

The Treaty is fully consistent with U.S. policy toward international and domestic investment. A specific tenet of U.S. policy, reflected in this Treaty, is that U.S. investment abroad and foreign investment in the United States should receive national treatment. Under this Treaty, the Parties also agree to international law standards for expropriation and compensation for expropriation; free transfer of funds related to investments; freedom of investments from performance requirements; fair, equitable, and most-favored-nation treatment; and the investor of investment's freedom to choose to resolve disputes with the host government through international arbitration.

I recommend that the Senate consider this Treaty as soon as possible, and give its advice and consent to ratification of the Treaty, with Annex, at an early date.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 10, 1995.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Thomas, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### ANNUAL REPORT OF THE CORPORATION FOR PUBLIC BROADCASTING—MESSAGE FROM THE PRESIDENT—PM 62

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States together with an accompanying report; which was referred to the Committee on Commerce, Science, and Transportation:

*To the Congress of the United States:*

In accordance with the Communications Act of 1934, as amended (47 U.S.C. 396(i)), I transmit herewith the Annual Report of the Corporation for Public Broadcasting (CPB) for Fiscal Year 1994 and the Inventory of the Federal Funds Distributed to Public Telecommunications Entities by Federal Departments and Agencies: Fiscal Year 1994.

Since 1967, when the Congress created the Corporation, CPB has overseen the growth and development of quality services for millions of Americans.

This year's report, entitled "American Stories," is a departure from previous reports. It profiles people whose lives have been dramatically improved by public broadcasting in their local

communities. The results are timely, lively, and intellectually provocative. In short, they're much like public broadcasting.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 10, 1995.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. HELMS:

S. 1015. A bill to provide for the liquidation or reliquidation of certain entries of pharmaceutical grade phospholipids; to the Committee on Finance.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1016. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Magic Carpet*; to the Committee on Commerce, Science, and Transportation.

S. 1017. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Chrissy*; to the Committee on Commerce, Science, and Transportation.

By Mr. HELMS:

S. 1018. A bill for the relief of Clarence P. Stewart; to the Committee on Governmental Affairs.

By Mr. BAUCUS:

S. 1019. A bill to direct the United States Fish and Wildlife Service to examine the impacts of whirling disease, and other parasites and pathogens, on trout in the Madison River, Montana, and similar natural habitats, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COVERDELL:

S. 1020. A bill to establish the Augusta Canal National Heritage Area in the State of Georgia, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. FEINGOLD:

S.J. Res. 37. A joint resolution disapproving the extension of nondiscriminatory treatment (most-favored-nation treatment) to the products of the People's Republic of China; to the Committee on Finance.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. HELMS:

S. 1015. A bill to provide for the liquidation or reliquidation of certain entries of pharmaceutical grade phospholipids; to the Committee on Finance.

#### LEGISLATION CORRECTING THE RECLASSIFICATION OF PHOSPHOLIPIDS

Mr. HELMS. Mr. President, today I once again offer legislation to correct an obviously unintended and mistaken reclassification of pharmaceutical-grade, FDA-approved egg yolk phospholipid by HTS, the Harmonized Tariff Classification System. Another provision of this legislation has been accomplished in the Uruguay round GATT agreement.

Kabi Pharmacia is a U.S. company in Clayton, NC. Kabi has become a leading employer in rural Johnston Coun-

ty; it has 175 employees engaged in high-technology manufacturing and research work. The main product manufactured by Kabi Pharmacia in Clayton is intralipid, a unique intravenous feeding solution. Kabi must import a key, unique intralipid ingredient—pharmaceutical-grade, FDA-approved egg yolk phospholipid, because it is made only by Kabi's parent company in Sweden.

The duty on Kabi's phospholipid was set at 1.5 percent in the 1970's when Kabi began operations in Clayton. Beginning in March 1991, the unintentional HTS reclassification of the phospholipid more than tripled this duty, a situation that could not be corrected in the GATT agreement because it is a matter of U.S. law—which, of course, only Congress can change.

Mr. President, my legislation would return the rate on the phospholipid to 1.5 percent for the period from March 29, 1991, until January 1, 1995, when the duty for Kabi's phospholipid and other pharmaceutical components and products became zero under the GATT agreement, and refund the unintended duty increase. The amount of the unintended duty increase is \$396,779.16.

Mr. President, there has been no disagreement that the duty increase on Kabi's phospholipid was unintended and unwarranted. Simple fairness emphasizes the need for the legislation I offer today. The correction of the erroneous HTS reclassification must be retroactive in order that there can be an equitable redress. It is a matter of simple fairness and equity.

I ask unanimous consent that the text of this legislation (S. 1015) be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1015

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

#### SECTION 1. PHARMACEUTICAL GRADE PHOSPHOLIPIDS.

Notwithstanding section 514 of the Tariff Act of 1930 (19 U.S.C. 1514) or any other provision of law, upon proper request filed with the Customs Service not later than 90 days after the date of the enactment of this Act, any entry, or withdrawal from warehouse for consumption, of pharmaceutical grade phospholipids that—

(1) was made under subheading 2923.20.00 of the Harmonized Tariff Schedule of the United States;

(2) with respect to which a lower rate of duty would have applied if such entry or withdrawal had been made under subheading 2923.20.10 or 2923.20.20 of such Schedule; and

(3) was made after March 29, 1991, and before January 1, 1995;

shall be liquidated or reliquidated as if such lower rate of duty applied to such entry or withdrawal.

By Mr. KERRY (for himself and Mr. KENNEDY):

S. 1016. A bill to authorize the Secretary of Transportation to issue a certificate of documentation with the appropriate endorsement for employment in the coastwise trade for the vessel *Magic Carpet*; to the Committee on