

111TH CONGRESS
2D SESSION

S. 2978

To extend the Caribbean Basin Economic Recovery Act, to extend the trade preferences made available to Haiti under that Act, to encourage foreign investment in Haiti, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2010

Mr. WYDEN (for himself and Mr. NELSON of Florida) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To extend the Caribbean Basin Economic Recovery Act, to extend the trade preferences made available to Haiti under that Act, to encourage foreign investment in 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Renewing Hope for
5 Haitian Trade and Investment Act of 2010”.

6 **SEC. 2. TRADE FACILITATION EFFORTS IN HAITI.**

7 The Secretary of Homeland Security, acting through
8 the Commissioner responsible for U.S. Customs and Bor-

1 der Protection, shall commit sufficient resources from
2 U.S. Customs and Border Protection—

3 (1) to, working with the commercial attaché
4 from the United States assigned to Haiti, enhance
5 commercial assistance to facilitate trade between
6 Haiti, the Dominican Republic, and the United
7 States, as envisioned in section 213A of the Carib-
8 bean Basin Economic Recovery Act (19 U.S.C.
9 2703a), as added by the Haitian Hemispheric Op-
10 portunity Through Partnership Act of 2006 (title V
11 of division D of Public Law 109–432; 120 Stat.
12 3181) and amended by the Haitian Hemispheric Op-
13 portunity Through Partnership Act of 2008 (part I
14 of subtitle D of title XV of Public Law 110–246;
15 122 Stat. 2289);

16 (2) to facilitate the preclearance of valid cargo
17 destined for the United States from Haiti and pro-
18 mote the efficient and secure movement of articles
19 entering the United States pursuant to such section
20 213A; and

21 (3) to provide technical assistance and training
22 to the customs service of Haiti to improve produc-
23 tion validation and compliance and understanding of
24 the customs procedures of the United States, such
25 as the Electronic Visa Information System.

1 **SEC. 3. EXTENSION OF THE CARIBBEAN BASIN ECONOMIC**
 2 **RECOVERY ACT.**

3 Section 213(b) of the Caribbean Basin Economic Re-
 4 covery Act (19 U.S.C. 2703(b)) is amended—

5 (1) in paragraph (2)(A)—

6 (A) in clause (iii)—

7 (i) in subclause (II)(cc), by striking
 8 “2010” and inserting “2013”; and

9 (ii) in subclause (IV)(dd), by striking
 10 “2010” and inserting “2013”; and

11 (B) in clause (iv)(II), by striking “8” and
 12 inserting “11”; and

13 (2) in paragraph (5)(D)(i), by striking “2010”
 14 and inserting “2013”.

15 **SEC. 4. EXTENSION OF VALUE-ADDED RULE OF ORIGIN FOR**
 16 **APPAREL AND OTHER TEXTILE ARTICLES IM-**
 17 **PORTED FROM HAITI.**

18 Section 213A of the Caribbean Basin Economic Re-
 19 covery Act (19 U.S.C. 2703a) is amended—

20 (1) in subsection (a)(1)—

21 (A) by amending subparagraph (A) to read
 22 as follows:

23 “(A) IN GENERAL.—The term ‘applicable
 24 1-year period’ means—

25 “(i) the initial applicable 1-year pe-
 26 riod;

1 “(ii) the 1-year period beginning on
 2 the day after the last day of the initial ap-
 3 plicable 1-year period; and

4 “(iii) any 1-year period thereafter.”;
 5 and

6 (B) by striking subparagraphs (C) through
 7 (F);

8 (2) in subsection (b)—

9 (A) in paragraph (1)—

10 (i) in subparagraph (B)—

11 (I) in clause (iv)(II), by striking
 12 “each of the second, third, fourth, and
 13 fifth applicable 1-year periods” and
 14 inserting “any applicable 1-year pe-
 15 riod after the initial applicable 1-year
 16 period”; and

17 (II) in clause (v)(I)—

18 (aa) in item (aa), by striking
 19 “, the second applicable 1-year
 20 period, and the third applicable
 21 1-year period” and inserting
 22 “and each applicable 1-year pe-
 23 riod thereafter through the appli-
 24 cable 1-year period beginning on
 25 December 20, 2010”;

1 (bb) in item (bb), by striking
 2 ing “the fourth applicable 1-year
 3 period” and inserting “the appli-
 4 cable 1-year period beginning on
 5 December 20, 2011”; and

6 (cc) in item (cc), by striking
 7 “the fifth applicable 1-year pe-
 8 riod” and inserting “each appli-
 9 cable 1-year period beginning on
 10 or after December 20, 2012”;
 11 and

12 (ii) in subparagraph (C)—

13 (I) by striking the table and in-
 14 serting the following:

“During:	the corresponding percentage is:
the initial applicable 1-year period	1 percent.
each applicable 1-year period after the initial ap- plicable 1-year period	1.25 percent.”; and

15 (II) in the flush text, by striking
 16 “the last day of the fifth applicable 1-
 17 year period” and inserting “December
 18 19, 2013”; and

19 (B) in paragraph (2)—

20 (i) in subparagraph (A)(ii), by strik-
 21 ing “9” and inserting “13”; and

- 1 (ii) in subparagraph (B)(iii), by strik-
 2 ing “9” and inserting “13”;
 3 (3) in subsection (c), by striking “5-year pe-
 4 riod” and inserting “7-year period”; and
 5 (4) in subsection (h), by striking “2018” and
 6 inserting “2022”.

7 **SEC. 5. HAITI RECOVERY AND INVESTMENT TASK FORCE.**

8 (a) IN GENERAL.—There is established a task force,
 9 to be known as the “Haiti Recovery and Investment Task
 10 Force” (in this section referred to as the “Task Force”),
 11 to—

12 (1) facilitate—

13 (A) foreign direct investment in Haiti and
 14 the provision of credit and finance for private-
 15 sector investment in Haiti, including by reas-
 16 sessing and addressing obstacles to affordable
 17 finance and credit for persons seeking to invest
 18 in Haiti;

19 (B) the flow of remittances and investment
 20 to Haiti by the Haitian-American community in
 21 the United States and the Haitian Diaspora;
 22 and

23 (C) the provision of grants by international
 24 donors and international financial institutions
 25 (as defined in section 1701(c)(2) of the Inter-

1 national Financial Institutions Act (22 U.S.C.
2 262r(c)(2)) to the Government of Haiti; and

3 (2) work with the Government of Haiti to en-
4 sure that investment in Haiti described in paragraph
5 (1) supports Haiti's long-term development needs
6 and complements strategies developed in Haiti's Na-
7 tional Strategy for Growth and the Reduction of
8 Poverty, as set forth in the International Monetary
9 Fund Country Report Number 08/115.

10 (b) MEMBERSHIP.—The Task Force shall be com-
11 posed of the following officials or their designees:

12 (1) The Secretary of the Treasury, who shall
13 serve as the chairperson of the Task Force.

14 (2) The United States Trade Representative.

15 (3) The Secretary of Commerce.

16 (4) The President of the Overseas Private In-
17 vestment Corporation.

18 (5) The Chairman of the Export-Import Bank.

19 (c) ADMINISTRATION.—The Task Force shall—

20 (1) periodically convene public hearings; and

21 (2) establish procedures for the operation of the
22 Task Force that are transparent and encourage pub-
23 lic participation.

24 (d) REPORTS.—Not later than 180 days after the
25 date of the enactment of this Act, and every 180 days

1 thereafter, the Task Force shall submit to Congress a re-
 2 port containing—

3 (1) an assessment of the progress made by the
 4 Task Force in facilitating investment in Haiti and
 5 enabling Haiti to attract foreign investment;

6 (2) a description of obstacles to investment in
 7 Haiti identified by the Task Force; and

8 (3) any recommendations of the Task Force for
 9 enacting or amending laws to facilitate investment in
 10 Haiti.

11 (e) TERMINATION DATE.—The Task Force shall ter-
 12minate on the date that is 12 years after the date of the
 13 enactment of this Act.

14 **SEC. 6. GOVERNMENT ACCOUNTABILITY OFFICE REPORT**
 15 **ON THE EFFECTIVENESS OF THE HOPE**
 16 **TRADE PREFERENCES.**

17 Not later than May 31, 2010, the Comptroller Gen-
 18 eral of the United States shall submit to Congress a report
 19 that—

20 (1) assesses the effectiveness of the trade pref-
 21 erences under section 213A of the Caribbean Basin
 22 Economic Recovery Act (19 U.S.C. 2703a), as added
 23 by the Haitian Hemispheric Opportunity Through
 24 Partnership Act of 2006 (title V of division D of
 25 Public Law 109–432; 120 Stat. 3181) and amended

1 by the Haitian Hemispheric Opportunity Through
2 Partnership Act of 2008 (part I of subtitle D of title
3 XV of Public Law 110–246; 122 Stat. 2289); and
4 (2) makes recommendations for improving those
5 trade preferences, particularly with respect to meas-
6 ures to facilitate the expansion of trade and in-
7 creased employment in Haiti following the January
8 2010 earthquake.

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