SUBMITTED RESOLUTIONS

SENATE RESOLUTION 395—EXPRESSING THE SENSE OF THE SENATE REGARDING NATIONAL PEARL HARBOR REMEMBRANCE DAY

Mr. AKAKA (for himself and Mr. INHOFE) submitted the following resolution; which was considered and agreed to:

S. RES. 395

Whereas on December 7, 1941, the Imperial Japanese Navy Air Force attacked the sovereign territory of the United States at Pearl Harbor, Hawaii;

Whereas more than 2,400 United States service members and civilians were killed in the attack on Pearl Harbor;

Whereas there are more than 4,900 members of the Pearl Harbor Survivors Association;

Whereas the 66th anniversary of the attack on Pearl Harbor will be December 7, 2007;

Whereas on August 23, 1994, Public Law 103–308 was enacted, designating December 7 of each year as National Pearl Harbor Remembrance Day; and

Whereas section 129(b) of title 36, United States Code, requests that the President issue each year a proclamation calling on the people of the United States to observe National Pearl Harbor Remembrance Day with appropriate ceremonies and activities, and all departments, agencies, and instrumentalities of the Federal Government, and interested organizations, groups, and individuals, to fly the flag of the United States at half-staff each December 7 in honor of the individuals who died as a result of their service at Pearl Harbor: Now, therefore, be it

Resolved, That the Senate, on the occasion of the 66th anniversary of the December 7, 1941, attack on Pearl Harbor, Hawaii, pays tribute to—

(1) the United States service members and civilians who died in the attack; and

(2) the members of the Pearl Harbor Survivors Association.

SENATE RESOLUTION 396—EXPRESSING THE SENSE OF THE SENATE THAT THE HANGING OF NOOSES FOR THE PURPOSE OF INTIMIDATION SHOULD BE THOROUGHLY INVESTIGATED BY FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT AUTHORITIES AND THAT ANY CRIMINAL VIOLATIONS SHOULD BE VIGOROUSLY PROSECUTED

Mr. CARDIN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 396

Whereas, in the fall of 2007, nooses have been found hanging in or near a high school in North Carolina, a Home Depot store in New Jersey, a school playground in Louisiana, the campus of the University of Maryland, a factory in Houston, Texas, and on the door of a professor's office at Columbia University;

Whereas the Southern Poverty Law Center has recorded between 40 and 50 suspected hate crimes involving nooses since September 2007;

Whereas, since 2001, the Equal Employment Opportunity Commission has filed more than 30 lawsuits that involve the displaying of nooses in places of employment;

Whereas nooses are reviled by many Americans as symbols of racism and of lynchings that were once all too common;

Whereas, according to Tuskegee Institute, more than 4,700 people were lynched between 1882 and 1959 in a campaign of terror led by the Ku Klux Klan;

Whereas the number of victims killed by lynching in the history of the United States exceeds the number of people killed in the horrible attack on Pearl Harbor (2,333 dead) and Hurricane Katrina (1,836 dead) combined; and

Whereas African-Americans, as well as Italian, Jewish, and Mexican-Americans, have comprised the vast majority of lynching victims, and only when we erase the terrible symbols of the past can we finally begin to move forward on issues of race in the United States: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the hanging of nooses is a reprehensible act when used for the purpose of intimidation and, under certain circumstances, can be criminal;

(2) the hanging of nooses for the purpose of intimidation should be investigated thoroughly by Federal, State, and local law enforcement; and

(3) any criminal violations involving the hanging of nooses should be vigorously prosecuted.

SENATE RESOLUTION 397—RECOGNIZING THE 2007–2008 SIEMENS COMPETITION IN MATH, SCIENCE AND TECHNOLOGY AND CELEBRATING THE FIRST TIME IN THE HISTORY OF THE COMPETITION THAT YOUNG WOMEN HAVE WON TOP HONORS

Mr. CASEY (for himself, Mr. SPECTER, Mr. SCHUMER, Mrs. CLINTON, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. STEVENS) submitted the following resolution; which was considered and agreed to:

S. RES. 397

Whereas the Siemens Competition in Math, Science and Technology was first held in 1998 and is one of the top science competitions in the country for high school students;

Whereas Isha Himani Jain, 16, is a senior at Freedom High School in Bethlehem, Pennsylvania, and placed first in the individual category for her studies of bone growth in zebra fish;

Whereas Janelle Schlossberger and Amanda Marinoff, both 17, are seniors at Plainview-Old Bethpage John F. Kennedy High School on Long Island and won the team category for creating a molecule that helps block the reproduction of drug-resistant tuberculosis bacteria;

Whereas Alicia Darnell is 17 and a senior at Pelham Memorial High School in Pelham, New York, and won second place in the individual category for research that identified genetic defects related to amyotrophic lateral sclerosis (Lou Gehrig's Disease);

Whereas Caroline Lang, 16, Rebecca Ehrhardt, 15, and Naomi Collipp, 16, of Pennsylvania and New Jersey took fifth place in the team category for their project on the safe elimination of E. coli bacteria;

Whereas the awards were announced on December 3, 2007, at New York University and mark the first time that young women have won the grand prizes in both the individual and team categories of the Siemens Competition: Now, therefore, be it

Resolved, That the Senate—

(1) honors the Siemens Foundation, sponsor of the Siemens Competition in Math, Science and Technology, for its contributions to science education and academic excellence;

(2) congratulates all the competitors and finalists in the Siemens Competition in Math, Science and Technology;

(3) celebrates the many contributions of women in the fields of math, science, and technology on the occasion of the first time that young women have won both the individual and team grand prizes in the Siemens Competition; and

(4) recognizes the dedication of parents, educators, and organizations such as the Siemens Foundation in helping young men and women achieve academic excellence.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3819. Mr. BROWN (for himself, Mr. SUNUNU, Mrs. MCCASKILL, Mr. MCCAIN, Mr. DURBIN, and Mr. SCHUMER) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes.

SA 3820. Mr. BAUCUS (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3819. Mr. BROWN (for himself, Mr. SUNUNU, Mrs. MCCASKILL, Mr. MCCAIN, Mr. DURBIN, and Mr. SCHUMER) proposed an amendment to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; as follows:

On page 272, between lines 2 and 3, insert the following:

SEC. 19___. ENTERPRISE AND WHOLE FARM UNITS.

Section 508(e) of Federal Crop Insurance Act (7 U.S.C. 1508(e)) is amended by adding at the end the following:

''(6) ENTERPRISE AND WHOLE FARM UNITS.—

''(A) IN GENERAL.—The Corporation may carry out a pilot program under which the Corporation pays a portion of the premiums for plans or policies of insurance for which the insurable unit is defined on a whole farm or enterprise unit basis that is higher than would otherwise be paid in accordance with paragraph (2) for policyholders that convert from a plan or policy of insurance for which the insurable unit is defined on optional or basic unit basis.

''(B) ELIGIBILITY.—To be eligible to participate in a pilot program established under this paragraph, a policyholder shall—

''(i) have purchased additional coverage for the 2005 crop year on an optional or basic unit basis for at least 90 percent of the acreage to be covered by enterprise or whole farm unit policy for the current crop; and

''(ii) purchase the enterprise or whole farm unit policy at not less than the highest coverage level that was purchased for the acreage for the 2005 crop year.

''(C) AMOUNT.—

''(i) IN GENERAL.—The amount of premium per acre paid by the Corporation to a policyholder for a policy with an enterprise or whole farm unit under this paragraph shall

be, to the maximum extent practicable, equal to the average dollar amount of subsidy per acre paid by the Corporation under paragraph (2) for a basic or optional unit.

''(ii) LIMITATION.—The amount of the premium paid by the Corporation under this paragraph may not exceed the total premium for the enterprise or whole farm unit policy.

''(D) CONVERSION OF PILOT TO A PERMANENT PROGRAM.—Not earlier than 180 days after the date of enactment of this paragraph, the Corporation may convert the pilot program described in this paragraph to a permanent program if the Corporation has—

''(i) carried out the pilot program;

''(ii) analyzed the results of the pilot program; and

''(iii) submitted to Congress a report describing the results of the analysis.''.

On page 272, after line 24, insert the following:

SEC. 19___. SHARE OF RISK.

Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) is amended by striking paragraph (3) and inserting the following:

''(3) SHARE OF RISK.—The reinsurance agreements of the Corporation with the reinsured companies shall require the cumulative underwriting gain or loss, and the associated premium and losses with such amount, calculated under any reinsurance agreement (except livestock) ceded to the Corporation by each approved insurance provider to be not less than 15 percent.''.

On page 273, strike lines 9 through 19 and insert the following:

''(E) REIMBURSEMENT RATE REDUCTION.—For each of the 2009 and subsequent reinsurance years, the reimbursement rate for administrative and operating costs for all crop insurance policies used to define loss ratio shall be the lesser of—

''(i) 2 percentage points below the rates in effect as of the date of enactment of the Food and Energy Security Act of 2007, except that this clause shall not apply in a reinsurance year to the total premium written in a State in which the loss ratio is greater than 1.2; or

''(ii) the national average reimbursement dollar amount per policy for all buy-up policies during each of the 2004 through 2006 reinsurance years, except that this clause shall not apply—

''(I) in a reinsurance year to the total premium written in a State in which the loss ratio is greater than 1.2; and

''(II) in a State is underserved by the Federal crop insurance program, as determined by the Corporation.''.

Beginning on page 274, strike line 3 and all that follows through page 275, line 14, and insert the following:

SEC. 1912. RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.

Section 508(k) of the Federal Crop Insurance Act (7 U.S.C. 1508(k)) (as amended by section ___) is amended by adding at the end the following:

''(8) RENEGOTIATION OF STANDARD REINSURANCE AGREEMENT.—

''(A) IN GENERAL.—Notwithstanding section 536 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 1506 note; Public Law 105-185) and section 148 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1506 note; Public Law 106-224), the Corporation may renegotiate the financial terms and conditions of each Standard Reinsurance Agreement—

''(i) following the reinsurance year ending June 30, 2010;

''(ii) once during each period of 3 reinsurance years thereafter; and

''(iii) subject to subparagraph (B), in any case in which the approved insurance providers, as a whole, experience unexpected adverse circumstances, as determined by the Secretary.

''(B) NOTIFICATION REQUIREMENT.—If the Corporation renegotiates a Standard Reinsurance Agreement under subparagraph (A)(iii), the Corporation shall notify the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate of the renegotiation.''.

On page 292, strike lines 8 through 11 and insert the following:

(2) by striking paragraph (2) and inserting the following:

''(2) CONTRACTING, DATA MINING, AND COMPREHENSIVE INFORMATION MANAGEMENT SYSTEM.—Of the amounts made available from the insurance fund established under section 516(c), the Corporation may use not more than $12,000,000 for fiscal year 2008 and each subsequent fiscal year to carry out, in addition to other available funds—

''(A) contracting and partnerships under subsections (c) and (d);

''(B) data mining and data warehousing under section 515(j)(2);

''(C) the comprehensive information management system under section 10706 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8002);

''(D) compliance activities, including costs for additional personnel; and

''(E) development, modernization, and enhancement of the information technology systems used to manage and deliver the crop insurance program.''; and

On page 445, line 20, strike ''$97,000,000'' and insert ''$107,000,000''.

On page 445, line 24, strike ''$240,000,000'' and inert ''$290,000,000''.

On page 446, line 4, strike ''$1,270,000,000'' and insert ''$1,300,000,000''.

On page 446, line 6, strike ''$1,300,000,000'' and adding ''$1,330,000,000''.

On page 552, strike lines 3 through 6 and insert the following:

(5) in subsection (l)(1), by striking ''for fiscal year 2003'' and inserting ''for each of fiscal years 2009 and 2010''.

Beginning on page 566, strike line 1 and all that follows through page 567, line 21, and insert the following:

SEC. 4102. STRENGTHENING THE FOOD PURCHASING POWER OF LOW-INCOME AMERICANS.

Section 5(e)(1) of the Food and Nutrition Act of 2007 (7 U.S.C. 2014(e)(1)) is amended—

(1) in subparagraph (A)(ii), by striking ''not less than $134'' and all that follows through the end of the clause and inserting the following: ''not less than—

''(I) for fiscal year 2008, $141, $241, $199, and $124, respectively;

''(II) for each of fiscal years 2009 through 2012, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food;

''(III) for fiscal year 2013, $134, $229, $189, and $118, respectively; and

''(IV) for fiscal year 2014 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.'';

(2) in subparagraph (B)(ii), by striking ''not less than $269.'' and inserting the following: ''not less than—

''(I) for fiscal year 2008, $283;

''(II) for each of fiscal years 2009 through 2012, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food;

''(III) for fiscal year 2013, $269; and

''(IV) for fiscal year 2014 and each fiscal year thereafter, an amount that is equal to the amount from the previous fiscal year adjusted to the nearest lower dollar increment to reflect changes for the 12-month period ending on the preceding June 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, for items other than food.''; and

(3) by adding at the end the following:

''(C) REQUIREMENT.—Each adjustment under subclauses (II) and (IV) of subparagraph (A)(ii) and subclauses (II) and (IV) of subparagraph (B)(ii) shall be based on the unrounded amount for the prior 12-month period.''.

On page 692, strike line 12.

SA 3820. Mr. BAUCUS (for himself and Mr. CRAPO) submitted an amendment intended to be proposed to amendment SA 3500 proposed by Mr. HARKIN (for himself, Mr. CHAMBLISS, Mr. BAUCUS, and Mr. GRASSLEY) to the bill H.R. 2419, to provide for the continuation of agricultural programs through fiscal year 2012, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title III, insert the following:

SEC. 3___. AGRICULTURAL SUPPLY.

(a) IN GENERAL.—Section 902(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201(1)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as paragraph (1); and

(3) by inserting after paragraph (1) the following:

''(2) AGRICULTURAL SUPPLY.—The term 'agricultural supply' includes—

''(A) agricultural commodities; and

''(B)(i) agriculture-related processing equipment;

''(ii) agriculture-related machinery; and

''(iii) other capital goods related to the storage or handling of agricultural commodities or products.''.

(b) CONFORMING AMENDMENTS.—The Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7201 et seq.) is amended—

(1) by striking ''agricultural commodities'' each place it appears and inserting ''agricultural supplies'';

(2) in section 904(2), by striking ''agricultural commodity'' and inserting ''agricultural supply''; and

(3) in section 910(a), in the subsection heading, by striking ''AGRICULTURAL COMMODITIES'' and inserting ''AGRICULTURAL SUPPLIES''.

SEC. 3___. CLARIFICATION OF PAYMENT TERMS UNDER TSREEA.

Section 908(b)(1) of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207(b)(1)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(2) striking ''(1) IN GENERAL.—No United States person'' and inserting the following:

''(1) PROHIBITION.—

''(A) IN GENERAL.—No United States person''; and

(3) in the undesignated matter following clause (ii) (as redesignated by paragraph (1)), by striking ''Nothing in this paragraph'' and inserting the following:

''(B) DEFINITION OF PAYMENT OF CASH IN ADVANCE.—Notwithstanding any other provision of law, for purposes of this paragraph, the term 'payment of cash in advance' means only that payment must be received by the seller of an agricultural supply to Cuba or any person in Cuba before surrendering physical possession of the agricultural supply.

''(C) REGULATIONS.—The Secretary of the Treasury shall publish in the Federal Register a description of the contents of this section as a clarification of the regulations of the Secretary regarding sales under this title to Cuba.

''(D) CLARIFICATION.—Nothing in this paragraph''.

SEC. 3___. REQUIREMENTS RELATING TO CERTAIN TRAVEL-RELATED TRANSACTIONS WITH CUBA.

Section 910 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7208) is amended by adding at the end the following:

''(c) GENERAL LICENSE AUTHORITY FOR TRAVEL-RELATED EXPENDITURES IN CUBA BY PERSONS ENGAGING IN TSREEA-AUTHORIZED SALES AND MARKETING ACTIVITIES.—

''(1) DEFINITION OF SALES AND MARKETING ACTIVITY.—

''(A) IN GENERAL.—In this subsection, the term 'sales and marketing activity' means any activity with respect to travel to, from, or within Cuba that is undertaken by United States persons—

''(i) to explore the market in Cuba for products authorized under this title; or

''(ii) to engage in sales activities with respect to such products.

''(B) INCLUSION.—The term 'sales and marketing activity' includes exhibiting, negotiating, marketing, surveying the market, and delivering and servicing products authorized under this title.

''(2) AUTHORIZATION.—The Secretary of the Treasury shall authorize under a general license the travel-related transactions listed in paragraph (c) of section 515.560 of title 31, Code of Federal Regulations (as in effect on June 1, 2007), for travel to, from, or within Cuba in connection with sales and marketing activities involving products approved for sale under this title.

''(3) AUTHORIZED PERSONS.—Persons authorized to travel to Cuba under paragraph (2) shall include—

''(A) producers of products authorized under this title;

''(B) distributors of such products; and

''(C) representatives of trade organizations that promote the interests of producers and distributors of such products.

''(4) REGULATIONS.—The Secretary of the Treasury shall promulgate such rules and regulations as are necessary to carry out this subsection.''.

SEC. 3___. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

The Trade Sanctions Reform and Export Enhancement Act of 2000 is amended—

(1) by redesignating section 911 (22 U.S.C. 7201 note; Public Law 106–387) as section 912; and

(2) by inserting after section 910 (22 U.S.C. 7209) the following:

''SEC. 911. AUTHORIZATION OF DIRECT TRANSFERS BETWEEN CUBAN AND UNITED STATES FINANCIAL INSTITUTIONS.

''Notwithstanding any other provision of law (including regulations), the President shall not restrict direct transfers from Cuban to United States financial institutions executed in payment for products authorized by this Act.''.

PRIVILEGES OF THE FLOOR

Mr. BINGAMAN. Mr. President, I ask unanimous consent that Bryan Mignone and Alicia Jackson, both AAAS fellows with my staff on the Energy and Natural Resources Committee, be granted floor privileges for the remainder of debate on the Energy bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that Alan Mackey and Patty Lawrence, detailees from the U.S. Department of Agriculture, my committee staff, be granted the privileges of the floor for today's session and for the remainder of the debate on this bill.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE SESSION

PATENT LAW TREATY AND REGULATIONS UNDER PATENT LAW TREATY

GENEVA ACT OF THE HAGUE AGREEMENT CONCERNING THE INTERNATIONAL REGISTRATION OF INDUSTRIAL DESIGNS

SINGAPORE TREATY ON THE LAW OF TRADEMARKS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider Executive Calendar Nos. 6, 7, and 8, the Patent Law Treaty; the Geneva Act concerning the international registration of industrial designs; and the Singapore Treaty on the Law of Trademarks; that the treaties be advanced through their various parliamentary stages, up to and including the presentation of the resolutions of ratification, and that the reservations, declarations, and conditions be agreed to, and there now be a division vote on the resolutions en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

The treaties will be considered to have passed through their various parliamentary stages, up to and including the presentation of the resolutions of ratification.

The resolutions of ratification are as follows:

TREATIES

[Patent Law Treaty and Regulations Under Patent Law Treaty (Treaty Doc. 109–12)]

Resolved (two-thirds of the Senators present concurring therein),

Section 1. Senate Advice and Consent subject to reservation.

The Senate advises and consents to the ratification of the Patent Law Treaty and Regulations under the Patent Law Treaty, done at Geneva on June 1, 2000 (Treaty Doc. 109–12), subject to the reservation of section 2.

Section 2. Reservation.

The advice and consent of the Senate under section 1 is subject to the following reservation, which shall be included in the United States instrument of ratification:

Pursuant to Article 23, the United States of America declares that Article 6(1) shall not apply to any requirement relating to unity of invention applicable under the Patent Cooperation Treaty to an international application.

[Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (Treaty Doc. 109–21)]

Section 1. Senate Advice and Consent subject to declarations.

The Senate advises and consents to the ratification of the Geneva Act of the Hague Agreement Concerning the International Registration of Industrial Designs (the ''Agreement''), adopted in Geneva on July 2, 1999, and signed by the United States of America on July 6, 1999 (Treaty Doc. 109–21), subject to the declarations of section 2.

Section 2. Declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations, which shall be included in the United States instrument of ratification:

(1) Pursuant to Article 5(2)(a) and Rule 11(3) of the Agreement, the United States of America declares that its Office is an Examining Office under the Agreement whose law requires that an application for the grant of protection to an industrial design contain: (i) indications concerning the identity of the creator of the industrial design that is the subject of the application; (ii) a brief description of the reproduction or of the characteristic features of the industrial design that is the subject of the application; and (iii) a claim. The specific wording of the claim shall be in formal terms to the ornamental design for the article (specifying name of article) as shown, or as shown and described.

(2) Pursuant to Article 7(2) and Rule 12(3) of the Agreement, the United States of America declares that, as an Examining Office under the Agreement, the prescribed designation fee referred to in Article 7(1) of the Agreement shall be replaced by an individual designation fee, that is payable in a first part at filing and a second part payable upon allowance of the application. The current amount of the designation fee is US $1,230, payable in a first part of US $430 at filing and a second part of US $800 upon allowance of the application. However, for those entities that qualify for ''small entity'' status within the meaning of section 41(h) of title 35 of the United States Code and section 3 of the Small Business Act, the amount of the individual designation fee is US $615, payable in a first part of US $215 and a second part of US $400. In addition, these amounts are subject to future changes upon which notification to the Director General will be made in future declarations as authorized in Article 7(2) of the Agreement.

(3) Pursuant to Article 11(1)(b) of the Agreement, the United States of America declares that the law of the United States of America does not provide for the deferment of the publication of an industrial design.

(4) Pursuant to Article 13(1) of the Agreement, the United States of America declares that its laws require that only one independent and distinct design may be claimed in a single application.

(5) Pursuant to Article 16(2) of the Agreement, the United States of America declares