

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5160

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## AN ACT

To extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Haiti Economic Lift  
3 Program Act of 2010”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) On January 12, 2010, Haiti was hit by a  
7 7.0 magnitude earthquake, the worst earthquake to  
8 affect Haiti in recorded history. Aftershocks from  
9 the earthquake, measuring up to 6.0 on the Richter  
10 scale, continued for days afterwards.

11 (2) The earthquake has devastated Haiti’s in-  
12 frastructure, including homes, offices, factories,  
13 roads, ports, communications, and other facilities.  
14 The loss of life attributable to the earthquake was  
15 massive.

16 (3) Even before the earthquake, Haiti was the  
17 poorest country in the Western Hemisphere, ranking  
18 149 out of 182 countries according to the United  
19 Nation’s Human Development Index.

20 (4) In recent years, however, the Government  
21 and people of Haiti had taken important steps for-  
22 ward to promote economic growth and development,  
23 including making strides towards establishing a com-  
24 petitive apparel sector.

25 (5) United States trade preference programs,  
26 including the Caribbean Basin Economic Recovery

1 Act (as amended by the United States-Caribbean  
2 Basin Trade Partnership Act, the Haitian Hemi-  
3 spheric Opportunity through Partnership Encour-  
4 agement Act of 2006, and the Haitian Hemispheric  
5 Opportunity through Partnership Encouragement  
6 Act of 2008), which extend duty-free tariff treat-  
7 ment to certain apparel produced in Haiti, have  
8 made an important contribution to Haiti's economic  
9 development efforts.

10 (6) However, the Haitian apparel sector has  
11 been hard hit by the January 12, 2010, earthquake.  
12 A number of apparel factories based in and around  
13 Port-au-Prince have been heavily damaged, including  
14 the collapse of one major apparel factory that had  
15 employed nearly 4,000 workers.

16 (7) The Port-au-Prince seaport that had served  
17 the apparel trade has been badly damaged. And ex-  
18 tensive damage to roads has made it difficult to  
19 transport apparel to the Dominican Republic for  
20 shipment from ports in that country.

21 (8) According to estimates by the Department  
22 of Commerce, imports of apparel articles from Haiti  
23 to the United States in 2010 have decreased by 43  
24 percent as compared to the same period in 2009.

1           (9) The earthquake has increased significantly  
2 the costs and uncertainty of doing business in Haiti.  
3 A strong and unequivocal commitment from the  
4 United States is needed to help Haiti offset these  
5 costs and preserve the gains made under United  
6 States trade preference programs, and to encourage  
7 buyers and investors to stand with Haiti through  
8 this crisis.

9 **SEC. 3. EXTENSION OF CARIBBEAN BASIN ECONOMIC RE-**  
10 **COVERY ACT.**

11       The Caribbean Basin Economic Recovery Act (19  
12 U.S.C. 2701 et seq.) is amended—

13           (1) in section 213(b)—

14               (A) in paragraph (2)(A)—

15                   (i) in clause (iii)—

16                       (I) in subclause (II)(cc), by strik-  
17 ing “September 30, 2010” and insert-  
18 ing “September 30, 2020”; and

19                       (II) in subclause (IV)(dd), by  
20 striking “September 30, 2010” and  
21 inserting “September 30, 2020”; and

22                   (ii) in clause (iv)(II), by striking “8”  
23 and inserting “18”; and

1 (B) in paragraph (5)(D)(i), by striking  
2 “September 30, 2010” and inserting “Sep-  
3 tember 30, 2020”; and

4 (2) in section 213A(h), by striking “September  
5 30, 2018” and inserting “September 30, 2020”.

6 **SEC. 4. APPAREL AND OTHER ARTICLES SUBJECT TO CER-**  
7 **TAIN ASSEMBLY RULES.**

8 (a) CERTAIN OTHER APPAREL ARTICLES.—Section  
9 213A(b)(3) of the Caribbean Basin Economic Recovery  
10 Act (19 U.S.C. 2703a(b)(3)) is amended by adding at the  
11 end the following:

12 “(F) CERTAIN OTHER APPAREL ARTI-  
13 CLES.—

14 “(i) IN GENERAL.—Any of the apparel  
15 articles described in clause (ii) that is  
16 wholly assembled, or knit-to-shape, in  
17 Haiti from any combination of fabrics, fab-  
18 ric components, components knit-to-shape,  
19 or yarns and is imported directly from  
20 Haiti or the Dominican Republic shall  
21 enter the United States free of duty, with-  
22 out regard to the source of the fabric, fab-  
23 ric components, components knit-to-shape,  
24 or yarns from which the article is made.

1                   “(ii) ARTICLES DESCRIBED.—Apparel  
 2                   articles described in this clause are apparel  
 3                   articles in the following category numbers  
 4                   that fall within the following statistical re-  
 5                   porting numbers of the HTS (as in effect  
 6                   on the day before the date of the enact-  
 7                   ment of this subparagraph):

| <b>“Category Number</b> | <b>HTS Statistical Reporting Number</b>  |
|-------------------------|--|
| 334                     | 6101.90.9010<br>6112.11.0010<br>6103.22.0010<br>6113.00.9015   |
| 335                     | 6104.22.0010<br>6104.29.2010<br>6112.11.0020   |
| 336                     | 6104.49.9010   |
| 338                     | 6103.22.0050<br>6105.90.8010<br>6112.11.0030   |
| 339                     | 6104.22.0060<br>6104.29.2049<br>6106.90.2510<br>6106.90.3010<br>6110.20.1031<br>6110.20.1033<br>6112.11.0040 |
| 342                     | 6104.22.0030<br>6104.29.2022<br>6104.52.0010<br>6104.52.0020<br>6104.59.8010                                 |
| 350                     | 6107.91.0040<br>6107.91.0090   |
| 351                     | 6107.21.0010<br>6107.21.0020<br>6107.91.0030<br>6108.31.0010   |

|     |  |
|-----|--|
|     | 6108.31.0020   |
| 433 | 6103.23.0007<br>6103.29.0520<br>6103.31.0000<br>6103.33.1000<br>6103.39.8020   |
| 434 | 6101.30.1500<br>6101.90.0500<br>6101.90.9020<br>6103.23.0005<br>6103.29.0510   |
| 435 | 6102.30.1000<br>6102.90.9010<br>6104.23.0010<br>6104.29.0510<br>6104.29.2012<br>6104.33.1000<br>6104.39.2020   |
| 438 | 6103.23.0025<br>6103.29.0550<br>6104.23.0020<br>6104.29.0560<br>6104.29.2051<br>6105.90.1000<br>6105.90.8020<br>6106.20.1020<br>6106.90.1010<br>6106.90.1020<br>6106.90.2520<br>6106.90.3020<br>6110.11.0070<br>6110.12.2070<br>6110.12.2080<br>6110.19.0070<br>6110.19.0080<br>6110.30.1550<br>6110.30.1560 |
| 633 | 6103.23.0037<br>6103.29.1015<br>6103.33.2000<br>6103.39.1000<br>6103.39.8030   |
| 634 | 6101.30.1000<br>6101.90.9030<br>6103.23.0036<br>6103.29.1010<br>6112.12.0010<br>6112.19.1010<br>6112.20.1010<br>6112.20.1030   |

|     |  |
|-----|--|
|     | 6113.00.9025   |
| 635 | 6102.30.0500<br>6102.90.9015<br>6104.23.0026<br>6104.29.1010<br>6104.29.2014<br>6104.39.2030<br>6112.12.0020<br>6112.19.1020<br>6112.20.1020<br>6112.20.1040<br>6113.00.9030 |
| 636 | 6104.49.9030<br>6104.44.2020   |
| 638 | 6103.23.0075<br>6103.29.1050<br>6105.90.8030<br>6110.30.1050<br>6110.30.2051<br>6110.30.2053<br>6112.12.0030<br>6112.19.1030   |
| 639 | 6104.23.0036<br>6104.29.1050<br>6104.29.2055<br>6106.90.2530<br>6106.90.3030<br>6110.30.1060<br>6110.30.2061<br>6110.30.2063<br>6112.12.0040<br>6112.19.1040                 |
| 651 | 6107.22.0010<br>6107.22.0015<br>6107.22.0025<br>6107.99.1030<br>6108.32.0015   |

1                   “(iii) CATEGORY DEFINED.—In this  
2                   subparagraph, the term ‘category’ has the  
3                   meaning given that term in paragraph  
4                   (2A)(E) of this subsection.”.

5           (b) MADE-UP TEXTILE ARTICLES.—Section  
6 213A(b)(3) of the Caribbean Basin Economic Recovery



1 Act (19 U.S.C. 2703a(b)(3)), as amended by subsection  
 2 (a), is further amended by adding at the end the following:

3 “(G) MADE-UP TEXTILE ARTICLES.—

4 “(i) IN GENERAL.—Any of the made-  
 5 up textile articles described in clauses (ii)  
 6 and (iii) that is wholly assembled, or knit-  
 7 to-shape, in Haiti from any combination of  
 8 fabrics, fabric components, components  
 9 knit-to-shape, or yarns and is imported di-  
 10 rectly from Haiti or the Dominican Repub-  
 11 lic shall enter the United States free of  
 12 duty, without regard to the source of the  
 13 fabric, fabric components, components  
 14 knit-to-shape, or yarns from which the ar-  
 15 ticle is made.

16 “(ii) ARTICLES DESCRIBED.—Made-  
 17 up textile articles described in this clause  
 18 are articles in the following category num-  
 19 bers that fall within the following statis-  
 20 tical reporting numbers of the HTS (as in  
 21 effect on the day before the date of the en-  
 22 actment of this subparagraph):

| “Category Number | HTS Statistical Reporting Number             |
|------------------|--|
| 363              | 6302.60.0020<br>6302.91.0015<br>6302.91.0035 |

|     |  |
|-----|--|
|     | 6307.90.8940   |
| 369 | 6304.91.0020<br>6304.92.0000<br>6302.60.0010<br>6302.60.0030<br>6302.91.0005<br>6302.91.0050<br>6307.90.8910<br>6307.90.8945<br>5701.90.2020<br>5702.39.2010<br>5702.50.5600<br>5702.99.0500<br>5702.99.1500<br>5705.00.2020<br>5807.10.0510<br>5807.90.0510<br>6307.90.3010<br>6301.30.0010<br>6305.20.0000<br>6307.10.1020<br>6307.10.1090<br>6406.10.7700<br>9404.90.1000<br>9404.90.9505<br>6301.30.0020<br>6302.91.0045 |
| 465 | 5701.10.9000<br>5702.50.2000<br>5702.50.4000<br>5702.91.3000<br>5702.91.4000<br>5703.10.2000<br>5703.10.8000<br>5704.10.0010<br>5705.00.2005<br>5705.00.2015<br>5702.31.1000<br>5702.31.2000   |
| 469 | 6304.19.3040<br>6304.91.0050<br>6304.99.1500<br>6304.99.6010<br>5601.29.0020<br>6302.39.0010<br>6406.10.9020   |
| 665 | 5701.90.1030<br>5701.90.2030<br>5702.32.1000<br>5702.32.2000<br>5702.42.2090<br>5702.50.5200   |

|     |  |
|-----|--|
|     | 5702.92.1000<br>5702.92.9000<br>5703.20.1000<br>5703.30.2000<br>5703.30.8030<br>5703.30.8080<br>5704.10.0090<br>5705.00.2030<br>5703.20.2010<br>5703.20.2090                                 |
| 666 | 6304.11.2000<br>6304.91.0040<br>6304.93.0000<br>6304.99.6020<br>6301.40.0010<br>6301.40.0020<br>6301.90.0010   |
| 669 | 5601.10.2000<br>5601.22.0090<br>5807.10.0520<br>5807.90.0520<br>6307.90.3020<br>6305.32.0010<br>6305.32.0020<br>6305.32.0050<br>6305.32.0060<br>6305.39.0000<br>6406.10.9040<br>6308.00.0020 |
| 899 | 6304.11.3000<br>6304.19.3060<br>6304.91.0070<br>6304.99.3500<br>6304.99.6040<br>5601.29.0090<br>6301.90.0030<br>6305.90.0000<br>6406.10.9060   |
| 900 | 5601.29.0010<br>5701.90.2010<br>6301.90.0020   |

1                                   “(iii) OTHER ARTICLES DESCRIBED.—  
2                                   Made-up textile articles described in this  
3                                   clause are articles that fall within statis-  
4                                   tical reporting number 6406.10.9090 of

1 the HTS (as in effect on the day before  
2 the date of the enactment of this subpara-  
3 graph).

4 “(iv) CATEGORY DEFINED.—In this  
5 subparagraph, the term ‘category’ has the  
6 meaning given that term in paragraph  
7 (2A)(E) of this subsection.”.

8 **SEC. 5. MODIFICATION OF TARIFF PREFERENCE LEVELS;**  
9 **VERIFICATION WITH RESPECT TO TRANS-**  
10 **SHIPMENT FOR CERTAIN APPAREL ARTI-**  
11 **CLES.**

12 Section 213A(b) of the Caribbean Basin Economic  
13 Recovery Act (19 U.S.C. 2703a(b)) is amended—

14 (1) in paragraph (2)—

15 (A) in subparagraph (A)(ii)—

16 (i) by striking “The preferential treat-  
17 ment” and inserting “Except as provided  
18 in paragraph (2A), the preferential treat-  
19 ment”; and

20 (ii) by striking “9” and inserting  
21 “11”; and

22 (B) in subparagraph (B)(iii)—

23 (i) by striking “The preferential treat-  
24 ment” and inserting “Except as provided

1 in paragraph (2A), the preferential treat-  
2 ment”; and

3 (ii) by striking “9” and inserting  
4 “11”; and

5 (2) by inserting after paragraph (2) the fol-  
6 lowing:

7 “(2A) SPECIAL RULE FOR CERTAIN WOVEN AR-  
8 TICLES AND CERTAIN KNIT ARTICLES ENTERED  
9 DURING FISCAL YEAR 2010 AND SUCCEEDING 1-YEAR  
10 PERIODS.—

11 “(A) IN GENERAL.—Except as provided in  
12 subparagraphs (B) and (C) and subject to sub-  
13 paragraph (D), if 52,000,000 square meter  
14 equivalents of apparel articles described in  
15 paragraph (2)(A)(i) or (2)(B)(i) enter the  
16 United States during the 1-year period begin-  
17 ning October 1, 2009, or any of the succeeding  
18 1-year periods, the President shall extend the  
19 preferential treatment described in paragraph  
20 (2)(A)(i) or (2)(B)(i) (as the case may be) to  
21 not more than 200,000,000 square meter  
22 equivalents of apparel articles described in  
23 paragraph (2)(A)(i) or (2)(B)(i) (as the case  
24 may be) during that 1-year period, and shall

1 publish notice of the extension in the Federal  
2 Register.

3 “(B) EXCEPTION FOR CERTAIN WOVEN AR-  
4 TICLES.—

5 “(i) IN GENERAL.—In the case of ap-  
6 parel articles described in clause (ii), sub-  
7 paragraph (A) shall be applied by sub-  
8 stituting ‘70,000,000’ for ‘200,000,000’.

9 “(ii) APPAREL ARTICLES DE-  
10 SCRIBED.—Apparel articles described in  
11 this clause are apparel articles described in  
12 paragraph (2)(A)(i) that are the following:

13 “(I) CATEGORY 347.—Apparel ar-  
14 ticles in category 347 that fall within  
15 the following statistical reporting  
16 numbers of the HTS (as in effect on  
17 the day before the date of the enact-  
18 ment of this paragraph):

|                     |                    |              |
|---------------------|--------------------|--------------|
| “6203.19.1020 ..... | 6203.42.4011 ..... | 6203.42.4061 |
| 6203.19.9020 .....  | 6203.42.4016 ..... | 6203.49.8020 |
| 6203.22.3020 .....  | 6203.42.4026 ..... | 6210.40.9033 |
| 6203.22.3030 .....  | 6203.42.4036 ..... | 6211.20.1520 |
| 6203.42.4003 .....  | 6203.42.4046 ..... | 6211.20.3810 |
| 6203.42.4006 .....  | 6203.42.4051 ..... | 6211.32.0040 |

19 “(II) CATEGORY 348.—Apparel  
20 articles in category 348 that fall with-  
21 in the following statistical reporting  
22 numbers of the HTS (as in effect on

1 the day before the date of the enact-  
 2 ment of this paragraph):

|                     |                    |              |
|---------------------|--------------------|--------------|
| “6204.12.0030 ..... | 6204.62.4011 ..... | 6204.69.9010 |
| 6204.19.8030 .....  | 6204.62.4021 ..... | 6210.50.9060 |
| 6204.22.3040 .....  | 6204.62.4031 ..... | 6211.20.1550 |
| 6204.22.3050 .....  | 6204.62.4041 ..... | 6211.20.6810 |
| 6204.29.4034 .....  | 6204.62.4051 ..... | 6211.42.0030 |
| 6204.62.3000 .....  | 6204.62.4056 ..... | 6217.90.9050 |
| 6204.62.4003 .....  | 6204.62.4066 ..... |              |
| 6204.62.4006 .....  | 6204.69.6010 ..... |              |

3 “(III) CATEGORY 647.—Apparel  
 4 articles in category 647 that fall with-  
 5 in the following statistical reporting  
 6 numbers of the HTS (as in effect on  
 7 the day before the date of the enact-  
 8 ment of this paragraph):

|                     |                    |              |
|---------------------|--------------------|--------------|
| “6203.23.0060 ..... | 6203.43.4020 ..... | 6203.49.8030 |
| 6203.23.0070 .....  | 6203.43.4030 ..... | 6210.40.5031 |
| 6203.29.2030 .....  | 6203.43.4040 ..... | 6210.40.5039 |
| 6203.29.2035 .....  | 6203.49.1500 ..... | 6211.20.1525 |
| 6203.43.2500 .....  | 6203.49.2015 ..... | 6211.20.3820 |
| 6203.43.3510 .....  | 6203.49.2030 ..... | 6211.33.0030 |
| 6203.43.3590 .....  | 6203.49.2045 ..... |              |
| 6203.43.4010 .....  | 6203.49.2060 ..... |              |

9 “(IV) CATEGORY 648.—Apparel  
 10 articles in category 648 that fall with-  
 11 in the following statistical reporting  
 12 numbers of the HTS (as in effect on  
 13 the day before the date of the enact-  
 14 ment of this paragraph):

|                     |                    |              |
|---------------------|--------------------|--------------|
| “6204.23.0040 ..... | 6204.63.3510 ..... | 6204.69.6030 |
| 6204.23.0045 .....  | 6204.63.3530 ..... | 6204.69.9030 |
| 6204.29.2020 .....  | 6204.63.3532 ..... | 6210.50.5031 |
| 6204.29.2025 .....  | 6204.63.3540 ..... | 6210.50.5039 |
| 6204.29.4038 .....  | 6204.69.2510 ..... | 6211.20.1555 |
| 6204.63.2000 .....  | 6204.69.2530 ..... | 6211.20.6820 |
| 6204.63.3010 .....  | 6204.69.2540 ..... | 6211.43.0040 |
| 6204.63.3090 .....  | 6204.69.2560 ..... | 6217.90.9060 |

1                   “(C) EXCEPTION FOR CERTAIN KNIT ARTI-  
2 CLES.—

3                   “(i) IN GENERAL.—In the case of ap-  
4 parel articles described in clause (ii), sub-  
5 paragraph (A) shall be applied by sub-  
6 stituting ‘85,000,000’ for ‘200,000,000’.

7                   “(ii) APPAREL ARTICLES DE-  
8 SCRIBED.—Apparel articles described in  
9 this clause are apparel articles described in  
10 paragraph (2)(B)(i) that fall within the  
11 following statistical reporting numbers of  
12 the HTS (as in effect on the day before  
13 the date of the enactment of this para-  
14 graph), other than shirts with plackets and  
15 pointed collars:

|                     |                    |              |
|---------------------|--------------------|--------------|
| “6105.10.0010 ..... | 6109.10.0040 ..... | 6110.30.3053 |
| 6109.10.0018 .....  | 6109.10.0045 ..... | 6110.30.3059 |
| 6109.10.0027 .....  | 6110.20.2079 ..... |              |

16                   “(D) VERIFICATION WITH RESPECT TO  
17 TRANSSHIPMENT FOR CERTAIN APPAREL ARTI-  
18 CLES.—

19                   “(i) IN GENERAL.—Not later than  
20 April 1, July 1, October 1, and January 1  
21 of each year, the Commissioner responsible  
22 for United States Customs and Border  
23 Protection shall verify that apparel articles  
24 imported into the United States under this



1 paragraph are not being unlawfully trans-  
2 shipped (within the meaning of subsection  
3 (f)) into the United States.

4 “(ii) REPORT TO PRESIDENT.—If the  
5 Commissioner determines pursuant to  
6 clause (i) that apparel articles imported  
7 into the United States under this para-  
8 graph are being unlawfully transshipped  
9 into the United States, the Commissioner  
10 shall report that determination to the  
11 President.

12 “(iii) AUTHORITY TO REDUCE QUAN-  
13 TITATIVE LIMITATION.—If, in any 1-year  
14 period with respect to which the President  
15 extends preferential treatment as described  
16 in this paragraph, the Commissioner re-  
17 ports to the President pursuant to clause  
18 (ii) regarding unlawful transshipments, the  
19 President—

20 “(I) may modify the quantitative  
21 limitation under this paragraph as the  
22 President considers appropriate to ac-  
23 count for such transshipments; and

24 “(II) if the President modifies  
25 the limitation under subclause (I),

1 shall publish notice of the modifica-  
2 tion in the Federal Register.

3 “(E) CATEGORY DEFINED.—In this para-  
4 graph, the term ‘category’ means the number  
5 assigned under the U.S. Textile and Apparel  
6 Category System of the Office of Textiles and  
7 Apparel of the Department of Commerce, as  
8 listed in the HTS under the applicable heading  
9 or subheading (as in effect on the day before  
10 the date of the enactment of this paragraph).”.

11 **SEC. 6. EARNED IMPORT ALLOWANCE RULE.**

12 Section 213A(b)(4)(B)(ii)(I) of the Caribbean Basin  
13 Economic Recovery Act (19 U.S.C. 2703a(b)(4)(B)(ii)(I))  
14 is amended by striking “three” and inserting “two”.

15 **SEC. 7. EXTENSION OF VALUE-ADDED RULE.**

16 Section 213A of the Caribbean Basin Economic Re-  
17 covery Act (19 U.S.C. 2703a), as amended by this Act,  
18 is further amended—

19 (1) in subsection (a), by striking paragraph (1)  
20 and inserting the following:

21 “(1) INITIAL APPLICABLE 1-YEAR PERIOD.—  
22 The term ‘initial applicable 1-year period’ means the  
23 1-year period beginning on December 20, 2006.”;  
24 and

25 (2) in subsection (b)(1)—

1 (A) in subparagraph (A), by striking “an  
2 applicable 1-year period” and inserting “the ini-  
3 tial applicable 1-year period and any 1-year pe-  
4 riod thereafter”;

5 (B) in subparagraph (B)—

6 (i) in clause (i)—

7 (I) by striking “any applicable 1-  
8 year period” and inserting “the initial  
9 applicable 1-year period and any 1-  
10 year period thereafter”; and

11 (II) by striking “the applicable 1-  
12 year period” and inserting “that 1-  
13 year period”;

14 (ii) in clause (iv)(II)—

15 (I) in the subclause heading, by  
16 striking “APPLICABLE”;

17 (II) by striking “In each of the  
18 second, third, fourth, and fifth appli-  
19 cable 1-year periods” and inserting  
20 “In any 1-year period after the initial  
21 applicable 1-year period”; and

22 (III) by striking “applicable 1-  
23 year period” each place it appears and  
24 inserting “1-year period”;

25 (iii) in clause (v)(I)—

1 (I) in item (aa), by striking “,  
2 the second applicable 1-year period,  
3 and the third applicable 1-year pe-  
4 riod” and inserting “and the suc-  
5 ceeding 8 1-year periods”;

6 (II) in item (bb), by striking “the  
7 fourth applicable 1-year period” and  
8 inserting “the 1-year period beginning  
9 on December 20, 2015, and the 1-  
10 year period beginning on December  
11 20, 2016”; and

12 (III) in item (cc), by striking  
13 “the fifth applicable 1-year period”  
14 and inserting “the 1-year period be-  
15 ginning on December 20, 2017”; and  
16 (iv) in clause (vi)—

17 (I) in subclause (II)—

18 (aa) by striking “any appli-  
19 cable 1-year period” and insert-  
20 ing “the initial applicable 1-year  
21 period or any 1-year period  
22 thereafter”; and

23 (bb) by striking “applicable  
24 1-year period” each place it ap-

1                   appears and inserting “1-year pe-  
2                   riod”; and

3                   (II) in subclause (III)—

4                                 (aa) in item (aa), by striking  
5                                 “an applicable 1-year period”  
6                                 and inserting “the initial applica-  
7                                 ble 1-year period or any 1-year  
8                                 period thereafter”; and

9                                 (bb) by striking “applicable  
10                                 1-year period” each place it ap-  
11                                 pears and inserting “1-year pe-  
12                                 riod”; and

13                   (C) in subparagraph (C)—

14                                 (i) by striking “applicable 1-year peri-  
15                                 ods” and inserting “1-year periods”;

16                                 (ii) by striking the table and inserting  
17                                 the following:

|  |   |
|--|---|
| <b>“During:</b>                                | <b>the corresponding<br/>percentage is:</b> |
| the initial applicable 1-year period .....     | 1 percent.                                  |
| each of the succeeding 11 1-year periods ..... | 1.25 percent.”;                             |

18                   and

19                                 (iii) in the flush text, by striking “the  
20                                 last day of the fifth applicable 1-year pe-  
21                                 riod” and inserting “December 19, 2018”.

1 **SEC. 8. WIRE HARNESESSES.**

2 Section 213A(c) of the Caribbean Basin Economic  
3 Recovery Act (19 U.S.C. 2703A(c)) is amended by strik-  
4 ing “5-year period” and inserting “10-year period”.

5 **SEC. 9. CUSTOMS SUPPORT SERVICES.**

6 (a) IN GENERAL.—

7 (1) RAPID RESPONSE TEAM.—The Commis-  
8 sioner responsible for United States Customs and  
9 Border Protection (in this section referred to as the  
10 “Commissioner”) shall, in consultation with the  
11 United States Coast Guard, the Drug Enforcement  
12 Agency, and other Federal agencies, as appropriate,  
13 seek to send a rapid response team to Haiti—

14 (A) to assess the short-term and long-term  
15 technical, capacity-building, and training needs  
16 of the authorities of the Government of Haiti  
17 responsible for customs services; and

18 (B) to provide immediate assistance, as  
19 warranted, particularly with respect to—

20 (i) reestablishing full capacity for  
21 commercial port operations at the seaport  
22 at Port-au-Prince;

23 (ii) facilitating trade between the  
24 United States and Haiti under the Carib-  
25 bean Basin Economic Recovery Act, as  
26 amended by this Act;

1 (iii) preventing unlawful trans-  
2 shipment of goods through Haiti to the  
3 United States; and

4 (iv) otherwise strengthening coopera-  
5 tion between the customs authorities of the  
6 United States, Haiti, and the Dominican  
7 Republic with respect to trade facilitation  
8 and economic development, customs com-  
9 pliance and law enforcement, and efforts to  
10 combat unlawful trafficking in narcotic  
11 drugs and psychotropic substances.

12 (2) REPORT.—Not later than 75 days after the  
13 date of the enactment of this Act, the Commissioner  
14 shall prepare and submit to the Committee on Fi-  
15 nance of the Senate and the Committee on Ways  
16 and Means of the House of Representatives a non-  
17 confidential report summarizing the results of the  
18 assessment required by paragraph (1)(A), includ-  
19 ing—

20 (A) a description of the short-term and  
21 long-term technical, capacity-building, and  
22 training needs of the authorities of the Govern-  
23 ment of Haiti responsible for customs services,  
24 including a prioritization of immediate infra-  
25 structure needs;

1 (B) a multi-year plan for supplying tech-  
2 nical, capacity-building, and training assistance  
3 to those authorities, including specific respon-  
4 sibilities to be undertaken by the support team  
5 authorized by subsection (b); and

6 (C) a statement of the amount and pur-  
7 pose for which any funds were expended by the  
8 rapid response team in Haiti to administer the  
9 provisions of this section, including any expend-  
10 iture of funds authorized to be appropriated  
11 pursuant to subsection (c)(1).

12 (b) SUPPORT TEAM.—

13 (1) IN GENERAL.—The Commissioner shall, in  
14 consultation with other Federal agencies, as appro-  
15 priate, seek to establish a support team in Haiti for  
16 the purpose of helping to meet the short-term and  
17 long-term technical, capacity-building, and training  
18 needs of the authorities of the Government of Haiti  
19 responsible for customs services, as described in this  
20 section.

21 (2) TERMINATION.—The support team author-  
22 ized by paragraph (1) shall terminate on September  
23 30, 2020.

24 (c) AUTHORIZATION OF APPROPRIATIONS.—



1           (1) IN GENERAL.—There are authorized to be  
2           appropriated to the United States Customs and Bor-  
3           der Protection Agency, to remain available until ex-  
4           pended—

5                   (A) \$100,000 to help meet the immediate  
6           infrastructure needs of the authorities of the  
7           Government of Haiti responsible for customs  
8           services for the purpose of facilitating trade be-  
9           tween the United States and Haiti under the  
10          Caribbean Basin Economic Recovery Act, as  
11          amended by this Act; and

12                   (B) \$750,000 for each of the fiscal years  
13          2011 through 2020 for the purpose of main-  
14          taining the support team authorized by sub-  
15          section (b).

16          (2) SUPPLEMENT AND NOT SUPPLANT.—The  
17          amounts authorized to be appropriated by paragraph  
18          (1) shall supplement and not supplant any other  
19          funds authorized to be appropriated to the Depart-  
20          ment of Homeland Security.

21 **SEC. 10. SENSE OF CONGRESS.**

22          (a) REGIONAL COOPERATION.—It is the sense of  
23          Congress that the United States Trade Representative  
24          should seek to enter into consultations with representa-  
25          tives of countries with which the United States has a trad-

1 ing relationship for the purpose of encouraging those  
2 countries to establish bilateral trade preference programs  
3 with respect to textile and apparel articles produced in  
4 Haiti.

5 (b) TRANSSHIPMENT.—It is the sense of Congress  
6 that the Commissioner responsible for United States Cus-  
7 toms and Border Protection should, in consultation with  
8 the United States Trade Representative and the Secretary  
9 of Commerce, seek to enter into consultations with rep-  
10 resentatives of countries with which the United States has  
11 a trading relationship for the purpose of preventing the  
12 unlawful transshipment of textile and apparel articles  
13 from those countries through Haiti.

14 **SEC. 11. CUSTOMS USER FEES.**

15 Section 13031(j)(3) of the Consolidated Omnibus  
16 Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)) is  
17 amended—

18 (1) in subparagraph (A), by striking “May 14,  
19 2018” and inserting “November 10, 2018”; and

20 (2) in subparagraph (B)(i), by striking “June  
21 7, 2018” and inserting “August 17, 2018”.

22 **SEC. 12. TIME FOR PAYMENT OF CORPORATE ESTIMATED**  
23 **TAXES.**

24 (a) SHIFT FROM 2015 TO 2014.—The percentage  
25 under paragraph (1) of section 202(b) of the Corporate

1 Estimated Tax Shift Act of 2009 in effect on the date  
2 of the enactment of this Act is increased by 0.75 percent-  
3 age points.

4 (b) SHIFT FROM 2016 TO 2015.—The percentage  
5 under paragraph (2) of section 561 of the Hiring Incen-  
6 tives to Restore Employment Act in effect on the date of  
7 the enactment of this Act is increased by 0.75 percentage  
8 points.

9 **SEC. 13. BUDGET COMPLIANCE.**

10 The budgetary effects of this Act, for the purpose of  
11 complying with the Statutory Pay-As-You-Go Act of 2010,  
12 shall be determined by reference to the latest statement  
13 titled “Budgetary Effects of PAYGO Legislation” for this  
14 Act, submitted for printing in the Congressional Record  
15 by the Chairman of the House Budget Committee, pro-  
16 vided that such statement has been submitted prior to the  
17 vote on passage.

Passed the House of Representatives May 5, 2010.

Attest:

*Clerk.*

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

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# H. R. 5160

## AN ACT

To extend the Caribbean Basin Economic Recovery Act, to provide customs support services to Haiti, and for other purposes.