. For purposes of the preceding sentence, any penalty expressed in terms of a relationship to the amount of the duty shall be treated as not less than the amount which bears a similar relationship to the amount of the fee assessed. For purposes of determining the jurisdiction of any court of the United States or any agency of the United States, any fee prescribed under subsection (a) of this section shall be treated as if such fee is a customs duty.".

(e) EXTENSION OF FEES.—Paragraph (3) of section 13031(j) of such Act of 1985 (19 U.S.C. 58c(j)(3)) is amended by striking out "1990" and inserting "1991".

(f) AGGREGATION OF MERCHANDISE PROCESSING FEES.— 19 USC 58c note.

(1) Notwithstanding any provision of section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c), in the case of entries of merchandise made under the temporary monthly entry programs established by the Commissioner of Customs before July 1, 1989, for the purpose of testing entry processing improvements, the fee charged under section 13031(a)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 for each day's importations at each port by the same importer from the same exporter shall be the lesser of—

(A) $400, or

(B) the amount determined by applying the ad valorem rate determined in such section 13031(a)(9) to the total value of each day's importations at each port by the same importer from the same exporter.

(2) The fees described in paragraph (1) that are payable under the program described in paragraph (1) shall be paid with each monthly consumption entry. Interest shall accrue on the fees paid monthly in accordance with section 6621 of the Internal Revenue Code of 1986.

SEC. 112. EXEMPTION OF ISRAELI PRODUCTS FROM CERTAIN USER FEES. 19 USC 58c note.

If the United States Trade Representative determines that the Government of Israel has provided reciprocal concessions in exchange for the exemption of the products of Israel from the fees imposed under section 13031(a) (9) and (10) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (as amended by section 111), such fees may not be charged with respect to any product of Israel that is entered, or withdrawn from warehouse for consumption, on or after the 15th day (which day may not be before October 1, 1990) after the date on which the determination is published in the Federal Register. Federal Register, publication.

SEC. 113. CUSTOMS SERVICE ADMINISTRATION. 19 USC 2082.

(a) IN GENERAL.—The Commissioner of Customs shall—

(1) develop and implement accounting systems that accurately determine and report the allocations made of Customs Service personnel and other resources among the various operational functions of the Service, such as passenger processing, merchandise processing and drug enforcement;

(2) develop and implement periodic labor distribution surveys of major workforce activities (such as inspectors, import specialists, fines, penalties, and forfeiture officers, special agents, data transcribers, and Customs aides) to determine the costs of different types of passenger and merchandise processing transactions, such as informal and formal entries, and automated and manual entries;

(3) as soon as practicable after the enactment of appropriations for the Customs Service for each fiscal year, but not later than the 15th day after the beginning of such year, estimate, based on the amounts appropriated, the amount of the fee that would, if imposed on the processing of merchandise, offset the salaries and expenses subject to reimbursement from the fee that will likely be incurred by the Service in conducting commercial operations during that year;

(4) develop annually a detailed derivation of the commercial services cost base and the methodology used for computing the merchandise processing fee under paragraph (3); and

Reports.

(5) report within 45 days of the beginning of any fiscal year to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate the results of each fee estimate made under paragraph (3) and each cost base and user fee methodology derivation made under paragraph (4).

(b) SURVEY REPORTS.—The Commissioner of Customs shall no later than January 31, 1991, submit to the Committees referred to in subsection (a)(5) a report on the results of the first survey implemented under subsection (a)(2).

SEC. 114. GAO REPORT ON ENTRIES BY MAIL.

Before the 240th day after the date of the enactment of this Act, the Comptroller General of the United States shall—

(1) determine the extent to which the fees imposed under section 13031(a)(6) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)(6)) are collected;

(2) develop recommendations for maximizing the collection of such fees; and

(3) submit a written report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate setting forth such determination and recommendation and the bases therefor.

19 USC 58c note.

SEC. 115. EFFECTIVE DATE.

Railroads.

(a) IN GENERAL.—Except as provided in subsection (b), this subtitle, and the amendments made by this subtitle, take effect October 1, 1990, but the amendment made by section 111(b)(1) applies with respect to railroad cars arriving in the United States on or after July 7, 1986.

(b) EXCEPTIONS.—The amendment made by section 111(d), and section 112, take effect on the date of the enactment of this Act.

Subtitle C—Miscellaneous Customs Provisions

SEC. 121. CUSTOMS FORFEITURE FUND.

Section 613A of the Tariff Act of 1930 (19 U.S.C. 1613b) is amended as follows:

(1) Subsection (a)(1) is amended—

(A) by striking out "and" at the end of subparagraph (D);

(B) by striking out the period at the end of subparagraph (E) and inserting "; and"; and

(C) by adding at the end thereof the following new subparagraph:

"(F) equitable sharing payments made to other Federal agencies, State and local law enforcement agencies, and foreign countries under the authority of section 616(c) of this Act or section 981 of title 18, United States Code.".

(2) Subsection (a)(2) is amended—

(A) by inserting "(A)" after "(2)"; and

(B) by adding at the end thereof the following:

"(B) Any payment made under subparagraph (F) of paragraph (1) with respect to a seizure or forfeiture of property shall not exceed the value of the property at the time of disposition.".

(3) Subsection (c) is amended by inserting "forfeited currency and" before "proceeds".

(4) Subsection (e)(1) is amended—

(A) by striking out "and" after the semicolon at the end of subparagraph (A);

(B) by amending subparagraph (B)—

(i) by striking out clause (ii),

(ii) by redesignating clauses (iii) through (vi) as clauses (ii) through (v), respectively,

(iii) by striking out "and" after the semicolon in clause (iv) (as so redesignated); and

(iv) by striking out the period at the end thereof and inserting "; and"; and

(C) by adding at the end thereof the following new subparagraph:

"(C) a report containing, for the previous fiscal year— Reports.

"(i) a complete set of audited financial statements (including a balance sheet, income statement, and cash flow analysis) prepared in a manner consistent with the requirements of the Comptroller General, and

"(ii) an analysis of income and expenses showing the revenue received or lost—

"(I) by property category (general property, vehicles, vessels, aircraft, cash, and real property) and

"(II) by type of disposition (sales, remissions, cancellations, placed into official use, sharing with State and local agencies, and destructions).".

(5) Subsection (f) is amended to read as follows:

"(f)(1) Subject to paragraph (2), there are authorized to be appropriated from the Fund not to exceed $20,000,000 for each fiscal year to carry out the purposes set forth in subsections (a)(3) and (b) for such fiscal year.

"(2) Of the amount authorized to be appropriated under paragraph (1), not to exceed the following shall be available to carry out the purposes set forth in subsection (a)(3):

"(A) $14,855,000 for fiscal year 1991.

"(B) $15,598,000 for fiscal year 1992.".

SEC. 122. INCREASE IN VALUE SUBJECT TO ADMINISTRATIVE FORFEITURE; PROCESSING OF MONEY SEIZED UNDER THE CUSTOMS LAWS.

Section 607 of the Tariff Act of 1930 (19 U.S.C. 1607) is amended—

(1) by striking out "$100,000" in subsection (a)(1) and inserting "$500,000";

(2) by striking out "or" at the end of subsection (a)(2);

(3) by inserting "or" after the semicolon at the end of subsection (a)(3);

(4) by inserting after paragraph (3) of subsection (a) the following new paragraph:

"(4) such seized merchandise is any monetary instrument within the meaning of section 5312(a)(3) of title 31 of the United States Code;";

(5) by adding at the end thereof the following new subsection:

Reports. "(c) The Commissioner of Customs shall submit to the Congress, by no later than February 1 of each fiscal year, a report on the total dollar value of uncontested seizures of monetary instruments having a value of over $100,000 which, or the proceeds of which, have not been deposited into the Customs Forfeiture Fund under section 613A within 120 days of seizure, as of the end of the previous fiscal year."; and

(6) by striking out "**$100,000**" in the section heading and inserting "**$500,000**".

19 USC 2083. **SEC. 123. ANNUAL NATIONAL TRADE AND CUSTOMS LAW VIOLATION ESTIMATES AND ENFORCEMENT STRATEGY.**

Reports. (a) VIOLATION ESTIMATES.—Not later than 30 days before the beginning of each fiscal year after fiscal year 1991, the Commissioner of Customs shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (hereafter in this section referred to as the "Committees") a report that contains estimates of—

(1) the number and extent of violations of the trade, customs, and illegal drug control laws listed under subsection (b) that will likely occur during the fiscal year; and

(2) the relative incidence of the violations estimated under paragraph (1) among the various ports of entry and customs regions within the customs territory.

(b) APPLICABLE STATUTORY PROVISIONS.—The Commissioner of Customs, after consultation with the Committees—

(1) shall, within 60 days after the date of the enactment of this Act, prepare a list of those provisions of the trade, customs, and illegal drug control laws of the United States for which the United States Customs Service has enforcement responsibility and to which the reports required under subsection (a) will apply; and

(2) may from time-to-time amend the listing developed under paragraph (1).

(c) ENFORCEMENT STRATEGY.—Within 90 days after submitting a report under subsection (a) for any fiscal year, the Commissioner of Customs shall—

(1) develop a nationally uniform enforcement strategy for dealing during that year with the violations estimated in the report; and

Reports. (2) submit to the Committees a report setting forth the details of the strategy.

(d) CONFIDENTIALITY.—The contents of any report submitted to the Committees under subsection (a) or (c)(2) are confidential and disclosure of all or part of the contents is restricted to—

(1) officers and employees of the United States designated by the Commissioner of Customs;

(2) the chairman of each of the Committees; and

(3) those members of each of the Committees and staff persons of each of the Committees who are authorized by the chairman thereof to have access to the contents.

SEC. 124. REPORTS REGARDING EXPANSION OF CUSTOMS PRECLEARANCE OPERATIONS AND RECOVERY FOR DAMAGE RESULTING FROM CUSTOMS EXAMINATIONS.

19 USC 2071 note.

(a) CUSTOMS PRECLEARANCE.—The Secretary of the Treasury, in consultation with the Secretary of State, shall assess the advisability of expanding the use of preclearance operations by the United States Customs Service at foreign airports. The Secretary of the Treasury shall submit a report on the assessment to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (hereafter in this section referred to as the "Committees") no later than February 1, 1991.

(b) RECOVERY FOR CUSTOMS DAMAGE.—

(1) The Secretary of the Treasury, in consultation with the Attorney General, shall determine and evaluate various means by which persons whose merchandise is damaged during customs examinations may seek compensation from, or take other recourse against, the United States Customs Service regarding the damage.

(2) No later than February 1, 1991, the Secretary of the Treasury shall submit to the Committees a report on the evaluation required under paragraph (1), together with any legislative recommendation that the Secretary considers appropriate.

(c) MERCHANDISE DAMAGE STATISTICS.—The Commissioner of Customs shall keep accurate statistics on the incidence, nature, and extent of damage to merchandise resulting from customs examinations and shall provide an annual summary of these statistics to the Committees.

Subtitle D—Miscellaneous Provisions

SEC. 131. TREATMENT OF CZECHOSLOVAKIA AND EAST GERMANY UNDER THE GENERALIZED SYSTEM OF PREFERENCES.

The table in section 502(b) of the Trade Act of 1974 (19 U.S.C. 2462(b)) is amended by striking out "Czechoslovakia" and "Germany (East)".

SEC. 132. TECHNICAL AMENDMENTS REGARDING NONDISCRIMINATORY TRADE TREATMENT.

(a) WAIVER AUTHORITY.—

(1) Paragraph (5) of section 402(d) of the Trade Act of 1974 (19 U.S.C. 2432(d)(5)) is amended—

(A) by striking out "the waiver authority granted by subsection (c) has been extended under paragraph (3) or (4) for any country for the 12-month period referred to in such paragraphs, and",

(B) by striking out "such authority will" in the first sentence thereof and inserting in lieu thereof "the waiver authority granted under subsection (c) will", and

(C) by striking out ", unless" in the next to the last sentence and all that follows through the end of such paragraph and inserting ", unless a joint resolution described in section 153(a) is enacted into law pursuant to the provisions of paragraph (2).".

(2) Subsection (d) of section 402 of the Trade Act of 1974 (19 U.S.C. 2432(d)), as amended by paragraph (1), is amended—

(A) by striking out paragraphs (1), (2), (3), and (4),

(B) by redesignating paragraph (5) as paragraph (1), and

(C) by adding at the end thereof the following new paragraph:

"(2)(A) The requirements of this paragraph are met if the joint resolution is enacted under the procedures set forth in section 153, and—

"(i) the Congress adopts and transmits the joint resolution to the President before the end of the 60-day period beginning on the date the waiver authority would expire but for an extension under paragraph (1), and

"(ii) if the President vetoes the joint resolution, each House of Congress votes to override such veto on or before the later of the last day of the 60-day period referred to in clause (i) or the last day of the 15-day period (excluding any day described in section 154(b)) beginning on the date the Congress receives the veto message from the President.

"(B) If a joint resolution is enacted into law under the provisions of this paragraph, the waiver authority applicable to any country with respect to which the joint resolution disapproves of the extension of such authority shall cease to be effective as of the day after the 60-day period beginning on the date of the enactment of the joint resolution.

"(C) A joint resolution to which this subsection and section 153 apply may be introduced at any time on or after the date the President transmits to the Congress the document described in paragraph (1)(B)."

(3) Subsection (a) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193(a)) is amended to read as follows:

"(a) CONTENTS OF RESOLUTION.—For purposes of this section, the term 'resolution' means only a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Congress does not approve the extension of the authority contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on _____ with respect to _____.', with the first blank space being filled with the appropriate date, and the second blank space being filled with the names of those countries, if any, with respect to which such extension of authority is not approved, and with the clause beginning with 'with respect to' being omitted if the extension of the authority is not approved with respect to any country."

(4) Subsection (b) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193(b)) is amended—

(A) by striking out ", and, in the case of a resolution related to section 402(d)(4), 20 calendar days shall be substituted for 30 days" in paragraph (2),

(B) by striking out "an except clause, in the case of a resolution described in subsection (a)(1), or" in paragraph (3),

(C) by striking out ", in the case of a resolution described in subsection (a)(2)" in paragraph (3),

(D) by striking out "an except clause, in the case of a resolution described in subsection (a)(1), or" in paragraph (4), and

(E) by striking out ", in the case of a resolution described in subsection (a)(2)" in paragraph (4).

(5) Subsection (c) of section 153 of the Trade Act of 1974 (19 U.S.C. 2193) is amended by striking out "in subsection (a)(1)" and inserting in lieu thereof "in subsection (a)".

(6) Section 153 of the Trade Act of 1974 (19 U.S.C. 2193) is amended by adding at the end thereof the following new subsection:

"(d) PROCEDURES RELATING TO CONFERENCE REPORTS IN THE SENATE.—

"(1) Consideration in the Senate of the conference report on any joint resolution described in subsection (a), including consideration of all amendments in disagreement (and all amendments thereto), and consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees. Debate on any debatable motion or appeal related to the conference report shall be limited to 1 hour, to be equally divided between, and controlled by, the mover and the manager of the conference report.

"(2) In any case in which there are amendments in disagreement, time on each amendment shall be limited to 30 minutes, to be equally divided between, and controlled by, the manager of the conference report and the minority leader or his designee. No amendment to any amendment in disagreement shall be received unless it is a germane amendment."

(b) BILATERAL COMMERCIAL AGREEMENTS.—

(1) Subsection (c) of section 405 of the Trade Act of 1974 (19 U.S.C. 2435(c)) is amended to read as follows:

"(c) An agreement referred to in subsection (a), and a proclamation referred to in section 404(a) implementing such agreement, shall take effect only if a joint resolution described in section 151(b)(3) that approves of the agreement referred to in subsection (a) is enacted into law."

(2) Section 151 of the Trade Act of 1974 (19 U.S.C. 2191(b)) is amended—

(A) by inserting "or resolution" after "revenue bill" in subsection (b)(2),

(B) by inserting ", or approval resolution," in subsection (b)(2) after "implementing bill",

(C) by striking out "concurrent" in subsection (b)(3) and inserting in lieu thereof "joint",

(D) by striking out "revenue bill" each place it appears in subsection (e)(2) and inserting in lieu thereof "revenue bill or resolution", and

(E) by striking out "such bill" each place it appears in subsection (e)(2) and inserting in lieu thereof "such bill or resolution".

(3) Subsection (c) of section 407 of the Trade Act of 1974 (19 U.S.C. 2437(c)) is amended—

(A) by striking out paragraphs (1) and (2) and inserting in lieu thereof the following new paragraph:

"(1) In the case of a document referred to in subsection (a), the proclamation set forth in the document may become effective and the agreement set forth in the document may enter into force and effect only if a joint resolution described in section 151(b)(3) that approves of the extension of nondiscriminatory treatment to the products of the country concerned is enacted into law.", and

(B) by redesignating paragraph (3) as paragraph (2).

(c) COMPLIANCE REPORTS.—

(1) Paragraph (2) of section 407(c) of the Trade Act of 1974 (19 U.S.C. 2437(c)(2)), as redesignated by subsection (b)(3)(B) of this section, is amended—

(A) by striking out "either the House of Representatives or the Senate adopts, by an affirmative vote of a majority of those present and voting in that House, a resolution of disapproval (under the procedures set forth in section 152)" and inserting in lieu thereof "a joint resolution described in section 152(a)(1)(B) is enacted into law that disapproves",

(B) by striking out "the date of the adoption" and inserting in lieu thereof "the end of the 60-day period beginning with the date of the enactment", and

(C) by adding at the end thereof the following new sentence: "If the President vetoes the joint resolution, the joint resolution shall be treated as enacted into law before the end of the 90-day period under this paragraph if both Houses of Congress vote to override such veto on or before the later of the last day of such 90-day period or the last day of the 15-day period (excluding any day described in section 154(b)) beginning on the date the Congress receives the veto message from the President."

(2) Subparagraph (B) of section 152(a)(1) of the Trade Act of 1974 (19 U.S.C. 2192(a)(1)(B)) is amended to read as follows:

"(B) a joint resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: 'That the Congress does not approve _____ transmitted to the Congress on _____.', with the first blank space being filled in accordance with paragraph (2), and the second blank space being filled with the appropriate date."

(3) Paragraph (2) of section 152(a) of the Trade Act of 1974 (19 U.S.C. 2192(a)(2)) is amended—

(A) by striking out "second" in the matter preceding subparagraph (A) and inserting in lieu thereof "first",

(B) by adding "and" at the end of subparagraph (A),

(C) by striking out "407(c)(3)" in subparagraph (C) and inserting in lieu thereof "407(c)(2)",

(D) by striking out subparagraph (B), and

(E) by redesignating subparagraph (C) as subparagraph (B).

(4) Paragraph (1) of section 152(c) of the Trade Act of 1974 (19 U.S.C. 2192(c)(1)) is amended by striking out "except" and all that follows thereafter and inserting the following: "except that a motion to discharge—

"(A) may only be made on the second legislative day after the calendar day on which the Member making the motion announces to the House his intention to do so; and

"(B) is not in order after the Committee has reported a resolution with respect to the same matter.".

(5) Subsection (f) of section 152 of the Trade Act of 1974 (19 U.S.C. 2192(f)) is amended to read as follows:

"(f) PROCEDURES IN THE SENATE.—

"(1) Except as otherwise provided in this section, the following procedures shall apply in the Senate to a resolution to which this section applies:

"(A)(i) Except as provided in clause (ii), a resolution that has passed the House of Representatives shall, when received in the Senate, be referred to the Committee on Finance for consideration in accordance with this section.

"(ii) If a resolution to which this section applies was introduced in the Senate before receipt of a resolution that has passed the House of Representatives, the resolution from the House of Representatives shall, when received in the Senate, be placed on the calendar. If this clause applies, the procedures in the Senate with respect to a resolution introduced in the Senate that contains the identical matter as the resolution that passed the House of Representatives shall be the same as if no resolution had been received from the House of Representatives, except that the vote on passage in the Senate shall be on the resolution that passed the House of Representatives.

"(B) If the Senate passes a resolution before receiving from the House of Representatives a joint resolution that contains the identical matter, the joint resolution shall be held at the desk pending receipt of the joint resolution from the House of Representatives. Upon receipt of the joint resolution from the House of Representatives, such joint resolution shall be deemed to be read twice, considered, read the third time, and passed.

"(2) If the texts of joint resolutions described in section 152 or 153(a), whichever is applicable, concerning any matter are not identical—

"(A) the Senate shall vote passage on the resolution introduced in the Senate, and

"(B) the text of the joint resolution passed by the Senate shall, immediately upon its passage (or, if later, upon receipt of the joint resolution passed by the House), be substituted for the text of the joint resolution passed by the House of Representatives, and such resolution, as amended, shall be returned with a request for a conference between the two Houses.

"(3) Consideration in the Senate of any veto message with respect to a joint resolution described in subsection (a)(2)(B) or section 153(a), including consideration of all debatable motions and appeals in connection therewith, shall be limited to 10 hours, to be equally divided between, and controlled by, the majority leader and the minority leader or their designees."

(6) Subsection (b) of section 154 of the Trade Act of 1974 (194 U.S.C. 2194(b)) is amended by striking out "407(c)(2) and 407(c)(3)" and inserting in lieu thereof "and 407(c)(2)". 19 USC 2194.

(d) EFFECTIVE DATES.— 19 USC 2432 note.

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section take effect on the date of the enactment of this Act.

(2) EXTENSION OF WAIVER AUTHORITY.—

(A) The amendments made by subsections (a) and (c) (4) and (5) apply with respect to recommendations made under section 402(d) of the Trade Act of 1974 by the President after May 23, 1990.

(B) Solely for purposes of applying the applicable provisions of the Trade Act of 1974 with respect to the recommendations made by the President to the House of Representatives and the Senate under subsection (d) of section 402 of the Trade Act of 1974 after May 23, 1990, and on or before the date of the enactment of this Act—

(i) in paragraph (2)(A)(i) of subsection (d) of such section 402 (as amended by subsection (a)), the date on which the waiver authority granted under subsection (c) of such section 402 would expire but for an extension under paragraph (1) of such subsection (d) is the date of the enactment of this Act;

(ii) paragraph (2)(A)(ii) of subsection (d) of such section 402 (as amended by subsection (a)) shall be treated as reading as follows:

"(ii) if the President vetoes the joint resolution, each House of Congress votes to override such veto on or before the last day of the 60-day period referred to in clause (i).";

(iii) if the waiver authority granted under such subsection (c) is extended after application of clauses (i) and (ii), the expiration date for such authority is July 3, 1991; and

(iv) only joint resolutions described in section 153(a) of the Trade Act of 1974 (as amended by subsection (a)) that are introduced in the House of Representatives or the Senate on or after the date of the enactment of this Act may be considered by either body.

SEC. 133. COMPETITIVENESS POLICY COUNCIL.

(a) MEMBERSHIP OF COUNCIL.—Section 5205 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4804) is amended—

(1) in subsection (b) by striking out "January 21, 1989" and inserting in lieu thereof "the date of the enactment of the Customs and Trade Act of 1990";

(2) by striking out subsections (e) and (f) and inserting in lieu thereof the following new subsections:

"(e) CONFLICT OF INTEREST.—A member of the Council shall not serve as an agent for a foreign principal.

"(f) EXPENSES.—Each member of the Council, while engaged in duties as a member of the Council, shall be paid actual travel expenses, and per diem in lieu of subsistence expenses when away from the usual place of residence of such member, in accordance with subchapter I of chapter 57 of title 5, United States Code."; and

(3) by striking out subsections (l) and (m).

(b) EXECUTIVE DIRECTOR AND STAFF.—Section 5206 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4805) is amended by adding the following new subsections:

"(c) EXPERTS AND CONSULTANTS.—The Council may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not to exceed the daily equivalent of the maximum annual rate of basic pay for GS-16 of the General Schedule.

"(d) DETAILS.—Upon request of the Council, the head of any other Federal agency is authorized to detail, on a reimbursable basis, any of the personnel of such agency to the Council to assist the Council in carrying out its duties under this subtitle.".

(c) POWERS OF THE COUNCIL.—Section 5207 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4806) is amended—

(1) by redesignating subsections (d), (e), (f), (g), (h), and (i) as subsections (c), (d), (e), (f), (g), and (h), respectively; and

(2) in subsection (c) (as redesignated under paragraph (1)) by striking out "60" and inserting in lieu thereof "120".

(d) ANNUAL REPORT.—Section 5208(a) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4807(a)) is amended by striking out "prepare and" and inserting in lieu thereof "on March 1".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 5209 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4808) is amended by striking out "1989 and 1990" and inserting in lieu thereof "1991 and 1992".

SEC. 134. TECHNICAL AMENDMENTS RELATING TO THE UNITED STATES-CANADA FREE-TRADE AGREEMENT.

(a) AMENDMENTS TO THE TARIFF ACT OF 1930.—

(1) Section 313(n) of the Tariff Act of 1930 (19 U.S.C. 1313(n)) is amended—

(A) by inserting ", except an article" before "made from or substituted for", and

(B) by striking "of 1988" the second place it appears and inserting a comma.

(2) Section 313(o) of the Tariff Act of 1930 (19 U.S.C. 1313(o)) is amended by adding at the end thereof the following new sentence: "This subsection shall apply to vessels delivered to Canadian account or owner, or to the Government of Canada, on and after January 1, 1994 (or, if later, the date proclaimed by the President under section 204(b)(2)(B) of the United States-Canada Free-Trade Agreement Implementation Act of 1988).". Maritime affairs.

(3) Section 516A of the Tariff Act of 1930 (19 U.S.C. 1516a) is amended—

(A) in subsection (a)(5)—

(i) by striking subparagraph (A) and inserting:

"(A) the date of publication in the Federal Register of notice of any determination described in paragraph (1)(B) or any determination described in clause (i), (ii), or (iii) of paragraph (2)(B),", and

(ii) by striking out the period at the end of subparagraph (B) and inserting ", or", and by adding at the end thereof the following new subparagraph:

"(C) the date as of which—

"(i) a binational panel has dismissed the binational panel review for lack of jurisdiction, and

"(ii) any interested party seeking review under paragraph (1), (2), or (3) has provided timely notice under subsection (g)(3)(B),

except that if a request for an extraordinary challenge committee has been made with respect to the decision to dismiss, the date under this subparagraph shall not be earlier than the date on which such committee determines that such panel acted properly when it dismissed for lack of jurisdiction,"; and

(B) in subsection (g)(3)—

(i) by striking "or" at the end of subparagraph (A)(ii), by striking the period at the end of subparagraph (A)(iii) and inserting ", or", and by adding at the end of subparagraph (A) the following new clause:

"(iv) a determination which a binational panel has determined under paragraph (2)(A) is not reviewable by the binational panel.", and

(ii) by inserting "or (iv)" after "subparagraph (A)(i)" in subparagraph (B).

(4) Section 777(d) of the Tariff Act of 1930 (19 U.S.C. 1677f(d)), as added by section 403(c) of the United States-Canada Free-Trade Agreement Implementation Act of 1988, is redesignated as subsection (f) and is further amended—

(A) in paragraph (1)(A)—

(i) by striking "(but not privileged material as defined by the rules of procedure referred to in article 1904(14) of the United States-Canada Agreement)", and

(ii) by adding at the end thereof the following new sentence: "If the administering authority or the Commission claims a privilege as to a document or portion of a document in the administrative record of the proceeding in question and a binational panel finds that in camera inspection or limited disclosure of that document or portion thereof is required by United States law, the administering authority or the Commission, as appropriate, may restrict access to such document or portion thereof to the authorized persons identified by the panel as requiring access and may require such persons to obtain access under a protective order described in paragraph (2).";

(B) in paragraph (1)(B)—

(i) by inserting ", and persons under the direction and control," after "employees" in clause (ii),

(ii) by striking "and" at the end of clause (ii),

(iii) by striking all after "in order to" in clause (iii) and inserting "make recommendations to the Trade Representative regarding the convening of extraordinary challenge committees under chapter 19 of the Agreement, and"; and

(iv) by adding at the end thereof the following new clause:

"(iv) any officer or employee of the Government of Canada designated by an authorized agency of Canada to whom disclosure is necessary in order to make decisions regarding the convening of extraordinary challenge committees under chapter 19 of the Agreement.";

(C) in paragraph (3)—

(i) by striking "or" after "violate," each place it appears, and

(ii) by inserting "or knowingly to receive information the receipt of which constitutes a violation of," after "violation of," each place it appears; and

(D) in paragraph (4), by striking out "or inducement of a violation," and inserting "inducement of a violation or receipt of information with reason to know that such information was disclosed in violation,".

(b) AMENDMENTS TO THE UNITED STATES-CANADA FREE-TRADE AGREEMENT IMPLEMENTATION ACT OF 1988.—

(1) Section 406(b) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (19 U.S.C. 2112 note) is amended by adding at the end thereof the following new paragraph:

"(4) If the Canadian Secretariat described in chapter 19 of the Agreement provides funds during any fiscal year for the purpose of paying, in accordance with Annex 1901.2 of the Agreement, the Canadian share of the expenses of binational panels, the United States Secretariat established under section 405(e)(1) may hereafter retain and use such funds for such purposes.".

(2) Section 408(c) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (19 U.S.C. 2112 note) is amended by striking all after "persons" and inserting "who would otherwise be entitled under Canadian law to commence procedures for judicial review of a final antidumping or countervailing duty determination made by a competent investigating authority of Canada.".

(3) Section 409(b)(3)(A) of the United States-Canada Free-Trade Agreement Implementation Act of 1988 (19 U.S.C. 2112 note) is amended by striking "section 305" and inserting "section 308".

(c) AMENDMENT TO HARMONIZED TARIFF SCHEDULE.—U.S. Note 1 to subchapter XIII of chapter 98 of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007) is amended by adding at the end thereof the following new paragraph:

"(c) For purposes of this subchapter, the shipment to Canada of an article entered into the United States under heading 9813.00.05 shall not constitute an exportation, unless the article is a drawback eligible good under section 204(a) of the United States-Canada Free-Trade Agreement Implementation Act of 1988. This paragraph shall apply to shipments on or after January 1, 1994 (or, if later, the date proclaimed by the President under section 204(b)(2)(B) of such Act).".

SEC. 135. TREATMENT OF CERTAIN INFORMATION UNDER ADMINISTRATIVE PROTECTIVE ORDERS.

(a) IN GENERAL.—Section 333 of the Tariff Act of 1930 (19 U.S.C. 1333) is amended by adding at the end thereof the following new subsection:

"(h) ADMINISTRATIVE PROTECTIVE ORDERS.—Any correspondence, private letters of reprimand, and other documents and files relating to violations or possible violations of administrative protective orders issued by the Commission in connection with investigations or other proceedings under this title shall be treated as information described in section 552(b)(3) of title 5, United States Code.".

(b) COUNTERVAILING AND ANTIDUMPING DUTY INVESTIGATIONS.—Section 777 of the Tariff Act of 1930 (19 U.S.C. 1677f) is amended—

(1) by adding the following sentences at the end of subsection (c)(1)(A): "Customer names obtained during any investigation which requires a determination under section 705(b) or 735(b) may not be disclosed by the administering authority under protective order until either an order is published under section 706(a) or 736(a) as a result of the investigation or the investigation is suspended or terminated. The Commission may delay disclosure of customer names under protective order during any such investigation until a reasonable time prior to any hearing provided under section 774."; and

(2) by adding at the end thereof the following new subsection:

"(g) INFORMATION RELATING TO VIOLATIONS OF PROTECTIVE ORDERS AND SANCTIONS.—The administering authority and the Commission may withhold from disclosure any correspondence, private letters of reprimand, settlement agreements, and documents and files compiled in relation to investigations and actions involving a violation or possible violation of a protective order issued under subsection (c) or (d), and such information shall be treated as information described in section 552(b)(3) of title 5, United States Code.".

19 USC 2112 note.

(c) APPLICATION OF AMENDMENTS TO PRODUCTS OF CANADIAN ORIGIN.—For purposes of section 404 of the United States-Canada Free-Trade Agreement Implementation Act of 1988, the amendments made by subsection (b) also apply with respect to investigations under title VII of the Tariff Act of 1930 involving products of Canadian origin.

SEC. 136. EXTENSION OF TIME FOR PREPARATION OF REPORT ON SUPPLEMENTAL WAGE ALLOWANCE DEMONSTRATION PROJECTS UNDER THE WORKER ADJUSTMENT ASSISTANCE PROGRAM.

Section 246 of the Trade Act of 1974 (19 U.S.C. 2318) is amended—

(1) by striking out "and carry out" in the matter preceding paragraph (1) of subsection (a); and

(2) by striking out "3 years" in subsection (d) and inserting "6 years".

19 USC 1484 note.

SEC. 137. DRUG PARAPHERNALIA.

(a) STATISTICAL ANNOTATIONS.—The Secretary of the Treasury, the Secretary of Commerce, and the United States International Trade Commission shall take actions under section 484(e) of the Tariff Act of 1930 (19 U.S.C. 1484(e)) to implement the recommendations of the Commission regarding additional statistical annotations that were made in the report of the Commission on Investigation 332-277.

(b) REPORT.—By no later than the date that is 1 year after the date of enactment of this Act, the Commissioner of Customs shall submit to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives a report on the operational response of the United States Customs Service to the recommendations contained in the report of the United States Trade Commission described in subsection (a). The report submitted by the Commissioner of Customs under this subsection shall address the effectiveness of the United States Customs Service in monitoring and seizing drug paraphernalia, including crack bags, vials, and pipes.

SEC. 138. ECONOMIC SANCTIONS AGAINST PRODUCTS OF BURMA. President of U.S.

(a) IN GENERAL.—If, prior to October 1, 1990, the President does not certify to Congress that Burma has met all of the conditions listed in subsection (b), then the President—

(1) shall impose such economic sanctions upon Burma as the President determines to be appropriate, including any sanctions appropriate under the Narcotics Control Trade Act of 1986; and

(2) should confer with other industrialized democracies in order to reach cooperative agreements to impose sanctions against Burma.

(b) CONDITIONS WHICH BURMA MUST MEET.—The conditions referred to in subsection (a) are as follows:

(1) Burma meets the certification requirements listed in section 802(b) of the Narcotics Control Trade Act of 1986.

(2) The national governmental legal authority in Burma has been transferred to a civilian government.

(3) Martial law has been lifted in Burma.

(4) Prisoners held for political reasons in Burma have been released.

(c) IMPOSITION OF SANCTIONS.—In applying subsection (a)(1), the President shall give primary consideration to the imposition of sanctions on those products which constitute major imports from Burma, including fish, tropical timber, and aquatic animals, unless the President determines that sanctions against such products would have a significant adverse effect on the economic interests of the United States.

(d) REPORTS IF SANCTIONS NOT IMPOSED.—If the President does not impose economic sanctions under subsection (a)(1), the President shall—

(1) report to the Congress his reasons for not imposing sanctions and the actions he intends to take to achieve the conditions listed in subsection (b) (1) through (4); and

(2) for as long as economic sanctions are not imposed during the 2-year period after the date on which the report is first made under paragraph (1), submit semiannual reports to the Congress regarding the reasons and actions referred in such paragraph.

SEC. 139. MISCELLANEOUS TECHNICAL AND CLERICAL AMENDMENTS.

(a) TARIFF ACT OF 1930.—The Tariff Act of 1930 is amended as follows:

(1) Section 555(b)(6) (19 U.S.C. 1555(b)(6)) is amended by striking out "subpart A of part 2 of schedule 8 of the Tariff schedules of the United States" and inserting "subchapter IV of chapter 98 of the Harmonized Tariff Schedule of the United States".

(2) Section 739(a)(1)(B)(v) (19 U.S.C. 1673h(a)(1)(B)(v)) is amended by striking out "Tariff Schedules of the United States" and inserting "Harmonized Tariff Schedule of the United States".

(3) Section 771(20)(A) (19 U.S.C. 1677(20)(A)) is amended by striking out "schedule 8 of the Tariff Schedules of the United States" and inserting "chapter 98 of the Harmonized Tariff Schedule of the United States".

(b) OMNIBUS TRADE AND COMPETITIVENESS ACT OF 1988.—Section 1102(c)(4) of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2902(c)(4)) is amended—

(1) by striking out "paragraph (3)(B)" and inserting "paragraph (3)(C)"; and

(2) by striking out "1103(f)" and inserting "1103(e)".

(c) COBRA OF 1985.—Section 13031(b)(8)(D) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(8)(D)) (as redesignated by section 111(b)(2)(A) of this Act) is amended—

(1) by striking out "subparagraph 9802.00.60 of the Tariff Schedules of the United States" in clause (iii) and inserting "subheading 9802.00.60 of the Harmonized Tariff Schedule of the United States";

(2) by striking out "subparagraph 9802.00.80 of Schedules" in clause (iv) and inserting "heading 9802.00.80 of such Schedule"; and

(3) by striking out "subparagraph 9802.00.60 or 807.00 of such Schedules" in the sentence following clause (iv) and inserting "subheading 9802.00.60 or heading 9802.00.80 of such Schedule".

SEC. 140. INCREASE IN EXPENDITURES TO PROVIDE ASSISTANCE FOR UNITED STATES CITIZENS RETURNING FROM FOREIGN COUNTRIES.

Section 1113(d) of the Social Security Act (42 U.S.C. 1313(d)) is amended to read as follows:

"(d) The total amount of temporary assistance provided under this section shall not exceed $1,000,000 during any fiscal year beginning on or after October 1, 1989."

13 USC 23 note.

SEC. 141. ADMINISTRATIVE PROVISION.

(a) GENERAL RULE.—The determination of whether temporary 1990 census services constitute "Federal service" for purposes of subchapter I of chapter 85 of title 5, United States Code, shall be made under the provisions of such subchapter without regard to any provision of law not contained in such subchapter.

(b) TEMPORARY 1990 CENSUS SERVICES.—For purposes of subsection (a), the term "temporary 1990 census services" means services performed by individuals appointed to temporary positions within the Bureau of the Census for purposes relating to the 1990 decennial census of population (as determined under regulations determined by the Secretary of Commerce).

SEC. 142. NONDISCRIMINATORY TREATMENT FOR THE PRODUCTS OF EAST GERMANY.

Notwithstanding any other provision of law, the President may, by proclamation, lower the rate of duty under the Harmonized Tariff Schedule of the United States on products of the German Democratic Republic that are entered, or withdrawn from warehouse for consumption, in the customs territory of the United States—

(1) after September 30, 1990; and

(2) before the beginning date on which a unified Germany is treated as a country eligible for column 1 duty treatment under such Harmonized Schedule;

to any rate of duty that is not lower than the rate that would be imposed if the column 1 general rate of duty provided for in such Schedule applied to the product at the time of entry or withdrawal.

TITLE II—CARIBBEAN BASIN ECONOMIC RECOVERY

Caribbean Basin Economic Recovery Expansion Act of 1990.

Subtitle A—Short Title and Findings

SEC. 201. SHORT TITLE.

19 USC 2701 note.

This title may be cited as the "Caribbean Basin Economic Recovery Expansion Act of 1990".

SEC. 202. CONGRESSIONAL FINDINGS.

19 USC 2701 note.

The Congress finds that—

(1) a stable political and economic climate in the Caribbean region is necessary for the development of the countries in that region and for the security and economic interests of the United States;

(2) the Caribbean Basin Economic Recovery Act was enacted in 1983 to assist in the achievement of such a climate by stimulating the development of the export potential of the region; and

(3) the commitment of the United States to the successful development of the region, as evidenced by the enactment of the Caribbean Basin Economic Recovery Act, should be reaffirmed, and further strengthened, by amending that Act to improve its operation.

Subtitle B—Amendments to the Caribbean Basin Economic Recovery Act and Related Provisions

PART 1—AMENDMENTS TO CARIBBEAN BASIN ECONOMIC RECOVERY ACT

SEC. 211. REPEAL OF TERMINATION DATE ON DUTY-FREE TREATMENT UNDER THE ACT.

Section 218 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2706(b)) is repealed.

SEC. 212. DUTY REDUCTION FOR CERTAIN LEATHER-RELATED PRODUCTS.

(a) IN GENERAL.—Section 213 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703) is amended by adding at the end thereof the following new subsection:

"(h)(1) Subject to paragraph (2), the President shall proclaim reductions in the rates of duty on handbags, luggage, flat goods, work gloves, and leather wearing apparel that— President of U.S.

"(A) are the product of any beneficiary country; and

"(B) were not designated on August 5, 1983, as eligible articles for purposes of the generalized system of preferences under title V of the Trade Act of 1974.

"(2) The reduction required under paragraph (1) in the rate of duty on any article shall—

"(A) result in a rate that is equal to 80 percent of the rate of duty that applies to the article on December 31, 1991, except

that, subject to the limitations in paragraph (3), the reduction may not exceed 2.5 percent ad valorem; and

"(B) be implemented in 5 equal annual stages with the first one-fifth of the aggregate reduction in the rate of duty being applied to entries, or withdrawals from warehouse for consumption, of the article on or after January 1, 1992.

"(3) The reduction required under this subsection with respect to the rate of duty on any article is in addition to any reduction in the rate of duty on that article that may be proclaimed by the President as being required or appropriate to carry out any trade agreement entered into under the Uruguay Round of trade negotiations; except that if the reduction so proclaimed—

"(A) is less than 1.5 percent ad valorem, the aggregate of such proclaimed reduction and the reduction under this subsection may not exceed 3.5 percent ad valorem, or

"(B) is 1.5 percent ad valorem or greater, the aggregate of such proclaimed reduction and the reduction under this subsection may not exceed the proclaimed reduction plus 1 percent ad valorem.".

19 USC 2703.

(b) CONFORMING AMENDMENTS.—Subsection (b) of section 213 is amended—

(1) by striking out ", handbags, luggage, flat goods, work gloves, and leather wearing apparel" in paragraph (2);

(2) by striking "or" at the end of paragraph (4);

(3) by striking out the period at the end of paragraph (5) and inserting "; or"; and

(4) by adding at the end thereof the following new paragraph:

"(6) articles to which reduced rates of duty apply under subsection (h).".

SEC. 213. WORKER RIGHTS.

Section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702) is amended—

(1) by striking out "and" after the semicolon at the end of subsection (b)(5);

(2) by striking out the period at the end of subsection (b)(6) and inserting "; and";

(3) by adding at the end of subsection (b) the following new paragraph:

"(7) if such country has not or is not taking steps to afford internationally recognized worker rights (as defined in section 502(a)(4) of the Trade Act of 1974) to workers in the country (including any designated zone in that country).";

(4) by amending the last sentence in subsection (b) by striking out "and (5)" and inserting "(5), and (7)"; and

(5) by amending subsection (c)(8) to read as follows:

"(8) whether or not such country has taken or is taking steps to afford to workers in that country (including any designated zone in that country) internationally recognized worker rights.".

SEC. 214. REPORTS.

Section 212 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2702) is amended by adding at the end thereof the following new subsection:

President.

"(f) On or before October 1, 1993, and the close of each 3-year period thereafter, the President shall submit to the Congress a

complete report regarding the operation of this title, including the results of a general review of beneficiary countries based on the considerations described in subsections (b) and (c).".

SEC. 215. TREATMENT OF ARTICLES GROWN, PRODUCED, OR MANUFACTURED IN PUERTO RICO.

(a) IN GENERAL.—Section 213(a) of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703(a)) is amended by adding at the end thereof the following new paragraph:

"(5) The duty-free treatment provided under this chapter shall apply to an article (other than an article listed in subsection (b)) which is the growth, product, or manufacture of the Commonwealth of Puerto Rico if—

"(A) the article is imported directly from the beneficiary country into the customs territory of the United States,

"(B) the article was by any means advanced in value or improved in condition in a beneficiary country, and

"(C) if any materials are added to the article in a beneficiary country, such materials are a product of a beneficiary country or the United States.".

(b) EFFECTIVE DATES.— 19 USC 2703 note.

(1) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 1, 1990.

(2) Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer after September 30, 1990, and before April 1, 1991, any entry, or withdrawal from warehouse—

(A) which was made after August 5, 1983, and before October 1, 1990, and with respect to which liquidation has not occurred before October 1, 1990, and

(B) with respect to which there would have been no duty, or a lesser duty, if the amendment made by subsection (a) applied,

shall be liquidated as though such amendment applied to such entry or withdrawal.

SEC. 216. APPLICATION OF ACT IN EASTERN CARIBBEAN AREA.

It is the sense of the Congress that there should be undertaken special efforts in order to improve the ability of the Organization of Eastern Caribbean States countries and Belize to benefit from the Caribbean Basin Economic Recovery Act.

PART 2—AMENDMENTS TO THE HARMONIZED TARIFF SCHEDULE AND OTHER PROVISIONS AFFECTING CBI BENEFICIARY COUNTRIES

SEC. 221. INCREASE IN DUTY-FREE TOURIST ALLOWANCES.

(a) DUTY-FREE ALLOWANCE FOR RETURNING RESIDENTS.—Subchapter IV of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by inserting the following new note at the end of the notes to such subchapter:

"4. As used in subheadings 9804.00.70 and 9804.00.72, the term 'beneficiary country' means a country listed in general note 3(c)(v)(A).";

(2) by striking out "subheading 9804.00.65 or 9804.00.70" and all that follows thereafter in the superior article description to subheadings 9804.00.65 and 9804.00.70 and inserting "subheadings 9804.00.65, 9804.00.70, and 9804.00.72 within 30 days preceding his arrival, and claims exemption under only one of such items on his arrival.";

(3) by striking out "$800" in subheading 9804.00.70 and inserting "$1,200";

(4) by inserting "or up to $600 of which have been acquired in one or more beneficiary countries" before the parenthetical matter in subheading 9804.00.70; and

(5) by inserting after subheading 9804.00.70 the following new subheading with the article description for the new subheading having the same degree of indentation as subheading 9804.00.70:

"	9804.00.72	Articles whether or not accompanying a person, not over $600 in aggregate fair market value in the country of acquisition, including— (a) but only in the case of an individual who has attained the age of 21, not more than 1 liter of alcoholic beverages or not more than 2 liters if at least one liter is the product of one or more beneficiary countries, and (b) not more than 200 cigarettes, and not more than 100 cigars, if such person arrives directly from a beneficiary country, not more than $400 of which shall have been acquired elsewhere than in beneficiary countries (but this item does not permit the entry of articles not accompanying a person which were acquired elsewhere than in beneficiary countries).....	Free		Free	."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to residents of the United States who depart from the United States on or after the 15th day after the date of the enactment of this Act.

SEC. 222. DUTY-FREE TREATMENT FOR ARTICLES ASSEMBLED IN BENEFICIARY COUNTRIES FROM COMPONENTS PRODUCED IN THE UNITED STATES.

(a) IN GENERAL.—U.S. Note 2 of subchapter II of chapter 98 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking out "2. Any" and inserting "2. (a) Except as provided in paragraph (b), any"; and

(2) by adding at the end thereof the following new paragraph:

"(b) No article (except a textile article, apparel article, or petroleum, or any product derived from petroleum, provided for in heading 2709 or 2710) may be treated as a foreign article, or as subject to duty, if—

"(i) the article is—

"(A) assembled or processed in whole of fabricated components that are a product of the United States, or

"(B) processed in whole of ingredients (other than water) that are a product of the United States,

in a beneficiary country; and

"(ii) neither the fabricated components, materials or ingredients, after exportation from the United States, nor the article itself, before importation into the United States, enters the commerce of any foreign country other than a beneficiary country.

As used in this paragraph, the term 'beneficiary country' means a country listed in general note 3(c)(v)(A).".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) applies with respect to goods assembled or processed abroad that are entered on or after October 1, 1990.

SEC. 223. RULES OF ORIGIN FOR PRODUCTS OF BENEFICIARY COUNTRIES.

(a) ITC INVESTIGATION.—

(1) The United States International Trade Commission shall immediately undertake, pursuant to section 332(g) of the Tariff Act of 1930, an investigation for the purpose of assessing whether revised rules of origin for products of countries designated as beneficiary countries under the Caribbean Basin Economic Recovery Act are appropriate. If the Commission makes an affirmative assessment, it shall develop recommended revised rules of origin.

(2) The Commission shall submit a report on the results of the investigation under paragraph (1), together with the text of recommended rules, if any, to the President and the Congress no later than 9 months after the date of the enactment of this Act. Reports.

(b) LEGISLATIVE RECOMMENDATIONS.—If the President considers that the implementation of revised rules of origin for products of beneficiary countries would be appropriate, the President shall transmit to the Congress suggested legislation containing such rules of origin. In formulating such suggested legislation, the President shall— President of U.S.

(1) take into account the report and recommended rules submitted under subsection (a); and

(2) obtain the advice of—

(A) the appropriate advisory committees established under section 135 of the Trade Act of 1974,

(B) the governments of the beneficiary countries,

(C) the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate, and

(D) other interested parties.

SEC. 224. CUMULATION INVOLVING BENEFICIARY COUNTRY PRODUCTS UNDER THE COUNTERVAILING AND ANTIDUMPING DUTY LAWS.

(a) MATERIAL INJURY.—Section 771(7)(C)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(C)(iv)) is amended to read as follows:

"(iv) CUMULATION.—

"(I) IN GENERAL.—For purposes of clauses (i) and (ii) and subject to subclause (II), the Commission shall cumulatively assess the volume and effect of

imports from two or more countries of like products subject to investigation if such imports compete with each other and with like products of the domestic industry in the United States market.

"(II) CBI EXCEPTION.—Solely for purposes of determining material injury, or the threat thereof, by reason of imports which are products of a country designated as a beneficiary country under the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.), the volume and effect of imports from such country may only be cumulatively assessed with imports of like products from one or more other countries designated as beneficiary countries.".

(b) THREAT OF MATERIAL INJURY.—Section 771(7)(F)(iv) of the Tariff Act of 1930 (19 U.S.C. 1677(7)(F)(iv)) is amended by striking out "(C)(v)," and inserting "(C)(iv)(II) and (v),".

19 USC 1677 note.

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) apply with respect to investigations (including investigations regarding products of Canadian origin) initiated under section 702 or 732 of the Tariff Act of 1930 on or after the date of the enactment of this Act.

SEC. 225. ETHYL ALCOHOL.

Section 7(b) of the Steel Trade Liberalization Program Implementation Act (19 U.S.C. 2703 note) is amended by striking out "calendar years 1990 and 1991." and inserting "calendar years after 1989.".

SEC. 226. CONFORMING AMENDMENT.

Section 503(b) of the Trade Act of 1974 (19 U.S.C. 2463(b)) is amended to read as follows:

"(b)(1) The duty-free treatment provided under section 501 shall apply to any eligible article which is the growth, product, or manufacture of a beneficiary developing country if—

"(A) that article is imported directly from a beneficiary developing country into the customs territory of the United States; and

"(B) the sum of (i) the cost or value of the materials produced in the beneficiary developing country or any 2 or more countries which are members of the same association of countries which is treated as one country under section 502(a)(3), plus (ii) the direct costs of processing operations performed in such beneficiary developing country or such member countries is not less than 35 percent of the appraised value of such article at the time of its entry into the customs territory of the United States.

Regulations.

"(2) The Secretary of the Treasury, after consulting with the United States Trade Representative, shall prescribe such regulations as may be necessary to carry out this subsection, including, but not limited to, regulations providing that, in order to be eligible for duty-free treatment under this title, an article must be wholly the growth, product, or manufacture of a beneficiary developing country, or must be a new or different article of commerce which has been grown, produced, or manufactured in the beneficiary developing country; but no article or material of a beneficiary developing country shall be eligible for such treatment by virtue of having merely undergone—

"(A) simple combining or packaging operations, or

"(B) mere dilution with water or mere dilution with another substance that does not materially alter the characteristics of the article.".

SEC. 227. REQUIREMENT FOR INVESTMENT OF SECTION 936 FUNDS IN CARIBBEAN BASIN COUNTRIES.

(a) GENERAL RULE.—Paragraph (4) of section 936(d) of the Internal Revenue Code of 1986 (relating to investment in Caribbean Basin countries) is amended by adding at the end thereof the following new subparagraph: 26 USC 936.

"(D) REQUIREMENT FOR INVESTMENT IN CARIBBEAN BASIN COUNTRIES.—

"(i) IN GENERAL.—For each calendar year, the government of Puerto Rico shall take such steps as may be necessary to ensure that at least $100,000,000 of qualified Caribbean Basin country investments are made during such calendar year. Puerto Rico.

"(ii) QUALIFIED CARIBBEAN BASIN COUNTRY INVESTMENT.—For purposes of clause (i), the term 'qualified Caribbean Basin country investment' means any investment if—

"(I) the income from such investment is treated as qualified possession source investment income by reason of subparagraph (A), and

"(II) such investment is not (directly or indirectly) a refinancing of a prior investment (whether or not such prior investment was a qualified Caribbean Basin country investment)."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to calendar years after 1989. 26 USC 936 note.

Subtitle C—Scholarship Assistance and Tourism Promotion

State and local governments. Schools and colleges.

SEC. 231. COOPERATIVE PUBLIC AND PRIVATE SECTOR PROGRAM FOR PROVIDING SCHOLARSHIPS TO STUDENTS FROM THE CARIBBEAN AND CENTRAL AMERICA. 20 USC 226.

(a) STATEMENT OF PURPOSE.—It is the purpose of this section to encourage the establishment of partnerships between State governments, universities, community colleges, and businesses to support scholarships for talented socially and economically disadvantaged students from eligible countries in the Caribbean and Central America to study in the United States in order to—

(1) improve the diversity and quality of educational opportunities for such students;

(2) assist the development efforts of eligible countries by providing training and educational assistance to persons who can help address the social and economic needs of these countries;

(3) expand opportunities for cross-cultural studies and exchanges and improve the exchange of understanding and principles of democracy;

(4) promote positive and productive relationships between the United States and its neighbor countries in the Caribbean and Central American regions;

(5) give added visibility and focus to the "scholarship diplomacy" efforts of the United States Government by leveraging the monies available for this purpose through the development of partnerships among Federal, State, and local governments and the business and academic communities; and

(6) promote community involvement with the scholarship program as a tool for broadening and strengthening the "American experience" for foreign students.

(b) ESTABLISHMENT OF SCHOLARSHIP PROGRAM.—The Administrator of the Agency for International Development shall establish and administer a program of scholarship assistance, in cooperation with State governments, universities, community colleges, and businesses, to provide scholarships to enable socially and economically disadvantaged students from eligible countries in the Caribbean and Central America to study in the United States.

(c) GRANTS TO STATES.—In carrying out this section, the Administrator may make grants to States to provide scholarship assistance for undergraduate degree programs and for training programs of one year or longer in study areas related to the critical development needs of the students' respective countries.

(d) AGREEMENT WITH STATES.—The Administrator and each participating State shall agree on a program regarding the educational opportunities available within the State, the selection and assignment of scholarship recipients, and related issues. To the maximum extent practicable, each State shall be given flexibility in designing its program.

(e) FEDERAL SHARE.—The Federal share for each year for which a State receives payments under this section shall be not less than 50 percent.

(f) NON-FEDERAL SHARE.—The non-Federal share of payments under this section may be in cash, including the waiver of tuition or the offering of in-State tuition or housing waivers or subsidies, or in-kind fairly evaluated, including the provision of books or supplies.

(g) FORGIVENESS OF SCHOLARSHIP ASSISTANCE.—The obligation of any recipient to reimburse any entity for any or all scholarship assistance provided under this section shall be forgiven upon the recipient's prompt return to his or her country of domicile for a period which is at least one year longer than the period spent studying in the United States with scholarship assistance.

(h) PRIVATE SECTOR PARTICIPATION.—To the maximum extent practicable, each participating State shall enlist the assistance of the private sector to enable the State to meet the non-Federal share of payments under this section. Wherever appropriate, each participating State shall encourage the private sector to offer internships or other opportunities consistent with the purposes of this section to students receiving scholarships under this section.

(i) FUNDING.—Any funds used in carrying out this section shall be derived from funds allocated for Latin American and Caribbean regional programs under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 and following; relating to the economic support fund).

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

(1) The term "eligible country" means any country—

(A) which is receiving assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) or chapter 4

of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund); and

(B) which is designated by the President as a beneficiary country pursuant to the Caribbean Basin Economic Recovery Act.

(2) The term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

SEC. 232. PROMOTION OF TOURISM.

(a) CONGRESSIONAL FINDING.—The Congress finds that the tourism industry must be recognized as a central element in the economic development and political stability of the Caribbean Basin region because of the potential that the industry has for increasing employment and foreign exchange earnings, establishing important linkages with other related sectors, and having a positive complementary effect on trade with the United States.

(b) FEDERAL AGENCY PRIORITY.—It is the sense of the Congress that increased tourism and related activities should be developed in the Caribbean Basin region as a central part of the Caribbean Basin Initiative program and, to that end, the appropriate agencies of the United States Government should assign a high priority to projects that promote the tourism industry in the Caribbean Basin.

(c) STUDY.—The Secretary of Commerce shall complete the study begun in 1986 regarding tourism development strategies for the Caribbean Basin region. The study shall include—

(1) information on the mutual benefits received by the United States and the Caribbean Basin economies as a result of tourist activity in the area; and

(2) proposals for developing increased linkages between the tourism industry and local industries in the region such as the agrobusiness.

SEC. 233. PILOT PRECLEARANCE PROGRAM.

19 USC 2071 note.

(a) ESTABLISHMENT OF PROGRAM.—Subject to subsection (b), the Commissioner of Customs shall carry out, during fiscal years 1991 and 1992, preclearance operations at a facility of the United States Customs Service in a country within the Caribbean Basin which the Commissioner of Customs considers appropriate for testing the extent to which the availability of preclearance operations can assist in the development of tourism.

(b) RESTRICTIONS REGARDING PROGRAM.—

(1) The Commissioner of Customs may not consider a country within the Caribbean Basin to be appropriate for the testing referred to in subsection (a) if preclearance operations are currently carried out by the United States Customs Service in that country.

(2) Preclearance operations may not be commenced in the country selected for testing under subsection (a) unless the Commissioner of Customs and the Commissioner of Immigration and Naturalization jointly certify that—

(A) there exists a bilateral agreement between the United States Government and the government of such country which protects the interests of the United States and af-

fords diplomatic protection to United States employees working at the preclearance location;

(B) the facilities at the preclearance location conform to Federal Inspection Services standards and are suitable for the duties to be performed therein;

(C) there is adequate security around the structure used for the reception of international arrivals;

(D) the government of such country grants the United States Customs Service and the United States Immigration and Naturalization Service appropriate search, seizure, and arrest authority; and

(E) United States employees and their families will not be subject to fear of reprisal, acts of terrorism, and threats of intimidation.

Aruba.
Jamaica.

(3) In determining the country in which to establish the operation described in paragraph (1), the Commissioner of Customs and the Commissioner of Immigration and Naturalization shall first determine the viability of establishing such operations in either Aruba or Jamaica. If the Commissioners determine, after full consultation with the governments of such countries, that it is not viable to establish pre-clearance operations in either Aruba or Jamaica, they shall so report to the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives, including an explanation of how this determination was reached. Such report shall be submitted to those Committees within six months after the date of the enactment of this Act. Following the submission of such a report, the Commissioners shall take all necessary steps, consistent with the requirements of this section, to establish such operations in another country.

Reports.

(c) REPORT.—As soon as practicable after September 30, 1992, the Commissioner of Customs shall submit to the Congress a report regarding the preclearance operations program carried out under subsection (a). The report shall include—

(1) a summary of the preclearance operations, including the number of individuals processed, any administrative problems encountered, and cost of the operations;

(2) an evaluation of the extent to which the preclearance operations contributed to—

(A) the stimulation of the tourism industry of the country concerned, and

(B) expedited customs processing at United States ports of entry;

(3) the opinion of the Commissioner of Customs regarding the efficacy of extending preclearance operations to other countries within the Caribbean Basin that are developing tourism industries, and if the opinion is affirmative, the identity of those countries to which such operations should be extended and the estimated costs and results of such extensions; and

(4) such other matters that the Commissioner of Customs considers relevant.

Subtitle D—Miscellaneous Provisions

SEC. 241. TRADE BENEFITS FOR NICARAGUA.

President of U.S.

Notwithstanding any other provision of law, the President is authorized to designate Nicaragua as a beneficiary developing country for the purposes of title V of the Trade Act of 1974, as amended, and as a beneficiary country under the Caribbean Basin Economic Recovery Act, and any such designation may remain effective for the duration of the calendar year 1990.

SEC. 242. AGRICULTURAL INFRASTRUCTURE SUPPORT.

It is the sense of Congress that in order to facilitate trade with, and the economic development of, the countries designated as beneficiary countries under the Caribbean Basin Economic Recovery Act, the Secretary of Agriculture should, in consultation with the Agribusiness Promotion Council, coordinate with the Agency for International Development the development of programs to encourage improvements in the transportation and cargo handling infrastructure in these countries for the purpose of improving agricultural trade between these countries and the United States. Such programs should focus on improving distribution of agricultural commodities and products in these countries, and the phytosanitary institutions, quarantine capabilities, and pesticide regulations of these countries regarding agricultural commodities and products.

SEC. 243. EXTENSION OF TRADE BENEFITS TO THE ANDEAN REGION.

(a) FINDINGS.—The Congress finds that:

(1) United States antinarcotics policy places a high priority on assisting the nations of the Andean region of South America, the source of 100 percent of the world's supply of cocaine.

(2) The President and Congress have recognized that United States trade and economic policies play an important role in the overall United States antidrug strategy in the Andes.

(3) The extension of special trade preferences for articles from the Andean region would help revitalize the national economies of the Andes and further United States antinarcotics policy in the region.

(b) SENSE OF CONGRESS.—The Congress urges the President to—

(1) review the merits of extending the benefits provided under the Caribbean Basin Economic Recovery Act to the Andean region; and

(2) continue to explore additional mechanisms to expand trade opportunities for the Andean region, and report to Congress in a regular and timely fashion on the result of this review.

TITLE III—TARIFF PROVISIONS

SEC. 301. REFERENCE.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a chapter, subchapter, note, additional U.S. note, heading, subheading, or other provision, the reference shall be considered to be made to a chapter, subchapter, note, additional U.S. note, head-

ing, subheading, or other provision of the Harmonized Tariff Schedule of the United States (19 U.S.C. 3007).

Subtitle A—Temporary Suspensions and Reductions in Duties

PART 1—NEW DUTY SUSPENSIONS AND TEMPORARY REDUCTIONS

SEC. 311. CASTOR OIL AND ITS FRACTIONS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.15.15	Castor oil and its fractions (provided for in subheading 1515.30.20 or 1515.30.40)....	Free	No change	No change	On or before 12/31/92	".

SEC. 312. CERTAIN JAMS, PASTES AND PUREES, AND FRUIT JELLIES.

(a) Subchapter II of chapter 99 is amended—

(1) by adding at the end of the U.S. notes thereto the following:

"10. The column 1 rate of duty for goods entered under heading 9902.20.07 is a rate that would have applied for such goods if they had been entered at the column 1 rate of duty under the former Tariff Schedules of the United States (19 U.S.C. 1202) on December 31, 1988, unless otherwise proclaimed by the President before December 31, 1992.";

(2) by inserting in numerical sequence the following new heading:

"	9902.20.07	Jams, pastes, and purees, and fruit jellies, the foregoing of peaches, apricots, raspberries, or cherries (provided for in subheading 2007.99)..	The rate prescribed in U.S. note 10 to this subchapter	No change	No change	On or before 12/31/92	".

(b) If before December 31, 1992, the President determines that appropriate trade concessions, including the correction of errors and oversights in foreign tariff schedules, have been obtained, the President may proclaim such modifications to the column 1 rates of duty on jams, pastes, and purees, and fruit jellies falling under subheading 2007.99, as are necessary and appropriate to restore with respect to such goods the tariff treatment that applied under the former Tariff Schedules of the United States (19 U.S.C. 1202) on December 31, 1988.

SEC. 313. MERCURIC OXIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.28.25	Mercuric oxide (provided for in subheading 2825.90.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 314. 1,5-NAPHTHALENE DIISOCYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.07	1,5-Naphthalene diisocyanate (provided for in subheading 2929.90.10)	Free	No change	Free	On or before 12/31/92	".

SEC. 315. 2,3,6-TRIMETHYLPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.08	2,3,6-Trimethylphenol (provided for in subheading 2907.29.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 316. p-HYDROXYBENZALDEHYDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.09	p-Hydroxybenzaldehyde (provided for in subheading 2912.49.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 317. DMBS AND HPBA.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.30.10	4.4-Isopropylidenedicyclohexanol (CAS No. 80-04-6) (provided for in subheading 2906.19.00)	Free	No change	No change	On or before 12/31/92	"; and
"	9902.30.83	Bis-O-[(4-methylphenyl)methylene]-D-glucitol (CAS Nos. 54686-97-4 and 58956-31-3) (dimethylbenzylidene sorbitol) (provided for in subheading 2932.90.41)	Free	No change	No change	On or before 12/31/92	".

SEC. 318. MBEP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.11	2-(1,1-Dimethylethyl)-4-ethylphenol (CAS No. 96-70-8) (provided for in subheading 2907.19.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 319. 6-t-BUTYL-2,4-XYLENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.12	6-t-Butyl-2,4-xylenol (provided for in subheading 2907.19.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 320. 4,4'-METHYLENEBIS(2,6-DIMETHYLPHENYLCYANATE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.13	4,4'-Methylenebis-(2,6-dimethyl-phenylcyanate) (provided for in subheading 2907.29.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 321. NEVILLE-WINTER ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.14	1-Naphthol-4-sulfonic acid and its monosodium salt (CAS Nos. 84-87-7 and 6099-57-6) (provided for in subheading 2908.20.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 322. 7-HYDROXY-1,3-NAPHTHALENEDISULFONIC ACID, DIPOTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.15	7-Hydroxy-1,3-naphthalenedisulfonic acid, dipotassium salt (CAS No. 842-18-2) (provided for in subheading 2908.20.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 323. 7-ACETYL-1,1,3,4,4,6-HEXAMETHYLTETRAHYDRONAPHTHALENE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.16	7-Acetyl-1,1,3,4,4,6-hexamethyltetrahydronaphthalene (provided for in subheading 2914.30.00) ..	Free	No change	No change	On or before 12/31/92	".

SEC. 324. ANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.17	Anthraquinone (provided for in subheading 2914.61.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 325. 1,4-DIHYDROXYANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.18	1,4-Dihydroxyanthraquinone (CAS No. 81-64-1) (provided for in subheading 2914.69.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 326. 2-ETHYLANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.19	2-Ethylanthraquinone (provided for in subheading 2914.69.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 327. CHLORHEXANONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.20	1-Chloro-5-hexanone (CAS No. 10226-30-9) (provided for in subheading 2914.70.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 328. 3-AMINOPROPANOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new subheading:

"	9902.30.21	3-Aminopropanol (CAS No. 156-87-6) (provided for in subheading 2922.19.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 329. NAPHTHALIC ACID ANHYDRIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.22	Naphthalic acid anhydride (provided for in subheading 2917.39.10).....	Free	No change	No change	On or before 12/31/92	".

SEC. 330. DIFLUNISAL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.23	2',4'-Difluoro-4-hydroxy-3-biphenyl-carboxylic acid (Diflunisal) (provided for in subheading 2918.29.40) ..	Free	No change	No change	On or before 12/31/92	".

SEC. 331. DIPHENOLIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.24	4,4-Bis(4-hydroxyphenyl)-pentanoic acid (CAS No. 126-00-1) (provided for in subheading 2918.29.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 332. 6-HYDROXY-2-NAPHTHOIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.25	6-Hydroxy-2-naphthoic acid (CAS No. 16712-64-4) (provided for in subheading 2918.29.50).....	Free	No change	No change	On or before 12/31/92	".

SEC. 333. METHYL AND ETHYL PARATHION.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.26	0,0-Diethyl-0-(4-nitrophenyl) phosphorothioate and 0,0-Dimethyl-0-(4-nitrophenyl) phosphorothioate (provided for in subheading 2920.10.20).....	Free	No change	No change	On or before 12/31/92	".

SEC. 334. N-METHYLANILINE AND M-CHLOROANILINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.30.27	N-Methylaniline (provided for in subheading 2921.42.20).....	Free	No change	No change	On or before 12/31/92	
	9902.30.28	m-Chloroaniline (provided for in subheading 2921.42.50).....	Free	No change	No change	On or before 12/31/92	".

SEC. 335. 4,4'-METHYLENEBIS(3-CHLORO-2,6-DIETHYLANILINE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.29	4,4'-Methylenebis-(3-chloro-2,6-diethylaniline) (provided for in subheading 2921.42.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 336. 4,4'-METHYLENE-BIS(2,6-DIISOPROPYLANILINE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.30	4,4'-Methylenebis-(2,6-diisopropylaniline) (provided for in subheading 2921.42.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 337. 2-CHLORO-4-NITROANILINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.31	2-Chloro-4-nitroaniline (CAS No. 121-87-9) (provided for in subheading 2921.42.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 338. 4-CHLORO-α,α,α-TRIFLUORO-O-TOLUIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.32	4-Chloro-α,α,α-trifluoro-o-toluidine (CAS No. 445-03-4) (provided for in subheading 2921.43.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 339. TRIFLUOROMETHYLANILINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.33	3-(Trifluoromethyl)-aniline (CAS No. 98-16-8) (m-Aminobenzotrifluoride) (provided for in subheading 2921.43.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 340. 5-AMINO-2-NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.34	5-Amino-2-naphthalenesulfonic acid (CAS No. 119-79-9) (provided for in subheading 2921.45.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 341. 7-AMINO-1,3-NAPHTHALENEDISULFONIC ACID, MONOPOTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.35	7-Amino-1,3-naphthalenedisulfonic acid, monopotassium salt (CAS No. 842-15-9) (provided for in subheading 2921.45.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 342. 4-AMINO-1-NAPHTHALENESULFONIC ACID, SODIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.36	4-Amino-1-naphthalenesulfonic acid, sodium salt (CAS No. 130-13-2) (provided for in subheading 2921.45.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 343. 8-AMINO-2-NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.37	8-Amino-2-naphthalenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 344. MIXTURES OF 5- AND 8-AMINO-2-NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.38	Mixtures of 5- and 8-amino-2-naphthalenesulfonic acid (CAS No. 119-28-8) (provided for in subheading 2921.45.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 345. 1-NAPHTHYLAMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.39	1-Naphthylamine (CAS No. 134-32-7) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 346. 6-AMINO-2-NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.40	6-Amino-2-naphthalenesulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 347. BROENNER'S ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.41	2-Naphthylamine-6-sulfonic acid (CAS No. 93-00-5) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 348. D SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.42	2-Naphthylamine-1,5-disulfonic acid and its monosodium salt (CAS Nos. 117-62-4 and 19532-03-07) (provided for in subheading 2921.45.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 349. 2,4-DIAMINOBENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.43	2,4-Diaminobenzenesulfonic acid (CAS No. 88-63-1) (provided for in subheading 2921.51.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 350. PARAMINE ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.44	1,4-Diaminobenzene-2-sulfonic acid (CAS No. 88-45-9) (provided for in subheading 2921.59.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 351. TAMOXIFEN CITRATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.45	Tamoxifen citrate (provided for in subheading 2922.19.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 352. K-ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.46	1-Amino-8-hydroxy-4,6-naphthalenedisulfonic acid, monosodium salt (CAS No. 85294-32-2) (provided for in subheading 2922.21.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 353. O-ANISIDINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.47	1-Amino-2-methoxybenzene (o-Anisidine) (CAS No. 90-04-0) (provided for in subheading 2922.22.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 354. 2-AMINO-4-CHLOROPHENOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.48	2-Amino-4-chlorophenol (CAS No. 95-85-2) (provided for in subheading 2922.29.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 355. ORNITHINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.49	L-Ornithine, ethyl ester (L-2,5-Diaminopentanoic acid, ethyl ester) (CAS No. 84772-29-2) (provided for in subheading 2922.49.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 356. CLENTIAZIM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.50	(+)-cis-(2s,3s)-3-(Acetoxy)-8-chloro-5-[2-(dimethylamino)-ethyl]-2,3-dihydro-2-(4-methoxyphenyl)-1,5-benzothiazepin-4(5H)one maleate (provided for in subheading 2934.90.25)	Free	No change	No change	On or before 12/31/92	".

SEC. 357. 7-ANILINO-4-HYDROXY-2-NAPHTHALENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.51	7-Anilino-4-hydroxy-2-naphthalenesulfonic acid (CAS No. 119-40-4) (provided for in subheading 2922.29.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 358. 1,4-DIAMINO-2,3-DIHYDROANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.52	1,4-Diamino-2,3-dihydroanthraquinone (CAS No. 81-63-0) (provided for in subheading 2922.30.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 359. TFA LYS PRO IN FREE BASE AND TOSYL SALT FORMS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.53	Trifluoroacetyl-L-lysine-L-proline in free base and tosyl salt forms (provided for in subheadings 2933.90.50 and 2933.90.37, respectively)	Free	No change	No change	On or before 12/31/92	".

SEC. 360. 4-FLUORO-3-PHENOXYBENZALDEHYDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.54	4-Fluoro-3-phenoxy-benzaldehyde (provided for in subheading 2913.00.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 361. 1-AMINO-2-BROMO-4-HYDROXYANTHRAQUINONE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.55	1-Amino-2-bromo-4-hydroxyanthraquinone (CAS No. 116-82-5) (provided for in subheading 2922.50.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 362. ADC-6.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.56	3-Amino-2-(1-hydroxethyl)pentane-dioic acid, 5-methyl ester (provided for in subheading 2922.50.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 363. L-CARNITINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.57	L-Carnitine (provided for in subheading 2923.90.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 364. QUIZALOFOP-ETHYL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.58	2-[4-[(6-Chloro-2-quinoxalinyl)oxy]-phenoxy]propionic acid, ethyl ester (Quizalofop-ethyl) (provided for in subheading 2933.90.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 365. ACETOACET-PARA-TOLUIDIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.59	Acetoacet-para-toluidide (provided for in subheading 2924.29.09)	Free	No change	No change	On or before 12/31/92	".

SEC. 366. NAPHTHOL AS TYPES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.60	3-Hydroxy-2-naphthanilide (CAS No. 92-77-3); 3-Hydroxy-2-naphtho-o-toluidide (CAS No. 135-61-5); 3-Hydroxy-2-naphtho-o-anisidide (CAS No. 135-62-6); 3-Hydroxy-2-naphtho-o-phenetidide (CAS No. 92-74-0); 3-Hydroxy-2-naphtho-4-chloro-2,5-dimethoxyanilide (CAS No. 4273-92-1); and N,N'-Bis(acetoacetyl-o-toluidine) (CAS No. 91-96-3) (provided for in subheading 2924.29.14)	Free	No change	No change	On or before 12/31/92	".

SEC. 367. DILTIAZEM HYDROCHLORIDE, AND SUSTAINED RELEASE DILTIAZEM HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.61	Diltiazem hydrochloride (provided for in subheading 2934.90.25, 3003.90.00, or 3004.90.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 368. ANIS BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.62	3-Aminomethoxy-benzanilide (provided for in subheading 2924.29.25)	Free	No change	No change	On or before 12/31/92	".

SEC. 369. ACETOACETSULFANILIC ACID, POTASSIUM SALT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.63	Acetoacetsulfanilic acid, potassium salt (provided for in subheading 2924.29.44)	Free	No change	No change	On or before 12/31/92	".

SEC. 370. IOHEXOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.64	N,N'-Bis(2,3-dihydroxypropyl)-5-[N-(2,3-dihydroxypropyl)-acetamido]-2,4,6-triiodoisophthalamide (Iohexol) (provided for in subheading 2924.29.44)	Free	No change	No change	On or before 9/30/91	".

SEC. 371. IOPAMIDOL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.65	Iopamidol (provided for in subheading 2924.29.44)	Free	No change	No change	On or before 9/30/91	".

SEC. 372. IOXAGLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.66	N-(2-Hydroxyethyl)-2,4,6-triiodo-5-[2-(2,4,6-triiodo-3-(N-methylacet-amido)-5-(methyl-carbamoyl)benz-amido)acetamido]-isophthalamic acid (Ioxaglic acid) (provided for in subheading 2924.29.44)	Free	No change	No change	On or before 9/30/91	".

SEC. 373. 4-AMINOACETANILIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.67	4-Aminoacetanilide (CAS No. 122-80-5) (provided for in subheading 2924.29.45)	Free	No change	No change	On or before 12/31/92	".

SEC. 374. D-CARBOXAMIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.68	2,2-Dimethylcyclopropylcarboxamide (provided for in subheading 2924.29.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 375. 2,6-DICHLOROBENZONITRILE.

(a) IN GENERAL.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.69	2,6-Dichlorobenzonitrile (provided for in subheading 2926.90.10)	Free	No change	No change	On or before 12/31/92	".

(b) WITH INERTS.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.14	Mixtures of 2,6-dichlorobenzonitrile and inerts (provided for in subheading 3808.30.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 376. OCTADECYL ISOCYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.70	Octadecyl isocyanate (provided for in subheading 2929.10.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 377. 1,6-HEXAMETHYLENE DIISOCYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.71	1,6-Hexamethylene diisocyanate (provided for in subheading 2929.10.50)	7.9%	No change (E, IL) Free (CA)	No change	On or before 12/31/92	".

SEC. 378. 1,1-ETHYLIDENEBIS(PHENYL-4-CYANATE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.72	1,1-Ethylidenebis-(phenyl-4-cyanate) (provided for in subheading 2929.90.10) ..	Free	No change	No change	On or before 12/31/92	".

SEC. 379. 2,2'-BIS(4-CYANATOPHENYL-1,1,1,3,3,3-HEXAFLUOROPROPANE).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.73	2,2'-Bis(4-cyanatophenyl)-1,1,1,3,3,3-hexafluoropropane (CAS No. 32728-27-1) (provided for in subheading 2929.90.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 380. 4,4'-THIODIPHENYL CYANATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.74	4,4'-Thiodiphenyl cyanate (provided for in subheading 2930.90.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 381. 2-[(4-AMINOPHENYL)SULFONYL]ETHANOL, HYDROGEN SULFATE ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.75	2-[(4-Aminophenyl)-sulfonyl]ethanol, hydrogen sulfate ester (CAS No. 2494-89-5) (provided for in subheading 2930.90.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 382. DIMETHOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.76	0,0-Dimethyl-S-methylcarbamoylmethyl phosphorodithioate (provided for in subheading 2930.90.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 383. DIPHENYLDICHLOROSILANE AND PHENYLTRICHLOROSILANE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.77	Diphenyldichlorosilane and phenyltrichlorosilane (provided for in subheading 2931.00.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 384. BENDIOCARB.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.78	2,2-Dimethyl-1,3-benzodioxol-4-yl methylcarbamate (Bendiocarb) (provided for in subheading 2932.90.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 385. RHODAMINE 2C BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.79	Rhodamine 2C base (CAS No. 41382-37-0) (provided for in subheading 2932.90.45)	Free	No change	No change	On or before 12/31/92	".

SEC. 386. 2,5-DICHLORO-4-(3-METHYL-5-OXO-2-PYRAZOLIN-1-YL)-BENZENESULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.80	2,5-Dichloro-4-(3-methyl-5-oxo-2-pyrazolin-1-yl)-benzenesulfonic acid (CAS No. 84-57-1) (provided for in subheading 2933.19.42)	Free	No change	No change	On or before 12/31/92	".

SEC. 387. CIPROFLOXACIN HYDROCHLORIDE, CIPROFLOXACIN, AND NIMODIPINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.30.81	Nimodipine (provided for in subheading 2933.39.35)	Free	No change	No change	On or before 12/31/92	
	9902.30.82	Ciprofloxacin and its hydrochloride salt (provided for in subheading 2933.59.27)	Free	No change	No change	On or before 12/31/92	".

SEC. 388. BPIP.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.83	N,N'-Bis(2,2,6,6-tetramethyl-4-piperadinyl)-1,6-hexanediamine					

		(CAS No. 612-55-7) (provided for in subheading 2933.39.47)	Free	No change	No change	On or before 12/31/92	".

SEC. 389. FENOFIBRATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.84	2-[4-(4-Chlorobenzoyl)phenoxy]-2-methylpropanoic acid, isopropyl ester (Fenofibrate) (provided for in subheading 3004.90.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 390. NORFLOXACIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.85	1-Ethyl-6-fluoro-1,4-dihydro-4-oxo-7-(1-piperazinyl)-3-quinolinecarboxylic acid (Norfloxacin) (provided for in subheading 2933.59.27)	Free	No change	No change	On or before 12/31/92	".

SEC. 391. 6-METHYLURACIL.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.86	6-Methyluracil (provided for in subheading 2933.59.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 392. 2,4-DIAMINO-6-PHENYL-1,3,5-TRIAZINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.87	2,4-Diamino-6-phenyl-1,3,5-triazine (provided for in subheading 2933.69.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 393. AMILORIDE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.88	N-Amidino-3,5-diamino-6-chloropyrazinecarboxamide, monohydrochloride dihydrate (Amiloride hydrochloride) (provided for in subheading 2933.90.36)	Free	No change	No change	On or before 12/31/92	".

SEC. 394. TRIMETHYL BASE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.89	1,3,3-Trimethyl-2-methyleneindoline (CAS No. 118-12-7) (provided for in subheading 2933.90.39)	Free	No change	No change	On or before 12/31/92	"

SEC. 395. ALA PRO.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.90	L-Alanyl-L-proline (provided for in subheading 2933.90.50)	Free	No change	No change	On or before 12/31/92	"

SEC. 396. THIOTHIAMINE HYDROCHLORIDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.91	Thiothiamine hydrochloride (CAS No. 2443-50-7) (provided for in subheading 2934.10.10 or 2934.10.50)	Free	No change	No change	On or before 12/31/92	"

SEC. 397. ETHYL 2-(2-AMINOTHIAZOL-4-YL)-2-HYDROXYIMINOACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.92	Ethyl 2-(2-aminothiazol-4-yl)-2-hydroxyiminoacetate (provided for in subheading 2934.10.50)	Free	No change	No change	On or before 12/31/92	"

SEC. 398. ETHYL 2-(2-AMINOTHIAZOL-4-YL)-2-METHOXYIMINOACETATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.93	Ethyl 2-(2-aminothiazol-4-yl)-2-methoxyiminoacetate (provided for in subheading 2934.10.50)	Free	No change	No change	On or before 12/31/92	"

SEC. 399. 7-NITRONAPHTH[1,2]-OXADIAZOLE-5-SULFONIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.94	7-Nitronaphth[1,2]-oxadiazole-5-sulfonic acid (CAS No. 84-91-3) (provided for in subheading 2934.90.06)	Free	No change	No change	On or before 12/31/92	".

SEC. 400. CEFTAZIDIME TERTIARY BUTYL ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.95	(6R,7R)-7-[(Z)-2-(2-Aminothiazol-4-yl)-2-[(2-tert-butoxycarbonyl)-prop-2-oxyimino]-acetamido]-3-(1-pyridinium-methyl)ceph-3-em-4-carboxylate (provided for in subheading 2934.90.25)	Free	No change	No change	On or before 12/31/92	".

SEC. 401. CHEMICAL INTERMEDIATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.96	(6R,7R)-7-amino-3-chloro-8-oxa-5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylic acid, (4-nitrophenyl)-methyl ester (provided for in subheading 2934.90.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 402. SULFACHLOROPYRIDAZINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.97	Sulfachloropyridazine (provided for in subheading 2935.00.39)	Free	No change	No change	On or before 12/31/92	".

SEC. 403. MIXED ORTHO/PARA-TOLUENESULFONAMIDES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.98	Mixed ortho/para-toluenesulfonamides (provided for in subheading 2935.00.47)	Free	No change	No change	On or before 12/31/92	".

SEC. 404. HERBICIDE INTERMEDIATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.30.99	N-(2,6-Dichloro-3-methylphenyl)-5-amino-1,3,4-triazole-2-sulfonamide (provided for in subheading 2935.00.47)	Free	No change	No change	On or before 12/31/92	".

SEC. 405. N-(4-(((2-AMINO-5-FORMYL-1,4,5,6,7,8-HEXAHYDRO-4-OXO-6-PTERIDINYL)METHYL)AMINO)BENZOYL)-L-GLUTAMIC ACID.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.00	N-(4-(((2-Amino-5-formyl-1,4,5,6,7,8-hexahydro-4-oxo-6-pteridinyl)-methyl)amino)benzoyl)-L-glutamic acid (provided for in subheading 2936.29.20)	Free	No change	No change	On or before 12/31/92	".

SEC. 406. THEOBROMINE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.01	Theobromine (provided for in subheading 2939.90.10 or 2939.90.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 407. (6R-(6a,7B(Z)))-7-(((2-AMINO-4-THIAZOLYL)((CARBOXYMETHOXY)IMINO)ACETYL)AMINO)-3-ETHENYL-8-OXO-5-THIA-1-AZABICYCLO(4.2.0)OCT-2-ENE-2-CARBOXYLIC ACID (CEFIXIME).

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.02	(6R-(6a,7B(Z)))-7-(((2-Amino-4-thiazolyl)((carboxy-methoxy)imino) acetyl)amino)-3-ethenyl-8-oxo-5-thia-1-azabicyclo(4.2.0)-oct-2-ene-2-carboxylic acid (Cefixime) (provided for in subheading 2941.90.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 408. TEICOPLANIN.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.03	Teicoplanin (provided for in subheading 3003.20.00 or 3004.20.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 409. CARFENTANIL CITRATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.04	Carfentanil citrate (provided for in subheading 3004.90.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 410. CALCIUM ACETYLSALICYLATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.05	Calcium acetylsalicylate, in bulk or put up in measured doses or in forms or packings for retail sale (provided for in subheadings 2918.22.50 and 3004.90.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 411A. SUCRALFATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new subheading:

"	9902.31.06	Sucralfate (provided for in subheading 2940.00.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 411B. 1-[1-((4-CHLORO-2-(TRIFLUOROMETHYL)PHENYL)IMINO)-2-PROPOXYETHYL]-1-H-IMIDAZOLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.07	1-[1-((4-Chloro-2-(trifluoromethyl)-phenyl)imino)-2-propoxyethyl]-1-H-imidazole (provided for in subheading 2933.29.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 411C. COPPER ACETATE MONOHYDRATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.08	Cupric acetate monohydrate (provided for in subheading 2915.29.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 411D. 0,0-DIMETHYL-S-[(4-OXO-1,2,3-BENZOTRIAZIN-3-(4H)-YL)METHYL]PHOSPHORODITHIOATE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.09	0,0-Dimethyl-S-[(4-oxo-1,2,3-benzotriazin-3-(4H)-yl)methyl]phosphorodithioate (provided for in subheading 2933.90.18)	Free	No change	No change	On or before 12/31/92	".

SEC. 412. p-TOLUALDEHYDE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.31.10	p-Tolualdehyde (provided for in subheading 2912.29.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 413. CERTAIN ACID BLACK POWDER AND PRESSCAKE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.06	Acid black 210 powder and presscake (CAS No. 112484-44-3) (provided for in subheading 3204.12.40)	Free	No change	No change	On or before 12/31/92	".

SEC. 414. PIGMENT RED 178.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.07	Pigment red 178 (CAS No. 3049-71-6) (provided for in subheading 3204.17.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 415. PIGMENT RED 149 DRY AND PRESSCAKE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.08	Pigment red 149 dry and pigment red 149 presscake (CAS No. 4948-15-6) (provided for in subheading 3204.17.50)	Free	No change	No change	On or before 12/31/92	".

SEC. 416. SOLVENT YELLOW 43.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.09	Solvent yellow 43 (CAS No. 19125-99-6) (provided for in subheading 3204.19.15)	Free	No change	No change	On or before 12/31/92	".

SEC. 417. SOLVENT YELLOW 44.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.10	Solvent yellow 44 (CAS No. 2478-20-8) (provided for in subheading 3204.19.19)	Free	No change	No change	On or before 12/31/92	".

SEC. 418. MODELING PASTES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.34.07	Modeling pastes (provided for in heading 3407.00.20)..	Free	No change	No change	On or before 12/31/92	".

SEC. 419. METAL OXIDE VARISTORS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.85.33	Metal oxide varistors (provided for in subheading 8533.40.00, 8541.10.00 or 8541.50.00).....	Free	No change	No change	On or before 12/31/92	".

SEC. 420. CHEMICAL LIGHT ACTIVATOR BLENDS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.38.25	Mixtures of dimethyl phthalate, t-butanol, hydrogen peroxide, and sodium salicylate (provided for in subheading 3823.90.29).....	Free	No change	No change	On or before 12/31/92	".

SEC. 421. POLYMIN P AND POLYMIN P HYDROCHLORIDE, AND POLYMIN SNA 60.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.39.08	Polymin SNA 60 (CAS No. 28825-79-8) (provided for in subheading 3911.90.30).....	Free	No change	No change	On or before 12/31/92	"; and
"	9902.39.10	Polymin P and polymin P hydrochloride (provided for in subheading 3911.90.50).....	Free	No change	No change	On or before 12/31/92	".

SEC. 422. HYDROCARBON NOVOLAC CYANATE ESTER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.39.11	Hydrocarbon novolac cyanate ester (provided for in subheading 3911.90.30)..	Free	No change	No change	On or before 12/31/92	".

SEC. 423. THEATRICAL, BALLET, AND OPERATIC SCENERY, PROPERTIES, AND SETS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.44.22	Theatrical, ballet, and operatic scenery and properties, including sets (provided for in subheading 4421.90.90, 5907.00.10, 5907.00.90, 9701.10.00, 9706.00.00, or 9813.00.65)....	Free	No change	No change	On or before 12/31/92	".

SEC. 424. WICKER PRODUCTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.46.02	Wicker products (provided for in subheading 4602.10.11, 4602.10.13, 4602.10.19, 4602.10.40, or 4602.10.50).....	Free	No change	No change	On or before 12/31/92	".

SEC. 425. CERTAIN PLASTIC WEB SHEETING.

Subchapter II of chapter 99 is amended—

(1) by adding at the end of the U.S. notes thereto the following new note:

"11. For purposes of heading 9902.56.03, the term 'nonwoven 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 ⅓ of MD tensile strength); and

"(e) a Frazier air permeability of 1.0 to 1.5 cfm per sq. ft."; and

(2) by inserting in numerical sequence the following new heading:

"	9902.56.03	Nonwoven fiber sheet (provided for in subheading 5603.00.90).....	Free	No change	No change	On or before 12/31/92	".

SEC. 426. PROTECTIVE SPORTS APPAREL.

Subchapter II of chapter 99 is amended—

(1) by adding at the end of the U.S. notes thereto the following:

"12. (a) For the purposes of subheading 9902.62.01—

"(1) The term 'sports clothing' refers to:

"(A) ice hockey pants, provided for in subheadings 6113.00, 6114.30, 6210.40, 6210.50, 6211.33 or 6211.43; and

"(B) other articles of sports wearing apparel which because of their padding, fabric, construction, or other special features are specially designed to protect against injury (e.g., from blows, falls, road burns or fire).

"(2) The term 'sports clothing' does not include protective equipment for sports or games such as fencing masks and breast plates, shoulder pads, leg guards, chest protectors, elbow and knee pads, cricket pads and shin guards.

"(b) The column 1 general rate of duty for articles entered under heading 9902.62.01 is a rate equal to the column 1 rate of duty that

would have applied to such articles under the Tariff Schedules of the United States on December 31, 1988."; and

(2) by inserting in numerical sequence the following new heading:

"	9902.62.01	Sports clothing, however provided for in chapters 61 and 62	The rate of duty prescribed in U.S. note 12 to this subchapter...	No change	No change	On or before 12/31/92	".

SEC. 427. ISOINDOLENINE RED PIGMENT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.32.30	Isoindolenine red pigment (CAS No. 71552-60-8) (provided for in subheading 3204.17.30)	Free	No change	No change	On or before 12/31/92	".

SEC. 428. GRIPPING NARROW FABRICS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.58.06	Fastener fabric tapes of man-made fibers (provided for in subheading 5806.10.20)	7%	No change	No change	On or before 12/31/92	".

SEC. 429. IN-LINE ROLLER SKATE BOOTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.64.02	Skating boots for use in the manufacture of in-line roller skates (provided for in subheading 6402.19.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 430. SELF-FOLDING COLLAPSIBLE UMBRELLAS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.66.01	Self-folding telescopic shaft collapsible umbrellas chiefly used for protection against rain (provided for in subheading 6601.91.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 431. GLASS BULBS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.70.11	Monochrome glass envelopes with both (1) gray, tinted, skirted faceplates, and (2) either a video display diagonal of not more than 35.6 centimeters or a transmission level of 37 percent or less (provided for in subheading 7011.20.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 432. DRINKING GLASSES WITH SPECIAL EFFECTS IN THE GLASS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.70.14	Drinking glasses decorated with metal flecking, glass pictorial scenes, or glass thread-like or ribbon-like effects, any of the foregoing embedded or introduced into the body of the glassware prior to its solidification; millefiori glassware (all of the foregoing provided for in subheading 7013.29.10 or 7013.29.20)	6.6%	No change	No change	On or before 12/31/92	
	9902.70.15	Drinking glasses colored prior to solidification, and characterized by random distribution of numerous bubbles, seeds, or stones, throughout the mass of the glass (provided for in subheading 7013.29.10 or 7013.29.20)	20%	No change	No change	On or before 12/31/92	".

SEC. 433. CERTAIN GLASS FIBERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.70.19	Fiberglass rubber reinforcing cord or yarn, made from electrically nonconductive continuous fiberglass filaments 9 microns in diameter or 10 microns in diameter and impregnated with resorcinol formaldehyde latex treatment for adhesion to polymeric compounds (provided for in subheading 7019.10.10, 7019.10.20, or 7019.10.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 434. ARTICLES OF SEMIPRECIOUS STONES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.71.16	Graded semiprecious stones (except rock crystal) strung temporarily for convenience of transport (provided for in subheading 7116.20.20)	2.1%	No change	No change	On or before 12/31/92	".

SEC. 435. LUGGAGE FRAMES OF ALUMINUM.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.76.16	Luggage frames of aluminum (provided for in subheading 7616.90.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 436. MOLTEN-SALT-COOLED ACRYLIC ACID REACTORS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.19	Molten-salt-cooled acrylic acid reactors and their associated parts, accessories and equipment (provided for in subheadings 8419.89.50, 8419.90.30 or 8419.90.90), when imported as an entirety	Free	No change	No change	On or before 12/31/92	".

SEC. 437. CERTAIN PAPER PRODUCTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.48.18	Toilet paper, of cellulose webbing or webs of cellulose fibers, in rolls of a width exceeding 15cm (provided for in subheading 4818.10.00)	3.5%	No change	No change	On or before 12/31/92	
"	9902.48.19	Handkerchiefs, cleansing or facial tissues or towels, all the foregoing of cellulose webbing or webs of cellulose fibers, in rolls of a width exceeding 15cm (provided for in subheading 4818.20.00)	3.5%	No change	No change	On or before 12/31/92	".

SEC. 438. IMPACT LINE PRINTERS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.65	Impact line printers using band drive mechanisms and which are capable of printing speeds of not less than 1,300 lines per minute (provided for in subheading 8471.92.65)	No change	No change	3.75%	On or before 12/31/92	".

SEC. 439. MACHINES USED IN THE MANUFACTURE OF BICYCLE PARTS; CERTAIN BICYCLE PARTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.84.79	Wheelbuilding, wheeltruing, rim punching, tire fitting and similar machines suitable for use in the manufacture of wheels for bicycles (provided for in subheading 8479.89.90)	Free	No change	No change	On or before 12/31/92	"; and
"	9902.87.15	Bicycle handlebar stems wholly of aluminum alloy (including their hardware of any material), valued over $2.15 each (provided for in subheading 8714.99.90)	Free	No change	No change	On or before 12/31/92	
	9902.87.16	Bicycle handlebar stem rotor assemblies (provided for in subheading 8714.99.90)	Free	No change	No change	On or before 12/31/92	".

SEC. 440. MOTOR VEHICLE PARTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.83	Motor vehicle parts, provided for in subheading 7014.00.20 or heading 8483	No change	Free (B) No change (A,C,E,IL)	No change	On or before the date proclaimed by the President providing such duty free entry under such subheading or heading	".

SEC. 441. PARTS OF GENERATORS FOR USE ON AIRCRAFT.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.85.03	Parts of generators suitable for use on aircraft (provided for in subheading 8503.00.60)	Free	No change	No change	On or before 12/31/92	".

SEC. 442. MAGNETIC VIDEO TAPE RECORDINGS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.85.24	Video tape recordings of a width exceeding 6.5mm but not exceeding 16mm, in cassettes of United States origin as certified by the importers, and valued at not over $7.00 per prerecorded cassette unit (provided for in subheading 8524.23.10)	Free	No change	No change	On or before 12/31/92	".

SEC. 443. CERTAIN INFANT NURSERY MONITORS AND INTERCOMS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new headings:

"	9902.85.25	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 (provided for in subheading 8504.40.00 or 8525.20.20)	Free	No change	No change	On or before 12/31/92	
"	9902.85.26	Infant nursery monitor systems, each consisting in the same package of a radio transmitter, an electrical adapter, and a radio receiver (provided for in subheading 8504.40.00, 8525.10.60, 8527.39.00, or 8527.90.80)	Free	No change	No change	On or before 12/31/92	".

SEC. 444. INSULATED WINDING WIRE CABLE.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.85.44	Self-contained fluid filled submarine cable of 345 kilovolts (provided for in subheading 8544.60.40)	Free	No change	No change	On or before 12/31/91	".

SEC. 445. CERTAIN PISTON ENGINES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.84.07	Internal combustion piston-type engines, of a cylinder capacity exceeding 50 cc but not exceeding 1,000 cc (provided for in heading 8407.32.20 or 8407.33.20), to be installed in vehicles specially designed for traveling on snow, golf carts, nonamphibious all-terrain vehicles, and burden carriers, (provided for in subheading 8703.10.00, 8703.21.00 or 8704.31.00).....	Free	No change	No change	On or before 12/31/92	".

SEC. 446. TIMING APPARATUS WITH OPTO-ELECTRONIC DISPLAY ONLY.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.91.06	Apparatus for measuring, recording or otherwise indicating intervals of time, with clock or watch movements, battery or AC powered and with opto-electronic display only (provided for in subheading 9106.90.80).....	3.9% on the apparatus + 5.3% on the battery	No change	No change	On or before 12/31/92	".

SEC. 447. CERTAIN FURNITURE AND SEATS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.94.01	Furniture seats and parts thereof, the foregoing of cane, osier, bamboo or other similar materials, including rattan (provided for in subheading 9401.50.00, 9401.90.25, 9403.80.30, or 9403.90.25).....	Free	No change	No change	On or before 12/31/92	".

SEC. 448. CHRISTMAS ORNAMENTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.95.05	Christmas ornaments other than ornaments of glass or wood (provided for in subheading 9505.10.25).....	Free	No change	No change	On or before 12/31/92	".

SEC. 449. 3-DIMENSIONAL CAMERAS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.90.06	Cameras incorporating 4 fixed lenses which together are capable of producing a 3-dimensional effect (provided for in subheading 9006.53.00)	Free	No change	No change	On or before 12/31/92	".

SEC. 450A. FROZEN CARROTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.07.10	Carrots, frozen (provided for in subheading 0710.80.70)	2.2¢/kg	No change	No change	On or before 12/31/92	".

SEC. 450B. CERTAIN VENEER.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.44.21	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 (provided for in subheading 4421.90.90)	Free	No change	No change	On or before 12/31/92	".

SEC. 450C. PERSONAL EFFECTS AND EQUIPMENT OF PARTICIPANTS AND OFFICIALS INVOLVED IN THE 1990 GOODWILL GAMES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.98.00	Personal effects of aliens who are participants in or officials of the 1990 Goodwill Games, or who are accredited members of delegations thereto, or who are members of the immediate families of any of the foregoing persons, or who are their servants; equipment for use in connection with such games, and other related articles as prescribed by the Secretary of the Treasury	Free	No change	Free	On or before 9/30/90	".

SEC. 450D. PERSONAL EFFECTS AND EQUIPMENT FOR WORLD UNIVERSITY GAMES.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.98.03	Personal effects of aliens who are participants in, or officials of, the 1993 World University Games, who are accredited members of delegations thereto, who are members of the immediate families of any of the foregoing persons, or who are their servants; equipment for use in connection with such games, and such other related articles as may be prescribed by the Secretary of the Treasury..	Free	No change	Free	On or before 9/30/93	".

SEC. 450E. KARATE PANTS AND BELTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.62.04	Karate pants and karate belts (provided for in subheading 6203.42.40, 6203.43.40, 6204.62.40, 6204.63.35, or 6217.10.00)....	8%	No change	No change	On or before 12/31/92	".

SEC. 450F. METALLURGICAL FLUORSPAR.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.25.29	Fluorspar containing by weight 97 percent or less of calcium fluoride (provided for in subheading 2529.21.00).....	Free	No change	No change	On or before 12/31/92	".

PART 2—EXISTING TEMPORARY DUTY SUSPENSIONS

SEC. 461. EXTENSION OF CERTAIN EXISTING SUSPENSIONS OF DUTY.

(a) EXTENSIONS UNTIL JANUARY 1, 1993.—Each of the following subheadings or headings is amended by striking out the date in the effective period column and inserting "12/31/92":

(1) Subheadings 9902.05.10 and 9902.05.11 (relating to crude feathers and down).

(2) Heading 9902.08.07 (relating to fresh cantaloupes).

(3) Heading 9902.09.04 (relating to mixtures of hot red peppers and salt).

(4) Heading 9902.29.04 (relating to p-toluenesulfonyl chloride).

(5) Heading 9902.29.05 (relating to certain menthol feedstocks).

(6) Heading 9902.29.06 (relating to dicofol).

(7) Heading 9902.29.11 (relating to triethylene glycol dichloride).

(8) Heading 9902.29.13 (relating to 2,6-dichlor-obenzaldehyde).

(9) Heading 9902.29.14 (relating to dinocap).

(10) Heading 9902.29.21 (relating to m-hydroxybenzoic acid).

(11) Heading 9902.29.22 (relating to d-6-meth-oxy-α-methyl-2-naphthaleneacetic acid and its sodium salt).
(12) Heading 9902.29.24 (relating to 3-amino-3-methyl-1-butyne).
(13) Heading 9902.29.30 (relating to 8-amino-1-naphthalenesulfonic acid and its salts).
(14) Heading 9902.29.31 (relating to 5-amino-2 (p-aminoanilino) benzenesulfonic acid).
(15) Heading 9902.29.33 (relating to 1-amino-8-hydroxy-3,6-naphthalenedisulfonic acid; and 4-amino-5-hydroxy-2,7-naphthalenedisulfonic acid, monosodium salt (H acid, monosodium salt)).
(16) Heading 9902.29.43 (relating to 1-amino-2,4-dibromoanthraquinone).
(17) Heading 9902.29.44 (relating to bromamine acid).
(18) Heading 9902.29.51 (relating to N-(7-hy-droxy-1-naphthyl)acetamide).
(19) Heading 9902.29.57 (relating to N,N-bis(2-cyanoethyl)aniline).
(20) Heading 9902.29.60 (relating to triallate).
(21) Heading 9902.29.64 (relating to 6-(3-methyl-5-oxo-1-pyrazolyl)-1,3-naphthalenedisulfonic acid (amino-J-pyrazolone) (CAS No. 7277-87-4); and 3-methyl-1-phenyl-5-pyrazolone (methylphenylpyrazolone)).
(22) Heading 9902.29.66 (relating to m-sulfaminopyrazolone (m-sulfamidophenylmethylpyrazolone)).
(23) Heading 9902.29.76 (relating to 2-n-octyl-4-isothiazolin-3-one, and mixtures of 2-n-octyl-4-isothiazolin-3-one and application adjuvants).
(24) Heading 9902.29.79 (relating to 2-amino-N-ethylbenzenesulfonanilide).
(25) Heading 9902.32.04 (relating to methylene blue).
(26) Heading 9902.38.06 (relating to mixtures of dinocap with application adjuvants).
(27) Heading 9902.38.07 (relating to mixtures of mancozeb and dinocap).
(28) Heading 9902.38.08 (relating to mixtures of maneb, zineb, mancozeb, and metiram).
(29) Heading 9902.38.10 (relating to mixtures of 5-chloro-2-methyl-4-isothiazolin-3-one, 2-methyl-4-isothiazolin-3-one, magnesium chloride and stabilizers, whether or not containing application adjuvants).
(30) Heading 9902.38.11 (relating to mixtures of dicofol and application adjuvants).
(31) Heading 9902.39.14 (relating to cholestyramine resin USP).
(32) Headings 9902.40.11, 9902.73.12, 9902.73.15, 9902.85.12, and 9902.87.14 (relating to certain bicycle parts).
(33) Heading 9902.51.01 (relating to certain wools).
(34) Heading 9902.84.42 (relating to certain narrow weaving machines).
(35) Heading 9902.84.45 (relating to certain wool carding and spinning machinery).
(36) Heading 9902.84.48 (relating to certain knitting machines designed for sweater strip or garment length knitting).
(37) Heading 9902.84.50 (relating to certain lace braiding machines).

(38) Heading 9902.29.10 (relating to 6-hydroxy-2-naphthalenesulfonic acid and its sodium, potassium, and ammonium salts).

(39) Heading 9902.29.23 (relating to triphenyl phosphate).

(40) Heading 9902.29.28 (relating to α,α,α-trifluoro-o-toluidine).

(41) Heading 9902.29.35 (relating to 6-amino-4-hydroxy-2-naphthalenesulfonic acid (gamma acid)).

(42) Heading 9902.29.38 (relating to 3,3'-dimethoxybenzidine (o-dianisidine) and its dihydrochloride).

(43) Heading 9902.29.40 (relating to 2-amino-5-nitrophenol).

(44) Heading 9902.29.47 (relating to 4-methoxyaniline-2-sulfonic acid).

(45) Heading 9902.29.49 (relating to benzethonium chloride).

(46) Heading 9902.29.59 (relating to 2,2-bis(4-cyanatophenyl)propane).

(47) Heading 9902.29.62 (relating to paraldehyde).

(48) Heading 9902.29.63 (relating to aminomethylphenylpyrazole).

(49) Heading 9902.29.67 (relating to 3-methyl-1-(p-tolyl)-2-pyrazolin-5-one (p-tolyl methyl pyrazolone)).

(50) Heading 9902.29.69 (relating to 3-methyl-5-pyrazolone).

(51) Heading 9902.29.71 (relating to barbituric acid).

(52) Heading 9902.30.04 (relating to nicotine resin complex).

(53) Heading 9902.36.06 (relating to metaldehyde).

(54) Heading 9902.84.44 (relating to machines designed for heat-set, stretch texturing of continuous man-made fibers).

(55) Heading 9902.84.51 (relating to knitting needles).

(56) Heading 9902.29.27 (relating to tetraamino biphenyl).

(57) Heading 9902.29.88 (relating to cyclosporine).

(58) Heading 9902.26.14 (relating to synthetic rutile).

(59) Heading 9902.57.01 (relating to needlecraft display models, primarily hand stitched, of completed mass-produced kits).

(60) Heading 9902.29.52 (relating to 2,5-dimethoxyacetanilide).

(61) Heading 9902.29.61 (relating to 3-(4'-aminobenzamido)phenyl-β-hydroxyethylsulfone).

(62) Heading 9902.29.25 (relating to 4-chloro-2-nitroaniline).

(63) Heading 9902.29.07 (relating to 2-[(3-nitrophenyl)sulfonyl]ethanol).

(64) Heading 9902.29.42 (relating to 4-chloro-2,5-dimethoxyaniline).

(65) Heading 9902.29.45 (relating to 3,4-diaminophenetole, dihydrogen sulfate).

(66) Heading 9902.29.86 (relating to 2,4-dichloro-5-sulfamoylbenzoic acid).

(67) Heading 9902.25.04 (relating to graphite).

(68) Headings 9902.29.01 and 9902.37.07 (relating to photographic color couplers and coupler intermediates).

(69) Heading 9902.95.01 (relating to stuffed dolls and doll skins).

(b) EXTENSION UNTIL DATE OTHER THAN JANUARY 1, 1993.—Heading 9902.61.00 (relating to certain knitwear fabricated in Guam) is amended by striking out "10/31/92" and inserting "10/31/96".

SEC. 462. EXTENSION OF, AND OTHER MODIFICATIONS TO, CERTAIN EXISTING SUSPENSIONS OF DUTY.

(a) CORNED BEEF IN AIRTIGHT CONTAINERS.—Heading 9902.16.02 is amended—

(1) by striking out "3%" and inserting "Free"; and

(2) by striking out "12/31/89" and inserting "12/31/92".

(b) SURGICAL GOWNS AND DRAPES.—Heading 9902.62.10 is amended to read as follows:

"	9902.62.10	Spunlaced or bonded fiber fabric disposable gowns of manmade fibers intended for use during surgical procedures (provided for in subheading 6210.10.40) and spunlaced or bonded fiber fabric disposable surgical drapes of manmade fibers (provided for in subheading 6307.90.70)..	5.6%	No change (E*, IL) 3.3% (CA)	26.5%	On or before 12/31/92, except that in the case of goods originating in the territory of Canada, the effective period is on or before 12/31/98	".

(c) CERTAIN JEWELRY.—Heading 9902.71.13 is amended—

(1) by amending the article description to read as follows: "Toy jewelry provided for in subheading 7117.19.10, 7117.19.50, 7117.90.40 (except parts) or 7117.90.50 (except parts) valued not over 5¢ per piece; and articles (except parts) provided for in heading 9502, 9503, or 9504 or subheading 9505.90 (except balloons, marbles, dice, and diecast vehicles), valued not over 5¢ per unit"; and

(2) by striking out "12/31/90" and inserting "12/31/92".

(d) ELECTROSTATIC COPYING MACHINES.—Heading 9902.90.90 is amended—

(1) by inserting "and accessories," after "Parts,";

(2) by inserting ", and parts and accessories and accessory and auxiliary machines which are intended for attachment to an electrostatic photocopier and which do not operate independently of such photocopier (provided for in subheading 8472.90.80)" after "(provided for in subheading 9009.90.00)", and

(3) by striking out "12/31/90" and inserting "12/31/92".

(e) CERTAIN HOSIERY KNITTING MACHINES.—Heading 9902.84.47 is amended—

(1) by striking out "12/31/90" and inserting in lieu thereof "12/31/92",

(2) by striking out "single cylinder fine gauge and all double cylinder" and inserting in lieu thereof "and parts thereof", and

(3) by striking out "or 8447.20.60" and inserting in lieu thereof ", 8447.20.60, or 8448.59.10".

(f) JACQUARD CARDS.—

(1) EXISTING SUSPENSION.—Heading 9902.48.23 is amended—

(A) by striking out "4823.90.85" in the article description and inserting in lieu thereof "3926.90.90, 4823.30.00, 4823.90.85,", and

(B) by striking out "12/31/90" and inserting "12/31/92".

(2) CARDS TO BE USED AS JACQUARD CARDS.—Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9902.39.27	Cards, not punched, suitable for use as, or in making, jacquard cards (provided for in subheading 3926.90.90, 4823.30.00, or 4823.90.85)	Free	No change	No change	On or before 12/31/92	".

(g) KITCHENWARE OF GLASS-CERAMICS.—Heading 9902.70.13 is amended—

(1) by striking out the article description and inserting: "Kitchenware of glass-ceramics, with handles measuring less than 5.1 cm in length, if any, nonglazed, black in color, greater than 75 percent by volume crystalline, of lithium aluminosilicate, having a linear coefficient of expansion not exceeding 10×10^{-7} per Kelvin within a temperature range of 0°C to 300°C, transparent, haze-free, exhibiting transmittances of infrared radiations in excess of 75 percent at a wavelength of 2.5 microns when measured on a sample 3 mm in thickness, and containing β-quartz solid solution as the predominant crystal phase (provided for in subheading 7013.10.10)", and

(2) by striking "12/31/90" and inserting "12/31/92".

(h) UMBRELLA FRAMES AND PARTS.—Heading 9902.66.03 is amended—

(1) by inserting ", umbrella handles and knobs (provided for in subheading 6603.10.00), and umbrella tips and caps (provided for in subheading 6603.90.00)" after "(provided for in subheading 6603.20.30)", and

(2) by striking out "12/31/90" and inserting "12/31/92".

(i) TERFENADONE.—Heading 9902.29.74 is amended—

(1) by striking out "2933.90.37" and inserting "2933.39.47", and

(2) by striking out "12/31/90" and inserting "12/31/92".

(j) TOY FIGURES.—

(1) Heading 9902.95.02 is amended—

(A) by striking out "toy figures of animate objects (except dolls)" and inserting "toys representing animals or nonhuman creatures,"; and

(B) by striking out "12/31/90" and inserting "12/31/92".

(2) Heading 9902.95.03 is repealed.

(3) Heading 9902.95.04 is amended—

(A) by striking out "toy figures of animate or inanimate objects" and inserting "toys representing animals or nonhuman creatures"; and

(B) by striking out "12/31/90" and inserting "12/31/92".

(4) U.S. note 6 of subchapter II of chapter 99 is amended to read as follows:

"6. For purposes of heading 9902.95.02, the term 'filled' includes toy figures which are not completely filled or are filled with materials

such as plastic beads or crushed nutshells but which otherwise possess the characteristics of toy figures classifiable as 'stuffed'.".

SEC. 463. TERMINATION OF EXISTING SUSPENSION OF DUTY ON C-AMINES.

Heading 9902.29.29 is repealed.

Subtitle B—Other Tariff and Miscellaneous Provisions

PART 1—TARIFF CLASSIFICATION AND OTHER TECHNICAL AMENDMENTS

SEC. 471. CERTAIN EDIBLE MOLASSES.

Additional U.S. notes 2, 3, and 4 of chapter 17 are amended by striking out "1702.90.40," each place it appears therein.

SEC. 472. CERTAIN WOVEN FABRICS AND GAUZE.

(a) WOVEN FABRICS OF CARDED WOOL OR CARDED FINE ANIMAL HAIR.—Heading 5111 of chapter 51 is amended—

(1) by striking subheadings 5111.11.10 and 5111.11.60 and inserting the following new subheadings with the article description for subheading 5111.11.20 and the superior heading for subheadings 5111.11.30 and 5111.11.70 each having the same degree of indentation as the article description in subheading 5111.19.10:

"	5111.11.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%	";
"		Other:				
	5111.11.30	Hand-woven, with a loom width of less than 76 cm	17.6¢/kg + 12.5%	5.3¢/kg + 3.8% (IL) 14¢/kg + 10% (CA)	$1.10/kg + 60%	
	5111.11.70	Other	36.1%	9.9% (IL) 28.8% (CA)	68.5%	";

(2) by inserting after subheading 5111.20.05 the following new subheading with the article description having the same degree of indentation as the article description in subheading 5111.20.05:

"	5111.20.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%	";

(3) by inserting after subheading 5111.30.05 the following new subheading with the article description having the same degree of indentation as the article description in subheading 5111.30.05:

"	5111.30.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%	";

and

(4) by striking out subheading 5111.90.60 and inserting the following new subheadings with the superior heading for subheadings 5111.90.40, 5111.90.50 and 5111.90.70 having the same degree of indentation as the article description for subheading 5111.90.30:

"		Other:				
	5111.90.40	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%	
	5111.90.50	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%	
	5111.90.70	Other	33%	9.9% (IL) 26.4% (CA)	68.5%	".

(b) WOVEN FABRICS OF COMBED WOOL OR OF COMBED FINE ANIMAL HAIR.—Heading 5112 of chapter 51 is amended by striking out subheadings 5112.11.00 through 5112.90.60, inclusive, and inserting the following with the article descriptions for subheadings 5112.11 and 5112.19 having the same degree of indentation as the article description in subheading 5111.90.30, with the article descriptions for subheadings 5112.20, 5112.30, and 5112.90 each having the same degree of indentation as the article description in subheading 5111.90 and with the superior heading to subheadings 5112.90.40, 5112.90.50, and 5112.90.60 having the same degree of indentation as subheading 5111.90.30:

"	5112.11	Of a weight not exceeding 200 g/m²:			
	5112.11.10	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
	5112.11.20	Other	36.1%	9.9% (IL) 28.8% (CA)	68.5%
	5112.19	Other:			
	5112.19.10	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
	5112.19.60	Other	36.1%	9.9% (IL) 28.8% (CA)	68.5%
	5112.20	Other, mixed mainly or solely with man-made filaments:			
	5112.20.10	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
	5112.20.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
	5112.20.30	Other	48.5¢/ kg+38%	14.4¢/ kg+11.4% (IL) 38.8¢/ kg+30.4% (CA)	48.5¢/ kg+68.5%
	5112.30	Other, mixed mainly or solely with manmade staple fibers:			
	5112.30.10	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
	5112.30.20	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%

5112.30.30	Other	48.5¢/kg+38%	14.4¢/kg+11.4% (IL) 38.8¢/kg+30.4% (CA)	48.5¢/kg+68.5%
5112.90	Other:			
5112.90.30	Containing 30 percent or more by weight of silk or silk waste, valued over $33/kg	7.8%	2.3% (IL) 6.2% (CA)	80%
	Other:			
5112.90.40	Tapestry fabrics and upholstery fabrics of a weight exceeding 300 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
5112.90.50	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
5112.90.60	Other	33%	2.6% (IL) 26.4% (CA)	68.5%

".

(c) GAUZE.—Chapter 58 is amended by striking out subheading 5803.90.10 and inserting the following with the superior heading to subheadings 5803.90.11 and 5803.90.12 having the same degree of indentation as the article description for subheading 5803.90.20:

"

	Of wool or fine animal hair:			
5803.90.11	Tapestry fabrics and upholstery fabrics of a weight not exceeding 140 g/m²	7%	2.1% (IL) 5.6% (CA)	68.5%
5803.90.12	Other	33%	9.9% (IL) 26.4% (CA)	68.5%

".

SEC. 473. CLASSIFICATION OF CERTAIN ARTICLES IN WHOLE OR PART OF FABRICS COATED, COVERED, OR LAMINATED WITH OPAQUE RUBBER OR PLASTICS.

Chapter 42 is amended—

(1) by striking out "Additional U.S. Note" and inserting "Additional U.S. Notes"; and

(2) by inserting after additional U.S. note 1 the following: "2. For purposes of classifying articles under subheadings 4202.12, 4202.22, 4202.32, and 4202.92, articles of textile fabric impregnated, coated, covered or laminated with plastics (whether compact or cellular) shall be regarded as having an outer surface of textile material or of plastic sheeting, depending upon whether and the extent to which the textile constituent or the plastic constituent makes up the exterior surface of the article.".

SEC. 474. GLOVES, MITTENS, AND MITTS.

(a) ICE AND FIELD HOCKEY GLOVES.—

(1) Chapter 61 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6116.10.10:

"

6116.10.05	Ice hockey gloves and field hockey gloves	Free		25%

".

(2) Chapter 61 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6116.92.10:

"	6116.92.05	Ice hockey gloves and field hockey gloves	Free		45% ".

(3) Chapter 61 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6116.93.10:

"	6116.93.05	Ice hockey gloves and field hockey gloves	Free		45% ".

(4) Chapter 61 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6116.99.30:

"	6116.99.20	Ice hockey gloves and field hockey gloves	Free		45% ".

(5) Chapter 62 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6216.00.10:

"	6216.00.05	Ice hockey gloves and field hockey gloves	Free		25% ".

(6) Chapter 62 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6216.00.34:

"	6216.00.33	Ice hockey gloves and field hockey gloves	Free		45% ".

(7) Chapter 62 is amended by inserting in numerical sequence the following new subheading, with the article description having the same degree of indentation as the article description for subheading 6216.00.44:

"	6216.00.43	Ice hockey gloves and field hockey gloves	Free		45% ".

(b) OTHER SPORTS GLOVES.—The article descriptions in subheadings 6116.10.50, 6216.00.23, 6216.00.29 and 6216.00.47 are each amended to read as follows: "Other gloves, mittens, and mitts, specially designed for use in sports".

SEC. 475. CHIPPER KNIFE STEEL.

Subchapter XV of chapter 72 is amended by striking out subheadings 7226.91.10 and 7226.91.30 and inserting the following with the article description for subheading 7226.91.05 having the same degree of indentation as that of subheading 7226.91.50:

"	7226.91.05	Of chipper knife steel	Free		34%
		Other:			
	7226.91.15	Of a width of 300mm or more	9.6%	Free (E, IL) 7.6% (CA)	29%
	7226.91.25	Of a width of less than 300mm	11.6%	Free (E, IL) 9.2% (CA)	34% ".

SEC. 476. ELIMINATION OF INVERTED TARIFF ON CANTILEVER BRAKES AND BRAKE PARTS FOR BICYCLES.

The following provisions are amended as follows:

(1) Subheading 8714.94.20 is amended by striking out "Caliper brakes" and inserting "Caliper and cantilever bicycle brakes and parts thereof".

(2) Heading 9902.73.12 is amended by inserting "and cantilever bicycle" immediately after "caliper".

(3) Heading 9902.87.14 is amended by inserting "and cantilever bicycle brakes," immediately after "Caliper".

SEC. 477. BICYCLES HAVING 26-INCH WHEELS.

Chapter 87 is amended—

(1) by striking out "65 cm" in subheadings 8712.00.10 and 8712.00.20 and inserting "63.5 cm"; and

(2) by striking out "4 cm" in subheading 8712.00.20 and inserting "4.13 cm".

SEC. 478. PROCESSING OF CERTAIN BLENDED SYRUPS.

(a) IN GENERAL.—U.S. note 2 to subchapter IV of chapter 99 is amended by adding at the end thereof the following:

"(e) Blended syrups of heading 9904.50.20, if entered from a 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 an amount of sugar of nondomestic origin greater than that authorized by the Foreign Trade Zones Board for processing in such zone during calendar year 1985.".

(b) EFFECTIVE DATE.—The amendments made by this section shall plies with respect to articles entered, or withdrawn from warehouse for consumption, after December 31, 1988.

SEC. 479A. ARTICLES EXPORTED AND RETURNED.

The U.S. notes to subchapter II of chapter 98 are amended by adding at the end thereof the following new note:

"6. Notwithstanding the partial exemption from ordinary customs duties on the value of the metal product exported from the United States provided under subheading 9802.00.60, articles imported under subheading 9802.00.60 are subject to all other duties, and any other restrictions or limitations, imposed pursuant to title VII of the Tariff Act of 1930 (19 U.S.C. 1671 et seq.), or chapter 1 of title II or chapter 1 of title III of the Trade Act of 1974 (19 U.S.C. 2251 et seq., 19 U.S.C. 2411 et seq.).".

SEC. 479B. BROOMS.

(a) IN GENERAL.—Chapter 96 is amended—

(1) by inserting "wholly or in part" after "Whiskbrooms," in the superior article description for subheading 9603.10.10; and

(2) by inserting "wholly or in part" after "Other brooms," in the superior article description for subheading 9603.10.40.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to articles entered or withdrawn from warehouse for consumption on or after the date that is 15 days after the date of enactment of this Act.

SEC. 479C. FOLIAGE-TYPE ARTIFICIAL FLOWERS.

Subheading 6702.90.40 is amended by striking out "Artificial flowers, of" in the article description and inserting in lieu thereof "Of".

PART 2—MISCELLANEOUS PROVISIONS

SEC. 481. RENEWAL OF EXISTING CUSTOMS EXEMPTION APPLICABLE TO BICYCLE PARTS IN FOREIGN TRADE ZONES.

Section 3(b) of the Act of June 18, 1934 (commonly known as the Foreign Trade Zones Act, 19 U.S.C. 81c(b)), is amended by striking out "before January 1, 1991" and inserting in lieu thereof "on or before December 31, 1992".

SEC. 482. RAIL CARS FOR THE STATE OF FLORIDA.

Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the Secretary of the Treasury shall admit free of duty each bilevel rail passenger car that was—

(1) entered after March 14, 1988, and before January 1, 1989, and classified under item 690.15 of the Tariff Schedules of the United States (19 U.S.C. 1202); and

(2) designed for, and is for the use of, the Department of Transportation of the State of Florida.

If the liquidation of the entry of any such rail car has become final before the date of the enactment of this Act, the entry shall, notwithstanding any other provision of law, be reliquidated in accordance with the provisions of this Act and the appropriate refund of duty made.

SEC. 483. RELIQUIDATION OF CERTAIN ENTRIES.

(a) CERTAIN ANTIDUMPING DUTIES.—(1) Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law and subject to paragraph (2), the entries listed in paragraph (3) shall be reliquidated, without liability of the importer of record for antidumping duties, and if any such duty has been paid, either through liquidation or compromise under section 617 of the Tariff Act of 1930 (19 U.S.C. 1617), refund thereof shall be made within 90 days after reliquidation.

(2) Reliquidation may be made under paragraph (1) with respect to an entry only if a request therefor is filed with the appropriate customs officer within 180 days after the date of the enactment of this Act that contains sufficient information to enable the Customs Service—

(A) to locate the entry; or

(B) to reconstruct the entry if it cannot be located.

(3) The entries referred to in paragraph (1) are as follows:

Entry number	Date of entry
74-222089	May 7, 1974.
74-225275	June 17, 1974.
76-237223	July 9, 1976.
76-247178	October 1, 1976.
79-251251	September 11, 1979.
80-223851	October 9, 1979.
80-224447	November 27, 1979.
80-224448	November 27, 1979.
80-225842	April 29, 1980.
80-225843	April 29, 1980.
80-225844	April 29, 1980.

Entry number	Date of entry
80-225845	April 29, 1980.
80-226742	August 13, 1980.
80-226743	August 13, 1980.

(b) DIGITAL PROCESSING UNITS.—(1) Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer within 180 days after the date of the enactment of this Act, any entry of a processing unit that—

(A) was entered under item 676.15 or 676.54 of the Tariff Schedules of the United States;

(B) would not, if classified under item 675.15, have been subject to temporary duties under item 945.83 or 945.84 of the Appendix to such Schedules; and

(C) was made after January 16, 1986, and before July 2, 1987;

shall be liquidated or reliquidated as free of duty and the Secretary of the Treasury shall refund any duties paid with respect to such entry.

(2) For purposes of this subsection, the term "processing unit" means a digital processing unit for an automated data processing machine, unhoused, consisting of a printed circuit (single or multiple) with one or more electronic integrated circuits or other semiconductor devices mounted directly thereon.

(c) CERTAIN OTHER ENTRIES.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer within 180 days after the date of the enactment of this Act—

(1) any entry of 1-(3-sulfopropylpyridinium hydroxide (provided for in item 406.39 of the Tariff Schedules of the United States (19 U.S.C. 1202)) that occurred after September 30, 1988, and before January 1, 1989, shall be reliquidated as free of duty; and

(2) any entry of brussels sprouts (provided for in item 903.29 of such Schedules (19 U.S.C. 1202)) that occurred after December 31, 1987, and before November 11, 1988, shall be liquidated at the rate of 12.5 percent ad valorem.

SEC. 484. PROTEST RELATING TO CERTAIN ENTRIES.

For purposes of section 514 of the Tariff Act of 1930 (19 U.S.C. 1514), and notwithstanding any other provision of law, Protest Numbered 1801-000027 shall be deemed to have been filed with the appropriate customs officer within 90 days of the liquidation of entries 81-103533-2 and 81-103789-3.

SEC. 484A. SUBSTITUTION OF CRUDE PETROLEUM OR PETROLEUM DERIVATIVES.

(a) IN GENERAL.—Section 313 of the Tariff Act of 1930 (19 U.S.C. 1313) is amended by adding at the end thereof the following new subsection:

"(p) SUBSTITUTION OF CRUDE PETROLEUM OR PETROLEUM DERIVATIVES.—

"(1) Notwithstanding any other provision of this section, in the case of articles, described in headings 2707 through 2715, 2901 and 2902, or 3901 through 3914 (limited to liquids, pastes, powders, granules, and flakes) of the Harmonized Tariff Schedule of the United States, that—

"(A) are—

"(i) manufactured or produced under subsection (a) or (b) from crude petroleum or petroleum derivatives, or

"(ii) imported duty-paid, and

"(B) are stored in common storage with other articles of the same kind and quality that are otherwise manufactured or produced,

drawback shall be paid on the articles withdrawn for export from such common storage (regardless of the source or origination of the articles withdrawn), if the requirements described in paragraph (2) are met.

"(2) The requirements of this paragraph are met if—

"(A) inventory records kept on a calendar month basis (not on a daily or transaction-by-transaction basis) demonstrate sufficient quantities of imported duty-paid articles or articles manufactured or produced under subsection (a) or (b) in the common storage against which such withdrawal is designated;

"(B) such inventory records reflect deliveries to and withdrawals from such common storage that assure that the drawback paid does not exceed the amount of drawback that would be payable under this section had all of the articles withdrawn from common storage been imported duty-paid or manufactured or produced under subsection (a) or (b);

"(C) certificates of delivery or certificates of manufacture and delivery, establishing the drawback eligibility of the imported duty-paid articles or articles manufactured or produced under subsection (a) or (b), when required, are filed with the drawback entry; and

"(D) the inventory records of the operator of such common storage are, upon reasonable notice, available to the Customs Service.

"(3) For purposes of this subsection—

"(A) The term 'common storage' includes all articles of the same kind and quality stored at a single facility regardless of the number of bins, tanks, or other containers used.

"(B) The term 'same kind and quality' means articles that are commercially interchangeable or that are referred to under the same eight-digit classification of the Harmonized Tariff Schedule of the United States.

"(C) The term 'single facility' means all storage units under the control and recordkeeping of a single operator adjacent to a manufacturing plant, refinery, warehouse complex, terminal area, airport, bunkering facility, or similar facility.".

(b) TECHNICAL CORRECTION.—Subsection (b) of section 309 of the Tariff Act of 1930 (19 U.S.C. 1309) is amended by inserting "imported articles," after "foreign-trade zone,".

Claims.
19 USC 1309 note.

(c) EFFECTIVE DATE.—Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, the amendments made by this section shall apply to—

(1) claims filed or liquidated on or after January 1, 1988, and

(2) claims that are unliquidated, under protest, or in litigation on the date of enactment of this Act.

SEC. 484B. AGGLOMERATE MARBLE FLOOR TILES.

Chapter 68 is amended by striking out subheading 6810.19.10 and inserting the following new subheadings with the article descriptions for such subheadings having the same degree of indentation as the article description for subheading 6804.22.60:

"		Floor and wall tiles:				
	6810.19.12	Agglomerate marble tiles ..	4.9%	Free (A, E, IL) 4.2% (CA)	40%	
	6810.19.14	Other.....	21%	Free (A, E, IL) 12.6% (CA)	55%	".

SEC. 484C. PARTS OF IONIZATION SMOKE DETECTORS.

Chapter 90 is amended by inserting in numerical sequence the following new subheading with the article description having the same degree of indentation as the article description in subheading 9022.90.60:

"	9022.90.70	Of smoke detectors, ionization type.....	2.7%	Free (A, B, E, IL) 2.1% (CA)	35%	".

SEC. 484D. NUCLEAR MAGNETIC SPECTROMETER.

The Secretary of the Treasury shall admit free of duty a Phillips Medical Systems 4 tesla nuclear magnetic resonance (NMR) spectrometer for the use of the University of Alabama at Birmingham. If the liquidation of the entry of the spectrometer becomes final before the date of the enactment of this Act, the Secretary of the Treasury, notwithstanding any other provisions of law, shall—

(1) within 15 days after such date, reliquidate the entry in accordance with the provisions of this Act, and

(2) at the time of such reliquidation, make the appropriate refund of any duty paid with respect to the entry.

SEC. 484E. FOREIGN REPAIR OF VESSELS.

(a) IN GENERAL.—Section 466 of the Tariff Act of 1930 (19 U.S.C. 1466) is amended by adding at the end thereof the following new subsection:

"(h) The duty imposed by subsection (a) of this section shall not apply to—

"(1) the cost of any equipment, or any part of equipment, purchased for, or the repair parts or materials to be used, or the expense of repairs made in a foreign country with respect to, LASH (Lighter Aboard Ship) barges documented under the laws of the United States and utilized as cargo containers, or

"(2) the cost of spare repair parts or materials (other than nets or nettings) which the owner or master of the vessel certifies are intended for use aboard a cargo vessel, documented under the laws of the United States and engaged in the foreign or coasting trade, 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 paid under appropriate commodity classifications of the Harmonized Tariff Schedule of the United States upon first entry into the United States of each such spare part purchased in, or imported from, a foreign country.".

19 USC 1466 note.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to—

(1) any entry made before the date of enactment of this Act that is not liquidated on the date of enactment of this Act, and

(2) any entry made—

(A) on or after the date of enactment of this Act, and

(B) on or before December 31, 1992.

SEC. 484F. CERTAIN DISTILLED SPIRITS IN FOREIGN TRADE ZONES.

Subsection (c) of section 3 of the Act of June 18, 1934 (commonly known as the Foreign Trade Zones Act, 48 Stat. 999, chapter 590; 19 U.S.C. 81c(c)) is amended—

(1) by striking out "domestic" before "denatured distilled spirits",

(2) by inserting "which have been withdrawn free of tax from a distilled spirits plant (within the meaning of section 5002(a)(1) of the Internal Revenue Code of 1986)" after "distilled spirits",

(3) by striking out "Notwithstanding" and inserting in lieu thereof "(1) Notwithstanding", and

(4) by adding at the end thereof the following new paragraph:

"(2) Notwithstanding the provisions of the fifth proviso of subsection (a), distilled spirits which have been removed from a distilled spirits plant (as defined in section 5002(a)(1) of the Internal Revenue Code of 1986) upon payment or determination of tax may be used in the manufacture or production of medicines, medicinal preparation, food products, flavors, or flavoring extracts, which are unfit for beverage purposes, in a zone. Such products will be eligible for drawback under the internal revenue laws under the same conditions applicable to similar manufacturing or production operations occurring in customs territory.".

SEC. 484G. ETHYL TERTIARY-BUTYL ETHER.

(a) IN GENERAL.—Subchapter I of chapter 99 is amended by inserting in numerical sequence the following new heading:

"	9901.00.52	Ethyl tertiary-butyl ether (provided for in subheading 2909.19.10) and any mixture containing ethyl tertiary-butyl ether ...	6.66¢/liter	No change (A, E, IL) 5.29¢/liter (CA)	6.66¢/liter	The earlier of 12/31/92, or the date on which Treasury regulation § 1.40–1 is withdrawn or declared invalid	".

(b) STAGED RATE REDUCTION.—Any staged reduction of a rate of duty set forth in heading 9901.00.50 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before the date of enactment of this Act and would otherwise take effect after the date of enactment of this Act shall also apply to the

corresponding rates of duty set forth in subheading 9901.00.52 of such Schedule.

(c) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act.

SEC. 484H. CANADIAN LOTTERY MATERIAL.

(a) IN GENERAL.—Section 553 of the Tariff Act of 1930 (19 U.S.C. 1553) is amended—

(1) by striking out "Any merchandise" and inserting "(a) Any merchandise"; and

(2) by adding at the end thereof the following new subsection:

"(b) Notwithstanding subsection (a), the entry for transportation in bond through the United States of any lottery ticket, printed paper that may be used as a lottery ticket, or any advertisement of any lottery, that is printed in Canada, shall be permitted without appraisement or the payment of duties under such regulations as the Secretary of the Treasury may prescribe, except that such regulations shall not permit the transportation of lottery materials in the personal baggage of a traveler.".

(b) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 15 days after the date of enactment of this Act. 19 USC 1553 note.

SEC. 484I. CERTAIN FORGINGS.

Notwithstanding sections 304 and 514 of the Tariff Act of 1930 or any other provision of law, the Secretary of the Treasury, within 180 days after the date of the enactment of this Act, shall, upon request filed with the appropriate customs officer, reliquidate entries numbered 85414397-7, 85414495-0, 85414647-9, 85414649-5, 85414983-2, 85414995-5, 85415031-3, 85415122-8, 85415244-7, 85415496-6, 85415619-7, 85415683-8, and 85415828-9, filed at the Port of Portland, Oregon, and, upon such reliquidation, shall refund the additional marking duties that were collected upon such entries pursuant to such section 304.

SEC. 484J. CERTAIN EXTRACORPOREAL SHOCK WAVE LITHOTRIPTER.

Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon request filed with the appropriate customs officer within 180 days after the date of enactment of this Act, entry numbered 86-707943-6, dated November 10, 1985, shall be reliquidated as duty-free and any duties paid with respect to such entry shall be refunded.

SEC. 484K. CERTAIN METHANOL ENTRIES.

Notwithstanding section 514 or 520 of the Tariff Act of 1930 or any other provision of law, the Secretary of the Treasury shall—

(1) reliquidate as free of duty—

(A) Entry No. 85322102-3, dated June 21, 1985, and

(B) Entry No. 85603168-9, dated September 20, 1985, made at New York, New York, that consists of methanol, and

(2) refund any duties paid with respect to such entries,

if the appropriate certification of actual use for such entries is submitted to the appropriate customs officer by no later than the date that is 180 days after the date of enactment of this Act.

SEC. 484L. CERTAIN FROZEN VEGETABLES.

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon request filed with the appropriate customs officer within 180 days after the date of enactment of this Act, the Secretary of the Treasury shall—

(1) liquidate or reliquidate as free of duty any entry, or withdrawal from warehouse for consumption, made after December 31, 1989, and before May 1, 1990, of—

(A) cut and frozen green beans (provided for in subheading 0710.22.40 of the Harmonized Tariff Schedule of the United States), or

(B) frozen and off the cob whole kernel sweet corn (provided for in subheading 0710.40.00 of such Schedule),

that is the product of a foreign country to which nondiscriminatory (most-favored-nation) tariff treatment applies, and

(2) refund any duties paid with respect to such entry or withdrawal.

SEC. 484M. CERTAIN FILMS AND RECORDINGS.

Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon request filed with the appropriate customs officer within 180 days of the date of enactment of this Act, any entry, or withdrawal from warehouse for consumption, of any article described in items 960.50 through 960.70 of the Appendix to the Tariff Schedules of the United States (as in effect on August 11, 1985) which was made after August 11, 1985, and before January 1, 1987, shall be liquidated or reliquidated as though such entry or withdrawal had been made on August 11, 1985 and the Secretary of the Treasury shall make the appropriate refund of any duties paid with respect to such entry or withdrawal.

SEC. 485. EFFECTIVE DATES.

19 USC 81c note.

(a) IN GENERAL.—Except as otherwise provided in this title, the amendments made by this title shall apply with respect to articles entered, or withdrawn from warehouse for consumption, on or after October 1, 1990.

(b) RETROACTIVE APPLICATION FOR CERTAIN LIQUIDATIONS AND RELIQUIDATIONS.—

(1) Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer after September 30, 1990, and before April 1, 1991, any entry—

(A) which was made after the applicable date and before October 1, 1990, and

(B) with respect to which there would have been no duty, or a lesser duty, if any amendment made by section 311, 312, 377, 419, 423, 426, 428, 432, 434, 436, 438, 440, 441, 442, 445, 446, 450A, 461(a)(36), 462(d), 472, 474, 475, 477, 479C, 484B, or 484C applied to such entry,

shall be liquidated or reliquidated as though such amendment applied to such entry.

(2) For purposes of this title—

(A) The term "applicable date" means—

(i) if such amendment is made by section 442, December 31, 1987,

(ii) if such amendment is made by section 438, October 1, 1988,

(iii) if such amendment is made by section 311, 312, 377, 419, 426, 428, 432, 434, 440, 441, 445, 446, 450A, 462(d), 472, 474, 475, 477, 479C, 484B, or 484C, December 31, 1988,

(iv) if such amendment is made by section 436, July 1, 1989,

(v) if such amendment is made by section 461(a)(36), December 31, 1989, and

(vi) if such amendment is made by section 423, January 31, 1990.

(B) The term "entry" includes any withdrawal from warehouse.

(C) The term "entered" means entered, or withdrawn from warehouse for consumption, in the customs territory of the United States.

(c) CORNED BEEF.—Notwithstanding section 514 of the Tariff Act of 1930 or any other provision of law, upon proper request filed with the appropriate customs officer after September 30, 1990, and before April 1, 1991, any entry of corned beef in airtight containers—

(1) described in subheading 9902.16.02,

(2) to which the column 1 general rate of duty in effect on December 31, 1989 would have applied if entry had been made on such date, and

(3) that was entered after December 31, 1989, and before October 1, 1990,

shall be liquidated or reliquidated at the column 1 general rate of duty in subheading 9902.16.02 in effect on December 31, 1989, and the Secretary of the Treasury shall refund any duties paid with respect to such entry in excess of such column 1 general rate.

(d) STAGED RATE REDUCTIONS FOR CERTAIN GOODS.—

(1) Any staged reductions of a special rate of duty set forth in subheading 5111.19.10 of the Harmonized Tariff Schedule of the United States that were proclaimed by the President before October 1, 1990, and are scheduled to take effect on or after October 1, 1990, also apply to the corresponding special rates of duty set forth in subheadings 5111.11.20, 5111.20.10, 5111.30.10, 5111.90.40, 5111.90.50, 5112.11.10, 5112.20.10, 5112.20.20, 5112.30.10, 5112.30.20, 5112.90.40, 5112.90.50, and 5803.90.11 (relating to certain woven fabrics and gauze) of such Schedule (as added by section 472).

(2) Any staged rate reduction proclaimed by the President before October 1, 1990, that—

(A) would take effect on or after October 1, 1990; and

(B) would, but for any amendment made by section 472 (relating to certain woven fabrics) or 475 (relating to chipper knife steel), apply to a special rate of duty set forth in any subheading of the Harmonized Tariff Schedule of the United States that is listed in column A;

applies to the corresponding special rate of duty set forth in the subheading of such Schedule that is listed in column B opposite such column A subheading:

Column A	Column B
5111.11.10	5111.11.30
5111.11.60	5111.11.70
5111.90.60	5111.90.70
5112.11.00	5112.11.20
5112.20.00	5112.20.30

5112.30.00	5112.30.30
5803.90.10	5803.90.12
7226.91.10	7226.91.15
7226.91.30	7226.91.25

(3) The amendments made by section 472 shall not affect any staged reductions of a rate of duty set forth in subheadings 5112.19.10, 5112.19.60, 5112.90.30, 5112.90.60 of the Harmonized Tariff Schedule of the United States that were proclaimed by the President before October 1, 1990, and are scheduled to take effect on or after October 1, 1990.

(4)(A) Any staged reductions of a special rate of duty set forth in subheading 6810.19.10 of the Harmonized Tariff Schedule of the United States that were proclaimed by the President before October 1, 1990, and are scheduled to take effect on or after October 1, 1990, shall apply to the corresponding special rate of duty in subheading 6810.19.14.

(B) Any staged reductions of a special rate of duty set forth in subheading 3926.90.90 of the Harmonized Tariff Schedule of the United States that were proclaimed by the President before October 1, 1990, and are scheduled to take effect on or after October 1, 1990, shall apply to the corresponding special rate of duty in subheading 6810.19.12.

(5) Any staged reductions of a special rate of duty set forth in subheading 9022.29.40 of the Harmonized Tariff Schedule of the United States that was proclaimed by the President before October 1, 1990, and are scheduled to take effect on or after October 1, 1990, also apply to the corresponding special rate of duty set forth in subheading 9022.90.70.

Forest Resources Conservation and Shortage Relief Act of 1990.

TITLE IV—EXPORTS OF UNPROCESSED TIMBER

16 USC 620 note.

SEC. 487. SHORT TITLE.

This title may be cited as the "Forest Resources Conservation and Shortage Relief Act of 1990".

16 USC 620.

SEC. 488. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Timber is essential to the United States.

(2) Forests, forest resources, and the forest environment are exhaustible natural resources that require efficient and effective conservation efforts.

(3) In the interest of conserving those resources, the United States has set aside millions of acres of otherwise harvestable timberlands in the western United States, representing well over 100,000,000,000 board feet of otherwise harvestable timber.

(4) In recent years, administrative, statutory, or judicial action has been taken to set aside an increased amount of otherwise harvestable timberlands for conservation purposes.

(5) In the next few months and years, additional amounts of otherwise harvestable timberlands may be set aside for conservation purposes, pursuant to the Endangered Species Act of 1973, the National Forest Management Act of 1976, or other expected statutory, administrative, and judicial actions.

(6) There is evidence of a shortfall in the supply of unprocessed timber in the western United States.

(7) There is reason to believe that any shortfall which may already exist may worsen unless action is taken.

(8) In conjunction with the broad conservation actions expected in the next few months and years, conservation action is necessary with respect to exports of unprocessed timber.

(b) PURPOSES.—The purposes of this title are—

(1) to promote the conservation of forest resources in conjunction with State and Federal resources management plans, and other actions or decisions, affecting the use of forest resources;

(2) to take action essential for the acquisition and distribution of forest resources or products in short supply in the western United States;

(3) to take action necessary, to meet the goals of Article XI 2.(a) of the General Agreement on Tariffs and Trade, to ensure sufficient supplies of certain forest resources or products which are essential to the United States;

(4) to continue and refine the existing Federal policy of restricting the export of unprocessed timber harvested from Federal lands in the western United States; and

(5) to effect measures aimed at meeting these objectives in conformity with the obligations of the United States under the General Agreement on Tariffs and Trade.

SEC. 489. RESTRICTIONS ON EXPORTS OF UNPROCESSED TIMBER ORIGINATING FROM FEDERAL LANDS. 16 USC 620a.

(a) PROHIBITION ON EXPORT OF UNPROCESSED TIMBER ORIGINATING FROM FEDERAL LANDS.—No person who acquires unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States may export such timber from the United States, or sell, trade, exchange, or otherwise convey such timber to any other person for the purpose of exporting such timber from the United States, unless such timber has been determined under subsection (b) to be surplus to the needs of timber manufacturing facilities in the United States.

(b) SURPLUSES.—

(1) DETERMINATIONS BY SECRETARY CONCERNED.—The prohibition contained in subsection (a) shall not apply to specific quantities of grades and species of unprocessed timber originating from Federal lands which the Secretary concerned determines to be surplus to domestic manufacturing needs.

(2) PROCEDURES.—Any determination under paragraph (1) shall be made in regulations issued in accordance with section 553 of title 5, United States Code. Any such determination shall be reviewed at least once in every 3-year period. The Secretary concerned shall publish notice of such review in the Federal Register, and shall give the public an opportunity to comment on such review. Federal Register, publication.

SEC. 490. LIMITATIONS ON THE SUBSTITUTION OF UNPROCESSED FEDERAL TIMBER FOR UNPROCESSED TIMBER EXPORTED FROM PRIVATE LANDS. 16 USC 620b.

(a) DIRECT SUBSTITUTION.—(1) Except as provided in subsection (c), no person may purchase directly from any department or agency of the United States unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States if—

(A) such unprocessed timber is to be used in substitution for exported unprocessed timber originating from private lands; or

(B) such person has, during the preceding 24-month period, exported unprocessed timber originating from private lands.

(2) Notwithstanding paragraph (1)—

(A) Federal timber purchased pursuant to a contract entered into between the purchaser and the Secretary concerned before the date on which regulations to carry out this subsection are issued under section 495 shall be governed by the regulations of the Secretary concerned in effect before such date that restrict the substitution of unprocessed timber originating from Federal lands for exported timber originating from private lands;

Contracts.

(B) in the 1-year period beginning on the effective date of this title, any person who operates under a Cooperative Sustained Yield Unit Agreement, and who has an historic export quota shall be limited to entering into contracts under such a quota to a volume equal to not more than 66 percent of the person's historic export quota used during fiscal year 1989;

(C) a person referred to in subparagraph (B) shall reduce the person's remaining substitution volume by an equal amount each year thereafter such that no volume is substituted under such a quota in fiscal year 1995 or thereafter; and

(D) the 24-month period referred to in paragraph (1)(B) shall not apply to any person who—

(i) before the enactment of this Act, has, under an historic export quota approved by the Secretary concerned, purchased unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States in substitution for exported unprocessed timber originating from private lands;

(ii) certifies to the Secretary concerned, within 3 months after the date of the enactment of this Act, that the person will, within 6 months after such date of enactment, cease exporting unprocessed timber originating from private lands; and

(iii) ceases exports in accordance with such certification.

(b) INDIRECT SUBSTITUTION.—

(1) IN GENERAL.—Except as provided in paragraph (2), no person may, beginning 21 days after the date of the enactment of this Act, purchase from any other person unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States if such person would be prohibited from purchasing such timber directly from a department or agency of the United States. Acquisitions of western red cedar which are domestically processed into finished products to be sold into domestic or international markets are exempt from the prohibition contained in this paragraph.

(2) EXCEPTIONS.—(A) The Secretary of Agriculture shall, as soon as practicable but not later than 9 months after the date of the enactment of this Act, establish, by rule, a limited amount of unprocessed timber originating from Federal lands described in subparagraph (B) which may be purchased by a person otherwise covered by the prohibition contained in paragraph (1). Such limit shall equal—

(i) the amount of such timber acquired by such person, based on the higher of the applicant's actual timber purchasing receipts or the appropriate Federal agency's

records, during fiscal years 1988, 1989, and 1990, divided by 3, or

(ii) 15 million board feet,

whichever is less, except that such limit shall not exceed such person's proportionate share, with respect to all persons covered under this paragraph, of 50 million board feet.

(B) The Federal lands referred to in subparagraph (A) are Federal lands administered by the United States Forest Service Region 6 that are located north of the Columbia River from its mouth and east to its first intersection with the 119th meridian, and from that point north of the 46th parallel and east.

(C) Any person may sell, trade, or otherwise exchange with any other person the rights obtained under subparagraph (A), except that such rights may not be sold, traded, or otherwise exchanged to persons already in possession of such rights obtained under subparagraph (A).

(D) Federal timber purchased from Federal lands described in subparagraph (B) pursuant to a contract entered into between the purchaser and the Secretary of Agriculture before the date on which regulations to carry out this subsection are issued under section 495 shall be governed by the regulations of the Secretary of Agriculture in effect before such date that restrict the substitution of unprocessed timber originating from Federal lands for exported timber originating from private lands.

(c) APPROVAL OF SOURCING AREAS.—

(1) IN GENERAL.—The prohibitions contained in subsections (a) and (b) shall not apply with respect to the acquisition of unprocessed timber originating from Federal lands within a sourcing area west of the 100th meridian in the contiguous 48 States approved by the Secretary concerned under this subsection by a person who—

(A) in the previous 24 months, has not exported unprocessed timber originating from private lands within the sourcing area; and

(B) during the period in which such approval is in effect, does not export unprocessed timber originating from private lands within the sourcing area.

The Secretary concerned may waive the 24-month requirement set forth in subparagraph (A) for any person who, within 3 months after the date of the enactment of this Act, certifies that, within 6 months after such date, such person will, for a period of not less than 3 years, cease exporting unprocessed timber originating from private lands within the sourcing area.

(2) REQUIREMENTS FOR APPLICATION.—The Secretaries concerned shall, not later than 3 months after the date of the enactment of this Act, prescribe procedures to be used by a person applying for approval of a sourcing area under paragraph (1). Such procedures shall require, at a minimum, the applicant to provide—

(A) information regarding the location of private lands from which such person has, within the previous year, harvested or otherwise acquired unprocessed timber which has been exported from the United States; and

(B) information regarding the location of each timber manufacturing facility owned or operated by such person within the proposed sourcing area boundaries at which the

applicant proposes to process timber originating from Federal lands.

The prohibition contained in subsection (a) shall not apply to a person before the date which is 1 month after the procedures referred to in this paragraph are prescribed. With respect to any person who submits an application in accordance with such procedures by the end of the time period set forth in the preceding sentence, the prohibition contained in subsection (a) shall not apply to such person before the date on which the Secretary concerned approves or disapproves such application.

(3) GRANT OF APPROVAL.—For each applicant, the Secretary concerned shall, on the record and after an opportunity for a hearing, not later than 4 months after receipt of the application for a sourcing area, either approve or disapprove the application. The Secretary concerned may approve such application only if the Secretary determines that the area that is the subject of the application, in which the timber manufacturing facilities at which the applicant desires to process timber originating from Federal lands are located, is geographically and economically separate from any geographic area from which that person harvests for export any unprocessed timber originating from private lands. In making a determination referred to in this paragraph, the Secretary concerned shall consider equally the timber purchasing patterns, on private and Federal lands, of the applicant as well as other persons in the same local vicinity as the applicant, and the relative similarity of such purchasing patterns.

(4) DENIAL OF APPLICATION.—(A) Subject to subparagraph (B), and notwithstanding any other provision of law, in the 9-month period after receiving disapproval of an application submitted pursuant to this subsection, the applicant may purchase unprocessed timber originating from Federal lands in the area which is the subject of the application in an amount not to exceed 75 percent of the annual average of such person's purchases of unprocessed timber originating from Federal lands in the same area during the 5 full fiscal years immediately prior to submission of the application. In the subsequent 6-month period, such person may purchase not more than 25 percent of such annual average, after which time the prohibitions contained in subsection (a) shall fully apply.

(B) If a person referred to in subparagraph (A) certifies to the Secretary concerned, within 90 days after receiving disapproval of such application, that such person shall, within 15 months after such disapproval, cease the export of unprocessed timber originating from private lands from the geographic area determined by the Secretary for which the application would have been approved, such person may continue to purchase unprocessed timber originating from Federal lands in the area which is the subject of the application, without being subject to the restrictions of subparagraph (A), except that such purchases during that 15-month period may not exceed 125 percent of the annual average of such person's purchases of unprocessed timber originating from Federal lands in the same area during the 5 full fiscal years immediately prior to submission of the application which was denied.

(C) Any person to whom subparagraph (B) applies may not, during the 15-month period after the person's application for

sourcing area boundaries is denied, export unprocessed timber originating from private lands in the geographic area determined by the Secretary concerned for which the application would have been approved in amounts that exceed 125 percent of the annual average of such person's exports of unprocessed timber from such private lands during the 5 full fiscal years immediately prior to submission of the application.

(5) REVIEW OF DETERMINATIONS.—Determinations made under paragraph (3) shall be reviewed, in accordance with the procedures prescribed in this title, not less often than every 5 years.

SEC. 491. RESTRICTION ON EXPORTS OF UNPROCESSED TIMBER FROM STATE AND OTHER PUBLIC LANDS. 16 USC 620c.

(a) ORDER TO PROHIBIT THE EXPORT OF UNPROCESSED TIMBER ORIGINATING FROM STATE OR OTHER PUBLIC LANDS.—Except as provided in subsection (e), the Secretary of Commerce shall issue orders to prohibit the export from the United States of unprocessed timber originating from public lands, in the amounts specified in subsection (b).

(b) SCHEDULE FOR DETERMINATION TO PROHIBIT THE EXPORT OF UNPROCESSED TIMBER ORIGINATING FROM STATE OR OTHER PUBLIC LANDS.—

(1) STATES WITH ANNUAL SALES OF 400,000,000 BOARD FEET OR LESS.—With respect to States with annual sales volumes of 400,000,000 board feet or less, the Secretary of Commerce shall issue an order referred to in subsection (a) to prohibit the export of unprocessed timber originating from public lands not later than 21 days after the date of the enactment of this Act.

(2) STATES WITH ANNUAL SALES OF GREATER THAN 400,000,000 BOARD FEET.—With respect to any State with an annual sales volume greater than 400,000,000 board feet, the following shall apply:

(A) The Secretary of Commerce shall issue an order referred to in subsection (a) not later than 21 days after the date of the enactment of this Act. Such order shall cover a period beginning 120 days after the issuance of such an order, or January 1, 1991, whichever is earlier, and shall extend to December 31, 1991. Such order shall prohibit the export of 75 percent of the annual sales volume in such State of unprocessed timber from public lands.

(B) For the period beginning on January 1, 1992, and ending on December 31, 1993, the Secretary of Commerce shall, after notice and an opportunity for a hearing, issue an order referred to in subsection (a) not later than September 30, 1991. Such order shall prohibit the export of at least 75 percent of such State's annual sales volume for this 2-year period.

(C) For the period beginning on January 1, 1994, and ending on December 31, 1995, the Secretary of Commerce shall, after notice and an opportunity for a hearing, issue an order referred to in subsection (a) not later than September 30, 1993. Such order shall prohibit the export of at least 75 percent of such State's annual sales volume for this 2-year period.

(D) For all periods on or after January 1, 1996, the Secretary of Commerce shall issue an order referred to in subsection (a) not later than September 30, 1995. Such order

shall prohibit the export of the lesser of 400,000,000 board feet or the total annual sales volume.

(3) REPORT TO CONGRESS.—Not later than June 1, 1995, the Secretary of Commerce, in conjunction with the Secretaries of Agriculture and Interior, shall issue a report to the Congress on the effects of the reallocation, as a result of the enactment of this title, of public lands timber resources to the domestic timber processing sector, the ability of the domestic timber processing sector to meet domestic demand for forest products, the volume of transshipment of timber originating from public lands across State borders, the effectiveness of rules issued and administered by States pursuant to this title, and trends in growth and productivity in the domestic timber processing sector.

(c) BASIS FOR INCREASE IN VOLUME PROHIBITED FROM EXPORT.—The Secretary of Commerce may increase the amount of unprocessed timber to be prohibited from export above the minimum amount specified in subsection (b)(2) (B) and (C), based on a determination that the purposes of this title have not been adequately met and that such an increase would further the purposes of this title. In making this determination, the Secretary shall consider—

(1) actions or decisions taken, for the purpose of conserving or protecting exhaustible natural resources in the United States, which have affected the use or availability of forest products;

(2) whether the volume of timber from public lands that is under contract has increased or decreased by an amount greater than 20 percent within the previous 12 months; and

(3) the probable effects of unprocessed timber exports on the ability of timber mills to acquire unprocessed timber.

(d) ADMINISTRATIVE PROVISIONS.—

(1) DELAY OF SECRETARY'S ORDER.—In the event that any order of the Secretary of Commerce under subsection (a) or its implementation is delayed for any reason, the prohibitions on exports under subsection (b) to which such order would apply shall apply in the absence of such order.

(2) ADMINISTRATION BY STATES.—Each State shall determine the species, grade, and geographic origin of unprocessed timber to be prohibited from export under subsection (b) and shall administer such prohibitions consistent with the intent of this title and ensure that the species, grades, and geographic origin of unprocessed timber prohibited from export is representative of the species, grades, and geographic origin of timber comprising such State's total timber sales program. The State is authorized to cooperate with Federal and State agencies with appropriate jurisdiction to further the intent of this title.

(3) STATE REGULATIONS.—(A) Except for States with annual sales of 400,000,000 board feet or less upon the date of the enactment of this Act, the Governor of each State to which this title applies, or such other State official as the Governor may designate, shall, within 120 days after the date of the enactment of this Act, issue regulations to carry out the purposes of this section, the promulgation of which shall be consistent with section 553 of title 5, United States Code. Such regulations in each State shall remain in effect until such time as the legislature of that State enacts such requirements as it deems appropriate to carry out this section. Before issuing such regulations,

the Governor shall enter into formal consultation, concerning such regulations, with appropriate State officials and with a State Board of Natural Resources where such a board exists. When formulating regulations under this paragraph, the Governor shall take into account the intent of this title to effect a net increase in domestic processing of timber harvested from public lands consistent with all orders issued by the Secretary of Commerce under subsection (a).

(B) The Governor of each State with annual sales of 400,000,000 board feet or less upon the date of the enactment of this Act, or such other State official as the Governor may designate, shall, within 120 days after the date of the enactment of this Act, issue regulations to carry out the purposes of this section. Until such regulations are issued in a State, the prohibitions contained in subsections (a) and (b) of section 490 shall apply to unprocessed timber originating from public lands in that State to the same extent as such prohibitions apply to unprocessed timber originating from Federal lands, except that the provisions of subsection (c) of such section shall not apply.

(4) PRIOR CONTRACTS.—Nothing in this section shall apply to any contract for the purchase of unprocessed timber from public lands entered into before the effective date of a Secretary's order issued under subsection (a).

(5) WESTERN RED CEDAR.—Nothing in this section shall be construed to supersede the provisions of section 7(i) of the Export Administration Act of 1979 (50 U.S.C. App. 2406(i)).

(e) PRESIDENTIAL AUTHORITY.—The President is authorized, after suitable notice and a public comment period of not less than 120 days, to suspend the provisions of this section if a panel of experts has reported to the Contracting Parties to the General Agreement on Tariffs and Trade, or a ruling issued under the formal dispute settlement proceeding provided under any other trade agreement finds, that the provisions of this section are in violation of, or inconsistent with, United States obligations under that trade agreement.

(f) REMOVAL OR MODIFICATIONS OF STATE RESTRICTIONS.—Based upon a determination that it is in the national economic interest, the President may remove or modify any prohibition on exports from public lands in a State if that State petitions the President to remove or modify such prohibition.

(g) EFFECT OF PRIOR FEDERAL LAW.—No provision of Federal law which imposes requirements with respect to the generation of revenue from State timberlands and was enacted before the enactment of this Act shall be construed to invalidate, supersede, or otherwise affect any action of a State or political subdivision of a State pursuant to this title.

(h) SURPLUS TIMBER.—The prohibitions on exports contained in orders of the Secretary of Commerce issued under subsection (a) shall not apply to specific quantities of grades and species of unprocessed timber originating from public lands which the Secretary concerned determines by rule to be surplus to the needs of timber manufacturing facilities in the United States. Any such determination may, by rule, be withdrawn by the Secretary concerned if the Secretary determines that the affected timber is no longer surplus to the needs of timber manufacturing facilities in the United States.

(i) SUSPENSION OF PROHIBITIONS.—Notwithstanding any other provision of this section, beginning on January 1, 1998, and annually thereafter, if the President finds, upon review of the purposes and implementation of this title, that the prohibitions on exports required by subsection (a) no longer promote the purposes of this title, then the President may suspend such prohibitions, except that such suspension shall not take effect until 90 days after the President notifies the Congress of such finding.

(j) EXISTING AUTHORITY NOT AFFECTED.—Nothing in this title shall be construed to limit the authority of the President or the United States Trade Representative to take action authorized by law to respond appropriately to any measures taken by a foreign government in connection with this title.

16 USC 620d.

SEC. 492. MONITORING AND ENFORCEMENT.

(a) MONITORING AND REPORTS.—In accordance with regulations issued under this section—

(1) each person who acquires, either directly or indirectly, unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States shall report the receipt and disposition of such timber to the Secretary concerned, in such form as such Secretary may by rule prescribe; except that nothing in this paragraph shall be construed to hold any person responsible for the reporting of the disposition of any such timber held by subsequent persons; and

(2) each person who transfers to another person unprocessed timber originating from Federal lands west of the 100th meridian in the contiguous 48 States shall, before completing such transfer—

(A) provide to such other person a written notice, in such form as the Secretary concerned may prescribe, which shall identify the Federal origin of such timber;

(B) receive from such other person a written acknowledgment of such notice and a written agreement that such other person will comply with the requirements of this title, in such form as the Secretary concerned may prescribe; and

(C) provide to the Secretary concerned copies of all notices, acknowledgments, and agreements referred to in subparagraphs (A) and (B).

(b) REPORT TO CONGRESS.—Using the information gathered under subsection (a), the Secretaries of Agriculture and Interior shall, not later than June 1, 1995, submit to the Congress a report on the disposition of unprocessed timber harvested from Federal lands west of the 100th meridian in the contiguous 48 States, and recommendations concerning the practice of indirect substitution of such timber for exported timber harvested from private lands. Specifically, such report shall—

(1) analyze the effects of indirect substitution on market efficiency;

(2) analyze the effects of indirect substitution on domestic log supply;

(3) offer any recommendations that the Secretaries consider necessary for specific statutory or regulatory changes regarding indirect substitution;

(4) provide summaries of the data collected;

(5) analyze the effects of the provisions of section 490(b)(2)(C); and

(6) provide such other information as the Secretaries consider appropriate.

(c) CIVIL PENALTIES FOR VIOLATION.—

(1) EXPORTS.—If the Secretary concerned finds, on the record and after an opportunity for a hearing, that a person, with willful disregard for the prohibition contained in this title against exporting Federal timber, exported or caused to be exported unprocessed timber originating from Federal lands in violation of this title, such Secretary may assess against such person a civil penalty of not more than $500,000 for each violation, or 3 times the gross value of the unprocessed timber involved in the violation, whichever amount is greater.

(2) OTHER VIOLATIONS.—If the Secretary concerned finds, on the record and after an opportunity for a hearing, that a person has violated any provision of this title or any regulation issued under this title relating to lands which they administer (notwithstanding that such violation may not have caused the export of unprocessed Federal timber in violation of this title), such Secretary may—

(A) assess against such person a civil penalty of not more than $75,000 for each violation if the Secretary determines that the person committed such violation in disregard of such provision or regulation;

(B) assess against such person a civil penalty of not more than $50,000 for each violation if the Secretary determines that the person should have known that the action constituted a violation; or

(C) assess against such person a civil penalty of not more than $500,000 if the Secretary determines that the person committed such violation willfully.

(3) PENALTIES NOT EXCLUSIVE; JUDICIAL REVIEW.—A penalty assessed under this subsection shall not be exclusive of any other penalty provided by law and shall be subject to review in an appropriate United States district court.

(d) ADMINISTRATIVE REMEDIES.—

(1) DEBARMENT.—The head of the appropriate Federal department or agency under this title may debar any person who violates this title, or any regulation or contract issued under this title, from entering into any contract for the purchase of unprocessed timber from Federal lands for a period of not more than 5 years. Such person shall also be precluded from taking delivery of Federal timber purchased by another party for the period of debarment.

(2) CANCELLATION OF CONTRACTS.—The head of the appropriate Federal department or agency under this title may cancel any contract entered into with a person found to have violated this title or regulations issued under this title.

(e) EXCEPTION.—Subsections (c) and (d) do not apply to violations of section 498.

SEC. 493. DEFINITIONS. 16 USC 620e.

For purposes of this title:

(1) The term "acquire" means to come into possession of, whether directly or indirectly, through a sale, trade, exchange, or other transaction, and the term "acquisition" means the act of acquiring.

(2) The term "Federal lands" means lands that are owned by the United States, but does not include any lands the title to which is—

(A) held in trust by the United States for the benefit of any Indian tribe or individual,

(B) held by any Indian tribe or individual subject to a restriction by the United States against alienation, or

(C) held by any Native Corporation as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(3) The term "person" means any individual, partnership, corporation, association, or other legal entity and includes any subsidiary, subcontractor, or parent company, and business affiliates where 1 affiliate controls or has the power to control the other or when both are controlled directly or indirectly by a third person.

(4) The term "private lands" means lands held or owned by a person. Such term does not include Federal lands or public lands, or any lands the title to which is—

(A) held in trust by the United States for the benefit of any Indian tribe or individual,

(B) held by any Indian tribe or individual subject to a restriction by the United States against alienation, or

(C) held by any Native Corporation as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(5) The term "public lands" means lands west of the 100th meridian in the contiguous 48 States, that are held or owned by a State or political subdivision thereof, or any other public agency. Such term does not include any lands the title to which is—

(A) held by the United States;

(B) held in trust by the United States for the benefit of any Indian tribe or individual,

(C) held by any Indian tribe or individual subject to a restriction by the United States against alienation, or

(D) held by any Native Corporation as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602).

(6) The term "Secretary concerned" means—

(A) the Secretary of Agriculture, with respect to Federal lands administered by that Secretary; and

(B) the Secretary of the Interior with respect to Federal lands administered by that Secretary.

(7)(A) The term "unprocessed timber" means trees or portions of trees or other roundwood not processed to standards and specifications suitable for end product use.

(B) The term "unprocessed timber" does not include timber processed into any one of the following:

(i) Lumber or construction timbers, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection Bureau Export R or N list grades, sawn on 4 sides, not intended for remanufacture.

(ii) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, meeting current American Lumber Standards Grades or Pacific Lumber Inspection

Bureau Export R or N list clear grades, sawn on 4 sides, not to exceed 12 inches in thickness.

(iii) Lumber, construction timbers, or cants for remanufacture, except Western Red Cedar, that do not meet the grades referred to in clause (ii) and are sawn on 4 sides, with wane less than ¼ of any face, not exceeding 8¾ inches in thickness.

(iv) Chips, pulp, or pulp products.

(v) Veneer or plywood.

(vi) Poles, posts, or piling cut or treated with preservatives for use as such.

(vii) Shakes or shingles.

(viii) Aspen or other pulpwood bolts, not exceeding 100 inches in length, exported for processing into pulp.

(ix) Pulp logs or cull logs processed at domestic pulp mills, domestic chip plants, or other domestic operations for the purpose of conversion of the logs into chips.

(8) The acquisition of unprocessed timber from Federal lands west of the 100th meridian in the contiguous 48 States to be used in "substitution" for exported unprocessed timber originating from private lands means acquiring unprocessed timber from such Federal lands and engaging in exporting, or selling for export, unprocessed timber originating from private lands within the same geographic and economic area.

SEC. 494. EFFECTIVE DATE. 16 USC 620 note.

Except as otherwise provided in this title, the provisions of this title take effect on the date of the enactment of this Act.

SEC. 495. REGULATIONS AND REVIEW. 16 USC 620f.

(a) REGULATIONS.—The Secretaries of Agriculture and Interior shall, in consultation, each prescribe new coordinated and consistent regulations to implement this title on lands which they administer. The Secretary of Commerce shall promulgate such rules and guidelines as may be necessary to carry out this title. Except as otherwise provided in this title, regulations and guidelines under this subsection shall be issued not later than 9 months after the date of the enactment of this Act.

(b) REVIEW.—The Secretaries of Agriculture and Interior shall, in consultation, review the definition of unprocessed timber under section 493(7) for purposes of this title and, not later than 18 months after the date of the enactment of this Act, submit to the Congress any recommendations they have with respect to such definition. Specifically, the Secretaries shall report on the effects of maintaining 2 size standards under section 493(B) (ii) and (iii). Reports.

SEC. 496. AUTHORIZATION OF APPROPRIATIONS. 16 USC 620g.

There are authorized to be appropriated such sums as may be necessary to carry out this title.

SEC. 497. SAVINGS CLAUSE. 16 USC 620h.

Nothing in this title, or regulations issued under this title, shall be construed to abrogate or affect any timber sale contract entered into before the effective date of this title.

SEC. 498. EASTERN HARDWOODS STUDY. 16 USC 620i.

(a) STUDY.—The Secretary of Commerce, in conjunction with the Secretary of Agriculture and the Secretary of the Interior, shall

conduct a study of the export from the United States, during the 2-year period beginning on January 1, 1991, of unprocessed hardwood timber harvested from Federal lands or public lands east of the 100th meridian. In order to carry out the provisions of this section—

(1) the Secretary of Commerce shall require each person exporting such timber from the United States to declare, in addition to the information normally required in the Shipper's Export Declarations, the State in which the timber was grown and harvested; and

(2) the Secretary of Agriculture and the Secretary of the Interior shall ensure that all hardwood saw timber harvested from Federal lands east of the 100th meridian is marked in such a manner as to make it readily identifiable at all times before its manufacture, and shall take such steps as each Secretary considers appropriate to ensure that such markings are not altered or destroyed before manufacturing.

(b) REPORT TO CONGRESS.—Not later than April 1, 1993, the Secretary of Commerce shall submit to the Committees on Agriculture, Interior and Insular Affairs, and Foreign Affairs of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate a report describing the volume and value of unprocessed timber grown and harvested from Federal lands or public lands east of the 100th meridian that is exported from the United States during the 2-year period beginning on January 1, 1991, the country to which such timber is exported, and the State in which such timber was grown and harvested.

16 USC 620j.

SEC. 499. AUTHORITY OF EXPORT ADMINISTRATION ACT OF 1979.

Nothing in this title shall be construed to—

(1) prejudice the outcome of pending or prospective petitions filed under, or

(2) warrant the exercise of the authority contained in,

section 7 of the Export Administration Act of 1979 with respect to the export of unprocessed timber.

Approved August 20, 1990.

LEGISLATIVE HISTORY—H.R. 1594:

HOUSE REPORTS: No. 101-99 (Comm. on Ways and Means) and No. 101-650 (Comm. of Conference).
SENATE REPORTS: No. 101-252 (Comm. on Finance).
CONGRESSIONAL RECORD:
Vol. 135 (1989): June 27, considered and rejected in House.
Sept. 7, considered and passed House.
Vol. 136 (1990): Apr. 19, 20, 23, 24, considered and passed Senate, amended.
May 9, House concurred in Senate amendment with an amendment.
July 31, Senate agreed to conference report.
Aug. 3, House agreed to conference report.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 26 (1990):
Aug. 20, Presidential statement.