

HR 6406

To modify temporarily certain rates of duty and make other technical amendments to the trade laws, to extend certain trade preference programs, and for other purposes.

Congress: 109 (2005–2007, Ended)

Chamber: House

Policy Area: Foreign Trade and International Finance

Introduced: Dec 7, 2006

Current Status: Pursuant to section 2 of House Resolution 1100, the text of H.R. 6406 as passed by the House, will b

Latest Action: Pursuant to section 2 of House Resolution 1100, the text of H.R. 6406 as passed by the House, will be appended to the engrossment of the House amendment to the Senate amendment to H.R. 6111. (Dec 8, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/house-bill/6406>

Sponsor

Name: Rep. Thomas, William M. [R-CA-22]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Ways and Means Committee	House	Referred To	Dec 7, 2006

Subjects & Policy Tags

Policy Area:

Foreign Trade and International Finance

Related Bills

Bill	Relationship	Last Action
109 HR 6111	Related bill	Dec 20, 2006: Became Public Law No: 109-432.
109 HRES 1100	Procedurally related	Dec 8, 2006: Motion to reconsider laid on the table Agreed to without objection.
109 HR 6346	Related bill	Dec 5, 2006: Rules Committee Resolution H. Res. 1092 Reported to House. Rule provides for consideration of H.R. 6346 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit. Measure will be considered read. Bill is closed to amendments.
109 HR 5602	Related bill	Nov 13, 2006: On motion to suspend the rules and pass the bill, as amended Failed by the Yeas and Nays: (2/3 required): 228 - 161 (Roll no. 519). (text: CR H8595-8596)
109 S 3495	Related bill	Aug 30, 2006: By Senator Grassley from Committee on Finance filed written report under authority of the order of the Senate of 08/04/2006. Report No. 109-321.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Title I: Tariff Provisions - (Sec. 1001) Amends the Harmonized Tariff Schedule of the United States to repeal certain expired provisions reducing temporarily the rate of duty on specified chemicals.

Subtitle A: New Duty Suspensions and Reductions - (Sec. 1111) Sets forth new duty suspensions through December 31, 2009, for certain: (1) chemicals; (2) rubber or plastic footwear; (3) dyes; (4) aerosol valves; (5) reception apparatus not containing a clock or clock timer (incorporating only am radio); (6) leather footwear and other footwear; (7) 16-inch variable speed scroll saw machines; (8) kashmir (cashmere); (9) articles of platinum; (10) nickel alloy wire; (11) high accuracy, metal, marine sextants, used for navigating by celestial bodies; (12) electrically operated pencil sharpeners; (13) valve assemblies (vacuum relief); (14) seals of polyester fabric bonded over a silicone core; (15) wing illumination lights; (16) exterior emergency lights for airplanes; (17) grass shears with rotating blade; (18) four-piece or five-piece fireplace tools of iron or steel; (19) oysters (other than smoked) in a can; (20) boots; (21) golf bag bodies; (22) filament tow of rayon; (23) parts for use in the manufacture of high-performance loudspeakers; (24) lamp-holder housings containing sockets; (25) staple fibers of viscose rayon; (26) mini DVD camcorders; (27) metal halide lamp; (28) handheld electronic can openers; (29) electric knives; (30) toaster ovens; (31) ice shavers; (32) dual-press sandwich makers; (33) electric juice extractors; (34) open-top electric indoor grills; (35) automatic drip coffeemakers; (36) electric under-the-cabinet mounting can openers; (37) digital camera lenses; (38) color and black and white monitors; (39) 6 V lead-acid storage batteries; (40) footwear with coated or laminated textile fabrics; (41) felt-bottom and lug bottom boots for use in fishing waders; (42) parts and accessories for measuring or checking instruments; (43) printed circuit assemblies; (44) subassemblies for measuring equipment for telecommunications; (45) bitumen-coated polyethylene sleeves to protect in-ground wood posts; (46) nylon woolpacks used to package wool; (47) glass thermo bulbs; (48) bicycle parts and unicycles; (49) cores used in remanufacture; (50) mixtures of insecticide and fungicides; (51) erasers; (52) artificial flowers; (53) suspension system stabilizer bars; (54) rattan webbing; (55) tractor body parts; (56) AC electric motors; (57) viscose rayon yarn and rayon staple fibers; (58) synthetic elastic staple fiber; (59) fiberglass sheets; (60) synthetic quartz or fused silica photomask substrates; (61) integrated machines for manufacturing pneumatic tires; (62) tramway cars; (63) artificial filament single yarn; and (64) electrical transformers.

Sets forth new duty reductions through December 31, 2009, for certain: (1) floor coverings and mats of vulcanized rubber; (2) manicure and pedicure sets; (3) clock radio combos; (4) chemicals; (5) staple fibers of viscose rayon; (6) men's and women's footwear; (7) acrylic or modacrylic synthetic staple fibers; (8) seals of textile material or fabric for use in airplanes; (9) automotive catalytic converter mats; (10) films; (11) bicycle parts; (12) nail clippers and nail files; (13) electric automatic shower cleaners; and (14) crank-gear and other bicycle parts.

Grants duty-free treatment through December 31, 2008, to a specified chemical. Provides a duty through December 31, 2009, for such chemical.

Subtitle B: Existing Suspensions and Reductions - (Sec. 1501) Extends through December 31, 2009, the existing suspension of duty on certain: (1) chemicals; (2) manufacturing equipment; (3) fungicide; (4) sawing machines; (5) extruders used in the production of radial tires; (6) dyes; (7) electrical radio broadcast receivers; (8) handheld radio scanners; (9) ink jet textile printing machinery; (10) cyan 1 special liquid feed; (11) epoxy molding compounds; (12) artichokes; (13) sodium salts; (14) helium; (15) 12V lead-acid storage batteries; and (16) cathode ray tubes.

Grants duty-free treatment through December 31, 2009, to: (1) certain ski boots, cross country ski footwear, or snowboard boots valued over \$12 a pair; and (2) cafentazone ethyl (pesticide).

Extends through December 31, 2009, the duty on Bentazon, sodium salt (herbicide).

Provides a duty through December 31, 2009, on pyraclostrobin (pesticide).

Extends through December 31, 2009, the duty-free treatment of: (1) certain yarn of combed and carded cashmere or yarn of camel hair; (2) fluorobenzene; (3) a certain neutralized phosphated polyester polymer; (4) vinclozolin (a fungicide); (5) Fast Yellow 746 Stage, Yellow 1 Stage, Magenta 3B-OA Stage, and Pro-Jet Black 263 Stage (dyes); (6) magnesium aluminum hydroxide carbonate hydrate; (7) certain mixtures of sodium salts; (8) a certain ultraviolet dye; (9) ethalfluralin (aromatic); (10) certain organic pigments and dyes; and (11) copper 8-hydroxyquinoline (pesticide).

Increases through December 31, 2009, the duty on: (1) certain artichokes; (2) myclobutanil (chemical); and (3) fluoroxyppy (herbicide).

Provides through December 31, 2009, a duty on: (1) textured rolled glass sheets; (2) cyhalofop (herbicide); (3) a certain chemical; (4) certain mixtures of florasulam (herbicide); and (5) methoxyfenozide (aromatic).

Reduces through December 31, 2009, the duty on certain educational devices.

Subtitle C: Effective Date - (Sec. 1511) Sets forth the effective date of amendments made by this Act.

Title II: Reliquidations - (Sec. 2001) Amends the Tariff Act of 1930 to direct the Bureau of Customs and Border Protection of the Department of Homeland Security to: (1) provide for the reliquidation of certain entries of certain small diameter carbon and alloy seamless standard line and pressure pipe from Romania and to refund any antidumping duties with interest that were paid on such entries; and (2) liquidate or reliquidate certain entries of pasta.

(Sec. 2003) Includes interest accrued after deposit of duties in the meaning of "any amounts owed" under the Miscellaneous Trade and Technical Corrections Act of 2004. Requires the Commissioner of the Bureau of Customs and Border Protection, as a consequence, to reliquidate certain entries prematurely liquidated and to refund any amounts owed, including such interest.

Requires the Commissioner to reliquidate with such interest (at the rate provided for in the Tariff Act of 1930) certain entries already reliquidated before enactment of this Act.

(Sec. 2004) Directs the Bureau of Customs and Border Protection to liquidate or reliquidate certain drawback claims and refund any amounts owed.

(Sec. 2005) Amends the Tariff Suspension and Trade Act of 2000 and the Miscellaneous Trade and Technical Corrections Act of 2004 to require interest to be paid on the amounts owed by the United States pursuant to the liquidation or reliquidation of certain entries of antifriction bearings and tomato sauce preparation.

Requires the Commissioner to: (1) reliquidate each of such entries; and (2) provide payment of interest owed by the United States pursuant to the amendments made by this Act for the period beginning on the date of deposit of estimated duties and ending on the date of reliquidation.

Title III: Technical Corrections and Other Provisions - Subtitle A: Technical Corrections - (Sec. 3001) Changes the column one special rate of duty and column 2 rate of duty for specified chemicals from "free" to "no change".

Extends through December 31, 2009, the suspension of duty on: (1) a certain herbicide; and (2) certain horseback riding boots.

Makes certain technical corrections to the item description of specified chemicals.

Repeals the duty-free treatment of certain handheld night vision monoculars.

(Sec. 3002) Amends the Tariff Act of 1930 and the Pension Protection Act of 2006 to make certain technical corrections. Eliminates synthetic basketballs from tariff treatment under the Harmonized Tariff Schedule of the United States.

Requires the Commissioner to: (1) provide the duty-free entry by not later than March 31, 2007, of certain tramway cars and associated spare parts for use by the city of Portland, Oregon; and (2) reliquidate any entry whose liquidation becomes final before enactment of this Act, and refund the appropriate duty paid.

(Sec. 3004) Amends the Miscellaneous Trade and Technical Corrections Act of 2004 to decrease through December 31, 2005, the duty on a specified chemical. Increases through December 31, 2008, the duty on such chemical.

(Sec. 3005) Revises the article description for certain monochrome glass envelopes. Applies the same stage rate reduction to other type monochrome glass envelopes whose subheading is redesignated by this Act.

(Sec. 3006) Provides staged rate reductions for certain flexible magnets and composite goods containing flexible magnets.

(Sec. 3007) Amends the Internal Revenue Code, with respect to excise taxes on alcohol, to include the use of methods or materials to correct wine, or the fruit juice from which it is made, among those practices and procedures constituting the proper cellar treatment of domestic and imported natural wine in bonded and taxpaid wine premises.

Subtitle B: Other Provisions - (Sec. 3011) Directs the U.S. Court of International Trade to treat specified civil actions contesting the denial of a protest as having been filed in accordance with the Tariff Act of 1930 and within the required time limit. (These civil actions were delayed because of the terrorist attacks of September 11, 2001.)

(Sec. 3012) Amends the Omnibus Trade and Competitiveness Act of 1988 to prohibit the President from proclaiming modifications to the Harmonized Tariff Schedule of the United States before the 30th day after the date on which such proclamation is published in the Federal Register.

Title IV: Extension of Nondiscriminatory Treatment (Normal Trade Relations Treatment) to the Products of Vietnam - (Sec. 4002) Authorizes the President to extend nondiscriminatory treatment (normal trade relations treatment) to the products of Vietnam.

(Sec. 4003) Sets forth a procedure for the United States Trade Representative (USTR) to determine whether the Government of Vietnam is providing, on or after the date it accedes to the World Trade Organization (WTO), a prohibited subsidy to its textile or apparel industry. Requires the USTR in initiating a determination to: (1) notify, and request consultations with, the Government of Vietnam; and (2) provide an opportunity for public comment.

Requires the USTR, upon an affirmative determination by the USTR and nonresolution of the dispute, to: (1) seek arbitration under the Dispute Settlement Understanding under the WTO; and (2) impose quotas on Vietnamese textile

and apparel products if the arbitrator makes an affirmative subsidy determination.

Title V: Haiti - Haitian Hemispheric Opportunity through Partnership Encouragement Act of 2006 - (Sec. 5002) Amends the Caribbean Basin Economic Recovery Act to provide, for five succeeding one-year periods, duty-free treatment for apparel articles wholly assembled or knit-to-shape (including certain woven apparel and brassieres) in Haiti if the President certifies to Congress that Haiti: (1) has established or is progressing toward specified political, economic, and social reforms; (2) does not engage in activities that undermine U.S. security or foreign policy; (3) does not engage in gross violations of human rights or activities in support of international terrorism; and (4) is meeting specified enforcement conditions aimed at preventing unlawful transshipment through the use of material false information in order to obtain such preferential treatment. Grants duty-free treatment to wire harness automotive components imported from Haiti provided those and certain other requirements are met. Terminates such preferential treatment if the President determines Haiti is not making progress in meeting such requirements.

(Sec. 5003) Directs the International Trade Commission (ITC) to report to Congress on the effects of the amendments made by this title on the textile and apparel trade markets and industries of Haiti and certain other countries.

(Sec. 5004) Expresses the sense of Congress that this title should be broadly interpreted in order to expand the textile and apparel trade between Haiti and the United States.

(Sec. 5005) Amends the Caribbean Basin Economic Recovery Act and the Andean Trade Preference Act to authorize the President to remove preferential treatment for fabric or yarn (including fabric and yarn not available in commercial quantities) that was obtained on the basis of fraud.

(Sec. 5006) Sets forth the effective date of this title.

Title VI: African Growth and Opportunity Act - Africa Investment Incentive Act of 2006 - (Sec. 6002) Amends the African Growth and Opportunity Act to extend, through September 30, 2012, duty-free treatment to imported apparel articles wholly assembled or knit-to-shape and wholly assembled, or both, in one or more lesser developed beneficiary sub-Saharan African countries (regardless of the country of origin of the fabric or the yarn used to make such articles) in an amount not to exceed a certain percentage of all apparel articles imported into the United States in the preceding 12 month period.

Requires the United States International Trade Commission, upon the filing of a petition by an interested party, to determine the quantity of fabric or yarn that is available in commercial quantities for use by lesser developed beneficiary sub-Saharan African countries and used in the production of apparel articles receiving preferential treatment. Authorizes the President to deny preferential treatment to apparel articles otherwise eligible for preferential treatment that contain a fabric or yarn determined to be available in commercial quantities unless: (1) the fabric or yarn in such articles was produced in one or more beneficiary sub-Saharan African countries; or (2) the Commission has determined that the quantity of the fabric or yarn available in lesser developed beneficiary sub-Saharan African countries has been used in the production of apparel articles receiving preferential treatment.

Authorizes the President to remove preferential treatment for fabric or yarn of an article that was determined on the basis of fraud to: (1) be eligible for such treatment; or (2) not be available in commercial quantity.

Grants preferential treatment to textiles under the Harmonized Tariff Schedule of the United States that are products of a lesser developed beneficiary sub-Saharan African country and are wholly formed in one or more such countries from fibers, yarns, fabrics, fabric components, or components knit-to-shape that are the product of one or more such countries.

(Sec. 6004) Extends certain trade benefits to sub-Saharan Africa through FY2015.

Title VII: Andean Trade Preference Act - Andean Trade Preferences Extension Act - (Sec. 7002) Amends the Andean Trade Preference Act to extend through June 30, 2007, the duty-free treatment or other preferential treatment to articles from beneficiary countries (Bolivia, Ecuador, Colombia, and Peru) under the Act.

Extends such preferential treatment to a beneficiary country for the period beginning on July 1, 2007, and ending on December 31, 2007, only if on or before June 30, 2007: (1) an implementing bill with respect to a trade agreement with such country has been enacted into law pursuant to the Bipartisan Trade Promotion Authority Act of 2002; and (2) the president determines that such country's legislature has approved such trade agreement.

Title VIII: Generalized System of Preferences (GSP) Program - (Sec. 8001) Amends the Trade Act of 1974 with respect to the Generalized System of Preferences (GSP) Program to urge the President, not later than July 1 of each year, to revoke any waiver of certain competitive need requirements that has been in effect with respect to an article of a beneficiary developing country receiving duty-free treatment for five years or more if such country has exported to the United States (directly or indirectly) during the preceding year a quantity of such article: (1) having an appraised value in excess of 1.5 times of a specified amount; or (2) exceeding 75% of the appraised value of the total imports of such article into the United States during that year.

(Sec. 8002) Extends the GSP Program through December 31, 2008.

Actions Timeline

- **Dec 8, 2006:** Rule H. Res. 1100 passed House.
- **Dec 8, 2006:** Considered under the provisions of rule H. Res. 1100. (consideration: CR H9089-9146)
- **Dec 8, 2006:** Rule provides for consideration of H.R. 6406.
- **Dec 8, 2006:** DEBATE - The House proceeded with one hour of debate on H.R. 6406.
- **Dec 8, 2006:** The Speaker proceeded to address the House.
- **Dec 8, 2006:** The previous question was ordered pursuant to the rule. (consideration: CR H9145)
- **Dec 8, 2006:** Passed/agreed to in House: On passage Passed by recorded vote: 212 - 184 (Roll No. 539).(text: CR H9089-9133)
- **Dec 8, 2006:** On passage Passed by recorded vote: 212 - 184 (Roll No. 539). (text: CR H9089-9133)
- **Dec 8, 2006:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 8, 2006:** Pursuant to section 2 of House Resolution 1100, the text of H.R. 6406 as passed by the House, will be appended to the engrossment of the House amendment to the Senate amendment to H.R. 6111.
- **Dec 7, 2006:** Introduced in House
- **Dec 7, 2006:** Introduced in House
- **Dec 7, 2006:** Referred to the House Committee on Ways and Means.
- **Dec 7, 2006:** Rules Committee Resolution H. Res. 1100 Reported to House. Rule provides for consideration of H.R. 6406.