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2d Session }

SENATE

{ REPORT
{ 112-227

A BILL TO CREATE A CITRUS TRUST FUND, TO RENEW AND MODIFY THE COTTON TRUST FUND, AND TO MOD- IFY AND EXTEND THE WOOL TRUST FUND

SEPTEMBER 20, 2012.—Ordered to be printed

Mr. BAUCUS, from the Committee on Finance,
submitted the following

R E P O R T

[To accompany S. 3568]

[Including cost estimate of the Congressional Budget Office]

The Committee on Finance, having considered an original bill (S. 3568) to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics in the Cotton Trust Fund, and to modify and extend the Wool Apparel Manufacturers Trust Fund, and for other purposes, reports favorably thereon without amendment and recommends that the bill do pass.

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I. REPORT AND OTHER MATERIALS OF THE COMMITTEE

A. REPORT OF THE COMMITTEE ON FINANCE

The Committee on Finance, having considered S. 3568, an original bill to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, to renew and modify the temporary duty suspensions on certain cotton shirting fabrics in the Cotton Trust Fund, and to modify the Wool Apparel Manufacturers Trust Fund, reports favorably thereon with one amendment and refers the bill to the full Senate with a recommendation that the bill do pass.

B. SUMMARY OF CONGRESSIONAL CONSIDERATION OF THE BILL

1. BACKGROUND

Citrus Disease Research and Development Trust Fund: On June 21, 2011, Senator Nelson introduced S. 1295, the Citrus Disease Research and Development Trust Fund Act of 2011, on behalf of himself and Senators Boxer and Feinstein.

Cotton Trust Fund: Congress established the Cotton Trust Fund in the Tax Relief and Health Care Act of 2006 (Public Law 109–432). The Cotton Trust Fund provisions expired in 2009. On March 9, 2011, Senator Menendez introduced S. 529, a bill to extend the temporary duty suspensions on certain cotton shirting fabrics, and for other purposes, on behalf of himself and Senators Alexander and Casey. Since then, Senator Hagan has joined as a cosponsor. On August 1, 2012, Congressman Rangel introduced companion legislation (H.R. 6265) in the House of Representatives.

Wool Trust Fund: Congress established the Wool Trust Fund in the Trade and Development Act of 2000 (Public Law 106–200) and extended the Wool Trust Fund provisions in subsequent years as part of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429), the Pension Protection Act of 2006 (Public Law 109–280), and the Emergency Economic Stabilization Act of 2008 (Public Law 110–343). No standalone legislation modifying the Wool Trust Fund has been introduced in the 112th Congress.

2. COMMITTEE CONSIDERATION

The Senate Committee on Finance met in open executive session on July 18, 2012, to consider four legislative proposals, including a proposal to create a Citrus Disease Research and Development Trust Fund, to renew and modify the Cotton Trust Fund, and to modify the Wool Apparel Manufacturers Trust Fund.

During the Committee’s consideration of the proposal, three amendments were offered and withdrawn. The first of those

amendments was offered by Senator Wyden and called for transparency and consultations with Congress on trade negotiations. Senator Wyden also offered a second amendment to combat counterfeiters at the border. The third amendment was offered by Senators Cantwell and Roberts and would have added the Affordable Footwear Act (S. 1069) to the underlying proposal.

Three amendments were offered and voted upon. The first amendment was offered by Senator Kyl and would have reformed the process for considering miscellaneous tariff bills. The amendment failed by voice vote. The second amendment was offered by Senator Thune to provide for temporary Trade Promotion Authority. That amendment failed by roll call vote with 11 ayes and 13 nays (Ayes: Cantwell, Hatch, Grassley, Kyl, Crapo, Roberts, Enzi, Cornyn, Coburn, Thune, and Burr (proxy); Nays: Baucus, Rockefeller, Conrad, Bingaman (proxy), Kerry (proxy), Wyden, Schumer, Stabenow, Nelson, Menendez, Carper (proxy), Cardin, and Snowe).

The third amendment passed by voice vote, without objection. The amendment, offered by Senators Crapo and Snowe, requires the United States Trade Representative to continue to make it a priority in its engagement with Canada to address market-distorting subsidies and practices in the lumber market of Canada at the national and provincial levels.

The Committee ultimately approved the proposal as amended by voice vote.

C. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

S. 3568 amends the Trade Act of 1974 to establish the Citrus Disease Research and Development Trust Fund, a dedicated source of funding for scientific research, technical assistance, and development activities to combat citrus diseases and pests, both domestic and invasive, harming the United States. The Trust Fund is financed in amounts equal to a portion of tariff revenues on citrus and citrus products. Annual transfers to the Trust Fund are limited to the lesser of 1/3 of the tariff revenue collected on citrus products or \$30 million, as well as the interest and proceeds related to Trust Fund balances.

Amounts in the Trust Fund are available to the Secretary of Agriculture for expenditures relating to citrus disease and research, including contracts with public or private entities. S. 3568 establishes a nine-member Citrus Advisory Board to provide guidance on citrus research and development needs, propose a research and development agenda and Trust Fund budget, and evaluate research funded by the Trust Fund, among other responsibilities.

S. 3568 includes annual reporting requirements related to citrus research and development activities, new developments in the spread and control of citrus diseases and pests, and the effectiveness of the Trust Fund expenditures, as well as the financial condition and results of Trust Fund operations. The bill also requires the President to notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives before entering into any trade agreement that could result in a decrease in the amount of duties collected on imports of citrus products and a decrease in transfers to the Trust Fund. The bill includes a sunset provision

terminating the Trust Fund at the end of the fifth calendar year that begins after the date of enactment.

D. COTTON TRUST FUND

U.S. manufacturers of cotton shirts face an inverted tariff—the U.S. tariff on finished cotton shirts is lower than the tariff on cotton shirt fabrics, which impacts the competitiveness of U.S.-based cotton shirt makers. Congress created the Cotton Trust Fund in the Tax Relief and Health Care Act of 2006 to address this issue through a combination of duty reductions on cotton shirt fabrics and duty refunds for domestic manufacturers that continue to manufacture shirts in the U.S.; cotton growers; and yarn spinners. The Cotton Trust Fund, which expired in 2009, was funded by tariff revenue from imports of certain products entering under chapter 52 of the Harmonized Tariff Schedule. S. 3568 reauthorizes the Cotton Trust Fund through 2015. The trust fund is capped at \$16 million per fiscal year.

E. WOOL APPAREL MANUFACTURERS TRUST FUND

Originally established in 2000, the Wool Trust Fund was extended by Congress in the Miscellaneous Trade and Technical Corrections Act of 2004. It supports wool textile manufacturers, wool suit makers, and wool growers to compensate them for the competitive damage to the U.S. suit industry caused by an inverted tariff—as with cotton shirts, the duty on a finished wool suit is lower than the duty on the wool fabric inputs used to make the suit. The Wool Trust Fund, which expires on December 31, 2014, is funded by tariff revenue collected on wool yarn and fabric imports entering under chapter 51 of the Harmonized Tariff Schedule. The tariff revenues from these products, however, decreased sharply in 2009 and 2010. As a result, the Wool Trust Fund does not have sufficient revenue to make the authorized payments to textile manufacturers and suit makers. To compensate for this shortfall S. 3568 amends the Miscellaneous Trade and Technical Corrections Act of 2004 to fully restore Wool Trust Fund payment levels in calendar years 2010 through 2012 and ensure that the Wool Trust Fund is fully funded through 2014 by tapping the tariff revenue from imports of apparel products entering under chapter 62 of the Harmonized Tariff Schedule. The Wool Trust Fund is capped at \$15 million each fiscal year.

Prior to receiving payments from the Wool Trust Fund, a wool apparel manufacturer must submit an affidavit certifying that it remains a manufacturer in the United States as of January 1 of the year of payment. Such affidavit must be received by U.S. Customs and Border Patrol by March 1 of the year of payment. S. 3568 grants U.S. Customs and Border Patrol discretion to consider affidavits received by April 15 of the year of payment, at the request of the wool apparel manufacturer.

F. GENERAL DESCRIPTION OF THE BILL

1. TITLE I—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

S. 3568 amends the Trade Act of 1974 (19 U.S.C. 2102 et seq.) to establish the Citrus Disease Research and Development Trust Fund.

2. TITLE II—COTTON AND WOOL TRUST FUNDS

Section 201—Renewal and modification of duty suspensions on cotton shirting fabrics and related provisions

Section 201 reauthorizes through 2015 the Cotton Trust Fund, which expired in 2009. It amends the Harmonized Tariff Schedule of the United States to reduce duties on certain woven fabrics of cotton through December 31, 2015. It also amends Section 407 of title IV of division C of the Tax Relief and Health Care Act of 2006 (Public Law 109–432; 120 Stat. 3060) to extend duty refunds and the Cotton Trust Fund through December 31, 2015.

Section 202—Modification of Wool Apparel Manufacturers Trust Fund

Section 202 modifies the Wool Apparel Manufacturers Trust Fund by amending Section 4002(c)(2) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) to provide an alternative funding source for the Wool Trust Fund by substituting “chapter 62” for “chapter 51” to make the authorized payments to textile manufacturers and suit makers.

Section 202 also modifies the Wool Apparel Manufacturers Trust Fund by amending Section 4002(c)(3) of the Miscellaneous Trade and Technical Corrections Act of 2004 (Public Law 108–429; 118 Stat. 2600) by inserting “(or at the request of a manufacturer, and at the sole discretion of the U.S. Customs and Border Protection, no later than April 15 of the year of payment” after “March 1 of the year of payment.” This amendment shall be effective with respect to payments payable during calendar year 2011 and thereafter.

3. TITLE III—MISCELLANEOUS

Section 301—Engagement with Canada with respect to the lumber market

Section 301 provides that the United States Trade Representative shall continue to make it a priority in its engagement with Canada to address market-distorting subsidies and practices in the lumber market of Canada at the national and provincial levels.

Section 302—Time for payment of corporate estimated taxes

Section 302 increases the amount of the required installment of estimated tax otherwise due from a corporation with at least \$1 billion in assets in July, August, or September, 2017, by 0.25 percent. The bill reduces the next required installment to reflect the prior increase. The effective date of this section is the date of enactment of the Act.

Section 303—Extension of customs user fees

Section 303 extends the merchandise processing fees authorized under section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) from October 23, 2021, through November 12, 2021. The effective date of this section is the date of enactment of the Act. The section also extends the passenger and conveyance processing fees authorized under section 13031(j)(3)(B)(i) of COBRA from October 30, 2021 through November 26, 2021.

G. VOTE OF THE COMMITTEE IN REPORTING THE BILL

In compliance with section 133 of the Legislative Reorganization Act of 1946, the Committee states that on July 18, 2011, S. 3568 was ordered favorably reported, with one amendment, by voice vote.

II. BUDGETARY IMPACT OF THE BILL

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 7, 2012.

Hon. MAX BAUCUS,
Chairman, Committee on Finance,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for the Citrus, Wool, and Cotton Trust Fund Act of 2012.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Susan Willie.

Sincerely,

DOUGLAS W. ELMENDORF,
Director.

Enclosure.

Citrus, Wool, and Cotton Trust Fund Act of 2012

Summary: The Citrus, Wool, and Cotton Trust Fund Act of 2012 would establish a trust fund to support research on diseases affecting the citrus industry, provide new authority for expenditures from the Pima Cotton Trust Fund, and ensure that sufficient amounts are available in the Wool Apparel Manufacturers Trust Fund to make the full payments that are authorized each year. The bill also would eliminate duties paid on certain cotton fabrics, shift some corporate income tax payments between fiscal years, and extend user fees collected by Customs and Border Protection (CBP) that are set to expire under current law.

CBO estimates that enacting the bill would reduce direct spending by \$7 million over the 2013–2022 period. Further, the staff of the Joint Committee on Taxation (JCT) and CBO estimate that enacting the bill would reduce revenues by \$1 million over the same period; the net impact of those effects would reduce the deficits by \$6 million over the 2013–2022 period. Because the bill would affect both direct spending and revenues, pay-as-you-go procedures apply. CBO estimates that implementing the legislation would have an insignificant effect on discretionary spending.

CBO has determined that the nontax provisions of the bill contain no intergovernmental mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. CBO has determined that the nontax provisions of the bill would impose private-sector mandates as defined in UMRA by extending the authorization to collect customs user fees. CBO estimates that the aggregate cost of those mandates would exceed the annual threshold established in UMRA for private-sector mandates (\$146 million in 2012, adjusted annually for inflation). JCT has determined that the tax provision of the bill contains no intergovernmental or private-sector mandates.

Estimated cost to the Federal Government: The estimated budgetary impact of the bill is shown in the following table. The costs of this legislation fall within budget functions 350 (agriculture), 370 (commerce and housing credit), and 750 (administration of justice).

By fiscal year, in millions of dollars—

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2013– 2017	2013– 2022
CHANGES IN DIRECT SPENDING												
Citrus Disease Research and Development Trust Fund:												
Estimated Budget Authority	21	22	22	23	24	6	0	0	0	0	112	118
Estimated Outlays	4	13	22	22	23	20	12	2	0	0	84	118
Pima Cotton Trust Fund:												
Estimated Budget Authority	16	16	16	5	0	0	0	0	0	0	53	53
Estimated Outlays	16	16	16	5	0	0	0	0	0	0	53	53
Payments to Wool Manufacturers:												
Estimated Budget Authority	19	0	0	0	0	0	0	0	0	0	19	19
Estimated Outlays	19	0	0	0	0	0	0	0	0	0	19	19
Customs User Fees:												
Estimated Budget Authority	0	0	0	0	0	0	0	0	0	0	0	0
Estimated Outlays	0	0	0	0	0	0	0	0	0	0	0	0
Total Changes:												
Estimated Budget Authority	56	38	38	28	24	6	0	0	0	0	184	184
Estimated Outlays	39	29	38	27	23	20	12	2	0	0	156	156
CHANGES IN REVENUES												
Estimated Revenues	*	*	*	*	*	196	0	0	0	0	195	195
NET INCREASE OR DECREASE (–) IN THE DEFICIT FROM CHANGES IN DIRECT SPENDING AND REVENUES												
Impact on Deficit	39	29	38	27	–173	216	12	2	0	–197	–39	–6

Note: * = less than \$500,000.
Negative numbers denote decreases.

Basis of estimate: For this estimate, CBO assumes that the bill will be enacted near the end of 2012 and that spending will follow historical patterns for similar activities. CBO estimates that enacting the bill would reduce direct spending by \$7 million over the 2013–2022 period. Further, JCT and CBO estimate that enacting the bill would reduce net revenues by \$1 million over the same period.

Direct spending: Citrus Disease Research and Development Trust Fund. The legislation would establish a trust fund to support scientific research, technical assistance, and other activities to combat citrus diseases in the United States. The bill would require revenues collected from tariffs on citrus imports to be deposited into a new trust fund and would authorize those amounts to be spent without further appropriation until December 31, 2017. Annual transfers to the trust fund would be the lesser of \$30 million, or one-third of annual revenues collected from tariffs on citrus imports. The bill also would establish a Citrus Disease Research and Development Trust Fund Advisory Board, consisting of domestic producers of citrus. Under the legislation, the board would have authority to employ staff, develop research plans, implement contracts and agreements, and provide compensation to scientific experts. CBO estimates that establishing the trust fund would increase direct spending by \$118 million over the 2013–2022 period.

Pima Cotton Trust Fund. The bill would authorize a program to make payments from the Pima Cotton Trust Fund to promoters and spinners of pima cotton grown in the United States and manufacturers who cut and sew cotton shirts in the United States. Established in 2006, the program authorized transfers into the fund from revenues collected from tariffs on certain cotton fabrics and annual payments from the fund, limited to \$16 million per year, to manufacturers and spinners who provided certifications as required by law. Authority for the program expired at the end of fiscal year 2008; the bill would authorize the program through December 31, 2015. CBO estimates that enacting this provision would increase direct spending by \$53 million over the 2013–2022 period.

Payments to Wool Manufacturers. Under current law, the Secretary of the Treasury is authorized to make annual payments from the Wool Apparel Manufacturers Trust Fund to certain wool growers, textile manufacturers, and suit makers. The fund is supported by revenues collected from tariffs on certain imports of wool yarn and fabric, which in recent years were not enough to allow the full authorized amount (up to \$15 million each year) to be paid to eligible recipients. The legislation would allow a new source of revenues from tariffs on imports of certain apparel products to support the fund and would authorize the Secretary of the Treasury to make payments to eligible recipients to make up for shortfalls in payments from the fund in fiscal years 2010, 2011, and 2012. CBO estimates that enacting this provision would cost \$19 million over the 2013–2022 period to cover shortfalls in amounts due from previous years. The CBO baseline assumes that eligible recipients will receive the full amount due from the tariffs collected on certain wool yarn and fabric imports in each year the program remains authorized. Relative to that baseline, we estimate that, under the bill, there would be no additional spending of tariffs on certain apparel products after 2013.

Customs User Fees. Under current law, customs user fees will expire after October 22, 2021 (for merchandise processing fees), and after October 29, 2021 (for COBRA fees, which were established in the Consolidated Omnibus Budget Reconciliation Act of 1985). The bill would permit Customs and Border Protection to collect those fees through November 12, 2021 (for merchandise processing fees), and through November 26, 2021 (for COBRA fees). CBO estimates that those changes would increase offsetting receipts (a credit against direct spending) by \$197 million fiscal year 2022.

Revenues: The bill would shift payments of corporate estimated taxes between fiscal years 2017 and 2018. For corporations with at least \$1 billion in assets, the bill would increase the portion of corporate estimated payments due from July through September in 2017. JCT estimates that those changes would increase revenues by \$196 million in 2017 and decrease them by \$196 million in 2018.

The bill also would suspend duties collected on certain cotton fabrics through December 31, 2015. CBO estimates that enacting this provision would reduce revenues by \$1 million over the 2013–2022 period.

Spending subject to appropriation: The Citrus, Wool, and Cotton Trust Fund Act of 2012 would direct the United States Trade Representative to address, in its engagement with Canada, certain activities that Canada undertakes to support its lumber market. CBO estimates that implementing this provision would not have a significant effect on discretionary costs.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget-reporting and enforcement procedures for legislation affecting direct spending or revenues. The net changes in outlays and revenues that are subject to those pay-as-you-go procedures are shown in the following table.

**CBO ESTIMATE OF PAY-AS-YOU-GO EFFECTS FOR THE CITRUS, WOOL, AND COTTON TRUST FUND ACT OF 2012, AS ORDERED REPORTED BY THE SENATE COMMITTEE
ON FINANCE ON JULY 18, 2012**

	By fiscal year, in millions of dollars—												
	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2012- 2017	2012- 2022
NET INCREASE OR DECREASE (—) IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	39	29	38	27	-173	216	12	2	0	-197	-39	-6
Memorandum:													
Changes in Outlays	0	39	29	38	27	23	20	12	2	0	-197	156	-7
Changes in Revenues	0	0	0	0	0	196	-196	0	0	0	0	195	-1

Estimated impact on State, local, and tribal governments: CBO has determined that the nontax provisions of the bill contain no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. JCT has determined that the tax provision of the bill contains no intergovernmental mandates.

Estimated impact on the private sector: CBO has determined that by extending the authorization for the Customs and Border Protection to collect certain customs user fees (merchandise processing fees and COBRA fees) the nontax provisions of the bill would impose private-sector mandates as defined in UMRA on entities required to pay those fees. CBO estimates the aggregate cost to private entities would amount to \$197 million in 2022 and would exceed the annual threshold established in UMRA for private-sector mandates in that year (\$146 million in 2012, adjusted annually for inflation). JCT has determined that the tax provision of the bill contains no private-sector mandates.

Estimate prepared by: Federal Costs: David Hull, Susan Willie, and Mark Grabowicz; Impact on State, Local, and Tribal Governments: J'nell Blanco; Impact on the Private Sector: Marin Randall.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

III. REGULATORY IMPACT OF THE BILL AND OTHER MATTERS

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee states that the resolution will not significantly regulate any individuals or businesses, will not affect the personal privacy of individuals, and will result in no significant additional paperwork. The following information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (UMRA) (Pub. L. No. 104–04). The Committee has reviewed the provisions of S. 3568 as approved by the Committee on July 18, 2012. In accordance with the requirement of Pub. L. No. 104–04, the Committee has determined that the bill contains no intergovernment mandates, as defined in the UMRA, and would not affect the budgets of state, local, or tribal governments.

IV. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

TRADE ACT OF 1974

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TITLE IX—SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

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TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

Sec. 1001. Citrus Disease Research and Development Trust Fund.

Sec. 1002. Reports required before entering into certain trade agreements.

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TITLE IX—SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE

* * * * *

TITLE X—CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND

SEC. 1001. CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) ESTABLISHMENT.—There is established in the Treasury of the United States a trust fund to be known as the “Citrus Disease Research and Development Trust Fund” (in this section referred to as the “Trust Fund”), consisting of such amounts as may be transferred to the Trust Fund under subsection (b)(1) and any amounts that may be credited to the Trust Fund under subsection (d)(2).

(b) TRANSFER OF AMOUNTS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, amounts determined by the Secretary to be equivalent to amounts received in the general fund that are attributable to the duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States.

(2) LIMITATION.—The amount transferred to the Trust Fund under paragraph (1) in any fiscal year may not exceed the lesser of—

(A) an amount equal to 1/3 of the amount attributable to the duties received on articles described in paragraph (1); or

(B) \$30,000,000.

(c) AVAILABILITY OF AMOUNTS IN TRUST FUND.—

(1) AMOUNTS AVAILABLE UNTIL EXPENDED.—Amounts in the Trust Fund shall remain available until expended without further appropriation.

(2) AVAILABILITY FOR CITRUS DISEASE RESEARCH AND DEVELOPMENT EXPENDITURES.—Amounts in the Trust Fund shall be available to the Secretary of Agriculture—

(A) for expenditures relating to citrus disease research and development under section 104 of the Citrus Disease Research and Development Trust Fund Act of 2012, including costs relating to contracts or other agreements entered

into to carry out citrus disease research and development;
and

(B) to cover administrative costs incurred by the Secretary in carrying out the provisions of that Act.

(d) INVESTMENT OF TRUST FUND.—

(1) IN GENERAL.—The Secretary of the Treasury shall invest such portion of the Trust Fund as is not required to meet current withdrawals in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at the issue price or by purchase of outstanding obligations at the market price. Any obligation acquired by the Trust Fund may be sold by the Secretary of the Treasury at the market price.

(2) INTEREST AND PROCEEDS FROM SALE OR REDEMPTION OF OBLIGATIONS.—The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

(e) REPORTS TO CONGRESS.—Not later than January 15, 2013, and each year thereafter until the year after the termination of the Trust Fund, the Secretary of the Treasury, in consultation with the Secretary of Agriculture, shall submit to Congress a report on the financial condition and the results of the operations of the Trust Fund that includes—

(1) a detailed description of the amounts disbursed from the Trust Fund in the preceding fiscal year and the manner in which those amounts were expended;

(2) an assessment of the financial condition and the operations of the Trust Fund for the current fiscal year; and

(3) an assessment of the amounts available in the Trust Fund for future expenditures.

(f) REMISSION OF SURPLUS FUNDS.—The Secretary of the Treasury may remit to the general fund of the Treasury such amounts as the Secretary of Agriculture reports to be in excess of the amounts necessary to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.

(g) SUNSET PROVISION.—The Trust Fund shall terminate on December 31 of the fifth calendar year that begins after the date of the enactment of the Citrus Disease Research and Development Trust Fund Act of 2012 and all amounts in the Trust Fund on December of that fifth calendar year shall be transferred to the general fund of the Treasury.

SEC. 1002. REPORTS REQUIRED BEFORE ENTERING INTO CERTAIN TRADE AGREEMENTS.

The President shall notify the chairperson and ranking member of the Committee on Finance of the Senate and the Committee on Ways and Means of the House of Representatives not later than 90 days before entering into a trade agreement if the President determines that entering into the trade agreement could result—

(1) in a decrease in the amount of duties collected on articles that are citrus or citrus products classifiable under chapters 8, 20, 21, 22, and 33 of the Harmonized Tariff Schedule of the United States; and

(2) in a decrease in the amount of funds being transferred into the Citrus Disease Research and Development Trust Fund

under section 1001 so that amounts available in the Trust Fund are insufficient to meet the purposes of the Citrus Disease Research and Development Trust Fund Act of 2012.

* * * * *

HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES

* * * * *

CHAPTER 99

TEMPORARY LEGISLATION; TEMPORARY MODIFICATIONS ESTABLISHED PURSUANT TO TRADE LEGISLATION; ADDITIONAL IMPORT RESTRICTIONS ESTABLISHED PURSUANT TO SECTION 22 OF THE AGRICULTURAL ADJUSTMENT ACT, AS AMENDED

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SUBCHAPTER II

TEMPORARY REDUCTIONS IN RATES OF DUTY

* * * * *

U.S. Notes

1. Any article described in the provisions of this subchapter, if entered during the period specified in the last column, is subject to duty at the rate set forth herein in lieu of the rate provided therefor in chapters 1 to 98, inclusive.

* * * * *

18. For purposes of headings 9902.14.01, 9902.14.02, 9902.14.03, 9902.14.04, and 9902.14.05, the term ‘mechanics’ work gloves’ means gloves, of man-made fibers, having synthetic leather palms and fingers; fourchettes of synthetic leather or of fabric of nylon or elastomeric yarn; backs comprising either one layer of knitted fabric of elastomeric yarn or three layers, with the outer layer of knitted fabric of elastomeric yarn, the center layer of foam and the inner layer of tricot fabric; the foregoing, whether or not including an thermoplastic rubber logo or pad on the back; and elastic wrist straps with molded thermoplastic rubber hook-and-loop enclosures.

[18. For purposes of headings 9902.52.08 through 9902.52.31, the term ‘manufacturer’ means a person or entity that cuts and sews men’s and boys’ shirts in the United States.]

[19. The aggregate quantity of fabrics entered under headings 9902.52.08 through 9902.52.19 from January 1 to December 31 of each year, inclusive, by or on behalf of each manufacturer of men’s and boys’ shirts shall be limited to 85 percent of the total square meter equivalents of all imported woven fabrics of cotton containing 85 percent or more by weight of cotton used by such manufacturer in cutting and sewing men’s and boys’ cotton shirts in the United States and purchased by such manufacturer during calendar year 2000.]

Heading/ Subheading	Stat. Suffix	Article Description	Unit of Quantity	Rates of Duty			Effective Period
				1		2	
				General	Special		
9902.52.08	1/	Woven fabrics of cotton, of a type described in subheading 5208.21, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts[, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.09	1/	Woven fabrics of cotton, of a type described in subheading 5208.22, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts[, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.10	1/	Woven fabrics of cotton, of a type described in subheading 5208.29, of average yarn number exceeding 135	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015

		metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]					
9902.52.11	1/	Woven fabrics of cotton, of a type described in subheading 5208.31, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.12	1/	Woven fabrics of cotton, of a type described in subheading 5208.32, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.13	1/	Woven fabrics of cotton, of a type described in subheading 5208.39, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.14	1/	Woven fabrics of cotton, of a type described in subheading 5208.41, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.15	1/	Woven fabrics of cotton, of a type described in subheading 5208.42, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.16	1/	Woven fabrics of cotton, of a type	1/	Free	No change	No change	On or before

		described in subheading 5208.49, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]					[12/31/2009] 12/31/2015
9902.52.17	1/	Woven fabrics of cotton, of a type described in subheading 5208.51, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.18	1/	Woven fabrics of cotton, of a type described in subheading 5208.52, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
9902.52.19	1/	Woven fabrics of cotton, of a type described in subheading 5208.59, of average yarn number exceeding 135 metric, [other than fabrics provided for in headings 9902.52.20 through 9902.52.31.] certified by the importer to be suitable for use in men's and boys' shirts], the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Notes 18 and 19 of this subchapter]	1/	Free	No change	No change	On or before [12/31/2009] 12/31/2015
[9902.52.20]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.21, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.21]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.22, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]

[9902.52.22]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.29, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.23]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.31, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.24]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.32, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.25]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.39, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.26]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.41, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.27]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.42, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]

		under the terms of U.S. Note 18 of this subchapter]					
[9902.52.28]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.49, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.29]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.51, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.30]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.52, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]
[9902.52.31]	[1/]	[Woven fabrics of cotton of a type described in subheading 5208.52, of average yarn number exceeding 135 metric, certified by the importer to be wholly of pima cotton grown in the United States and to be suitable for use in men's and boys' shirts, the foregoing imported by or for the benefit of a manufacturer of men's and boys' shirts under the terms of U.S. Note 18 of this subchapter]	[1/]	[Free]	[No change]	[No change]	[On or before 12/31/2009]

1/ See chapter 99 statistical note 1.

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TAX RELIEF AND HEALTH CARE ACT OF 2006

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DIVISION C—OTHER PROVISIONS

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TITLE IV—OTHER PROVISIONS

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SEC. 407. COTTON TRUST FUND.

(a) **ESTABLISHMENT OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund to be known as the “Pima Cotton Trust Fund” (in this section referred to as the “Trust Fund”), consisting of such amounts as may be transferred to the Trust Fund under subsection (b).

(b) **TRANSFER OF AMOUNTS.**—

(1) **IN GENERAL.**—Beginning October 1, 2006, the Secretary of the Treasury shall transfer to the Trust Fund, from the general fund of the Treasury, [amounts determined by the Secretary of the Treasury to be equivalent to the amounts received in the general fund that are attributable to duties received since January 1, 1994, on articles under subheadings 5208.21.60, 5208.22.80, 5208.29.80, 5208.31.80, 5208.32.50, 5208.39.80, 5208.41.80, 5208.42.50, 5208.49.80, 5208.51.80, 5208.52.50, and 5208.59.80] *amounts received in the general fund that are attributable to duties received since January 1, 2004, on articles classified under heading 5208 of the Harmonized Tariff Schedule of the United States, subject to the limitation in paragraph (2).*

(2) **LIMITATION.**—The Secretary may not transfer more than \$16,000,000 to the Trust Fund in any fiscal year, and may not transfer any amount beginning on or after [October 1, 2008] *December 31, 2015.*

(c) **DISTRIBUTION OF FUNDS.**—From amounts in the Trust Fund, the Commissioner of the Bureau of Customs and Border Protection shall make the following payments annually [beginning in fiscal year 2007] *for fiscal year 2012 and each fiscal year thereafter:*

(1) 25 percent of the amounts in the Trust Fund shall be paid annually to a nationally recognized association established for the promotion of pima cotton [grown in the United States] for the use in textile and apparel goods.

(2) 25 percent of the amounts in the Trust Fund shall be paid annually to yarn spinners of pima cotton [grown in the United States] *that produce ring spun cotton yarns in the United States*, and shall be allocated to each spinner in an amount that bears the same ratio as—

(A) the spinner’s production of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number) from pima cotton [grown in the United States] in single and plied form during the period January 1, 1998, through December 31, 2003 (as evidenced by an affidavit provided by the spinner) bears to—

(B) the production of the yarns described in subparagraph (A) during the period January 1, 1998, through December 31, 2003, for all spinners who qualify under this paragraph.

(3) 50 percent of the amounts in the Trust Fund shall be paid annually to those manufacturers who cut and sew cotton shirts in the United States who certify that they used imported cotton fabric during the period January 1, 1998, through July 1, 2003, and shall be allocated to each such manufacturer in an amount that bears the same ratio as—

(A) the dollar value (excluding duty, shipping, and related costs) of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased by the manufacturer during calendar year 2002 (as evidenced by an affidavit from the manufacturer that meets the requirements of subsection (d)) used in the manufacturing of men's and boys' cotton shirts, bears to—

(B) the dollar value (excluding duty, shipping, and related costs) of the fabric described in subparagraph (A) purchased during calendar year 2002 by all manufacturers who qualify under this paragraph.

(d) AFFIDAVIT OF SHIRTING MANUFACTURERS.—The affidavit required by subsection (c)(3)(A) is a notarized affidavit provided *annually* by an officer of the manufacturer of men's and boys' shirts concerned that affirms—

(1) that the manufacturer used imported cotton fabric *during the year in which the affidavit is filed* and during the period January 1, 1998, through July 1, 2003, to cut and sew men's and boys' woven cotton shirts in the United States;

(2) the dollar value of imported woven cotton shirting fabric of 80s or higher count and 2-ply in warp purchased during calendar year 2002;

(3) that the manufacturer maintains invoices along with other supporting documentation (such as price lists and other technical descriptions of the fabric qualities) showing the dollar value of such fabric purchased, the date of purchase, and evidencing the fabric as woven cotton fabric of 80s or higher count and 2-ply in warp; and

(4) that the fabric was suitable for use in the manufacturing of men's and boys' cotton shirts.

(e) DATE OF PURCHASE.—For purposes of the affidavit under subsection (d), the date of purchase shall be the invoice date, and the dollar value shall be determined excluding duty, shipping, and related costs.

(f) AFFIDAVIT OF YARN SPINNERS.—The affidavit required by subsection (c)(2)(A) is a notarized affidavit provided annually by an officer of the producer of ring spun yarns that affirms—

(1) that the producer used pima cotton [grown in the United States] *during the year in which the affidavit is filed* and during the period January 1, 2002, through December 31, 2002, to produce ring spun cotton yarns *in the United States*, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during 2002;

(2) the quantity, measured in pounds, of ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric

number), in single and plied form during calendar year 2002; and

(3) that the producer maintains supporting documentation showing the quantity of such yarns produced, and evidencing the yarns as ring spun cotton yarns, measuring less than 83.33 decitex (exceeding 120 metric number), in single and plied form during calendar year 2002.

(g) NO APPEAL.—Any amount paid by the Commissioner of the Bureau of Customs and Border Protection under this section shall be final and not subject to appeal or protest.

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MISCELLANEOUS TRADE AND TECHNICAL CORRECTIONS ACT OF 2004

TITLE IV—WOOL TRUST FUND

SEC. 4001. SHORT TITLE.

This title may be cited as the “Wool Suit and Textile Trade Extension Act of 2004”.

SEC. 4002. EXTENSION AND MODIFICATION OF DUTY SUSPENSION ON WOOL PRODUCTS, WOOL RESEARCH FUND, WOOL DUTY REFUNDS.

(a) EXTENSION OF TEMPORARY DUTY REDUCTIONS.—

(1) HEADING 9902.51.11.—Heading 9902.51.11 of the Harmonized Tariff Schedule of the United States is amended—

(A) in the article description, by striking “all the foregoing” through the end and inserting “(provided for in subheading 5112.11.60 or 5112.19.95)”;

(B) by striking “2005” and inserting “2007”; and

(C) by striking “17.5%” and inserting “10%”.

(2) HEADING 9902.51.12.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by striking heading 9902.51.12.

(3) HEADING 9902.51.13.—Heading 9902.51.13 of the Harmonized Tariff Schedule of the United States is amended by striking “2005” and inserting “2007”.

(4) HEADING 9902.51.14.—Heading 9902.51.14 of the Harmonized Tariff Schedule of the United States is amended—

(A) in the article description, by inserting “the foregoing” after “top,”; and

(B) by striking “2005” and inserting “2007”.

(5) FABRICS OF COMBED WOOL.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following:

“	9902.51.15	Fabrics of combed wool, containing 85 percent or more by weight of wool, with wool yarns of average fiber diameters of 18.5 micron or less, under the terms of U.S. note 16(b) to this subchapter (provided for in subheading 5112.11.30 or 5112.19.60).	Free ..	No change	No change	On or before 12/ 31/ 2006.

9902.51.16	Fabrics of combed wool, containing 85 percent or more by weight of wool, with wool yarns of average fiber diameters of 18.5 micron or less, under the terms of U.S. note 17 to this subchapter (provided for in subheading 5112.11.30 or 5112.19.60).	Free ..	No change	No change	On or before 12/31/2006.	”.
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- (b) MODIFICATION OF LIMITATION ON QUANTITY OF IMPORTS.—
- (1) NOTE 15.—U.S. Note 15 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—
- (A) by striking “The aggregate” and inserting:
- “(a) The aggregate”;
- (B) in subdivision (a), as redesignated by subparagraph (A)—
- (i) by striking the comma after “9902.51.11”;
- (ii) by striking “and” after “2002,”; and
- (iii) by striking “year 2003” and all that follows through the end period and inserting the following: “years 2003 and 2004, and 5,500,000 square meter equivalents in calendar year 2005 and each calendar year thereafter for the benefit of persons who cut and sew men’s and boys’ worsted wool suits and suit-like jackets and trousers in the United States, allocated as required by section 501(e) of the Trade and Development Act of 2000.”; and
- (C) by adding at the end the following new division:
- “(b) For purposes of heading 9902.51.11, all fabrics entered under such heading must be certified by the importer as suitable for use in making men’s and boys’ suits (as defined in U.S. note 13 to this subchapter), suit-type jackets, or trousers and must be imported for the benefit of persons who cut and sew such clothing in the United States.”.
- (2) NOTE 16.—U.S. Note 16 to subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—
- (A) by striking “The aggregate” and inserting:
- “(a) The aggregate”;
- (B) in subdivision (a), as redesignated by subparagraph (A)—
- (i) by striking “9902.51.12,” and inserting “9902.51.15”;
- (ii) by striking “and” after “2002,”; and
- (iii) by striking “year 2003” and all that follows through the end period and inserting the following: “years 2003 and 2004, 5,000,000 square meter equivalents in calendar year 2005 and each calendar year thereafter, allocated as required by section 501(e) of the Trade and Development Act of 2000 for the benefit of persons who cut and sew such clothing in the United States.”; and
- (C) by adding at the end the following new subdivision:

“(b) For purposes of heading 9902.51.15, all fabrics entered under such heading must be certified by the importer as suitable for use in making men’s and boys’ suits (as defined in U.S. note 13 to this subchapter), suit-type jackets, or trousers and must be imported for the benefit of persons who cut and sew such clothing in the United States.”.

(3) NOTE 17.—The U.S. Notes for subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States are amended by adding at the end the following new Note:

“17. (a) The aggregate quantity of worsted wool fabric entered under subheading 9902.51.16 shall be limited to 2,000,000 square meter equivalents in calendar year 2005 and each calendar year thereafter, allocated in accordance with section 501(e) of the Trade and Development Act of 2000 for the benefit of persons who weave worsted wool fabric suitable for use in men’s and boys’ suits.

“(b) For purposes of heading 9902.51.16, all fabrics entered under such heading must be certified by the importer as suitable for use in making men’s and boys’ suits (as defined in U.S. note 13 to this subchapter), suit-type jackets, or trousers and must be imported for the benefit of persons who weave in the United States worsted wool fabric suitable for use in such clothing.”.

(4) CONFORMING AMENDMENTS.—

(A) SUNSET STAGED REDUCTION REQUIREMENT.—Section 501(a)(2) of the Trade and Development Act of 2000 (Public Law 106–200; 114 Stat. 299) is amended by inserting before the period “for goods entered, or withdrawn from warehouse for consumption, before January 1, 2005”.

(B) ALLOCATION OF TARIFF-RATE QUOTAS.—Subsection (e) of section 501 of the Trade and Development Act of 2000 (Public Law 106–200; 114 Stat. 200) is amended—

(i) by striking “9902.51.12” and inserting “9902.51.15”;

(ii) by inserting “for manufacturers of men’s and boys’ suits” after “implementing the limitation”; and

(iii) by inserting at the end the following new sentence: “In implementing the limitation for manufacturers of worsted wool fabric with respect to the quantity of worsted wool fabrics under heading 9902.51.16 of the Harmonized Tariff Schedule of the United States, as required by U.S. Note 17 of subchapter II of chapter 99 of such Schedule, the Secretary of Commerce shall prescribe regulations to allocate fairly the quantity of worsted wool fabrics required under U.S. Note 17 of such Schedule to manufacturers who weave worsted wool fabric in the United States.”.

(C) SUNSET AUTHORITY TO MODIFY LIMITATION ON QUANTITY.—Section 504(b) of the Trade and Development Act of 2000 (Public Law 106–200; 114 Stat. 301) is repealed, effective January 1, 2005.

(c) EXTENSION OF DUTY REFUNDS AND WOOL RESEARCH TRUST FUND.—

(1) ESTABLISHMENT OF TRUST FUND.—There is hereby established within the Treasury of the United States a trust fund to be known as the Wool Apparel Manufacturers Trust Fund (in this subsection referred to as the “Trust Fund”), consisting

of such amounts as may be transferred to the Trust Fund under paragraph (2).

(2) TRANSFER OF AMOUNTS.—

(A) IN GENERAL.—The Secretary of the Treasury shall transfer to the Trust Fund, out of the general fund of the Treasury of the United States, amounts determined by the Secretary of the Treasury to be equivalent to the amounts received in the general fund that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States, [subject to the limitation in subparagraph (B)] *subject to subparagraphs (B) and (C).*

(B) LIMITATION.—In any fiscal year, the Secretary shall not transfer more than the amount determined by the Secretary necessary for the [Bureau of Customs and Border Protection] *U.S. Customs and Border Protection* to make payments authorized under paragraph (3) and the Secretary of Commerce to make grants under paragraph (6).

(C) ALTERNATIVE FUNDING SOURCE.—*Subparagraph (A) shall be applied and administered by substituting “chapter 62” for “chapter 51” for any period of time with respect to which the Secretary notifies Congress that amounts determined by the Secretary to be equivalent to amounts received in the general fund of the Treasury of the United States that are attributable to the duty received on articles classified under chapter 51 of the Harmonized Tariff Schedule of the United States are not sufficient to make payments under paragraph (3) or grants under paragraph (6).*

(3) AVAILABILITY OF AMOUNTS FROM TRUST FUND.—From amounts in the Trust Fund, the [Bureau of Customs and Border Protection] *U.S. Customs and Border Protection* shall pay to each manufacturer that receives a payment during calendar year 2005 under section 505 of the Trade and Development Act of 2000 (Public Law 106–200; 114 Stat. 303), as amended by section 5101 of the Trade Act of 2002 (116 Stat. 1041), and that provides an affidavit, no later than March 1 of the year of the payment (*or at the request of the manufacturer and in the sole discretion of the U.S. Customs and Border Protection, no later than April 15 of the year of the payment*), that it remains a manufacturer in the United States as of January 1 of the year of the payment, 2 additional payments, each payment equal to the payment received for calendar year 2005 as follows:

(A) The first payment to be made after January 1, 2006, but on or before April 15, 2006.

(B) The second payment to be made after January 1, 2007, but on or before April 15, 2007.

(4) SUCCESSOR-IN-INTEREST.—Any manufacturer that becomes a successor-in-interest to a claimant of a payment under section 505 of the Trade and Development Act of 2000, as amended by section 5101 of the Trade Act of 2002, because of—

(A) an assignment of the claim,

(B) an assignment of the original claimant’s right to manufacture under the same trade name, or

(C) a reorganization,

or otherwise, shall be eligible to claim the payment as if the successor manufacturer were the original claimant, without regard to section 3727 of title 31, United States Code. Such right to claim payment as a successor shall be effective as if the right were included in section 505 of the Trade and Development Act of 2000.

(5) EXTENSION OF WOOL RESEARCH, DEVELOPMENT, AND PROMOTION TRUST FUND.—Section 506(f) of the Trade and Development Act of 2000 (Public Law 106–200; 114 Stat. 303), as amended by section 5102(c)(2) of the Trade Act of 2002 (116 Stat. 1047), is amended by striking “2006” and inserting “2008”.

(6) COMMERCE AUTHORITY TO PROMOTE DOMESTIC EMPLOYMENT.—

(A) GRANTS TO MANUFACTURERS OF WORSTED WOOL FABRICS.—The Secretary of Commerce shall provide to—

(i) persons who were, during calendar years 1999, 2000, and 2001, manufacturers of worsted wool fabric of the kind described in heading 9902.51.12 of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act), and

(ii) persons who were, during such calendar years, manufacturers of worsted wool fabric of the kind described in heading 9902.51.11 of the Harmonized Tariff Schedule of the United States,

grants in each of calendar years 2005 through 2007 in the amounts determined under subparagraph (B).

(B) AMOUNTS.—(i) The total amount of grants to manufacturers under subparagraph (A)(i) shall be \$2,666,000 each calendar year, allocated among such manufacturers on the basis of the percentage of each manufacturer’s production of the fabric described in heading 9902.51.12 of the Harmonized Tariff Schedule of the United States (as in effect on the day before the date of the enactment of this Act) for calendar years 1999, 2000, and 2001, compared to the production of such fabric by all such manufacturers who qualify under subparagraph (A)(i) for such grants.

(ii) The total amount of grants to manufacturers under subparagraph (A)(ii) shall be \$2,666,000 each calendar year, allocated among such manufacturers on the basis of the percentage of each manufacturer’s production of the fabric described in heading 9902.51.11 of the Harmonized Tariff Schedule of the United States for calendar years 1999, 2000, and 2001, compared to the production of such fabric by all manufacturers who qualify under subparagraph (A)(ii) for such grants.

(iii) Any grant awarded by the Secretary under this paragraph shall be final and not subject to appeal or protest.

(d) EFFECTIVE DATE FOR DUTY REDUCTION.—The amendment made by subsection (a)(1)(B) shall apply to goods entered, or withdrawn from warehouse for consumption, on or after January 1, 2005.

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**CONSOLIDATED OMNIBUS BUDGET RECONCILIATION
ACT OF 1985**

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TITLE 19—CUSTOMS DUTIES

**CHAPTER 1—COLLECTION DISTRICTS, PORTS, AND
OFFICERS**

* * * * *

Sec. 58c. Fees for certain customs services

(a) Schedule of fees

* * * * *

(j) Effective dates

(1) * * *

(2) * * *

(3)(A) * * *

(B) * * *

(C)(i) Notwithstanding subparagraph (A), fees may be charged under paragraphs (9) and (10) of subsection (a) during the period beginning on October 23, 2021, and ending on November 12, 2021.

(ii) Notwithstanding subparagraph (B)(i), fees may be charged under paragraphs (1) through (8) of subsection (a) during the period beginning on October 30, 2021, and ending on November 26, 2021.

