

111TH CONGRESS
1ST SESSION

S. 1439

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

IN THE SENATE OF THE UNITED STATES

JULY 10, 2009

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

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:

1 (1) The outdoor industry contributes
2 \$730,000,000,000 to the United States economy an-
3 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 ap-
8 parel 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.

12 (4) The duties currently imposed by the United
13 States on recreational performance apparel were set
14 in an era during which high rates of duty were in-
15 tended to protect the production of other apparel in
16 the United States, and before the technologies and
17 innovations that create today's recreational perform-
18 ance apparel industry were developed.

19 (5) In July 2007, the International Trade Com-
20 mission confirmed in USITC Publication 3937 that
21 recreational performance apparel produced in the
22 United States makes up less than 1 percent of the
23 total recreational performance apparel market and
24 therefore concluded that there is no commercially

1 viable production of recreational performance ap-
2 parel in the United States.

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.**

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

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 notes:

23 “2. (a) For purposes of this chapter, the term ‘rec-
24 reational performance outerwear’ means trousers (includ-
25 ing, but not limited to, paddling pants, ski or snowboard

1 pants, and ski or snowboard pants intended for sale as
2 parts of ski-suits), coveralls and bib overalls, and jackets
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) predominately com-
7 posed of knit fabrics of cotton, wool, hemp, bamboo, silk,
8 or manmade fiber, or a combination of such fibers, that
9 are either water-resistant or visibly coated, or both, with
10 critically sealed seams, and with 5 or more of the following
11 features:

12 “(i) Insulation for cold weather protection.

13 “(ii) Pockets, at least one of which has a
14 zippered, hook and loop, or other type of closure.

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

20 “(iv) Venting, not including grommet(s).

21 “(v) Articulated elbows or knees.

22 “(vi) Reinforcement in one of the following
23 areas: the elbows, shoulders, seat, knees, or ankles
24 or cuffs.

1 “(vii) Weatherproof closure at the waist or
2 front.

3 “(viii) Multi-adjustable hood or adjustable col-
4 lar.

5 “(ix) Adjustable powder skirt, inner protective
6 skirt, or adjustable inner protective cuff at sleeve
7 hem.

8 “(x) Construction at the arm gusset that uti-
9 lizes fabric, design, or patterning to allow radial arm
10 movement.

11 “(xi) Odor control technology.

12 The term ‘recreational performance outerwear’ does not
13 include occupational outerwear or garments with an outer
14 surface predominantly of looped pile.

15 “(b) For purposes of this Note, the following terms
16 have the following meanings:

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

1 “(ii) The term ‘visibly coated’ refers to fabric
2 that is impregnated, coated, covered, or laminated
3 with plastics, such as fabrics described in Note 2 to
4 chapter 59.

5 “(iii) The term ‘sealed seams’ means seams
6 that have been covered by means of taping, gluing,
7 bonding, cementing, fusing, welding, or a similar
8 process so that water cannot pass through the seams
9 when tested in accordance with the current version
10 of AATCC Test Method 35.

11 “(iv) The term ‘critically sealed seams’
12 means—

13 “(A) for jackets, sealed seams that are
14 sealed at the front and back yokes, or at the
15 shoulders, arm holes, or both, where applicable;
16 and

17 “(B) for trousers, sealed seams that are
18 sealed at the front (up to the zipper or other
19 means of closure) and back rise.

20 “(v) The term ‘insulation for cold weather pro-
21 tection’ means insulation with either synthetic fill,
22 down, a laminated thermal backing, or other lining
23 for thermal protection from cold weather.

24 “(vi) The term ‘venting’ refers to closeable or
25 permanent constructed openings in a garment (ex-

1 cluding front, primary zipper closures and grom-
2 met(s)) to allow increased expulsion of built-up heat
3 during outdoor activities. In a jacket, such openings
4 are often positioned on the underarm seam of a gar-
5 ment but may also be placed along other seams in
6 the front or back of a garment. In trousers, such
7 openings are often positioned on the inner or outer
8 leg seams of a garment but may also be placed along
9 other seams in the front or back of a garment.

10 “(vii) The term ‘articulated elbows or knees’ re-
11 fers to the construction of a sleeve (or pant leg) to
12 allow improved mobility at the elbow (or knee)
13 through the use of extra seams, darts, gussets, or
14 other means.

15 “(viii) The term ‘reinforcement’ refers to the
16 use of a double layer of fabric or section(s) of fabric
17 that is abrasion-resistant or otherwise more durable
18 than the predominant or face fabric of the garment.

19 “(ix) The term ‘weatherproof closure’ means a
20 closure (including, but not limited to, laminated or
21 coated zippers, storm flaps, or other weatherproof
22 construction) that has been reinforced or engineered
23 in a manner to reduce the penetration or absorption
24 of moisture or air through an opening in the gar-
25 ment.

1 “(x) The term ‘multi-adjustable hood or adjust-
2 able collar’ means a draw cord, adjustment tab, or
3 elastic incorporated into the hood or collar construc-
4 tion to allow volume adjustments around a helmet,
5 the crown of the head, neck, or face.

6 “(xi) The terms ‘adjustable powder skirt’ and
7 ‘inner protective skirt’ refer to a partial lower inner
8 lining with means of tightening around the waist for
9 additional protection from the elements.

10 “(xii) The term ‘arm gusset’ means construc-
11 tion at the arm of a gusset that utilizes an extra
12 fabric piece in the under arm usually diamond- or
13 triangular-shaped, design, or pattern to allow radial
14 arm movement.

15 “(xiii) The term ‘radial arm movement’ refers
16 to unrestricted, 180-degree range of motion for the
17 arm while wearing performance outerwear.

18 “(xiv) The term ‘odor control technology’ means
19 an additive in a fabric or garment capable of adsorb-
20 ing, absorbing, or reacting with human odors, or ef-
21 fective in reducing odor-causing bacteria, including
22 but not limited to activated carbon, silver, copper, or
23 any combination thereof.

24 “(xv) The term ‘occupational outerwear’ means
25 outerwear garments, including uniforms, designed or

1 marketed for use in the workplace or at a worksite
 2 to provide durable protection from cold or inclement
 3 weather and/or workplace hazards, such as fire, elec-
 4 trical, abrasion, or chemical hazards, or impacts,
 5 cuts, punctures, or similar hazards.

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

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

16 (1) By striking subheading 6101.20.00 and in-
 17 serting the following, with the article description for
 18 subheading 6101.20 having the same degree of in-
 19 dentation as the article description for subheading
 20 6101.30:

6101.20	Of cotton:			
6101.20.05	Recreational performance outerwear	Free		50%
6101.20.10	Other	15.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3.2% (MA) 15.5% (AU)	50%

21 (2) By striking subheading 6102.10.00 and in-
 22 serting the following, with the article description for

1 subheading 6102.10 having the same degree of in-
 2 dentation as the article description for subheading
 3 6102.30:

6102.10	Of wool or fine animal hair:			
6102.10.05	Recreational performance outerwear	Free		68.3¢/kg + 54.5%
6102.10.10	Other	55.9¢/kg + 16.4%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 15.5% (AU) 11.4¢/kg + 3.3% (MA) 50.3¢/kg + 14.7% (OM)	68.3¢/kg + 54.5%

4 (3) By striking subheading 6102.20.00 and in-
 5 serting the following, with the article description for
 6 subheading 6102.20 having the same degree of in-
 7 dentation as the article description for subheading
 8 6102.30:

6102.20	Of cotton:			
6102.20.05	Recreational performance outerwear	Free		50%
6102.20.10	Other	15.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 15.5% (AU) 3.2% (MA)	50%

9 (4) By striking subheading 6104.61.00 and in-
 10 serting the following, with the article description for
 11 subheading 6104.61 having the same degree of in-
 12 dentation as the article description for subheading
 13 6104.62:

6104.61	Trousers, bib and brace overalls, breeches and shorts:			
6104.61.05	Recreational performance outer- wear	Free		54.5%
6104.61.10	Of wool or fine animal hair	14.9%	Free (BH, CA, CL, IL, JO, MX, P, SG) 3% (MA) 13.4% (AU, OM)	54.5%

1 (5) By striking subheading 6114.20.00 and in-
 2 sserting the following, with the article description for
 3 subheading 6114.20 having the same degree of in-
 4 dentation as the article description for subheading
 5 6114.30:

6114.20	Of cotton:				
6114.20.05	Recreational performance outer- wear	Free			
6114.20.10	Other	10.8%		Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 2.1% (MA) 8.6% (OM) 9.7% (AU)	90%
					90%

6 (c) ADDITIONAL TARIFF CLASSIFICATIONS.—Chap-
 7 ter 61 of the Harmonized Tariff Schedule of the United
 8 States is further amended as follows:

9 (1) By striking subheadings 6101.30.10
 10 through 6101.30.20 and inserting the following, with
 11 the article description for subheading 6101.30.05
 12 having the same degree of indentation as the article
 13 description for subheading 6101.30.10 (as in effect
 14 on the day before the date of the enactment of this
 15 Act):

6101.30.05	Recreational performance outerwear	Free		35%
	Other:			
6101.30.10	Containing 25 percent or more by weight of leather ...	5.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.1% (MA) 5% (AU)	35%
6101.30.15	Containing 23 percent or more by weight of wool or fine animal hair	38.6¢/kg + 10%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 8.5¢/kg + 2.2% (MA) 9.8% (AU)	77.2¢/kg + 54.5%
6101.30.20	Other	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%

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

6101.90.01	Recreational performance out- erwear	Free		45%
	Other:			
6101.90.05	Of wool or fine animal hair	61.7¢/kg + 16%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 15.5% (AU) 12.6¢/kg + 3.2% (MA) 55.5¢/kg + 14.4% (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, MX, OM, P, PE, SG) 0.2% (MA)	45%
6101.90.90	Other	5.7%	Free (BH, CA, CL, E*, IL, JO, MX, P, PE, SG) 1.1% (MA) 5.1% (AU)	45%

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

6102.30.01	Recreational performance out- erwear	Free		35%
	Other:			

6102.30.05	Containing 25 percent or more by weight of leather ...	5.3%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1% (MA) 4.7% (AU)	35%
6102.30.10	Containing 23 percent or more by weight of wool or fine animal hair	64.4¢/kg + 18.8%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 6.6¢/kg + 1.9% (JO) 12.9¢/kg + 3.7% (MA) 15.5% (AU)	68.3¢/kg + 54.5%
6102.30.20	Other	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%

1 (4) By striking subheadings 6102.90.10 and
 2 6102.90.90 and inserting the following, with the ar-
 3 ticle description for subheading 6102.90.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6102.90.10 (as in effect on the
 6 day before the date of the enactment of this Act):

6102.90.05	Recreational performance outerwear	Free		45%
	Other:			
6102.90.10	Containing 70 percent or more by weight of silk or silk waste	0.9%	Free (AU, BH, CA, CL, E, IL, J, JO, MX, OM, P, PE, SG) 0.2% (MA)	45%
6102.90.90	Other	5.7%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 1.1% (MA) 5.1% (AU)	45%

7 (5) By striking subheadings 6103.41.10 and
 8 6103.41.20 and inserting the following, with the ar-
 9 ticle description for subheading 6103.41.05 having
 10 the same degree of indentation as the article descrip-

1 tion for subheading 6103.41.10 (as in effect on the
2 day before the date of the enactment of this Act):

6103.41.05	Recreational performance outerwear	Free		77.2¢/kg + 54.5%
	Other:			
6103.41.10	Trousers, breeches and shorts	61.1¢/kg + 15.8%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 15.5% (AU) 12.5¢/kg + 3.2% (MA)	77.2¢/kg + 54.5%
6103.41.20	Bib and brace overalls	13.6%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 2.7% (MA) 12.2% (AU, OM)	54.5%

3 (6) By striking subheadings 6103.42.10 and
4 6103.42.20 and inserting the following, with the article
5 description for subheading 6103.42.05 having
6 the same degree of indentation as the article description
7 for subheading 6103.42.10 (as in effect on the
8 day before the date of the enactment of this Act):

6103.42.05	Recreational performance outerwear	Free		45%
	Other:			
6103.42.10	Trousers, breeches and shorts	16.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3.2% (MA) 15.5% (AU)	45%
6103.42.20	Bib and brace overalls	10.3%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 2% (MA) 9.2% (AU)	90%

9 (7) By striking subheadings 6103.43.10
10 through 6103.43.20 and inserting the following, with
11 the article description for subheading 6103.43.05
12 having the same degree of indentation as the article
13 description for subheading 6103.43.10 (as in effect

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

6103.43.05	Recreational performance out- erwear	Free		77.2¢/kg + 54.5%
	Other:			
	Trousers, breeches and shorts:			
6103.43.10	Containing 23 percent or more by weight of wool or fine animal hair	58.5¢/kg + 15.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 6.6¢/kg + 1.7% (JO) 12¢/kg + 3.1% (MA) 15.5% (AU)	77.2¢/kg + 54.5%
6103.43.15	Other	28.2%	Free (BH, CA, CL, IL, MX, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%
6103.43.20	Bib and brace overalls	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3% (MA) 13.4% (AU)	72%

3 (8) By striking subheadings 6103.49 through
 4 6103.49.80 and inserting the following, with the ar-
 5 ticle description for subheading 6103.49.05 having
 6 the same degree of indentation as the article descrip-
 7 tion for subheading 6103.49.10 (as in effect on the
 8 day before the date of the enactment of this Act):

6103.49	Of other textile materials:			
	Of artificial fibers:			
6103.49.05	Recreational performance out- erwear	Free		72%
	Other:			
6103.49.10	Trousers, breeches and shorts	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%
6103.49.20	Bib and brace overalls	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 2.7% (MA) 12.2% (AU)	72%

6103.49.40	Containing 70 percent or more by weight of silk or silk waste	0.9%	Free (AU, BH, CA, CL, E, IL, J, JO, MX, OM, P, PE, SG)		
6103.49.80	Other	5.6%	0.2% (MA) Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 1.1% (MA) 5% (AU)	35%	

1 (9) By striking subheadings 6104.62.10 and
 2 6104.62.20 and inserting the following, with the ar-
 3 ticle description for subheading 6104.62.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6104.62.10 (as in effect on the
 6 day before the 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) 9.2% (AU) See 9912.61.01– 9912.61.02 (MA)	90%	
6104.62.20	Other	14.9%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 13.4% (AU) See 9912.61.01, 9912.61.03 (MA)	90%	

1 (10) By striking 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	Free		72%
	Other:			
6104.63.10	Bib and brace overalls	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 13.4% (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 animal hair	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 13.4% (AU) See 9912.61.05– 9912.61.06 (MA)	54.5%
6104.63.20	Other	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 15.5% (AU) 2.8% (JO) See 9912.61.05, 9912.61.07 (MA)	72%

8 (11) By striking subheadings 6104.69 through
 9 6104.69.80 and inserting the following, with the ar-
 10 ticle description for subheading 6104.69.05 having
 11 the same degree of indentation as the article descrip-
 12 tion for subheading 6104.69.10 (as in effect on the
 13 day before the date of the enactment of this Act):

6104.69	Of other textile materials:			
	Of artificial fibers:			
6104.69.05	Recreational performance outerwear	Free		72%
	Other:			
6104.69.10	Bib and brace overalls	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 12.2% (AU) 2.7% (MA)	72%
6104.69.20	Trousers, breeches and shorts	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%
6104.69.40	Containing 70 percent or more by weight of silk or silk waste	0.9%	Free (AU, BH, CA, CL, E, IL, J, JO, MX, OM, P, PE, SG) 0.2% (MA)	60%
6104.69.80	Other	5.6%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 1.1% (MA) 5% (AU)	60%

1 (12) By striking subheadings 6112.20.10 and
 2 6112.20.20 and inserting the following, with the ar-
 3 ticle description for subheading 6112.20.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6112.20.10 (as in effect on the
 6 day before the date of the enactment of this Act):

6112.20.05	Recreational performance outerwear	Free		72%
	Other:			
6112.20.10	Of man-made fibers	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	72%
6112.20.20	Other	8.3%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 1.8% (MA) 7.4% (AU)	90%

7 (13) By striking subheadings 6113.00.10 and
 8 6113.00.90 and inserting the following, with the ar-

1 title description for subheading 6113.00.05 having
 2 the same degree of indentation as the article descrip-
 3 tion for heading 6113.00.10 (as in effect on the day
 4 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 impregnated, coated, covered, or laminated with rubber or plastics material which completely obscures the underlying fabric	3.8%	Free (AU, BH, CA, CL, E, IL, JO, MX, OM, P, PE, SG)	65%
			0.8% (MA)	
6113.00.90	Other	7.1%	Free (AU, BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG)	65%
			1.4% (MA)	

5 (14) By striking subheading 6114.20.00 and in-
 6 serting the following, with the article description for
 7 subheading 6114.20 having the same degree of in-
 8 dentation as the article description for subheading
 9 6111.90:

6114.20	Of cotton:			
6114.20.05	Recreational performance outerwear	Free		90%
6114.20.10	Other	10.8%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG)	
			2.1% (MA)	
			8.6% (OM)	
			9.7% (AU)	90%

10 (15) By striking subheadings 6114.30.10
 11 through 6114.30.30 and inserting the following, with
 12 the article description for subheading 6114.30.05
 13 having the same degree of indentation as the article
 14 description for subheading 6114.30.10 (as in effect

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

6114.30.05	Recreational performance outerwear	Free		90%
Other:				
6114.30.10	Tops	28.2%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.6% (MA) 15.5% (AU)	90%
6114.30.20	Bodysuits and bodyshirts	32%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 3.2% (JO) 6.4% (MA) 15.5% (AU)	90%
6114.30.30	Other	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3% (MA) 13.4% (AU)	90%

3 (16) By striking subheadings 6114.90.05
 4 through 6114.90.90 and inserting the following, with
 5 the article description for subheading 6114.90.01
 6 having the same degree of indentation as the article
 7 description for subheading 6114.90.05 (as in effect
 8 on the day before the date of the enactment of this
 9 Act):

6114.90.01	Recreational performance outerwear	Free		90%
Other:				
6114.90.05	Of wool or fine animal hair	12%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 2.5% (MA) 10.8% (AU, 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, MX, OM, P, PE, SG) 0.2% (MA)	60%
6114.90.90	Other	5.6%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 1.1% (MA) 5% (AU)	60%

1 **SEC. 4. APPAREL ARTICLES AND ACCESSORIES OF OTHER**
2 **MATERIALS, 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 new
11 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-
20 cluding padded, sleeveless jackets), the outer surface of
21 which is predominately composed of non-knit, non-cro-
22 cheted fabrics of cotton, wool, hemp, bamboo, silk, or man-
23 made fiber, or a combination of such fibers, that are
24 water-resistant, visibly coated, or both, with critically
25 sealed seams, and with 5 or more of the following options:

26 “(i) Insulation for cold weather protection.

1 “(ii) Pockets, at least one of which has a
2 zippered, hook and loop, or other type of closure.

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

8 “(iv) Venting, not including grommet(s).

9 “(v) Articulated elbows or knees.

10 “(vi) Reinforcement in one of the following
11 areas: the elbows, shoulders, seat, knees, or ankles
12 or cuffs.

13 “(vii) Weatherproof closure at the waist or
14 front.

15 “(viii) Multi-adjustable hood or adjustable col-
16 lar.

17 “(ix) Adjustable powder skirt, inner protective
18 skirt, or adjustable inner protective cuff at sleeve
19 hem.

20 “(x) Construction at the arm gusset that uti-
21 lizes fabric, design, or patterning to allow radial arm
22 movement.

23 “(xi) Odor control technology.

24 The term ‘recreational performance outerwear’ does not
25 include occupational outerwear.

1 “(b) For purposes of this Note, the following terms
2 have the following meanings:

3 “(i) The term ‘water-resistant’ means that a
4 garment must have a water resistance (see ASTM
5 designations D 3779–81 and D 7017) such that,
6 under a head pressure of 600 millimeters, not more
7 than 1.0 gram of water penetrates after two minutes
8 when tested in accordance with the current version
9 of AATCC Test Method 35. The water resistance of
10 the garment is the result of a rubber or plastics ap-
11 plication to the outer shell, lining, or inner lining.

12 “(ii) The term ‘visibly coated’ refers to fabric
13 that is impregnated, coated, covered, or laminated
14 with plastics, such as fabrics described in Note 2 to
15 chapter 59.

16 “(iii) The term ‘sealed seams’ means seams
17 that have been covered by means of taping, gluing,
18 bonding, cementing, fusing, welding, or a similar
19 process so that water cannot pass through the seams
20 when tested in accordance with the current version
21 of AATCC Test Method 35.

22 “(iv) The term ‘critically sealed seams’ means
23 seams’ that are sealed—

1 “(A) for jackets, at the front and back
2 yokes, or at the shoulders, arm holes, or both,
3 where applicable; and

4 “(B) for trousers, at the front (up to the
5 zipper or other means of closure) and back rise.

6 “(v) The term ‘insulation for cold weather pro-
7 tection’ means insulation with either synthetic fill,
8 down, a laminated thermal backing, or other lining
9 for thermal protection from cold weather.

10 “(vi) The term ‘venting’ refers to closeable or
11 permanent constructed openings in a garment (ex-
12 cluding front, primary zipper closures and grom-
13 met(s)) to allow increased expulsion of built-up heat
14 during outdoor activities. In a jacket, such openings
15 are often positioned on the underarm seam of a gar-
16 ment but may also be placed along other seams in
17 the front or back of a garment. In trousers, such
18 openings are often positioned on the inner or outer
19 leg seams of a garment but may also be placed along
20 other seams in the front or back of a garment.

21 “(vii) The term ‘articulated elbows or knees’ re-
22 fers to the construction of a sleeve (or pant leg) to
23 allow improved mobility at the elbow (or knee)
24 through the use of extra seams, darts, gussets, or
25 other means.

1 “(viii) The term ‘reinforcement’ refers to the
2 use of a double layer of fabric or section(s) of fabric
3 that is abrasion-resistant or otherwise more durable
4 than the predominant or face fabric of the garment.

5 “(ix) The term ‘weatherproof closure’ means a
6 closure (including, but not limited to, laminated or
7 coated zippers, storm flaps, or other weatherproof
8 construction) that has been reinforced or engineered
9 in a manner to reduce the penetration or absorption
10 of moisture or air through an opening in the gar-
11 ment.

12 “(x) The term ‘multi-adjustable hood or adjust-
13 able collar’ means a draw cord, adjustment tab, or
14 elastic incorporated into the hood or collar construc-
15 tion to allow volume adjustments around a helmet,
16 the crown of the head, neck, or face.

17 “(xi) The terms ‘adjustable powder skirt’ and
18 ‘inner protective skirt’ refer to a partial lower inner
19 lining with means of tightening around the waist for
20 additional protection from the elements.

21 “(xii) The term ‘arm gusset’ means construc-
22 tion at the arm of a gusset that utilizes an extra
23 fabric piece in the under arm usually diamond- or
24 triangular-shaped, design, or pattern to allow radial
25 arm movement.

1 “(xiii) The term ‘radial arm movement’ refers
2 to unrestricted, 180-degree range of motion for the
3 arm while wearing performance outerwear.

4 “(xiv) The term ‘odor control technology’ means
5 an additive in a fabric or garment capable of adsorb-
6 ing, absorbing, or reacting with human odors, or ef-
7 fective in reducing odor-causing bacteria, including
8 but not limited to activated carbon, silver, copper, or
9 any combination thereof.

10 “(xv) The term ‘occupational outerwear’ means
11 outerwear garments, including uniforms, designed or
12 marketed for use in the workplace or at a worksite
13 to provide durable protection from cold or inclement
14 weather and/or workplace hazards, such as fire, elec-
15 trical, abrasion, or chemical hazards, or impacts,
16 cuts, punctures, or similar hazards.

17 “4. For purposes of this chapter, the importer of
18 record shall specify upon entry whether garments claimed
19 as ‘recreational performance outerwear’ have an outer sur-
20 face that is water-resistant, visibly coated, or a combina-
21 tion thereof, and shall further enumerate the specific fea-
22 tures that make the garments eligible to be classified as
23 recreational performance outerwear.”.

1 (b) TARIFF CLASSIFICATIONS.—Chapter 62 of the
 2 Harmonized Tariff Schedule of the United States is
 3 amended as follows:

4 (1) By striking subheading 6201.11.00 and in-
 5 serting the following, with the article description for
 6 subheading 6201.11 having the same degree of in-
 7 dentation as the article description for subheading
 8 6201.12:

6201.11	Of wool or fine animal hair:				
6201.11.05	Recreational performance outerwear	Free			52.9¢/kg + 58.5%
6201.11.10	Other	41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 8.4¢/kg + 3.3% (MA) 36.9¢/kg + 14.6% (OM) 15.5% (AU)		52.9¢/kg + 58.5%

9 (2) By striking subheading 6202.11.00 and in-
 10 serting the following, with the article description for
 11 subheading 6202.11 having the same degree of in-
 12 dentation as the article description for subheading
 13 6202.12:

6202.11	Of wool or fine animal hair:				
6202.11.05	Recreational performance outerwear	Free			46.3¢/kg + 58.5%
6202.11.10	Other	41¢/kg + 16.3%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 8.3¢/kg + 3.3% (MA) 36.9¢/kg + 14.6% (OM) 15.5% (AU)		46.3¢/kg + 58.5%

14 (3) By striking subheadings 6203.41 and
 15 6203.41.05 and inserting the following, with the ar-
 16 ticle description for subheadings 6203.41.05 and

1 6203.41.10 having the same degree of indentation as
 2 the article description for subheading 6203.41.20:

6203.41	Of wool or fine animal hair:				
6203.41.05	Recreational performance outerwear	Free			52.9¢/kg + 58.5%
6203.41.10	Trousers, breeches, and shorts: Trousers, breeches, or shorts containing elas- tomerie fiber, water resist- ant, without beltloops, weighing more than 9 kg per dozen	7.6%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 1.5% (MA) 6.8% (AU, OM)		52.9¢/kg + 58.5%

3 (4) By striking subheading 6211.32.00 and in-
 4 serting the following, with the article description for
 5 subheading 6211.32 having the same degree of in-
 6 dentation as the article description for subheading
 7 6211.32.00 (as in effect on the day before the date
 8 of the enactment of this Act):

6211.32	Of cotton:				
6211.32.05	Recreational performance outer- wear	Free			90%
6211.32.10	Other	8.1%	Free (AU, BH, CA, CL, IL, JO, MX, P, PE, SG) 2.4% (MA) 6.4% (OM)		90%

9 (5) By striking subheading 6211.33.00 and in-
 10 serting the following, with the article description for
 11 subheading 6211.33 having the same degree of in-
 12 dentation as the article description for subheading
 13 6211.33.00 (as in effect on the day before the date
 14 of the enactment of this Act):

6211.33	Of man-made fibers:				
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6211.33.05	Recreational performance outerwear	Free		76%	
6211.33.10	Other	16%	Free (AU, BH, CA, CL, IL, JO, MX, P, PE, SG) See 9912.62.99- 9912.63.00 (MA) 14.4% (OM)		76%

1 (6) 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):

“

6211.39	Of other textile materials:				
6211.39.04	Recreational performance outerwear	Free		58.5%	
6211.39.08	Of wool or fine animal hair	12%	Free (AU, BH, CA, CL, IL, JO, MX, P, SG) 2.5% (MA) 10.8% (OM)		58.5%

”.

7 (7) By striking subheading 6211.41.00 and in-
 8 serting the following, with the article description for
 9 subheading 6211.41 having the same degree of in-
 10 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	Free		58.5%	
6211.41.10	Other	12%	Free (BH, CA, CL, IL, JO, MX, P, SG) 2.5% (MA) 10.8% (AU, OM)		58.5%

”.

1 (8) By striking subheading 6211.42.00 and in-
 2 sserting the following, with the article description for
 3 subheading 6211.42 having the same degree of in-
 4 dentation as the article description for subheading
 5 6211.42.00 (as in effect on the day before the date
 6 of the enactment of this Act):

“	6211.42 6211.42.05 6211.42.10	Of cotton: Recreational performance outer- wear Other	Free 8.1%	Free (BH, CA, CL, IL, JO, MX, P, SG) 7.2% (AU) See 9912.63.01- 9912.63.02 (MA) 6.4% (OM)	90%	”.
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7 (9) By striking subheading 6211.43.00 and in-
 8 sserting the following, with the article description for
 9 subheading 6211.43 having the same degree of in-
 10 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):

“	6211.43 6211.43.05 6211.43.10	Of man-made fibers: Recreational performance outer- wear Other	Free 16%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 3.2% (MA) 15.5% (AU) 14.4% (OM)	90%	”.
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13 (c) ADDITIONAL TARIFF CLASSIFICATIONS.—Chap-
 14 ter 62 of the Harmonized Tariff Schedule of the United
 15 States is further amended as follows:

16 (1) By striking subheadings 6201.12.10 and
 17 6201.12.20 and inserting the following, with the ar-

1 title description for subheading 6201.12.05 having
 2 the same degree of indentation as the article descrip-
 3 tion for subheading 6201.12.10 (as in effect on the
 4 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 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, OM, P, PE, SG) 0.8% (MA) 3.9%(AU)	60%
6201.12.20	Other	9.4%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.9% (MA) 8.4%(AU)	90%

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

6201.13.05	Recreational performance outerwear	Free		60%
	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) 0.8% (MA) 3.9% (AU)	60%
	Other:			

6201.13.30	Containing 36 percent or more by weight of wool or fine animal hair	49.7¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 5.1¢/kg + 2% (JO) 10¢/kg + 3.9% (MA) 15.5% (AU)	52.9¢/kg + 58.5%	
6201.13.40	Other	27.7%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.5% (MA) 15.5% (AU)	90%	”.

1 (3) 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, MX, OM, P, PE, SG) 0.5% (MA)	35%	”.

7 (4) By striking subheadings 6201.91.10 and
 8 6201.91.20 and inserting the following, with the ar-
 9 ticle description for subheading 6201.91.05 having
 10 the same degree of indentation as the article descrip-
 11 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 outerwear	Free		58.5%
	Other:			
6201.91.10	Padded, sleeveless jackets ..	8.5%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 1.8% (MA) 7.6% (AU, OM)	58.5%
6201.91.20	Other	49.7¢/kg + 19.7%	Free (BH, CA, CL, IL, MX, P, PE, SG) 15.5% (AU) 5.1¢/kg + 2% (JO) 10¢/kg + 3.9% (MA) 44.7¢/kg + 17.7% (OM)	52.9¢/kg + 58.5%

1 (5) By striking subheadings 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
5 description for subheading 6201.92.10 (as in effect
6 on the day before the date of the enactment of this
7 Act):

6201.92.05	Recreational performance outerwear	Free		60%
	Other:			
6201.92.10	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) 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) 8.4% (AU) See 9912.62.00, 9912.62.03 (MA)	90%	”.
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1 (6) By striking subheadings 6201.93.10
2 through 6201.93.35 and inserting the following, with
3 the article description for subheading 6201.93.05
4 having the same degree of indentation as the article
5 description for subheading 6201.93.10 (as in effect
6 on the day before the date of the enactment of this
7 Act):

6201.93.05	Recreational performance outerwear	Free		60%
	Other:			
6201.93.10	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, MX, OM, P, PE, SG) 3.9% (AU) See 9912.62.04- 9912.62.05 (MA)	60%
	Other:			
6201.93.20	Padded, sleeveless jackets	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 13.4% (AU) See 9912.62.04, 9912.62.06 (MA)	76%
	Other:			
6201.93.25	Containing 36 percent or more by weight of wool or fine animal hair	49.5¢/kg + 19.6%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 5¢/kg + 2% (JO) 15.5% (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%
	Other:			
6201.93.35	Other	27.7%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 15.5% (AU) See 9912.62.04, 9912.62.09 (MA)	90%

1 (7) By striking subheadings 6201.99.10 and
 2 6201.99.90 and inserting the following, with the ar-
 3 ticle description for subheading 6201.99.05 having

1 the same degree of indentation as the article descrip-
 2 tion for subheading 6201.99.10 (as in effect on the
 3 day before the date of the enactment of this Act):

6201.99.05	Recreational performance outerwear	Free		35%	
	Other:				
6201.99.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%	
6201.99.90	Other	4.2%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 0.8 (MA) 3.7% (AU)	35%	

4 (8) By striking subheadings 6202.12.10 and
 5 6202.12.20 and inserting the following, with the ar-
 6 ticle description for subheading 6202.12.05 having
 7 the same degree of indentation as the article descrip-
 8 tion for subheading 6202.12.10 (as in effect on the
 9 day before the date of the enactment of this Act):

6202.12.05	Recreational performance outerwear	Free		60%	
	Other:				
6202.12.10	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) 0.8% (MA) 3.9% (AU)	60%	
6202.12.20	Other	8.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.8% (MA) 8% (AU)	90%	

10 (9) By striking subheadings 6202.13.10
 11 through 6202.13.40 and inserting the following, with
 12 the article description for subheading 6202.13.05
 13 having the same degree of indentation as the article
 14 description for subheading 6202.13.10 (as in effect

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

6202.13.05	Recreational performance outerwear	Free		60%
	Other:			
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, MX, OM, P, PE, SG) 0.8% (MA) 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, MX, OM, P, PE, SG) 4.4¢/kg + 2% (JO) 8.7¢/kg + 3.9% (MA) 15.5% (AU)	46.3¢/kg + 58.5%
6202.13.40	Other	27.7%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.5% (MA) 15.5% (AU)	90%

3 (10) By striking subheadings 6202.19.10 and
 4 6202.19.20 and inserting the following, with the article
 5 description for subheading 6202.19.05 having
 6 the same degree of indentation as the article description
 7 for subheading 6202.19.10 (as in effect on the
 8 day before the date of the enactment of this Act):

6202.19.05	Recreational performance outerwear	Free		35%
	Other:			
6202.19.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%
6202.19.90	Other	2.8%	Free (AU, BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 0.5% (MA)	35%

1 (11) By striking subheadings 6202.91.10 and
 2 6202.91.20 and inserting the following, with the ar-
 3 ticle description for subheading 6202.91.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6202.91.10 (as in effect on the
 6 day before the date of the enactment of this Act):

6202.91.05	Recreational performance out- erwear	Free		58.5%
6202.91.10	Other: Padded, sleeveless jackets ..	14%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 2.8% (MA) 12.6% (AU, OM)	58.5%
6202.91.20	Other	36¢/kg + 16.3%	Free (BH, CA, CL, IL, MX, P, PE, SG) 15.5% (AU) 7.4¢/kg + 3.3% (MA) 32.4¢/kg + 14.6% (OM)	46.3¢/kg + 58.5%

7 (12) By striking subheadings 6202.92.10
 8 through 6202.92.20 and inserting the following, with
 9 the article description for subheading 6202.92.05
 10 having the same degree of indentation as the article
 11 description for subheading 6202.92.10 (as in effect
 12 on the day before the date of the enactment of this
 13 Act):

6202.92.05	Recreational performance outerwear	Free		60%
	Other:			
6202.92.10	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) 3.9% (AU) See 9912.62.10- 9912.62.11 (MA)	60%
	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%

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

6202.93.05	Recreational performance outerwear	Free		60%
Other:				
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, MX, OM, P, PE, SG) 0.8% (MA) 3.9% (AU)	60%
Other:				
6202.93.20	Padded, sleeveless jackets	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 3% (MA) 13.4% (AU)	76%
Other:				
6202.93.40	Containing 36 percent or more by weight of wool or fine animal hair	43.4¢/kg + 19.7%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 4.4¢/kg + 2% (JO) 3.9% (MA) 15.5% (AU)	46.3¢/kg + 58.5%
Other:				
6202.93.45	Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.4% (MA) 6.3% (AU)	65%
Other:				
6202.93.50	Other	27.7%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.8% (JO) 5.5% (MA) 15.5% (AU)	90%

1 (14) By striking subheadings 6202.99.10 and
 2 6202.99.90 and inserting the following, with the ar-
 3 ticle description for subheading 6202.99.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6202.99.10 (as in effect on the
 6 day before the date of the enactment of this Act):

6202.99.05	Recreational performance outerwear	Free		
Other:				
6202.99.10	Containing 70 percent or more by weight of silk or silk waste	Free		35%

6202.99.90	Other	2.8%	Free (AU, BH,CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 0.5% (MA)	35%	”.
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1 (15) By striking subheadings 6203.42.10
 2 through 6203.42.40 and inserting the following, with
 3 the article description for subheading 6203.42.05
 4 having the same degree of indentation as the article
 5 description for subheading 6203.42.10 (as in effect
 6 on the day before the date of the enactment of this
 7 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, CL, IL, JO, MX, OM, P, PE, SG) 9.2% (AU) See 9912.62.22- 9912.62.23 (MA)	90%	
6203.42.40	Other	16.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 15.5% (AU) See 9912.62.22, 9912.62.24 (MA)	90%	”.

8 (16) By striking subheadings 6203.43.10
 9 through 6203.43.40 and inserting the following, with
 10 the article description for subheading 6203.43.05
 11 having the same degree of indentation as the article
 12 description for subheading 6203.43.10 (as in effect

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

6203.43.05	Recreational performance out- erwear	Free		60%
	Other:			
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	Free		60%
	Other:			
	Bib and brace overalls:			
6203.43.15	Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.25- 9912.62.26 (MA)	65%
6203.43.20	Other	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 13.4% (AU) See 9912.62.25, 9912.62.27 (MA)	76%
	Other:			
6203.43.25	Certified hand-loomed and folklore products ..	12.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 10.9% (AU) See 9912.62.25, 9912.62.28 (MA)	76%
	Other:			
6203.43.30	Containing 36 per- cent or more by weight of wool or fine animal hair	49.6¢/kg + 19.7%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 15.5¢/kg + 2% (JO) 15.5% (AU) See 9912.62.25, 9912.62.29 (MA)	52.9¢/kg + 58.5%
	Other:			

6203.43.35	Water resistant trousers or breeches	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.25-9912.62.26 (MA)	65%	
6203.43.40	Other	27.9%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 5.7% (JO) 15.5% (AU) See 9912.62.25, 9912.62.30 (MA)	90%	”.

1 (17) By striking subheadings 6203.49 through
2 6203.49.80 and inserting the following, with the ar-
3 ticle description for subheading 6203.49.05 having
4 the same degree of indentation as the article descrip-
5 tion for subheading 6203.49.10 (as in effect on the
6 day before the date of the enactment of this Act):

6203.49	Of other textile materials:			
6203.49.05	Recreational performance outerwear	Free		76%
	Other:			
	Of artificial fibers:			
6203.49.10	Bib and brace overalls	8.5%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 1.8% (MA) 7.6% (AU)	76%
	Trousers, breeches and shorts:			
6203.49.15	Certified hand-loomed and folklore products	12.2%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 2.4% (MA) 10.9% (AU)	76%
6203.49.20	Other	27.9%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 5.7% (JO) 5.6% (MA) 15.5% (AU)	90%
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, MX, OM, P, PE, SG) 0.5% (MA)	35%

1 (18) By striking subheadings 6204.61.10 and
2 6204.61.90 and inserting the following, with the ar-
3 ticle description for subheading 6204.61.05 having
4 the same degree of indentation as the article descrip-
5 tion for subheading 6204.61.10 (as in effect on the
6 day before the date of the enactment of this Act):

6404.61.05	Recreational performance outerwear	Free		58.5%
	Other:			
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) 6.8% (AU, OM) See 9912.62.57- 9912.62.58 (MA)	58.5%

6204.61.90	Other	13.6%	Free (BH, CA, CL, IL, JO, MX, P, PE, SG) 12.2% (AU, OM) See 9912.62.57, 9912.62.59 (MA)	58.5%	”.
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1 (19) By striking subheadings 6204.62.10
 2 through 6204.62.40 and inserting the following, with
 3 the article description for subheading 6204.62.05
 4 having the same degree of indentation as the article
 5 description for subheading 6204.62.10 (as in effect
 6 on the day before the date of the enactment of this
 7 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:				
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, CL, E, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.60, 9912.62.62 (MA)	37.5%	
6204.62.40	Other	16.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 15.5% (AU) See 9912.62.60, 9912.62.63 (MA)	90%	”.

1 (20) By striking subheadings 6204.63.10
2 through 6204.63.35 and inserting the following, with
3 the article description for subheading 6204.63.05
4 having the same degree of indentation as the article
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 Other:	Free		60%
6204.63.10	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%
6204.63.12	Other: Bib and brace overalls: Water resistant	7.1%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.64- 9912.62.65 (MA)	65%
6204.63.15	Other	14.9%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 13.4% (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, IL, JO, MX, OM, P, PE, SG) 10.1% (AU) See 9912.62.64, 9912.62.67 (MA)	76%
6204.63.25	Other: Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 12.2% (AU) See 9912.62.64, 9912.62.68 (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 (MA)	65%
6204.63.35	Other	28.6%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.9% (JO) 15.5% (AU) See 9912.62.64, 9912.62.69 (MA)	90%

1 (21) By striking subheadings 6204.69 through
 2 6204.69.90 and inserting the following, with the ar-
 3 ticle description for subheading 6204.69.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6204.69.10 (as in effect on the
 6 day before the date of the enactment of this Act):

6204.69	Of other textile materials:			
6204.69.05	Recreational performance outerwear	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) 12.2% (AU) See 9912.62.70-9912.62.71 (MA)	76%
	Trousers, breeches and shorts:			
	Containing 36 percent or more by weight of wool or fine animal hair	13.6%	Free (BH, CA, CL, IL, JO, MX, OM, P, PE, SG) 12.2% (AU) See 9912.62.70-9912.62.71 (MA)	58.5%
6204.69.25	Other	28.6%	Free (BH, CA, CL, IL, MX, OM, P, PE, SG) 2.9% (JO) 15.5% (AU) See 9912.62.70, 9912.62.72 (MA)	90%
	Of silk or silk waste:			
6204.69.40	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 (MA)	65%

6204.69.60	Other	7.1%	Free (BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) 6.3% (AU) See 9912.62.70, 9912.62.74 (MA)	65%	
6204.69.90	Other	2.8%	Free (AU, BH, CA, CL, E*, IL, JO, MX, OM, P, PE, SG) See 9912.62.70, 9912.62.75 (MA)	35%	”.

1 (22) By striking subheadings 6211.49.10 and
 2 6211.49.90 and inserting the following, with the ar-
 3 ticle description for subheading 6211.49.05 having
 4 the same degree of indentation as the article descrip-
 5 tion for subheading 6211.49.10 (as in effect on the
 6 day before the date of the enactment of this Act):

“	6211.49.05	Recreational performance outerwear Other:	Free		35%	
	6211.49.10	Containing 70 percent or more by weight or silk or silk waste	1.2%	Free (AU, BH, CA, CL, E, IL, J, JO, MX, OM, P, PE, SG) 0.3% (MA)	35%	
	6211.49.90	Other	7.3%	Free (BH,CA, CL, E, IL, J, JO, MX, OM, P, PE, SG) 1.4% (MA) 6.5% (AU)	35%	”.

7 **SEC. 5. SUSTAINABLE TEXTILE AND APPAREL RESEARCH**
 8 **FUND.**

9 (a) ESTABLISHMENT.—There is established in the
 10 Treasury of the United States the Sustainable Textile and
 11 Apparel Research Fund (in this section referred to as the
 12 “STAR Fund”).

1 (b) DEPOSITS.—There shall be deposited into the
2 STAR Fund amounts equal to the fees collected on rec-
3 reational performance outerwear under subsection (d).

4 (c) BOARD OF DIRECTORS.—

5 (1) IN GENERAL.—The STAR Fund shall be
6 administered by a board of directors (in this section
7 referred to as the “Board”) composed of 5 individ-
8 uals familiar with the recreational performance out-
9 erwear textile and apparel industry, including the
10 production of raw materials and the finished prod-
11 ucts thereof, who shall be appointed by the Presi-
12 dent.

13 (2) MEMBERS.—Not less than 2 of the individ-
14 uals appointed to the Board under paragraph (1)
15 shall be representatives of entities involved in the
16 production of fabrics or raw materials for use in rec-
17 reational performance outerwear in the United
18 States, and not less than 2 of such individuals shall
19 be representatives of entities involved in the produc-
20 tion of recreational performance outerwear that pay
21 the fees imposed on the importation of such outer-
22 wear under subsection (d).

23 (3) INELIGIBLE INDIVIDUALS.—The President
24 may not appoint individuals to the Board under
25 paragraph (1) who are representatives of entities not

1 involved in the production of recreational perform-
2 ance outerwear, such as customs brokers, converters,
3 forwarders, or shippers.

4 (d) FUNDING.—

5 (1) FEE.—In addition to any other fee author-
6 ized by law, the Secretary of the Treasury shall
7 charge and collect upon entry, or withdrawal from
8 warehouse for consumption, a fee of 1.5 percent of
9 the appraised value of imported garments (as deter-
10 mined under section 402 of the Tariff Act of 1930
11 (19 U.S.C. 1401a)) that are classifiable under the
12 Harmonized Tariff Schedule of the United States as
13 recreational performance outerwear (as defined in
14 U.S. Note 2 to chapter 61 and U.S. Note 3 to chap-
15 ter 62 of the Harmonized Tariff Schedule of the
16 United States).

17 (2) EXCLUSIONS.—The assessment of fees
18 under paragraph (1) shall not apply to imports of
19 recreational performance outerwear from the fol-
20 lowing:

21 (A) Any country that is party to a free
22 trade agreement with the United States that—

23 (i) is in effect on the day before the
24 date of the enactment of this Act; or

1 (ii) enters into force under the Bipar-
2 tisan Trade Promotion Authority Act of
3 2002 (19 U.S.C. 3801 et seq.), or similar
4 subsequent authority.

5 (B) Any country designated as a CBTPA
6 beneficiary country under section 213(b)(5)(B)
7 of the Caribbean Basin Economic Recovery Act
8 (19 U.S.C. 2703(b)(5)(B)).

9 (C) Any country designated as a bene-
10 ficiary sub-Saharan African country under sec-
11 tion 506A(a)(1) of the Trade Act of 1974 (19
12 U.S.C. 2466a(a)(1)), if the President has deter-
13 mined that the country has satisfied the re-
14 quirements of section 113(a) of the African
15 Growth and Opportunity Act (19 U.S.C.
16 3722(a)), and has published that determination
17 in the Federal Register.

18 (D) Any country designated as an
19 ATPDEA beneficiary country under section
20 204(b)(6)(B) of the Andean Trade Preference
21 Act (19 U.S.C. 3203(b)(6)(B)).

22 (3) TERMINATION.—The fee under paragraph
23 (1) shall apply only to entries, or withdrawals from
24 warehouse for consumption, that are made during

1 the 10-year period beginning on the date of the en-
2 actment of this Act.

3 (e) DISTRIBUTION.—

4 (1) QUARTERLY DISTRIBUTIONS.—The Sec-
5 retary of Commerce, upon a majority vote of the
6 Board, taken annually, shall, not later than 60 days
7 after the end of each calendar quarter, distribute
8 amounts in the STAR Fund to one or more entities
9 that the Board considers appropriate to use the
10 funds in accordance with subsection (f).

11 (2) ELIGIBILITY REQUIREMENTS.—An entity
12 may receive funds under paragraph (1) only if the
13 entity—

14 (A) is an organization described in section
15 501(c)(6) of the Internal Revenue Code of 1986
16 that is exempt from tax under section 501(a) of
17 such Code;

18 (B) is an organization having at least 10
19 years of experience providing applied research,
20 technology development, and education to all
21 parts of the textile and apparel supply chain,
22 with a research capability demonstrated
23 through past research programs involving sup-
24 ply chain management, product development, fit
25 specifications, operations management, lean

1 manufacturing, or digital supply chain tech-
2 nologies on behalf of the textile and sewn prod-
3 ucts industries in the United States; and

4 (C) is comprised of members representing
5 the following segments of the supply chain:

6 (i) One or more of the following types
7 of producers: fiber, yarn, or fabric pro-
8 ducers in the United States.

9 (ii) Apparel producers in the United
10 States.

11 (iii) Retail companies in the United
12 States.

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

19 (g) REQUIREMENTS.—The Secretary of Commerce
20 may impose such requirements on the use of funds distrib-
21 uted under subsection (e) as the Secretary considers nec-
22 essary to ensure compliance with subsection (f), including
23 requiring reporting and assurances by the entities using
24 the funds.

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

7 **SEC. 6. EFFECTIVE DATE.**

8 This Act and the amendments made by this Act
9 shall—

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

12 (2) apply to garments entered, or withdrawn
13 from warehouse for consumption, on or after such
14 day.

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