

ANNEX II  
Schedule of United States

SECTOR: Communication

SUB-SECTOR: Cable Television

INDUSTRY CLASSIFICATION: SIC 4841 Cable and Other Pay Television Services

TYPE OF RESERVATION: National Treatment (Article 1102)  
Most-Favored-Nation Treatment (Article 1103)

DESCRIPTION: Investment

Subject to Article 2106, the United States reserves the right to adopt or maintain any measure that accords equivalent treatment to persons of any country that limits ownership by persons of the United States in an enterprise engaged in the operation of a cable television system in that country.

LEGAL CITATION OF EXISTING MEASURES: None

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ANNEX II  
Schedule of United States

SECTOR: Communications

SUB-SECTOR: Telecommunications Transport Networks and Services  
and Radio Communications

INDUSTRY CLASSIFICATION: CPC 752 Telecommunications Services  
(Not Including CPC 752323 Value-Added  
Network Services or CPC 752329 Other  
Message Services)

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103, 1203)  
Local Presence (Article 1205)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

The United States reserves the right to adopt or maintain any measure relating to investment in, or the provision of, telecommunications transport networks and

telecommunications transport services or to radio communications. These measures apply to such matters as market entry, spectrum assignment, tariffs, intercarrier agreements, terms and conditions of service, and interconnection between networks and services. Telecommunications transport services typically involve the real-time transmission of customer-supplied information between two or more points without end-to-end change in the form or content of the customer's information, whether or not such services are offered to the public generally. These services include voice and data services provided by any electromagnetic means. Radio communications include all communications by radio, including broadcasting. This reservation does not apply to measures relating to enhanced or value-added services.

#### LEGAL CITATION OF EXISTING MEASURES:

Communications Act of 1934, as amended, 47 U.S.C. 151 et seq., see particularly 310(a), (b) (1988) (radio licenses for common carrier, aeronautical en route, aeronautical en route, aeronautical fixed, and broadcasting services), and any Federal Communications Commission rules or policies adopted pursuant to Title 47 of the United States Code, including F.C.C. Decision, International Competitive Carrier, 102 F.C.C. 2d 812 (1985)

An Act relating to the Landing and Operation of Submarine Cables in the United States, as amended, 47 U.S.C. §34-9 (1988), see particularly §35 (Submarine Cable Landing Act) (undersea cables)

Communications Satellite Act of 1962, as amended, 47 U.S.C. §§701-57 (1988)

Telegraph Act, as amended, 47 U.S.C. §17 (1988) (telegraph cables serving Alaska)

Children's Television Act of 1990, 47 U.S.C. §303a (1990)

ANNEX II  
Schedule of United States

SECTOR: Social Services

SUB-SECTOR:

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Local Presence (Article 1205)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

The United States reserves the right  
to adopt or maintain any measure with  
respect to the provision of public law  
enforcement and correctional services,

and the following services to the  
extent they are social services  
established or maintained for a public  
purpose: income security or  
insurance, social security or  
insurance, social welfare, public  
education, public training, health,  
and child care.

LEGAL CITATION OF EXISTING MEASURES:

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ANNEX II  
Schedule of the United States

SECTOR: Minority Affairs

SUB-SECTOR:

INDUSTRY CLASSIFICATION:

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Local Presence (Article 1205)  
Performance Requirements (Article 1106)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

The United States reserves the right

to adopt or maintain any measure  
according rights or preferences to  
socially or economically disadvantaged  
minorities, including corporations  
organized under the laws of the State  
of Alaska in accordance with the  
Alaska Native Claims Settlement Act  
(43 U.S.C. §1601 et seq.)

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ANNEX II  
Schedule of United States

SECTOR: Professional Services

SUB-SECTOR: Attorneys

INDUSTRY CLASSIFICATION: SIC 8111 Legal Services

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103, 1203)  
Local Presence (Article 1205)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

Subject to page VI-U-3, the United  
States reserves the right to adopt or  
maintain any measure relating to the  
provision of legal services, including  
foreign legal consultancy services, by  
persons of Mexico.

LEGAL CITATION OF EXISTING MEASURES: None

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ANNEX II  
Schedule of the United States

SECTOR: Publishing

SUB-SECTOR: Newspaper Publishing

INDUSTRY CLASSIFICATION: SIC 2711 Newspapers: Publishing, or Publishing  
and Printing

TYPE OF RESERVATION: National Treatment (Article 1102)  
Most-Favored-Nation Treatment (Article 1103)

DESCRIPTION: Investment

Subject to Article 2106, the United

States reserves the right to adopt or maintain any measure that accords equivalent treatment to persons of any country that limits ownership by persons of the United States in an enterprise engaged in the publication of daily newspapers primarily written for audiences and distributed in that country.

For purposes of this reservation, daily newspapers are newspapers published at least five days each week.

LEGAL CITATION OF EXISTING MEASURES: None

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## ANNEX II

### Schedule of the United States

SECTOR: Transportation

SUB-SECTOR: Water Transportation

INDUSTRY CLASSIFICATION: SIC 4412 Deep Sea Foreign Transportation of Freight  
(limited to promotional programs)

SIC 4424 Deep Sea Domestic Transportation of Freight  
(includes coastwise transportation of freight,  
deep sea domestic freight transportation,  
intercoastal transportation of freight, water  
transportation of freight to noncontiguous  
territories)

SIC 4432 Freight Transportation on the  
Great Lakes and St. Lawrence Seaway

SIC 4449 Water Transportation of Freight, Not  
Elsewhere Classified (includes canal barge  
operations, canal freight transportation,  
intracoastal freight transportation,  
lake freight transportation except on  
the Great Lakes, log rafting and  
towing, river freight transportation  
except on the St. Lawrence Seaway,  
transportation of freight on bays and  
sounds of the oceans)

SIC 4481 Deep Sea Transportation of  
Passengers, Except by Ferry (limited  
to promotional programs)

SIC 4482 Ferries

SIC 4489 Water Transportation of Passengers, Not Elsewhere Classified (includes airboats, swamp buggy rides, excursion boat operations, passenger water transportation on rivers and canals, sightseeing boats, water taxis)

SIC 4492 Towing and Tugboat Services

SIC 4499 Water Transportation Services, Not Elsewhere Classified (limited to cargo salvaging, chartering of commercial boats, lighterage, bunkering, marine salvage, pilotage, steamship leasing, cable laying)

SIC 4491 - Marine Cargo Handling (limited to crew activities aboard vessels transporting supplies and cargo within U.S. territorial waters and longshore work performed by crew affected by reciprocity restrictions)

SIC 1629 Heavy Construction, Not Elsewhere Classified (limited to marine dredging)

SIC 091 Commercial Fishing (limited to fishing vessels and fishing operations within the Exclusive Economic Zone)

TYPE OF RESERVATION: National Treatment (Articles 1102, 1202)  
Most-Favored-Nation Treatment (Articles 1103, 1203)  
Local Presence (Article 1205)  
Performance Requirements (Article 1106)  
Senior Management (Article 1107)

DESCRIPTION: Cross-Border Services and Investment

The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:

(a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the

coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways;

(b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades;

(c) requirements for investment in, ownership and control of, and operation of vessels engaging in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone (EEZ);

(d) requirements related to documenting a vessel under the U.S. flag;

(e) promotional programs, including tax benefits, available for shipowners, operators and vessels meeting certain requirements;

(f) certification, licensing and citizenship requirements for crew members on U.S.-flagged vessels;

(g) manning requirements of U.S.-flagged vessels;

(h) all matters falling under the jurisdiction of the Federal Maritime Commission;

(i) negotiation and implementation of bilateral and other international maritime agreements and understandings;

(j) limitations on longshore work performed by crew members;

(k) tonnage duties and light money assessments for entering U.S. waters; and

(l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters.

The following activities are not

included in this reservation:

(a) vessel construction and repair;  
and

(b) landside aspects of port  
activities including operation  
and maintenance of docks, loading  
and unloading of vessels directly  
to or from land, marine cargo  
handling, operation and  
maintenance of piers, ship  
cleaning, stevedoring, transfer  
of cargo between a ship and  
trucks, trains, pipelines and  
wharves, waterfront terminal  
operations, boat cleaning, canal  
operation, dismantling of ships,  
operation of marine railways for  
drydocking, marine surveyors,  
except cargo, marine wrecking of  
ships for scrap and ship  
classification societies.

LEGAL CITATION OF EXISTING MEASURES: Merchant Marine Act of 1920, 27, 46  
App. U.S.C. 883 et seq. (Jones Act,  
including Bowaters Corporations, 46  
App. U.S.C. 883-1);

Jones Act Waiver Statute, Act of  
December 27, 1950, 46 U.S.C. App.,  
note preceding Sec. 1;

Shipping Act of 1916, §9, 46 U.S.C.  
App. 808;

Shipping Act of 1916, §2, 46 U.S.C.  
App. 802;

Merchant Marine Act of 1936, §905(c),  
46 U.S.C. App. 1244;

Merchant Ship Sales Act of 1946, 50  
U.S.C. App. 1738;

46 U.S.C. App. 292;

46 U.S.C. 12101 et seq. and 31301 et  
seq.;

46 U.S.C. App. 316 and 8904;

Passenger Vessel Act, 46 U.S.C. 289;

Merchant Marine Act of 1936, Title VI,  
46 U.S.C. App. 1171, et seq.



(includes Capital Construction Fund --  
46 App. U.S.C. 1177, 26 U.S.C. 7518)  
and the Merchant Marine Act of 1936,  
Title V, 46 U.S.C. App. 1151, et seq.  
(includes Capital Reserves Fund, 46  
App. U.S.C. 1161 and trade in of  
obsolete vessels, 46 App. U.S.C.  
1160(1) and for National Defense  
Reserve Fleet, 46 App. 1160(i));

46 U.S.C. 31328(2);

Merchant Marine Act of 1936, Title XI,  
46 U.S.C. App. 1271, et seq. (includes  
Marine Hull Insurance Requirements --  
46 App. U.S.C. 1273(b) and 46 U.S.C.  
Part 249);

Tonnage Duties, 46 App. U.S.C. 121;

Merchant Marine Act of 1936, §901(a)  
and (b), 46 App. U.S.C. 1241(b);  
Public Resolution 17, 46 App. U.S.C.  
1241-1; and the Cargo Preference Act  
of 1904, 10 U.S.C. 2631;

Environmental laws: CERCLA (superfund)  
42 U.S.C. 9601 et seq.; and Oil  
Pollution Act of 1990, 33 U.S.C. 2701;  
Clean Water Act, 33 U.S.C. 1251 et  
seq.;

46 U.S.C. 3301 et seq.;

46 U.S.C. 3701, et seq.;

Controlled Carrier Act, Shipping Act  
of 1984, §9, 46 App U.S.C. 1708;

Merchant Marine Act of 1920, §19 as  
amended, 46 App. U.S.C. 876; Shipping  
Act of 1984, §13(b)(5); 46 App. U.S.C.  
1712 (b)(5); and the Foreign Shipping  
Practices Act of 1988; Omnibus Trade  
and Competitiveness Act of 1988, Title  
X, 46 App. U.S.C. 1710a;

Immigration Act of 1990, §203, 8  
U.S.C. 1288, restrictions on  
stevedoring by crews of foreign  
vessels;

46 U.S.C. 8103;

Nicholson Act, 46 U.S.C. App. 251;

Commercial Fishing Industry Vessel  
Anti-Reflagging Act of 1987, 46 U.S.C.  
2101 and 46 U.S.C. 12108;

43 U.S.C. 1841;

22 U.S.C. 1980;

Intercoastal Shipping Act, 46 App.  
U.S.C. 843;

46 U.S.C. 9302, 46 U.S.C. 8502;  
Agreement Governing the Operation of  
Pilotage on the Great Lakes, Exchange  
of Notes at Ottawa, August 23, 1978,  
and March 29, 1979, Treaties and  
International Agreements Service 9445;

46 U.S.C. 12107(b); and

Magnuson Fisheries Conservation and  
Management Act, 16 U.S.C. 1801, et  
seq.