^{112TH CONGRESS} 1ST SESSION S. 704

To provide for duty-free treatment of certain recreational performance outerwear, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 31, 2011

A BILL

To provide for duty-free treatment of certain recreational performance outerwear, 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 "United States Optimal
- 5 Use of Trade to Develop Outerwear and Outdoor Recre-
- 6 ation Act" or the "U.S. OUTDOOR Act".

7 SEC. 2. FINDINGS.

8 Congress finds the following:

Mr. WYDEN (for himself, Mr. CRAPO, Mr. ENZI, Ms. CANTWELL, Mr. SCHU-MER, and Mr. MERKLEY) introduced the following bill; which was read twice and referred to the Committee on Finance

(1) The outdoor industry contributes
 \$730,000,000,000 to the United States economy an nually.

4 (2) Outdoor activities are vitally important to
5 the health and well-being of the people of the United
6 States.

7 (3) Duty rates on recreational performance apparel are among the highest duty rates imposed by
9 the United States Government, with duties on some
10 recreational performance apparel as high as 28.2
11 percent.

(4) The duties currently imposed by the United
States on recreational performance apparel were set
in an era during which high rates of duty were intended to protect the production of other apparel in
the United States, and before the technologies and
innovations that create today's recreational performance apparel industry were developed.

(5) In July 2007, the United States International Trade Commission confirmed in USITC
Publication 3937 that recreational performance apparel produced in the United States makes up less
than 1 percent of the total recreational performance
apparel market and therefore concluded that there is

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3 (6) On November 1, 2005, the Committee for 4 the Implementation of Textile Agreements confirmed 5 in the Federal Register that imports of certain rec-6 reational performance apparel do not contribute to 7 domestic market disruption or adversely affect 8 United States textile and apparel producers (70 Fed. 9 Reg. 65889). 10 (7) The elimination of duties on the importation 11 of certain recreational performance apparel would 12 provide an economic benefit to United States con-13 sumers of outdoor products and would promote in-14 creased participation in healthy and active lifestyles.

15 SEC. 3. KNIT APPAREL AND ACCESSORIES.

(a) DEFINITIONS.—The Additional U.S. Note to 16 17 Chapter 61 of the Harmonized Tariff Schedule of the United States is amended— 18

19 (1) in the heading, by striking "Additional U.S. 20 Note" and inserting "Additional U.S. Notes"; and

21 (2) by adding at the end the following new 22

no commercially viable production of recreational

performance apparel in the United States.

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pants, and ski or snowboard pants intended for sale as 1 parts of ski-suits), coveralls and bib overalls, and jackets 2 3 (including, but not limited to, full zip jackets, paddling 4 jackets, ski jackets, and ski jackets intended for sale as 5 parts of ski-suits), windbreakers, and similar articles (in-6 cluding padded, sleeveless jackets) composed of knit fab-7 rics of cotton, wool, hemp, bamboo, silk, or manmade 8 fiber, or a combination of such fibers, that are either 9 water-resistant or visibly coated, or both, with critically 10 sealed seams, and with 5 or more of the following features: 11 "(i) Insulation for cold weather protection. 12 "(ii) Pockets, at least one of which has a 13 zippered, hook and loop, or other type of closure. "(iii) Elastic, drawcord, or other means of 14 15 tightening around the waist or leg hems, including 16 hidden leg sleeves with a means of tightening at the 17 ankle for trousers and tightening around the waist 18 or bottom hem for jackets. 19 "(iv) Venting, not including grommet(s). 20 "(v) Articulated elbows or knees. "(vi) Reinforcement in one of the following 21 22 areas: the elbows, shoulders, seat, knees, ankles, or 23 cuffs. "(vii) Weatherproof closure at the waist or 24 25 front.

"(viii) Multi-adjustable hood or adjustable col-1 2 lar. 3 "(ix) Adjustable powder skirt, inner protective skirt, or adjustable inner protective cuff at sleeve 4 5 hem. 6 "(x) Construction at the arm gusset that uti-7 lizes fabric, design, or patterning to allow radial arm 8 movement.

9 "(xi) Odor control technology.

10 The term 'recreational performance outerwear' does not11 include occupational outerwear or garments with an outer12 surface of looped pile.

13 "(b) For purposes of this Note, the following terms14 have the following meanings:

"(i) The term 'water-resistant' means that a 15 16 garment must have a water resistance (see ASTM 17 designations D 3779-81 and D 7017) such that, 18 under a head pressure of 600 millimeters, not more 19 than 1.0 gram of water penetrates after two minutes 20 when tested in accordance with the current version 21 of AATCC Test Method 35. The water resistance of 22 the garment is the result of a rubber or plastics ap-23 plication to the outer shell, lining, or inner lining.

24 "(ii) The term 'visibly coated' refers to fabric25 that is impregnated, coated, covered, or laminated

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1	with plastics, such as fabrics described in Note 2 to
2	chapter 59.
3	"(iii) The term 'sealed seams' means seams
4	that have been covered by means of taping, gluing,
5	bonding, cementing, fusing, welding, or a similar
6	process so that water cannot pass through the seams
7	when tested in accordance with the current version
8	of AATCC Test Method 35.
9	"(iv) The term 'critically sealed seams'
10	means—
11	"(A) for jackets, sealed seams that are
12	sealed at the front and back yokes, or at the
13	shoulders, arm holes, or both, where applicable;
14	and
15	"(B) for trousers, sealed seams that are
16	sealed at the front (up to the zipper or other
17	means of closure) and back rise.
18	"(v) The term "insulation for cold weather pro-
19	tection' means insulation with either synthetic fill,
20	down, a laminated thermal backing, or other lining
21	for thermal protection from cold weather.
22	"(vi) The term 'venting' refers to closeable or
23	permanent constructed openings in a garment (ex-
24	cluding front, primary zipper closures and grom-
25	met(s)) to allow increased expulsion of built-up heat

1 during outdoor activities. In a jacket, such openings 2 are often positioned on the underarm seam of a gar-3 ment but may also be placed along other seams in 4 the front or back of a garment. In trousers, such 5 openings are often positioned on the inner or outer 6 leg seams of a garment but may also be placed along 7 other seams in the front or back of a garment. 8 "(vii) The term 'articulated elbows or knees' re-9 fers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) 10 11 through the use of extra seams, darts, gussets, or 12 other means. 13 "(viii) The term 'reinforcement' refers to the 14 use of a double layer of fabric or section(s) of fabric 15 that is abrasion-resistant or otherwise more durable 16 than the face fabric of the garment. "(ix) The term 'weatherproof closure' means a 17 18 closure (including, but not limited to, laminated or 19 coated zippers, storm flaps, or other weatherproof 20 construction) that has been reinforced or engineered 21 in a manner to reduce the penetration or absorption 22 of moisture or air through an opening in the gar-23 ment. 24 "(x) The term 'multi-adjustable hood or adjust-

25 able collar' means a draw cord, adjustment tab, or

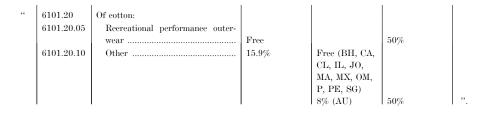
1	elastic incorporated into the hood or collar construc-
2	tion to allow volume adjustments around a helmet,
3	the crown of the head, neck, or face.
4	"(xi) The terms 'adjustable powder skirt' and
5	'inner protective skirt' refer to a partial lower inner
6	lining with means of tightening around the waist for
7	additional protection from the elements.
8	"(xii) The term 'arm gusset' means construc-
9	tion at the arm of a gusset that utilizes an extra
10	fabric piece in the under arm usually diamond- or
11	triangular-shaped, design, or pattern to allow radial
12	arm movement.
13	"(xiii) The term 'radial arm movement' refers
14	to unrestricted, 180-degree range of motion for the
15	arm while wearing performance outerwear.
16	"(xiv) The term 'odor control technology' means
17	an additive in a fabric or garment capable of adsorb-
18	ing, absorbing, or reacting with human odors, or ef-
19	fective in reducing odor-causing bacteria, including
20	but not limited to activated carbon, silver, copper, or
21	any combination thereof.
22	"(xv) The term 'occupational outerwear' means
23	outerwear garments, including uniforms, designed or
24	marketed for use in the workplace or at a worksite
25	to provide durable protection from cold or inclement

weather and/or workplace hazards, such as fire, elec trical, abrasion, or chemical hazards, or impacts,
 cuts, punctures, or similar hazards.

4 "3. For purposes of this chapter, the importer of 5 record shall specify upon entry whether garments claimed 6 as recreational performance outerwear have an outer sur-7 face that is water-resistant, visibly coated, or a combina-8 tion thereof, and shall further enumerate the specific fea-9 tures that make the garments eligible to be classified as 10 recreational performance outerwear.".

(b) TARIFF CLASSIFICATIONS.—Chapter 61 of the
Harmonized Tariff Schedule of the United States is
amended as follows:

(1) By striking subheading 6101.20.00 and inserting the following, with the article description for
subheading 6101.20 having the same degree of indentation as the article description for subheading
6101.20.00 (as in effect on the day before the date
of the enactment of this Act):



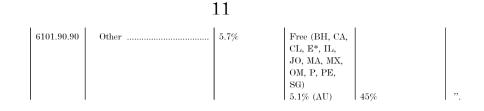
20 (2) By striking subheadings 6101.30.10
21 through 6101.30.20 and inserting the following, with
22 the article description for subheading 6101.30.05

having the same degree of indentation as the article
 description for subheading 6101.30.10 (as in effect
 on the day before the date of the enactment of this
 Act):

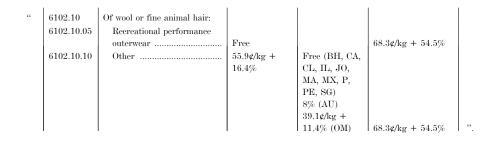
"	6101.30.05	Recreational performance out- erwear Other:	Free		35%	
	6101.30.10	Containing 25 percent or				
		more by weight of leather	5.6%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX, OM,		
				P, PE, SG)		
				5% (AU)	35%	
	6101.30.15	Containing 23 percent or				
		more by weight of wool or				
		fine animal hair	38.6¢/kg +	Free (BH, CA,		
			10%	CL, IL, JO,		
				MA, MX, OM,		
				P, PE, SG)		
				8% (AU)	77.2¢/kg + 54.5%	
	6101.30.20	Other	28.2%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX, OM,		
				P, PE, SG)		
	I	I	l	8% (AU)	72%	".

5 (3)By striking subheadings 6101.90.05 6 through 6101.90.90 and inserting the following, with the article description for subheading 6101.90.01 7 having the same degree of indentation as the article 8 description for subheading 6101.90.05 (as in effect 9 10 on the day before the date of the enactment of this 11 Act):

"	6101.90.01	Recreational performance out- erwear Other:	Free		45%
	6101.90.05	Of wool or fine animal hair	61.7¢/kg + 16%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU) 43.1¢/kg + 11.2% (OM)	77.2¢/kg + 54.5%
	6101.90.10	Containing 70 percent or more by weight of silk or silk waste	0.9%	Free (AU, BH, CA, CL, E, IL, J, JO, MA, MX, OM, P, PE, SG)	45%



(4) By striking subheading 6102.10.00 and in serting the following, with the article description for
 subheading 6102.10 having the same degree of in dentation as the article description for subheading
 6102.10.00 (as in effect on the day before the date
 of the enactment of this Act):

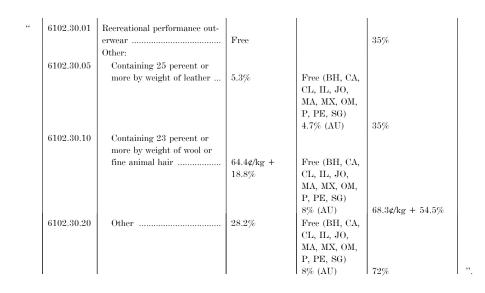


7 (5) By striking subheading 6102.20.00 and in8 serting the following, with the article description for
9 subheading 6102.20 having the same degree of in10 dentation as the article description for subheading
11 6102.20.00 (as in effect on the day before the date
12 of the enactment of this Act):

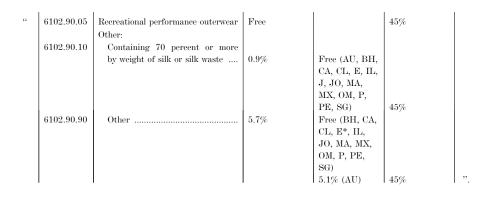


13 (6) By striking subheadings 6102.30.05
14 through 6102.30.20 and inserting the following, with
15 the article description for subheading 6102.30.01
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having the same degree of indentation as the article
 description for subheading 6102.30.05 (as in effect
 on the day before the date of the enactment of this
 Act):

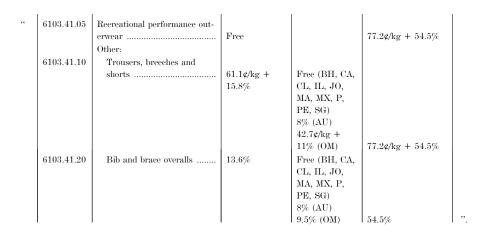


5 (7) By striking subheadings 6102.90.10 and 6 6102.90.90 and inserting the following, with the ar-7 ticle description for subheading 6102.90.05 having 8 the same degree of indentation as the article descrip-9 tion for subheading 6102.90.10 (as in effect on the 10 day before the date of the enactment of this Act):



11 (8) By striking subheadings 6103.41.10 and
12 6103.41.20 and inserting the following, with the ar•S 704 IS

ticle description for subheading 6103.41.05 having
 the same degree of indentation as the article descrip tion for subheading 6103.41.10 (as in effect on the
 day before the date of the enactment of this Act):



5 (9) By striking subheadings 6103.42.10 and 6 6103.42.20 and inserting the following, with the ar-7 ticle description for subheading 6103.42.05 having 8 the same degree of indentation as the article descrip-9 tion for subheading 6103.42.10 (as in effect on the 10 day before the date of the enactment of this Act):

"	6103.42.05	Recreational performance outerwear Other:	Free		45%	
	6103.42.10	Trousers, breeches and shorts	16.1%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG)		
	6103.42.20	Bib and brace overalls	10.3%	8% (AU) Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	45% 90%	,,

(10) By striking subheadings 6103.43.10
through 6103.43.20 and inserting the following, with
the article description for subheading 6103.43.05
having the same degree of indentation as the article
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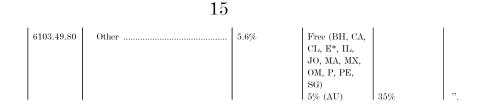
description for subheading 6103.43.10 (as in effect
 on the day before the date of the enactment of this
 Act):

6103.43.05	Recreational performance out- erwear Other:	Free		77.2¢/kg + 54.5%
	Trousers, breeches and shorts:			
6103.43.10	Containing 23 percent or more by weight of wool or			
	fine animal hair	58.5¢/kg +	Free (BH, CA,	
		15.2%	CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG	
			8% (AU)	77.2¢/kg + 54.5%
6103.43.15	Other	28.2%	Free (BH, CA,	
			CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG)	= 2 00
		1100	8% (AU)	72%
6103.43.20	Bib and brace overalls	14.9%	Free (BH, CA,	
			CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG) 8% (AU)	72%

".

4 (11) By striking subheadings 6103.49 through
5 6103.49.80 and inserting the following, with the ar6 ticle description for subheading 6103.49 having the
7 same degree of indentation as the article description
8 for subheading 6103.49 (as in effect on the day be9 fore the date of the enactment of this Act):

"	6103.49	Of other textile materials: Of artificial fibers:			
	6103.49.05	Recreational performance out- erwear Other:	Free		72%
	6103.49.10	Trousers, breeches and shorts	28.2%	Erre (DIL CA	
		SHOPUS	28.2%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG)	
	6103.49.20	Bib and brace overalls	13.6%	8% (AU) Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG)	72%
	6103.49.40	Containing 70 percent or more		8% (AU)	72%
		by weight of silk or silk waste	0.9%	Free (AU, BH, CA, CL, E, IL, J, JO, MA, MX, OM, P, PE, SG)	35%



(12) By striking subheading 6104.61.00 and in serting the following, with the article description for
 subheading 6104.61 having the same degree of in dentation as the article description for subheading
 6104.61.00 (as in effect on the day before the date
 of the enactment of this Act):

"	6104.61 6104.61.05 6104.61.10	Of wool and fine animal hair: Recreational performance outer- wear Other	Free 14.9%	Free (BH, CA, CL, IL, JO,MA, MX, P, PE, SG) 8% (AU) 10.4% (OM)	54.5%	".
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7 (13) By striking subheadings 6104.62.10
8 and 6104.62.20 and inserting the following,
9 with the article description for subheading
10 6104.62.05 having the same degree of indenta11 tion as the article description for subheading
12 6104.62.10 (as in effect on the day before the
13 date of the enactment of this Act):

"	6104.62.05	Recreational performance outerwear	Free		90%	
		Other:				
	6104.62.10	Bib and brace overalls	10.3%	Free (BH, CA,		
				CL, IL, JO,		
				MX, OM, P,		
				PE, SG)		
				8% (AU)		
				See		
				9912.61.01 -		
				9912.61.02		
				(MA)	90%	
	6104.62.20	Other	14.9%	Free (BH, CA,		
				CL, JO, IL,		
				MX, OM, P,		
				PE, SG)		
				8% (AU)		
				See		
				9912.61.01,		
				9912.61.03		
				(MA)	90%	".

1 striking (14)By subheadings 6104.63.10 2 through 6104.63.20 and inserting the following, with 3 the article description for subheading 6104.63.05 4 having the same degree of indentation as the article 5 description for subheading 6104.63.10 (as in effect 6 on the day before the date of the enactment of this 7 Act):

"	6104.63.05	Recreational performance outerwear Other:	Free		72%
	6104.63.10	Bib and brace overalls	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.61.05– 9912.61.06 (MA)	72%
		Other:			
	6104.63.15	Containing 23 percent or more by weight of wool or fine ani-			
		mal hair	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.61.05- 9912.61.06 (MA)	54.5%

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	17				
6104.63.20	Other	28.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.61.05, 9912.61.07 (MA)	72%	".

(15) By striking subheadings 6104.69 through
6104.69.80 and inserting the following, with the article description for subheading 6104.69 having the
same degree of indentation as the article description
for subheading 6104.69 (as in effect on the day before the date of the enactment of this Act):

"	6104.69	Of other textile materials:			
		Of artificial fibers:			
	6104.69.05	Recreational performance out-			
		erwear	Free		72%
		Other:			
	6104.69.10	Bib and brace overalls	13.6%	Free (BH, CA,	
				CL, IL, JO,	
				MA, MX,OM,	
				P, PE, SG	
				8% (AU)	72%
	6104.69.20	Trousers, breeches and			
		shorts	28.2%	Free (BH, CA,	
				CL, IL, JO,	
				MA, MX, OM,	
				P, PE, SG) 8% (AU)	72%
	6104.69.40	Containing 70 percent or more		070 (AU)	1270
	0104.09.40	by weight of silk or silk waste	0.9%	Free (AU, BH,	
		by weight of sik of sik waste	0.570	CA, CL, E, IL,	
				J, JO, MA,	
				MX, OM, P,	
				PE, SG)	60%
	6104.69.80	Other	5.6%	Free (BH, CA,	
	0101.00.00		0.070	CL, E*, IL,	
				JO, MA, MX,	
				OM, P,PE,	
				SG)	
				5% (AU)	60%

7 (16) By striking subheadings 6112.20.10 and
8 6112.20.20 and inserting the following, with the ar9 ticle description for subheading 6112.20.05 having
10 the same degree of indentation as the article descrip-

1 tion for subheading 6112.20.10 (as in effect on the

2 day before the date of the enactment of this Act):

"	6112.20.05	Recreational performance outerwear	Free		72%	
	6112.20.10	Other: Of man-made fibers	28.2%	Free (BH, CA, CL, IL, JO,		
				MA, MX, OM, P, PE, SG) 8% (AU)	72%	
	6112.20.20	Other	8.3%	Free (BH, CA, CL, E*, IL,	1270	
				JO, MA, MX,OM, P,		
				PE, SG) 7.4% (AU)	90%	".

3 (17) By striking subheadings 6113.00.10 and
4 6113.00.90 and inserting the following, with the ar5 ticle description for subheading 6113.00.05 having
6 the same degree of indentation as the article descrip7 tion for subheading 6113.00.10 (as in effect on the
8 day before the date of the enactment of this Act):

"	6113.00.05	Recreational performance outerwear	Free		65%	
		Other:				
	6113.00.10	Having an outer surface impreg- nated, coated, covered, or lami-				
		nated with rubber or plastics ma-				
		terial which completely obscures	9.00/	Ena (AU DU		
		the underlying fabric	3.8%	Free (AU, BH, CA, CL, E,IL, JO, MA, MX, OM, P, PE,		
				SG)	65%	
	6113.00.90	Other	7.1%	Free (AU, BH, CA, CL, E*,	0070	
				IL, JO, MA,		
				MX, OM, P, PE, SG)	65%	"

9 (18) By striking subheading 6114.20.00 and in-10 serting the following, with the article description for 11 subheading 6114.20 having the same degree of in-12 dentation as the article description for subheading 13 6114.20.00 (as in effect on the day before the date 14 of the enactment of this Act):

"	6114.20	Of cotton:				
	6114.20.05	Recreational performance outer-				
		wear	Free		90%	
	6114.20.10	Other	10.8%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX, P,		
				PE, SG)		
				8% (AU)		
				4.3% (OM)	90%	".

19

1 (19)By striking subheadings 6114.30.102 through 6114.30.30 and inserting the following, with 3 the article description for subheading 6114.30.05 4 having the same degree of indentation as the article description for subheading 6114.30.10 (as in effect 5 6 on the day before the date of the enactment of this 7 Act):

"	6114.30.05	Recreational performance outerwear	Free		90%	
		Other:				
	6114.30.10	Tops	28.2%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX,OM,		
				P, PE, SG)		
				8% (AU)	90%	
	6114.30.20	Bodysuits and bodyshirts	32%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX, OM,		
				P, PE, SG)		
				8% (AU)	90%	
	6114.30.30	Other	14.9%	Free (BH, CA,		
				CL, IL, JO,		
				MA, MX, OM,		
				P, PE, SG)		
				8% (AU)	90% "	'.

8 (20)By striking subheadings 6114.90.05 9 through 6114.90.90 and inserting the following, with 10 the article description for subheading 6114.90.01 11 having the same degree of indentation as the article 12 description for subheading 6114.90.05 (as in effect 13 on the day before the date of the enactment of this 14 Act):

6114.90.05	Of wool or fine animal hair	12%	Free (BH, CA,	
			CL, IL, JO,	
			MA, MX, P,	
			PE, SG)	
			8% (AU)	
			8.4% (OM)	90%
6114.90.10	Containing 70 percent or more			,
	by weight of silk or silk waste	0.9%	Free (AU, BH,	
			CA, CL, E, IL,	
			J, JO, MA,	
			MX, OM, P,	
			PE, SG)	60%
6114.90.90	Other	5.6%	Free (BH, CA,	
		,	CL, E*, IL,	
			JO, MA, MX,	
			OM, P, PE,	
			SG)	
			5% (AU)	60%

1SEC. 4. APPAREL ARTICLES AND ACCESSORIES OF OTHER2MATERIALS, NOT KNITTED OR CROCHETED.

3 (a) NOTES.—The Additional U.S. Notes to chapter
4 62 of the Harmonized Tariff Schedule of the United
5 States are amended—

6 (1) in Additional U.S. Note 2, by striking "For
7 purposes of subheadings" and all that follows
8 through "6211.20.15" and inserting "For purposes
9 of this chapter"; and

10 (2) by adding at the end the following new11 notes:

12 "3.(a) For purposes of this chapter, the term 'rec-13 reational performance outerwear' means trousers (includ-14 ing, but not limited to, paddling pants, ski or snowboard 15 pants, and ski or snowboard pants intended for sale as 16 parts of ski-suits), coveralls and bib overalls, and jackets 17 (including, but not limited to, full zip jackets, paddling 18 jackets, ski jackets, and ski jackets intended for sale as 19 parts of ski-suits), windbreakers, and similar articles (in-

•S 704 IS

cluding padded, sleeveless jackets), the outer surface of
 which is composed of non-knit, non-crocheted fabrics of
 cotton, wool, hemp, bamboo, silk, or manmade fiber, or
 a combination of such fibers, that are water-resistant, visi bly coated, or both, with critically sealed seams, and with
 5 or more of the following options:

7 "(i) Insulation for cold weather protection.

8 "(ii) Pockets, at least one of which has a9 zippered, hook and loop, or other type of closure.

"(iii) Elastic, drawcord, or other means of
tightening around the waist or leg hems, including
hidden leg sleeves with a means of tightening at the
ankle for trousers and tightening around the waist
or bottom hem for jackets.

15 "(iv) Venting, not including grommet(s).

16 "(v) Articulated elbows or knees.

17 "(vi) Reinforcement in one of the following
18 areas: the elbows, shoulders, seat, knees, ankles, or
19 cuffs.

20 "(vii) Weatherproof closure at the waist or21 front.

22 "(viii) Multi-adjustable hood or adjustable col-23 lar.

"(ix) Adjustable powder skirt, inner protective
 skirt, or adjustable inner protective cuff at sleeve
 hem.

4 "(x) Construction at the arm gusset that uti5 lizes fabric, design, or patterning to allow radial arm
6 movement.

7 "(xi) Odor control technology.

8 The term 'recreational performance outerwear' does not9 include occupational outerwear.

10 "(b) For purposes of this Note, the following terms11 have the following meanings:

12 "(i) The term 'water-resistant' means that a 13 garment must have a water resistance (see ASTM 14 designations D 3779-81 and D 7017) such that, 15 under a head pressure of 600 millimeters, not more 16 than 1.0 gram of water penetrates after two minutes 17 when tested in accordance with the current version 18 of AATCC Test Method 35. The water resistance of 19 the garment is the result of a rubber or plastics ap-20 plication to the outer shell, lining, or inner lining.

21 "(ii) The term 'visibly coated' refers to fabric
22 that is impregnated, coated, covered, or laminated
23 with plastics, such as fabrics described in Note 2 to
24 chapter 59.

1	"(iii) The term 'sealed seams' means seams
2	that have been covered by means of taping, gluing,
3	bonding, cementing, fusing, welding, or a similar
4	process so that water cannot pass through the seams
5	when tested in accordance with the current version
6	of AATCC Test Method 35.
7	"(iv) The term 'critically sealed seams' means
8	seams' that are sealed—
9	"(A) for jackets, at the front and back
10	yokes, or at the shoulders, arm holes, or both,
11	where applicable; and
12	"(B) for trousers, at the front (up to the
13	zipper or other means of closure) and back rise.
14	"(v) The term 'insulation for cold weather pro-
15	tection' means insulation with either synthetic fill,
16	down, a laminated thermal backing, or other lining
17	for thermal protection from cold weather.
18	"(vi) The term 'venting' refers to closeable or
19	permanent constructed openings in a garment (ex-
20	cluding front, primary zipper closures and grom-
21	met(s)) to allow increased expulsion of built-up heat
22	during outdoor activities. In a jacket, such openings
23	are often positioned on the underarm seam of a gar-
24	ment but may also be placed along other seams in
25	the front or back of a garment. In trousers, such

1 openings are often positioned on the inner or outer 2 leg seams of a garment but may also be placed along 3 other seams in the front or back of a garment. "(vii) The term 'articulated elbows or knees' re-4 5 fers to the construction of a sleeve (or pant leg) to allow improved mobility at the elbow (or knee) 6 7 through the use of extra seams, darts, gussets, or other means. 8 9 "(viii) The term 'reinforcement' refers to the 10 use of a double layer of fabric or section(s) of fabric 11 that is abrasion-resistant or otherwise more durable 12 than the face fabric of the garment. 13 "(ix) The term 'weatherproof closure' means a 14 closure (including, but not limited to, laminated or 15 coated zippers, storm flaps, or other weatherproof 16 construction) that has been reinforced or engineered 17 in a manner to reduce the penetration or absorption 18 of moisture or air through an opening in the gar-19 ment. 20 "(x) The term 'multi-adjustable hood or adjust-21 able collar' means a draw cord, adjustment tab, or 22 elastic incorporated into the hood or collar construc-23 tion to allow volume adjustments around a helmet, 24 the crown of the head, neck, or face.

"(xi) The terms 'adjustable powder skirt' and
 "inner protective skirt' refer to a partial lower inner
 lining with means of tightening around the waist for
 additional protection from the elements.

5 "(xii) The term 'arm gusset' means construc-6 tion at the arm of a gusset that utilizes an extra 7 fabric piece in the under arm usually diamond- or 8 triangular-shaped, design, or pattern to allow radial 9 arm movement.

10 "(xiii) The term 'radial arm movement' refers
11 to unrestricted, 180-degree range of motion for the
12 arm while wearing performance outerwear.

"(xiv) The term 'odor control technology' means
an additive in a fabric or garment capable of adsorbing, absorbing, or reacting with human odors, or effective in reducing odor-causing bacteria, including
but not limited to activated carbon, silver, copper, or
any combination thereof.

"(xv) The term 'occupational outerwear' means
outerwear garments, including uniforms, designed or
marketed for use in the workplace or at a worksite
to provide durable protection from cold or inclement
weather and/or workplace hazards, such as fire, electrical, abrasion, or chemical hazards, or impacts,
cuts, punctures, or similar hazards.

1 "4. For purposes of this chapter, the importer of 2 record shall specify upon entry whether garments claimed 3 as 'recreational performance outerwear' have an outer sur-4 face that is water-resistant, visibly coated, or a combina-5 tion thereof, and shall further enumerate the specific fea-6 tures that make the garments eligible to be classified as 7 recreational performance outerwear.".

8 (b) TARIFF CLASSIFICATIONS.—Chapter 62 of the
9 Harmonized Tariff Schedule of the United States is
10 amended as follows:

(1) By striking subheading 6201.11.00 and inserting the following, with the article description for
subheading 6201.11 having the same degree of indentation as the article description for subheading
6201.11.00 (as in effect on the day before the date
of the enactment of this Act):

"	6201.11 6201.11.05 6201.11.10	Of wool or fine animal hair: Recreational performance outerwear Other	Free 41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 8% (AU) 28.7¢/kg + 11.4% (OM)	52.9¢/kg + 58.5% 52.9¢/kg + 58.5%	".
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17 (2) By striking subheadings 6201.12.10 and
18 6201.12.20 and inserting the following, with the ar19 ticle description for subheading 6201.12.05 having
20 the same degree of indentation as the article descrip-

tion for subheading 6201.12.10 (as in effect on the
 day before the date of the enactment of this Act):

"	6201.12.05	Recreational performance outerwear	Free		60%	
		Other:				
	6201.12.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by				
		weight; containing 10 percent or				
		more by weight of down	4.4%	Free (BH, CA,	60%	
	6201.12.20	Other	9.4%	CL, IL, JO, MA, MX, OM, P, PE, SG) 3.9% (AU) Free (BH, CA, CL, IL, JO,		
				MA, MX, OM, P, PE, SG) 8% (AU)	90%	".

3 By striking (3)subheadings 6201.13.10 4 through 6201.13.40 and inserting the following, with 5 the article description for subheading 6201.13.05 6 having the same degree of indentation as the article 7 description for subheading 6201.13.10 (as in effect 8 on the day before the date of the enactment of this 9 Act):

"	6201.13.05	Recreational performance out- erwear Other:	Free		60%
	6201.13.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 0.4% (MA) 3.9% (AU)	60%
	6201.13.30	Other: Containing 36 percent or more by weight of wool or fine animal hair	49.7¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG)	52.9¢/kg + 58.5%

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	2	28			
6201.13.40	Other	27.7%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	90%	".

1 (4) By striking subheadings 6201.19.10 and 2 6201.19.90 and inserting the following, with the ar-3 ticle description for subheading 6201.19.05 having 4 the same degree of indentation as the article descrip-5 tion for subheading 6201.19.10 (as in effect on the 6 day before the date of the enactment of this Act):

"	6201.19.05	Recreational performance outerwear	Free		35%	
		Other:				
	6201.19.10	Containing 70 percent or more				
		by weight of silk or silk waste	Free		35%	
	6201.19.90	Other	2.8%	Free (AU, BH,		
				CA, CL, E*,		
				IL, JO, MA,		
				MX, OM, P,		
				PE, SG)	35%	".

7 (5) By striking subheadings 6201.91.10 and
8 6201.91.20 and inserting the following, with the ar9 ticle description for subheading 6201.91.05 having
10 the same degree of indentation as the article descrip11 tion for subheading 6201.91.10 (as in effect on the
12 day before the date of the enactment of this Act):

"	6201.91.05	Recreational performance out- erwear Other:	Free		58.5%	
	6201.91.10	Padded, sleeveless jackets	8.5%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 7.6% (AU) 5.9% (OM)	58.5%	
	6201.91.20	Other	49.7¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 8% (AU) 34.7¢/kg + 13.7% (OM)	52.9¢/kg + 58.5%	".

By striking subheadings 1 (6)6201.92.10 2 through 6201.92.20 and inserting the following, with 3 the article description for subheading 6201.92.05 4 having the same degree of indentation as the article description for subheading 6201.92.10 (as in effect 5 6 on the day before the date of the enactment of this 7 Act):

"	6201.92.05	Recreational performance outerwear Other:	Free		60%
	6201.92.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by weight; containing 10 percent or			
		more by weight of down	4.4%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3.9% (AU) See 9912.62.00– 9912.62.01 (MA)	60%
		Other:			
	6201.92.15	Water resistant	6.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 5.5% (AU) See 9912.62.00, 9912.62.02 (MA)	37.5%
	6201.92.20	Other	9.4%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.00, 9912.62.03 (MA)	90%

8 (7) By striking subheadings 6201.93.10 9 through 6201.93.35 and inserting the following, with 10 the article description for subheading 6201.93.05 11 having the same degree of indentation as the article 12 description for subheading 6201.93.10 (as in effect

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on the day before the date of the enactment of this

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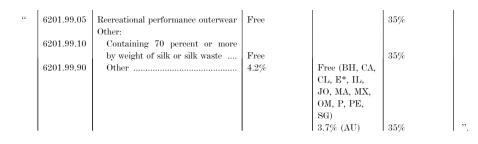
2 Act):

"

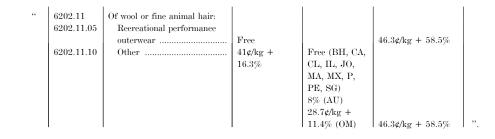
6201.93.05	Recreational performance out- erwear	Free		60%
6201.93.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or			
	more by weight of down	4.4%	Free (BH, CA, CL,IL, JO, MX, OM, P, PE, SG) 3.9% (AU) See 9912.62.04– 9912.62.05 (MA)	60%
	Other:			
6201.93.20	Padded, sleveless jackets	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.04, 9912.62.06 (MA)	76%
	Other:		()	
6201.93.25	Containing 36 percent or more by weght of wool or fine animal			
	hair	49.5¢/kg + 19.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.04, 9912.62.07 (MA)	52.9¢/kg + 58.5%
	Other:		()	
6201.93.30	Water resistant	7.1%	Free (BH,CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.04, 9912.62.08 (MA)	65%
6201.93.35	Other	27.7%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.04,	

3 (8) By striking subheadings 6201.99.10 and
4 6201.99.90 and inserting the following, with the ar-

ticle description for subheading 6201.99.05 having
the same degree of indentation as the article description for subheading 6201.99.10 (as in effect on the
day before the date of the enactment of this Act):



5 (9) By striking subheading 6202.11.00 and in-6 serting the following, with the article description for 7 subheading 6202.11 having the same degree of in-8 dentation as the article description for subheading 9 6202.11.00 (as in effect on the day before the date 10 of the enactment of this Act):



(10) By striking subheadings 6202.12.10 and
6202.12.20 and inserting the following, with the article description for subheading 6202.12.05 having
the same degree of indentation as the article description for subheading 6202.12.10 (as in effect on the
day before the date of the enactment of this Act):

6202.12.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by weight; containing 10 percent or				
	more by weight of down	4.4%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 3.9% (AU)	60%	
6202.12.20	Other	8.9%	5.5% (AC) Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.8% (MA) 8% (AU)	90%	".

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1 By striking subheadings 6202.13.10 (11)2 through 6202.13.40 and inserting the following, with 3 the article description for subheading 6202.13.05 having the same degree of indentation as the article 4 description for subheading 6202.13.10 (as in effect 5 6 on the day before the date of the enactment of this 7 Act):

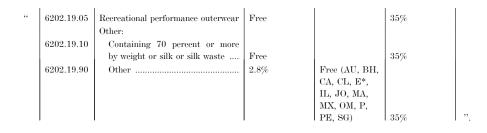
"	6202.13.05	Recreational performance out- erwear Other:	Free		60%	
	6202.13.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or				
		more by weight of down	4.4%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 3.9% (AU)	60%	
		Other:				
	6202.13.30	Containing 36 percent or more by weight of wool or				
		fine animal hair	43.5¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
	6202.13.40	Other	27.7%	Free (BH, CA, CL, IL, JO, MA, MX,OM, P, PE, SG) 8% (AU)	90%	"

(12) By striking subheadings 6202.19.10 and6202.19.90 and inserting the following, with the ar-

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ticle description for subheading 6202.19.05 having
the same degree of indentation as the article description for subheading 6202.19.10 (as in effect on the
day before the date of the enactment of this Act):



5 (13) By striking subheadings 6202.91.10 and 6 6202.91.20 and inserting the following, with the ar-7 ticle description for subheading 6202.91.05 having 8 the same degree of indentation as the article descrip-9 tion for subheading 6202.91.10 (as in effect on the 10 day before the date of the enactment of this Act):

"	6202.91.05	Recreational performance out- erwear Other:	Free		58.5%	
	6202.91.10	Padded, sleeveless jackets	14%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 8% (AU) 9.8% (OM)	58.5%	
	6202.91.20	Other	36¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 8% (AU) 25.2¢/kg + 11.4% (OM)	46.3¢/kg + 58.5%	".

(14) By striking subheadings 6202.92.10
through 6202.92.20 and inserting the following, with
the article description for subheading 6202.92.05
having the same degree of indentation as the article
description for subheading 6202.92.10 (as in effect

on the day before the date of the enactment of this

2 Act):

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"	6202.92.05	Recreational performance outerwear Other:	Free		60%	
	6202.92.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by weight; containing 10 percent or more by weight of down	4.4%	Free (BH, CA,	60%	
		more by weight of down	T.T /0	Pice (III, CA, CL, IL, JO, MX, OM, P, PE, SG) 3.9% (AU) See 9912.62.10– 9912.62.11 (MA)	0072	
		Other:				
	6202.92.15	Water resistant	6.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 5.5% (AU) See 9912.62.10, 9912.62.12 (MA)	37.5%	
	6202.92.20	Other	8.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.10, 9912.62.13 (MA)	90%	".

3 (15)By striking subheadings 6202.93.10 through 6202.93.50 and inserting the following, with 4 5 the article description for subheading 6202.93.05 having the same degree of indentation as the article 6 description for subheading 6202.93.10 (as in effect 7 on the day before the date of the enactment of this 8 9 Act):



6202.93.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or				
	more by weight of down	4.4%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 3.9% (AU)	60%	
6202.93.20	Other: Padded, sleveless jackets	14.9%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	76%	
6202.93.40	Other: Containing 36 percent or more by weight of wool or fine animal		0,0 (110)		
	hair	43.4¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	46.3¢/kg + 58.5%	
	Other:		,		
6202.93.45	Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 6.3% (AU)	65%	
6202.93.50	Other	27.7%	Free (BH, CA, CL, IL, JO, MA, MX, OM, P, PE, SG) 8% (AU)	90%	

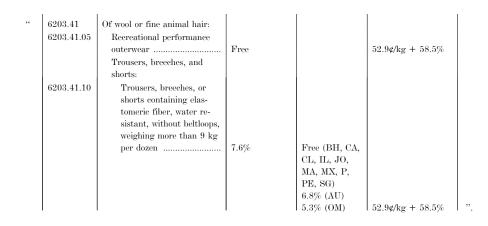
(16) By striking subheadings 6202.99.10 and
 6202.99.90 and inserting the following, with the ar ticle description for subheading 6202.99.05 having
 the same degree of indentation as the article descrip tion for subheading 6202.99.10 (as in effect on the
 day before the date of the enactment of this Act):

"	6202.99.05	Recreational performance outerwear	Free		35%	
		Other:				
	6202.99.10	Containing 70 percent or more				
		by weight or silk or silk waste	Free		35%	
	6202.99.90	Other	2.8%	Free (AU, BH,		
				CA, CL, E*,		
				IL, JO, MA,		
				MX, OM, P,		
		ļ		PE, SG)	35%	".

7 (17) By striking subheadings 6203.41 and
8 6203.41.05 and inserting the following, with the ar-

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ticle description for subheadings 6203.41 having the
 same degree of indentation as the article description
 for subheading 6203.41 (as in effect on the day be fore the date of the enactment of this Act):



5 (18)By striking subheadings 6203.42.10through 6203.42.40 and inserting the following, with 6 7 the article description for subheading 6203.42.05 having the same degree of indentation as the article 8 9 description for subheading 6203.42.10 (as in effect 10 on the day before the date of the enactment of this 11 Act):

"	6203.42.05	Recreational performance outerwear	Free		60%
		Other:			
	6203.42.10	Containing 15 percent or more			
		by weight of down and waterfowl			
		plumage and of which down com-			
		prises 35 percent or more by			
		weight; containing 10 percent or			
		more by weight of down	Free		60%
		Other:			
	6203.42.20	Bib and brace overalls	10.3%	Free (BH, CA,	90%
				CL, IL, JO,	
				MX, OM, P,	
				PE, SG)	
				8% (AU)	
				See	
				9912.62.22 -	
				9912.62.23	
				(MA)	

	37				
6203.42.40	Other	16.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.22, 9912.62.24 (MA)	90%	

(19) By striking subheadings 6203.43.10
through 6203.43.40 and inserting the following, with
the article description for subheading 6203.43.05
having the same degree of indentation as the article
description for subheading 6203.43.10 (as in effect
on the day before the date of the enactment of this
Act):

		•	38		
"	6203.43.05	Recreational performance out- erwear Other:	Free		60%
	6203.43.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down comprises 35 percent or more by weight; containing 10 percent or			
		more by weight of down Other:	Free		60%
	6203.43.15	Bib and brace overalls: Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See	65%
				9912.62.25- 9912.62.26	
	6203.43.20	Other	14.9%	(MA) Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.25, 9912.62.27	76%
		Other:		(MA)	
	6203.43.25	Certified hand-loomed and folklore products	12.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.25, 9912.62.28 (MA)	76%
	6203.43.30	Other: Containing 36 per-			
		cent or more by weight of wool or			
		fine animal hair	49.6¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.25, 9912.62.29 (MA)	52.9¢/kg + 58.5%
	6203.43.35	Other: Water resistant			
		trousers or breeches	7.1%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 6.3% (AU) See 9912.62.25- 9912.62.26 (MA)	65%

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6203.43.40	Other	27.9%	Free (BH, CA,		
			CL, IL, JO,		
			MX, OM, P,		
			PE, SG)		
			8% (AU)		
			See		
			9912.62.25,		
			9912.62.30		
			(MA)	90%	,,

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(20) By striking subheadings 6203.49 through
 6203.49.80 and inserting the following, with the ar ticle description for subheading 6203.49 having the
 same degree of indentation as the article description
 for subheading 6203.49 (as in effect on the day be fore the date of the enactment of this Act):

6203.49	Of other textile materials:			
6203.49.05	Recreational performance outer-			= 0.01
	wear	Free		76%
	Other:			
	Of artificial fibers:			
6203.49.10	Bib and brace overalls	8.5%	Free (BH, CA,	76%
			CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG)	
			7.6% (AU)	
	Trousers, breeches and			
	shorts:			
6203.49.15	Certified hand-loomed and			
	folklore products	12.2%	Free (BH, CA,	76%
			CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG)	
			8% (AU)	
6203.49.20	Other	27.9%	Free (BH, CA,	90%
			CL, IL, JO,	
			MA, MX, OM,	
			P, PE, SG)	
			8% (AU)	
6203.49.40	Containing 70 percent or more			
	by weight of silk or silk waste	Free		35%
6203.49.80	Other	2.8%	Free (AU, BH,	
			CA, CL, E*,	
			IL, JO, MA,	
			MX, OM, P,	
			PE, SG)	35%

7 (21) By striking subheadings 6204.61.10 and
8 6204.61.90 and inserting the following, with the ar9 ticle description for subheading 6204.61.05 having
10 the same degree of indentation as the article descrip-

"

1 tion for subheading 6204.61.10 (as in effect on the

2 day before the date of the enactment of this Act):

"	6204.61.05	Recreational performance outerwear Other:	Free		58.5%
	6204.61.10	Trousers and breeches, con- taining elastomeric fiber, water resistant, without belt loops, weighing more than 6 kg per			
		dozen	7.6%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 5.3% (OM) 6.8% (AU) See 9912.62.57- 9912.62.57 (MA)	58.5%
	6204.61.90	Other	13.6%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 9.5% (OM) 8% (AU) See 9912.62.57, 9912.62.59 (MA)	58.5%

".

3 (22)striking subheadings By 6204.62.10 4 through 6204.62.40 and inserting the following, with 5 the article description for subheading 6204.62.05 6 having the same degree of indentation as the article description for subheading 6204.62.10 (as in effect 7 on the day before the date of the enactment of this 8 9 Act):

"	6204.62.05	Recreational performance outerwear	Free		60%
		Other:			
	6204.62.10	Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by weight; containing 10 percent or more by weight of down	Free		60%
		Other:	0.001		
	6204.62.20	Bib and brace overalls	8.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.60- 9912.62.61 (MA)	90%

	Other:			
6204.62.30	Certified hand-loomed and			
	folklore products	7.1%	Free (BH, CA,	37.5%
			CL, E, IL, JO,	
			MX, OM, P,	
			PE, SG)	
			6.3% (AU)	
			See	
			9912.62.60,	
			9912.62.62	
			(MA)	
6204.62.40	Other	16.6%	Free (BH, CA,	
		,	CL, IL, JO,	
			MX, OM, P,	
			PE, SG)	
			8% (AU)	
			See	
			9912.62.60,	
			9912.62.63	
			(MA)	90%

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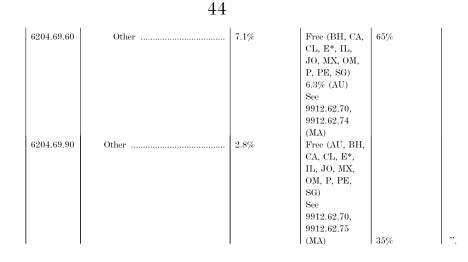
1 (23)striking subheadings 6204.63.10By through 6204.63.35 and inserting the following, with 2 3 the article description for subheading 6204.63.05 having the same degree of indentation as the article 4 5 description for subheading 6204.63.10 (as in effect 6 on the day before the date of the enactment of this 7 Act):

"	6204.63.05	Recreational performance outerwear	Free		60%
	6204.63.10	Other: Containing 15 percent or more by weight of down and waterfowl plumage and of which down com- prises 35 percent or more by			
		weight; containing 10 percent or more by weight of down Other: Bib and brace overalls:	Free		60%
	6204.63.12	Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.64-	65%
	6204.63.15	Other	14.9%	9912.62.65 (MA) Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.64, 9912.62.66 (MA)	76%
	6204.63.20	Other: Certified hand-loomed and folklore products	11.3%	Free (BH, CA, CL, E, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.64, 9912.62.67	76%
	6204.63.25	Other: Containing 36 percent or more by weight of wool or fine animal hair	13.6%	(MA) Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.64, 9912.62.64 (MA)	58.5%
	6204.63.30	Other: Water resistant trou- sers or breeches	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.64– 9912.62.65	65%
	6204.63.35	Other	28.6%	(MA) Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.64, 9912.62.69 (MA)	90%

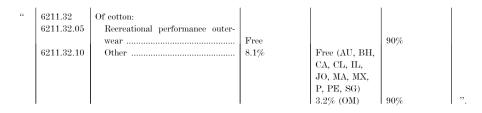
".

(24) By striking subheadings 6204.69 through
 6204.69.90 and inserting the following, with the ar ticle description for subheading 6204.69 having the
 same degree of indentation as the article description
 for subheading 6204.69 (as in effect on the day be fore the date of the enactment of this Act):

6204.69	Of other textile materials:			
6204.69.05	Recreational performance outer-			
	wear	Free		76%
	Other:			
	Of artificial fibers:			
6204.69.10	Bib and brace overalls	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.70- 9912.62.71 (MA)	76%
	Trousers, breeches and			
	shorts:			
6204.69.20	Containing 36 percent or			
	more by weight of wool or	19.00	Error (DIL CA	50 501
	fine animal hair	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.70- 9912.62.71 (MA)	58.5%
6204.69.25	Other	28.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8% (AU) See 9912.62.70, 9912.62.72 (MA)	90%
6204.69.40	Of silk or silk waste: Containing 70 percent or more by weight of silk waste	1.1%	Free (AU, BH, CA, CL, E, IL, J, JO, MX, OM, P, PE, SG) See 9912.62.70, 9912.62.73	65%



(25) By striking subheading 6211.32.00 and in serting the following, with the article description for
 subheading 6211.32 having the same degree of in dentation as the article description for subheading
 6211.32.00 (as in effect on the day before the date
 of the enactment of this Act):



7 (26) By striking subheading 6211.33.00 and in8 serting the following, with the article description for
9 subheading 6211.33 having the same degree of in10 dentation as the article description for subheading
11 6211.33.00 (as in effect on the day before the date
12 of the enactment of this Act):

"	6211.33 6211.33.05	Of man-made fibers: Recreational performance outer- wear	Free		76%	
	6211.33.10	Other	16%	Free (AU, BH, CA, CL, IL, JO, MX, P, PE, SG) 11.2% (OM) See 9912.62.99– 9912.63.00 (MA)	76%	".

1 (27) By striking subheadings 6211.39 and 2 6211.39.05 and inserting the following, with the ar-3 ticle description for subheading 6211.39 having the 4 same degree of indentation as the article description 5 for subheading 6211.39 (as in effect on the day be-6 fore the date of the enactment of this Act):

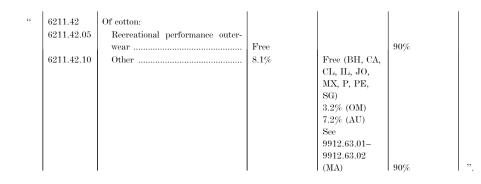
	CA, JO, P, I	ee (AU, BH, ,, CL, IL, , MA, MX, PE, SG) 1% (OM) 58.5% ".
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7 (28) By striking subheading 6211.41.00 and in8 serting the following, with the article description for
9 subheading 6211.41 having the same degree of in10 dentation as the article description for subheading
11 6211.41.00 (as in effect on the day before the date
12 of the enactment of this Act):

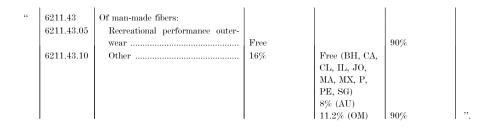
" 6211.41 Of wool or fine animal hair: 6211.41.05 Recreational performance outerwear 6211.41.10 Other	Free 12%	Free (BH, CA, CL, IL, JO, MA, MX, P, PE, SG) 8% (AU) 8.4% (OM)	58.5%	".
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45

(29) By striking subheading 6211.42.00 and in serting the following, with the article description for
 subheading 6211.42 having the same degree of in dentation as the article description for subheading
 6211.42.00 (as in effect on the day before the date
 of the enactment of this Act):



7 (30) By striking subheading 6211.43.00 and in8 serting the following, with the article description for
9 subheading 6211.43 having the same degree of in10 dentation as the article description for subheading
11 6211.43.00 (as in effect on the day before the date
12 of the enactment of this Act):



(31) By striking subheadings 6211.49.10 and
6211.49.90 and inserting the following, with the article description for subheading 6211.49.05 having
the same degree of indentation as the article descrip-

tion for subheading 6211.49.10 (as in effect on the
 day before the date of the enactment of this Act):

"	6211.49.05	Recreational performance outerwear	Free		35%	
	6211.49.10	Other: Containing 70 percent or more				
		by weight or silk or silk waste	1.2%	Free (AU, BH, CA, CL, E, IL, J, JO, MA, MX, OM, P, PE, SG)	35%	
	6211.49.90	Other	7.3%	Free (BH, CA, CL, E, IL, J, JO, MA, MX, OM, P, PE, SG) 6.5% (AU)	35%	,,

3 SEC. 5. SUSTAINABLE TEXTILE AND APPAREL RESEARCH 4 FUND.

5 (a) ESTABLISHMENT.—There is established in the
6 Treasury of the United States the Sustainable Textile and
7 Apparel Research Fund (in this section referred to as the
8 "STAR Fund").

9 (b) DEPOSITS.—There shall be deposited into the
10 STAR Fund amounts equal to the fees collected on rec11 reational performance outerwear under subsection (d).

12 (c) BOARD OF DIRECTORS.—

(1) IN GENERAL.—The STAR Fund shall be 13 14 administered by a board of directors (in this section 15 referred to as the "Board") composed of 5 individ-16 uals familiar with the recreational performance out-17 erwear textile and apparel industry, including the 18 production of raw materials and the finished prod-19 ucts thereof, who shall be appointed by the Presi-20 dent.

1 (2) MEMBERS.—Not fewer than 2 of the indi-2 viduals appointed to the Board under paragraph (1) 3 shall be representatives of entities involved in the 4 production of fabrics or raw materials for use in recreational performance outerwear in the United 5 States, and not fewer than 2 of such individuals 6 7 shall be representatives of entities involved in the 8 production of recreational performance outerwear 9 that pay the fees imposed on the importation of such 10 outerwear under subsection (d).

(3) INELIGIBLE INDIVIDUALS.—The President
may not appoint individuals to the Board under
paragraph (1) who are representatives of entities not
involved in the production of recreational performance outerwear, such as customs brokers, converters,
forwarders, or shippers.

17 (d) FUNDING.—

18 (1) FEE.—In addition to any other fee author-19 ized by law, the Secretary of the Treasury shall 20 charge and collect upon entry, or withdrawal from 21 warehouse for consumption, a fee of 1.5 percent of the appraised value of imported garments (as deter-22 23 mined under section 402 of the Tariff Act of 1930 24 (19 U.S.C. 1401a)) that are classifiable under the 25 Harmonized Tariff Schedule of the United States as

1	recreational performance outerwear (as defined in
2	Additional U.S. Note 2 to chapter 61 and Additional
3	U.S. Note 3 to chapter 62 of the Harmonized Tariff
4	Schedule of the United States).
5	(2) EXCLUSIONS.—The assessment of fees
6	under paragraph (1) shall not apply to imports of
7	recreational performance outerwear from the fol-
8	lowing:
9	(A) Any country that is party to a free
10	trade agreement with the United States that—
11	(i) is in effect on the day before the
12	date of the enactment of this Act; or
13	(ii) enters into force under the Bipar-
14	tisan Trade Promotion Authority Act of
15	2002 (19 U.S.C. 3801 et seq.), or similar
16	subsequent authority.
17	(B) Any country designated as a CBTPA
18	beneficiary country under section $213(b)(5)(B)$
19	of the Caribbean Basin Economic Recovery Act
20	(19 U.S.C. 2703(b)(5)(B)).
21	(C) Any country designated as a bene-
22	ficiary sub-Saharan African country under sec-
23	tion $506A(a)(1)$ of the Trade Act of 1974 (19
24	U.S.C. $2466a(a)(1)$), if the President has deter-
25	mined that the country has satisfied the re-

1	quirements of section 113(a) of the African
2	Growth and Opportunity Act (19 U.S.C.
3	3722(a)), and has published that determination
4	in the Federal Register.
5	(D) Any country that was designated as an
6	ATPDEA beneficiary country under section
7	204(b)(6)(B) of the Andean Trade Preference
8	Act (19 U.S.C. 3203(b)(6)(B)) on February 12,
9	2011.
10	(3) TERMINATION.—The fee under paragraph
11	(1) shall apply only to entries, or withdrawals from
12	warehouse for consumption, that are made during
13	the 10-year period beginning on the date of the en-
14	actment of this Act.
15	(e) DISTRIBUTION.—
16	(1) QUARTERLY DISTRIBUTIONS.—The Sec-
17	retary of Commerce, upon a majority vote of the
18	Board, taken annually, shall, not later than 60 days
19	after the end of each calendar quarter, distribute
20	amounts in the STAR Fund to one or more entities
21	that the Board considers appropriate to use the
22	funds in accordance with subsection (f).
23	(2) ELIGIBILITY REQUIREMENTS.—An entity
24	may receive funds under paragraph (1) only if the
25	entity—

1(A) is an organization described in section2501(c)(6) of the Internal Revenue Code of 19863that is exempt from tax under section 501(a) of4such Code;

5 (B) is an organization having at least 10 6 years of experience providing applied research, 7 technology development, and education to all 8 parts of the textile and apparel supply chain, 9 with a research capability demonstrated 10 through past research programs involving sup-11 ply chain management, product development, fit 12 operations management, lean specifications, 13 manufacturing, or digital supply chain tech-14 nologies on behalf of the textile and sewn prod-15 ucts industries in the United States; and 16 (C) is comprised of members representing

the following segments of the supply chain:

18 (i) One or more of the following types
19 of producers: fiber, yarn, or fabric pro20 ducers in the United States.

21 (ii) Apparel producers in the United22 States.

23 (iii) Retail companies in the United24 States.

17

1 (f) USE OF FUNDS.—Funds distributed under sub-2 section (e) may be used only to conduct applied research, 3 development, and education activities to enhance the com-4 petitiveness of businesses in the United States in clean, 5 eco-friendly apparel, other textile and apparel articles, and 6 sewn-product design and manufacturing.

7 (g) REQUIREMENTS.—The Secretary of Commerce 8 may impose such requirements on the use of funds distrib-9 uted under subsection (e) as the Secretary considers nec-10 essary to ensure compliance with subsection (f), including 11 requiring reporting and assurances by the entities using 12 the funds.

(h) REPORTS TO CONGRESS.—The Secretary of Commerce shall submit to Congress a report, not later than
April 1 of each year, explaining in detail how amounts in
the STAR Fund were distributed under subsection (e) and
used under subsection (f) during the preceding calendar
year.

19 SEC. 6. EFFECTIVE DATE.

20 This Act and the amendments made by this Act21 shall—

(1) take effect on the 15th day after the dateof the enactment of this Act; and

(2) apply to articles entered, or withdrawn from
 warehouse for consumption, on or after such day.