

company is a Daily Dividend Fund (such a company may allocate income and Fundwide Expenses based on the Settled Shares Method and realized gains and losses and unrealized appreciation and depreciation based on relative net assets);

(iv) To each share without regard to class, *provided that* the company is a Daily Dividend Fund that maintains the same net asset value per share in each class; that the company has received undertakings from its adviser, underwriter, or any other provider of services to the company, agreeing to waive or reimburse the company for payments to such service provider by one or more classes, as allocated under paragraph (a)(1) of this section, to the extent necessary to assure that all classes of the company maintain the same net asset value per share; and that payments waived or reimbursed under such an undertaking may not be carried forward or recouped at a future date; or

(v) To each class based on any other appropriate method, *provided that* a majority of the directors of the company, and a majority of the directors who are not interested persons of the company, determine that the method is fair to the shareholders of each class and that the annualized rate of return of each class will generally differ from that of the other classes only by the expense differentials among the classes.

(2) For purposes of this section:

(i) *Daily Dividend Fund* means any company that has a policy of declaring distributions of net investment income daily, including any money market fund that determines net asset value using the amortized cost method permitted by § 270.2a-7;

(ii) *Fundwide Expenses* means expenses of the company not allocated to a particular class under paragraph (a)(1) of this section;

(iii) The *Settled Shares Method* means allocating to each class based on relative net assets, excluding the value of subscriptions receivable; and

(iv) The *Simultaneous Equations Method* means the simultaneous allocation to each class of each day's income, realized gains and losses, unrealized appreciation and depreciation, and Fundwide Expenses and reallocation to each class of undistributed net investment income, undistributed realized gains or losses, and unrealized appreciation or depreciation, based on the operating results of the company, changes in ownership interests of each class, and expense differentials between the classes, so that the annualized rate of return of each class generally differs

from that of the other classes only by the expense differentials among the classes.

\* \* \* \* \*

(e) \* \* \*

(2) \* \* \*

(iii) If the shareholders of the target class approve any increase in expenses allocated to the target class under paragraphs (a)(1)(i) and (a)(1)(ii) of this section, and the purchase class shareholders do not approve the increase, the company will establish a new target class for the purchase class on the same terms as applied to the target class before that increase.

\* \* \* \* \*

Dated: September 26, 1997.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

**Note:** Appendix A to the preamble will not appear in the Code of Federal Regulations.

#### **Appendix A—Simultaneous Equations Method**

The equations set forth below are examples of a set of simultaneous equations that could be used as an allocation method in a multiple class fund with two classes at the end of day *t*. The inception date of class B shares is assumed to be on or after the inception date of class A shares.

Equation 1:  $A_t + B_t = G_t + C_t$

Equation 2:  $A_t/S_{at} - B_t/S_{bt} = dx(NAV_0)$

where:

A<sub>t</sub>: the total net assets to be allocated to class A at the end of day *t*

B<sub>t</sub>: the total net assets to be allocated to class B at the end of day *t*

G<sub>t</sub>: the cumulative undistributed net change in assets from operations for the fund at the end of day *t*

C<sub>t</sub>: the cumulative capital for the fund at the end of day *t*

S<sub>at</sub>: the number of shares in class A at the end of day *t*

S<sub>bt</sub>: the number of shares in class B at the end of day *t*

d: the time adjustment factor, calculated as the number of days since the inception of class B or the ex-dividend date of the last income distribution, whichever is more recent, divided by 365

x: the differential in expense ratios between the two classes

NAV<sub>0</sub>: the NAV per share for class A and class B on day 0, where day 0 is either the day class B commences trading or the ex-dividend date of the last income distribution, whichever is more recent.

[FR Doc. 97-26145 Filed 10-2-97; 8:45 am]

BILLING CODE 8010-01-P

## **DEPARTMENT OF THE TREASURY**

### **Customs Service**

**19 CFR Parts 4, 10, 11, 12, 18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191**

[T.D. 97-82]

### **Technical Amendments to the Customs Regulations**

**AGENCY:** Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document makes various minor technical changes and corrections to the Customs Regulations, in accordance with the Customs policy of periodically reviewing its regulations to ensure that they are current.

**EFFECTIVE DATE:** October 3, 1997.

**FOR FURTHER INFORMATION CONTACT:** Harold Singer, Regulations Branch, Office of Regulations and Rulings (202-927-2268).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The technical amendments set forth in this document involve Parts 4, 10, 11, 12, 18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191 of the Customs Regulations (19 CFR Parts 4, 10, 11, 12, 18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191) and are summarized below.

##### **Discussion of Changes**

###### **Part 4**

1. In the table set forth under § 4.20(c), in the column headed "Light money", the second figure (".05") is corrected to read ".50".

2. At the end of § 4.80(a)(3), the reference to "46 CFR subpart 67.03" is corrected to read "46 CFR 67.3".

###### **Part 10**

1. In the third sentence of § 10.1(i), the reference to "§ 142.11(b)" is corrected to read "§ 141.11(b)".

2. In the last sentence of § 10.7(d), the reference to "§ 10.6(c)" is corrected to reflect that present § 10.6 (which corresponds in substance to former § 10.6(c)) is not subdivided.

3. In the second sentence of § 10.11(b), the reference to "item 807.00" is replaced by the appropriate Harmonized Tariff Schedule of the United States (HTSUS) reference which appears correctly in the first sentence.

4. In § 10.41b, the number "12" appearing in the first sentence of the introductory text of paragraph (b) and

the number "16" appearing in the text of paragraph (b)(7) are removed, because these numbers have no relevance in these texts. Also in § 10.41b, the reference in the introductory text of paragraph (d)(1) to "paragraph (c)(2)" is corrected to read "paragraph (d)(2)".

5. In § 10.46, the words "upon compliance with §§ 10.43–10.45, or" are removed, because §§ 10.44 and 10.45 do not exist and § 10.43 is not relevant in this context.

6. In the second sentence of § 10.63, the cross-reference to § 23.4 is removed, because no such section exists.

7. In § 10.67(c), the words "and the merchandise was identified, registered, and exported in accordance with the regulations set forth in § 10.8 (e), (g), (h), and (i) governing the exportation of articles sent abroad for repairs" are removed. This change is necessary because § 10.8 was revised (among other things, to do away with the pre-exportation registration procedure) and, as so revised, no longer contains paragraphs (e), (g), (h), and (i)—see T.D. 94–47, published in the **Federal Register** on May 17, 1994 (59 FR 25563).

8. In § 10.75, the word "That" at the beginning of the last sentence is corrected to read "The", for purely grammatical reasons.

9. In § 10.90(a), the reference to "subheading 8524.90.20" is corrected to read "subheading 8524.99.20".

10. In the first sentence of § 10.100, the reference to "§ 141.83(c)(8)" is corrected to read "141.83(d)(8)".

11. In the first sentence of § 10.151, the reference "§ 101.1(o)" is changed to read "§ 101.1" and the word "or" is inserted after "declaration". The first change is necessary because the definition paragraphs in § 101.1 no longer have letter designations, and the second change is for purely grammatical reasons.

12. In the first and fifth sentences of § 10.180(a), the references to HTSUS subheadings "0201.20.20, 0201.30.20, 0202.20.20, 0202.30.20" are changed to reflect the current HTSUS subheading numbers that pertain to the products at issue.

#### Part 11

In the first sentence of § 11.9(b), the words "manufacturer or purchaser of" are corrected to read "manufacturer or purchaser or", to properly reflect the intent and context of the immediately following words in the regulatory text ("a duly registered trade name", which under the regulation may be used in place of the actual name of the manufacturer or purchaser).

#### Part 12

1. In the first sentence of § 12.29(d), the reference to "Chapter 4, Additional U.S. Note 2" is corrected to read "Chapter 4, Additional U.S. Note 26".

2. In § 12.33(e), "Department of Health, Education, and Welfare" is corrected to read "Department of Health and Human Services".

#### Part 18

In the first sentence of § 18.6(d), the reference to "§ 114.22(c)(3)" is corrected to read "§ 114.22(d)".

#### Part 24

Section 612(a) of the Uruguay Round Agreements Act (the URAA, Public Law 103–465, 108 Stat. 4809) amended the merchandise processing fee provisions of the Customs user fee statute (codified at 19 U.S.C. 58c), *inter alia*, by (1) increasing the basic ad valorem rate for formal entries and releases to "0.21" percent, (2) increasing to "\$6" the fee for each informal entry or release that is manual and not prepared by Customs personnel, (3) increasing to "\$9" the fee for each informal entry or release (whether automated or manual) that is prepared by Customs personnel, and (4) increasing the formal entry or release maximum and minimum fees to "\$485" and "\$25" respectively. Accordingly, § 24.23(b)(1)(i) (A) and (B) and (b)(2)(i) (B) and (C) are modified to reflect the current statutory fee provisions which Customs has been following since January 1, 1995, when the changes made by section 612(a) of the URAA took effect.

#### Part 103

In § 103.11(b)(2)(xii), the reference to "§ 114.22(a) and (b)" is changed to read "§ 114.22(a)", because paragraph (b) is in reserved status and thus contains no regulatory text.

#### Part 112

In § 112.26, the reference to "§ 113.26" is corrected to read "§ 113.27".

#### Part 122

In § 122.152, the last sentence is removed because the "subpart P" referred to therein is reserved and thus contains no regulatory text.

#### Part 127

In the second sentence of § 127.33, the reference to "Subchapter XV" is corrected to read "Subchapter IV".

#### Part 133

1. At the end of § 133.21(d), the reference within the parentheses to

"§ 133.24" is corrected to read "§ 133.23a".

2. In § 133.23(b)(3), the reference within parentheses to "§ 133.24" is corrected to read "§ 133.23a".

#### Part 141

1. In the authority citations for Part 141, the specific authority citation for subpart B is removed, because the statutory provision referenced therein was repealed in 1983 by section 201(c) of Public Law 97–446.

2. At the end of § 141.1(f), the reference within the parentheses to "part 20" is corrected to read "part 27".

3. In § 141.4, in the introductory text of paragraph (c), the reference to "General Note 13(e)" is corrected to read "General Note 16(e)".

4. In the first sentence of § 141.11(b), the reference to "subpart B of this chapter" is corrected to read "subpart B of part 142 of this chapter".

5. In § 141.61, in paragraph (a)(1), the parenthetical reference at the end of the second sentence to "§ 101.1(k)" is corrected to read "§ 101.1 of this chapter", because the definition paragraphs in § 101.1 no longer have letter designations. Also in § 141.61, in paragraph (e)(3), the reference to "General Statistical Note 1(b)(V)" is corrected to read "General Statistical Note 1(b)(ii)".

6. At the end of § 141.69(a), the reference to "§ 141.68(f)" is corrected to read "§ 141.68(g)".

7. In § 141.83, paragraph (d)(1) is removed, because it relates to the special Customs invoice which, along with the text of paragraph (a), has been eliminated.

8. In § 141.89(a), in the product listings for machine tools, the reference in item (4) to subheading "8457.10.0010 through 8457.10.0050" is corrected to read "8457.10.00".

9. In § 141.112(f), the reference to "§ 158.10" is corrected to read "158.44".

#### Part 143

In § 143.1(b), the reference to "§ 101.1(l)" is corrected to read "§ 101.1", because the definition paragraphs in § 101.1 no longer have letter designations.

#### Part 148

In § 148.41, the reference to subheading "9804.00.20" is corrected to read "9804.00.40".

#### Part 151

In § 151.4, paragraph (b)(2) (which refers to sampling of benzenoid chemicals) is removed, because there are no longer any special sampling procedures applicable to benzenoid

chemicals. Subpart D of part 152 of the Customs Regulations (which included the § 152.35 referred to in this paragraph (b)(2)) was removed by T.D. 87-89 (52 FR 24444) which made a number of changes to the Customs Regulations to reflect the replacement of the old value law by the new value law under the Trade Agreements Act of 1979.

#### **Part 152**

1. In the authority citations for part 152, the specific authority citation for subpart D is removed and the specific authority citation for §§ 152.13 and 152.24 is corrected to refer only to § 152.13, because subpart D and § 152.24 are in reserved status and thus contain no regulatory text.

2. In § 152.102, the reference in paragraph (j)(2) to “§ 152.103(j)(2)(iv)” is corrected to read “§ 152.103(j)(2)(ii)”. Also in § 152.102, the reference in paragraph (k) to “§ 151.105(c)(3)” is corrected to read “§ 152.105(c)(3)”.

#### **Part 159**

1. In the first sentence of § 159.33, the reference to “31 U.S.C. 372(a)” is corrected to read “31 U.S.C. 5151(b)”.

2. In the first sentence of § 159.35, the reference to “31 U.S.C. 372(c)(2)” is corrected to read “31 U.S.C. 5151(e)”.

3. At the beginning of the first sentence of § 159.43, the word “Additional” is removed because it does not appear in the title of the referenced U.S. Note.

#### **Part 171**

In appendix C to part 171, the reference to “19 CFR 141.133” at the end of paragraph E.2. of section II is corrected to read “19 CFR 141.33”.

#### **Part 177**

In § 177.2(b)(2)(iii), the reference in the first sentence to “subparts C and D of part 152” is corrected to read “subpart C of part 152”, because subpart D of part 152 is reserved and thus contains no regulatory text.

#### **Part 191**

1. At the end of § 191.91, the reference within the parentheses to “§ 191.4(a)(10)” is corrected to read “§ 191.4(a)(12)”.

2. At the end of § 191.131(a), the reference within the parentheses to “§ 191.4(a)(11)” is corrected to read “§ 191.4(a)(13)”.

3. In § 191.161, the words “fourth provision” are corrected to read “fourth proviso” and at the end the reference within the parentheses to “§ 191.4(a)(12)” is corrected to read “§ 191.4(a)(14)”.

### **Inapplicability of Public Notice and Comment and Delayed Effective Date Requirements, the Regulatory Flexibility Act, and Executive Order 12866**

Because the amendments only involve technical corrections to conform the affected texts to existing law or other regulatory provisions, notice and public procedure in this case are inapplicable and unnecessary pursuant to 5 U.S.C. 553(b)(B), and, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required. Since this document is not subject to the aforesaid requirements of 5 U.S.C. 553, it is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Furthermore, these amendments do not meet the criteria for a “significant regulatory action” as specified in E.O. 12866.

Drafting Information: The principal author of this document was Francis W. Foote, Regulations Branch, U.S. Customs Service. However, personnel from other offices participated in its development.

### **List of Subjects**

#### **19 CFR Part 4**

Arrival, Bonds, Cargo vessels, Coastal zone, Coastwise trade, Common carriers, Customs duties and inspection, Declarations, Entry, Exports, Fees, Fishing vessels, Foreign commerce and trade statistics, Freight, Harbors, Imports, Inspection, Landing, Maritime carriers, Merchandise, Passenger Vessels, Repairs, Reporting and recordkeeping requirements, Seamen, Shipping, Vessels, Yachts.

#### **19 CFR Part 10**

Aircraft, Alterations, American goods, Animals, Art, Assembly, Automotive products, Bonds, Customs duties and inspection, Exports, Imports, International traffic, Packaging and containers, Preference programs, Repairs, Reporting and recordkeeping requirements, Shipments, Trade agreements, Value content, Vessels, Vehicles.

#### **19 CFR Part 11**

Customs duties and inspection, Furs, Labeling, Liquor, Marking, Packaging and containers, Precious metals, Prohibited merchandise, Reporting and recordkeeping requirements, Textiles and textile products, Tobacco products, Wool.

#### **19 CFR Part 12**

Agriculture and agricultural products, Animals, Bonds, Chemicals, Cultural property, Customs duties and inspection, Dairy products, Entry of

merchandise, Imports, Labeling, Licensing, Marking, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Seizure and forfeiture, Trade agreements, Vehicles, Vessels.

#### **19 CFR Part 18**

Bonds, Bonded transportation, Common carriers, Customs duties and inspection, Exports, Foreign trade statistics, Imports, Prohibited merchandise, Restricted merchandise, Reporting and recordkeeping requirements, Transportation, Vehicles, Vessels.

#### **19 CFR Part 24**

Accounting, Claims, Customs duties and inspection, Fees, Financial and accounting procedures, Foreign trade statistics, Reporting and recordkeeping requirements, Taxes, Trade agreements, User fees, Wages.

#### **19 CFR Part 103**

Administrative practice and procedure, Confidential business information, Courts, Freedom of Information, Imports, Law enforcement, Privacy, Reporting and recordkeeping requirements.

#### **19 CFR Part 112**

Administrative practice and procedure, Bonds, Common carriers, Customs duties and inspection, Exports, Freight forwarders, Imports, Licensing, Motor carriers, Reporting and recordkeeping requirements.

#### **19 CFR Part 122**

Administrative practice and procedure, Air carriers, Aircraft, Airports, Air transportation, Baggage, Bonds, Cuba, Customs duties and inspection, Foreign commerce and trade statistics, Freight, Imports, Penalties, Reporting and recordkeeping requirements, Security measures.

#### **19 CFR Part 127**

Customs duties and inspection, Exports, Reporting and recordkeeping requirements.

#### **19 CFR Part 133**

Copyrights, Customs duties and inspection, Fees assessment, Imports, Penalties, Prohibited merchandise, Reporting and recordkeeping requirements, Restricted merchandise (counterfeit goods), Seizures and forfeitures, Trademarks, Trade names, Unfair competition.

#### **19 CFR Part 141**

Bonds, Customs duties and inspection, Entry of merchandise,

Foreign trade statistics, Invoices, Packaging, Powers of attorney, Release of merchandise, Reporting and recordkeeping requirements, Trademarks, Trade names.

#### 19 CFR Part 143

Automated Broker Interface (ABI), Computer technology, Customs duties and inspection, Electronic entry filing, Entry of merchandise, Invoice requirements, Reporting and recordkeeping requirements.

#### 19 CFR Part 148

Airmen, Aliens, Baggage, Crewmembers, Customs duties and inspection, Declarations, Foreign officials, Government employees, International organizations, Privileges and Immunities, Reporting and recordkeeping requirements, Seamen, Taxes.

#### 19 CFR Part 151

Customs duties and inspection, Examination, Fees assessment, Imports, Laboratories, Licensing, Penalties, Reporting and recordkeeping requirements, Sampling and testing.

#### 19 CFR Part 152

Appraisal, Classification, Customs duties and inspection, Valuation.

#### 19 CFR Part 159

Antidumping, Computer technology, Countervailing duties, Customs duties and inspection, Discriminating duties, Entry procedures, Imports, Liquidation of entries for merchandise, Suspension of liquidation pending disposition of American manufacturer's cause of action, Value content.

#### 19 CFR Part 171

Administrative practice and procedure, Customs duties and inspection, Law enforcement, Penalties, Seizures and forfeitures.

#### 19 CFR Part 177

Administrative practice and procedure, Courts, Customs duties and inspection, Government procurement, Judicial proceedings, Reporting and recordkeeping requirements, Rulings.

#### 19 CFR Part 191

Bonds, Canada, Commerce, Customs duties and inspection, Drawback, Exports, Mexico, Reporting and recordkeeping requirements.

### Amendments to the Regulations

Parts 4, 10, 11, 12, 18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191, Customs Regulations (19 CFR parts 4, 10, 11, 12,

18, 24, 103, 112, 122, 127, 133, 141, 143, 148, 151, 152, 159, 171, 177 and 191), are amended as set forth below.

### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

1. The authority citation for part 4 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1431, 1433, 1434, 1624; 46 U.S.C. App. 3, 91;

\* \* \* \* \*

Section 4.20 also issued under 46 U.S.C. 2107(b), 8103, 14306, 14502, 14511, 14512, 14513, 14701, 14702, 46 U.S.C. App. 121, 128;

\* \* \* \* \*

Section 4.80 also issued under 46 U.S.C. 12106, 46 U.S.C. App. 251, 289, 319, 802, 808, 883, 883-1;

\* \* \* \* \*

#### § 4.20 [Amended]

2. In § 4.20, in the table under paragraph (c), in the column headed "Light money", the figure ".05" is revised to read ".50".

#### § 4.80 [Amended]

3. In § 4.80, at the end of the second sentence of paragraph (a)(3), the reference "46 CFR subpart 67.03" is revised to read "46 CFR 67.3".

### PART 10—ARTICLES CONDITIONALLY FREE, SUBJECT TO A REDUCED RATE, ETC.

1. The general authority citation for part 10 and the specific authority citation for § 10.41b are revised, and the specific authority citation for § 10.63 continues to read, as follows:

**Authority:** 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1321, 1481, 1484, 1498, 1508, 1623, 1624, 3314;

\* \* \* \* \*

Section 10.41b also issued under 19 U.S.C. 1202 (Chapter 98, Subchapter III, U.S. Note 3, HTSUS);

\* \* \* \* \*

Sections 10.61, 10.62, 10.63, 10.64, 10.64a also issued under 19 U.S.C. 1309;

\* \* \* \* \*

#### § 10.1 [Amended]

2. In § 10.1, in the third sentence of paragraph (i), the reference "§ 142.11(b)" is revised to read "§ 141.11(b)".

#### § 10.7 [Amended]

3. In § 10.7, in the second sentence of paragraph (d), the reference "§ 10.6(c)" is revised to read "§ 10.6".

#### § 10.11 [Amended]

4. In § 10.11, the second sentence of paragraph (b) is amended by removing the reference "item 807.00" and adding,

in its place, the reference "subheading 9802.00.80, Harmonized Tariff Schedule of the United States (19 U.S.C. 1202)".

#### § 10.41b [Amended]

5. In § 10.41b:

a. In the introductory text of paragraph (b), in the first sentence, the number "12" is removed;

b. In paragraph (b)(7), the number "16" is removed; and

c. In the introductory text of paragraph (d)(1), the reference "paragraph (c)(2)" is revised to read "paragraph (d)(2)".

#### § 10.46 [Amended]

6. In § 10.46, the words "upon compliance with §§ 10.43-10.45, or" are removed.

#### § 10.63 [Amended]

7. In § 10.63, the second sentence is amended by removing the reference "§§ 4.39 and 23.4" and adding, in its place, the reference "§ 4.39".

#### § 10.67 [Amended]

8. In § 10.67, in paragraph (c), the words "and the merchandise was identified, registered, and exported in accordance with the regulations set forth in § 10.8(e), (g), (h), and (i) governing the exportation of articles sent abroad for repairs" are removed.

#### § 10.75 [Amended]

9. In § 10.75, at the beginning of the second sentence, the word "That" is revised to read "The".

#### § 10.90 [Amended]

10. In § 10.90, in paragraph (a), the reference "subheading 8524.90.20" is revised to read "subheading 8524.99.20".

#### § 10.100 [Amended]

11. In § 10.100, in the first sentence, the reference "141.83(c)(8)" is revised to read "141.83(d)(8)".

#### § 10.151 [Amended]

12. In § 10.151, in the first sentence, the reference "§ 101.1(o)" is revised to read "§ 101.1" and the word "or" is added after "declaration".

#### § 10.180 [Amended]

13. In § 10.180, in the first and fifth sentences of paragraph (a), the reference "subheadings 0201.20.20, 0201.30.20, 0202.20.20, 0202.30.20" is revised to read "subheadings 0201.20.10, 0201.30.02, 0202.20.02, 0202.20.10".

### PART 11—PACKING AND STAMPING; MARKING

1. The authority citation for part 11 is revised to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Notes 20 and 21, Harmonized Tariff Schedule of the United States), 1624.

#### § 11.9 [Amended]

2. In § 11.9, the first sentence of paragraph (b) is amended by removing the words "manufacturer or producer of" and adding, in their place, the words "manufacturer or producer or".

### PART 12—SPECIAL CLASSES OF MERCHANDISE

1. The authority citation for part 12 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States (HTSUS)), 1624.

\* \* \* \* \*

#### § 12.29 [Amended]

2. In § 12.29, in the first sentence of paragraph (d), the reference "Chapter 4, Additional U.S. Note 2" is revised to read "Chapter 4, Additional U.S. Note 26".

#### § 12.33 [Amended]

3. In § 12.33, paragraph (e) is amended by removing the words "Department of Health, Education, and Welfare" and adding, in their place, the words "Department of Health and Human Services".

### PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT

1. The authority citation for part 18 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1551, 1552, 1553, 1624.

\* \* \* \* \*

#### § 18.6 [Amended]

2. In § 18.6, in the first sentence of paragraph (d), the reference "§ 114.22(c)(3)" is revised to read "§ 114.22(d)".

### PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

1. The authority citation for part 24 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 58a–58c, 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1450, 1624; 31 U.S.C. 9701.

\* \* \* \* \*

#### § 24.23 [Amended]

2. In § 24.23:  
a. In paragraph (b)(1)(i)(A), in the first sentence, the figure "0.19 percent" is revised to read "0.21 percent";

b. In paragraph (b)(1)(i)(B), the figure "\$400" is revised to read "\$485" and the figure "\$21" is revised to read "\$25";

c. In paragraph (b)(2)(i)(B), the figure "\$5" is revised to read "\$6"; and

d. In paragraph (b)(2)(i)(C), the figure "\$8" is revised to read "\$9".

### PART 103—AVAILABILITY OF INFORMATION

1. The authority citation for part 103 continues to read in part as follows:

**Authority:** 5 U.S.C. 301, 552, 552a; 19 U.S.C. 66, 1624; 31 U.S.C. 9701.

\* \* \* \* \*

#### § 103.11 [Amended]

2. In § 103.11, in paragraph (b)(2)(xii), the reference "§ 114.22 (a) and (b)" is revised to read "§ 114.22(a)".

### PART 112—CARRIERS, CARTMEN, AND LIGHTERMAN

1. The authority citation for part 112 continues to read as follows:

**Authority:** 19 U.S.C. 66, 1551, 1565, 1623, 1624.

#### § 112.26 [Amended]

2. In § 112.26, the reference "§ 113.26" is revised to read "§ 113.27".

### PART 122—AIR COMMERCE REGULATIONS

1. The authority citation for part 122 is revised to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 58b, 66, 1433, 1436, 1448, 1459, 1590, 1594, 1623, 1624, 1644, 1644a.

#### § 122.152 [Amended]

2. In § 122.152, the last sentence is removed.

### PART 127—GENERAL ORDER, UNCLAIMED, AND ABANDONED MERCHANDISE

1. The authority citation for part 127 continues to read as follows:

**Authority:** 19 U.S.C. 66, 1311, 1312, 1484, 1485, 1490, 1491, 1492, 1506, 1559, 1563, 1623, 1624, 1646a; 26 U.S.C. 7553.

#### § 127.33 [Amended]

2. In § 127.33, in the second sentence, the reference "Subchapter XV" is revised to read "Subchapter IV".

### PART 133—TRADEMARKS, TRADE NAMES, AND COPYRIGHTS

1. The authority citation for part 133 continues to read in part as follows:

**Authority:** 17 U.S.C. 101, 601, 602, 603; 19 U.S.C. 66, 1624; 31 U.S.C. 9701.

\* \* \* \* \*

Section 133.21 also issued under 15 U.S.C. 1124, 19 U.S.C. 1526;

\* \* \* \* \*

#### § 133.21 [Amended]

2. In § 133.21, at the end of paragraph (d), the reference "§ 133.24" within the parentheses is revised to read "§ 133.23a".

#### § 133.23 [Amended]

3. In § 133.23, in paragraph (b)(3), the reference "§ 133.24" within the parentheses is revised to read "§ 133.23a".

### PART 141—ENTRY OF MERCHANDISE

1. The authority citation for part 141 continues to read in part as follows:

**Authority:** 19 U.S.C. 66, 1448, 1484, 1624.

\* \* \* \* \*

Subpart F also issued under 19 U.S.C. 1481;

\* \* \* \* \*

Section 141.1 also issued under 11 U.S.C. 507(a)(7)(F), 31 U.S.C. 191, 192;

\* \* \* \* \*

Section 141.4 also issued under 19 U.S.C. 1202 (General Note 13; Chapter 86, Additional U.S. Note 1; Chapter 89, Additional U.S. Note 1; Chapter 98, Subchapter III, U.S. Note 4; Chapter 99, Subchapter V, U.S. Note 9, Harmonized Tariff Schedule of the United States (HTSUS)), 1498;

\* \* \* \* \*

Section 141.69 also issued under 19 U.S.C. 1315;

\* \* \* \* \*

Section 141.112 also issued under 19 U.S.C. 1564;

\* \* \* \* \*

2. The specific authority citation for subpart B is removed.

#### § 141.41 [Amended]

3. In § 141.1, at the end of paragraph (f), the reference "part 20" within the parentheses is revised to read "part 27".

#### § 141.4 [Amended]

4. In § 141.4, in the introductory text of paragraph (c), the reference "General Note 13(e)" is revised to read "General Note 16(e)".

#### § 141.11 [Amended]

5. In § 141.11, in the first sentence of paragraph (b), the reference "subpart B of this chapter" is revised to read "subpart B of part 142 of this chapter".

#### § 141.61 [Amended]

6. In § 141.61:  
a. In paragraph (a)(1), at the end of the second sentence, the reference "§ 101.1(k)" within the parentheses is revised to read "§ 101.1 of this chapter"; and

b. In paragraph (e)(3), the reference "General Statistical Note 1(b)(V)" is revised to read "General Statistical Note 1(b)(ii)".

**§ 141.69 [Amended]**

7. In § 141.69, at the end of paragraph (a), the reference "§ 141.68(f)" is revised to read "§ 141.68(g)".

**§ 141.83 [Amended]**

8. In § 141.83, paragraph (d)(1) is removed and reserved.

**§ 141.89 [Amended]**

9. In § 141.89, under paragraph (a), in the product listings for machine tools, the reference in item (4) to "Subheading 8457.10.0010 through 8457.10.0050" is revised to read "Subheading 8457.10.00".

**§ 141.112 [Amended]**

10. In § 141.112, in paragraph (f), the reference "158.10" is revised to read "158.44".

**PART 143—SPECIAL ENTRY PROCEDURES**

1. The authority citation for part 143 continues to read as follows:

**Authority:** 19 U.S.C. 66, 1481, 1484, 1498, 1624.

**§ 143.1 [Amended]**

2. In § 143.1, in paragraph (b), the reference "§ 101.1(l)" is revised to read "§ 101.1".

**PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS**

1. The authority citation for part 148 continues to read in part as follows:

**Authority:** 19 U.S.C. 66, 1496, 1498, 1624. The provisions of this part, except for subpart C, are also issued under 19 U.S.C. 1202 (General Note 20, Harmonized Tariff Schedule of the United States).

\* \* \* \* \*

**§ 148.41 [Amended]**

2. In § 148.41, the reference "subheading 9804.00.20" is revised to read "subheading 9804.00.40".

**PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE**

1. The authority citation for part 151 continues to read in part as follows:

**Authority:** 19 U.S.C. 66, 1202 (General Notes 20 and 21, Harmonized Tariff Schedule of the United States (HTSUS)), 1624. Subpart A also issued under 19 U.S.C. 1499.

\* \* \* \* \*

**§ 151.4 [Amended]**

2. In § 151.4, paragraph (b)(2) is removed and reserved.

**PART 152—CLASSIFICATION AND APPRAISEMENT OF MERCHANDISE**

1. The authority citation for part 152 continues to read in part as follows:

**Authority:** 19 U.S.C. 66, 1401a, 1500, 1502, 1624.

\* \* \* \* \*

2. The specific authority citation for Subpart D is removed.

3. The specific authority citation for §§ 152.13 and 152.24 is amended by removing the words "Sections 152.13 and 152.24" and adding, in their place, the words "Section 152.13".

**§ 152.102 [Amended]**

4. In § 152.102:

a. In paragraph (j)(2), the reference "§ 152.103(j)(2)(iv)" is revised to read "§ 152.103(j)(2)(ii)"; and

b. In paragraph (k), the reference "§ 151.105(c)(3)" is revised to read "§ 152.105(c)(3)".

**PART 159—LIQUIDATION OF DUTIES**

1. The authority citation for part 159 is revised to read as follows:

**Authority:** 19 U.S.C. 66, 1500, 1504, 1624. Subpart C also issued under 31 U.S.C. 5151.

**§ 159.33 [Amended]**

2. In § 159.33, in the first sentence, the reference "31 U.S.C. 372(a)" is revised to read "31 U.S.C. 5151(b)".

**§ 159.35 [Amended]**

3. In § 159.35, in the first sentence, the reference "31 U.S.C. 372(c)(2)" is revised to read "31 U.S.C. 5151(e)".

**§ 159.43 [Amended]**

4. In § 159.43, at the beginning of the first sentence, the word "Additional" is removed.

**PART 171—FINES, PENALTIES, AND FORFEITURES**

1. The authority citation for part 171 continues to read in part as follows:

**Authority:** 19 U.S.C. 66, 1592, 1618, 1624.

\* \* \* \* \*

**Appendix C to Part 171 [Amended]**

2. In Appendix C to Part 171, in section II, at the end of paragraph E.2., the reference "19 CFR 141.133" is revised to read "19 CFR 141.33".

**PART 177—ADMINISTRATIVE RULINGS**

1. The general authority citation for part 177 is revised to read as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1624.

\* \* \* \* \*

**§ 177.2 [Amended]**

2. In § 177.2, the first sentence of paragraph (b)(2)(iii) is amended by removing the words "subparts C and D of part 152" and adding, in their place, the words "subpart C of part 152".

**PART 191—DRAWBACK**

1. The authority citation for part 191 continues to read in part as follows:

**Authority:** 5 U.S.C. 301; 19 U.S.C. 66, 1202 (General Note 20, Harmonized Tariff Schedule of the United States), 1313, 1624.

\* \* \* \* \*

Sections 191.131(a), 191.133, 191.137, 191.139 also issued under 19 U.S.C. 1557;

\* \* \* \* \*

**§ 191.91 [Amended]**

2. In § 191.91, the reference "§ 191.4(a)(10)" at the end within the parentheses is revised to read "§ 191.4(a)(12)".

**§ 191.131 [Amended]**

3. In § 191.131, at the end of paragraph (a), the reference "§ 191.4(a)(11)" within the parentheses is revised to read "§ 191.4(a)(13)".

**§ 191.161 [Amended]**

4. In § 191.161:

a. The words "fourth provision" are removed and the words "fourth proviso" are added in their place; and

b. The reference "§ 191.4(a)(12)" at the end within the parentheses is revised to read "§ 191.4(a)(14)".

**George J. Weise,**

*Commissioner of Customs.*

Approved: August 20, 1997.

**Dennis M. O'Connell,**

*Acting Deputy Assistant Secretary of the Treasury.*

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**DEPARTMENT OF THE TREASURY**

**Customs Service**

**19 CFR PART 12**

[T.D. 97-81]

**RIN 1515-AC24**

**Import Restrictions Imposed on Archaeological Artifacts From Guatemala**

**AGENCY:** U.S. Customs Service, Department of the Treasury.

**ACTION:** Final rule.

**SUMMARY:** This document amends the Customs Regulations to reflect the imposition of import restrictions on pre-Columbian culturally significant