

1 tion 101(d)(12) of the Uruguay Round Agree-
2 ments Act (19 U.S.C. 3511(d)(12)).

3 (5) TEXTILE OR APPAREL PRODUCT.—The
4 term “textile or apparel product” means a good list-
5 ed in the Annex to the Agreement on Textiles and
6 Clothing referred to in section 101(d)(4) of the Uru-
7 guay Round Agreements Act (19 U.S.C.
8 3511(d)(4)).

9 (6) TRADE REPRESENTATIVE.—The term
10 “Trade Representative” means the United States
11 Trade Representative.

12 **TITLE V—HAITI**

13 **SEC. 5001. SHORT TITLE.**

14 This title may be cited as the “Haitian Hemispheric
15 Opportunity through Partnership Encouragement Act of
16 2006” .

17 **SEC. 5002. TRADE BENEFITS FOR HAITI.**

18 (a) IN GENERAL.—The Caribbean Basin Economic
19 Recovery Act (19 U.S.C. 2701 et seq.) is amended by in-
20 serting after section 213 the following new section:

21 **“SEC. 213A. SPECIAL RULES FOR HAITI.**

22 “(a) DEFINITIONS.—In this section:

23 “(1) APPLICABLE 1-YEAR PERIOD.—



1 “(A) IN GENERAL.—The term “applicable
2 1-year period” means each of the 1-year periods
3 described in subparagraphs (B) through (F).

4 “(B) INITIAL APPLICABLE 1-YEAR PE-
5 RIOD.—The term ‘initial applicable 1-year pe-
6 riod’ means the 1-year period beginning on the
7 date of the enactment of the Haitian Hemi-
8 spheric Opportunity through Partnership En-
9 couragement Act of 2006.

10 “(C) SECOND APPLICABLE 1-YEAR PE-
11 RIOD.—The term ‘second applicable 1-year pe-
12 riod’ means the 1-year period beginning on the
13 day after the last day of the initial applicable
14 1-year period.

15 “(D) THIRD APPLICABLE 1-YEAR PE-
16 RIOD.—The term ‘third applicable 1-year pe-
17 riod’ means the 1-year period beginning on the
18 day after the last day of the second applicable
19 1-year period.

20 “(E) FOURTH APPLICABLE 1-YEAR PE-
21 RIOD.—The term ‘fourth applicable 1-year pe-
22 riod’ means the 1-year period beginning on the
23 day after the last day of the third applicable 1-
24 year period.



1 “(F) FIFTH APPLICABLE 1-YEAR PE-
2 RIOD.—The term ‘fifth applicable 1-year period’
3 means the 1-year period beginning on the day
4 after the last day of the fourth applicable 1-
5 year period.

6 “(2) ENTER; ENTRY.—The terms ‘enter’ and
7 ‘entry’ refer to the entry, or withdrawal from ware-
8 house for consumption, in the customs territory of
9 the United States.

10 “(b) APPAREL ARTICLES.—

11 “(1) IN GENERAL.—In addition to any other
12 preferential treatment under this title, apparel arti-
13 cles described in paragraph (2) of a producer or en-
14 tity controlling production that are imported directly
15 from Haiti shall enter the United States free of duty
16 during an applicable 1-year period, subject to the
17 limitations set forth in paragraphs (2) and (3), if
18 Haiti has met the requirements of subsections (d)
19 and (e).

20 “(2) APPAREL ARTICLES DESCRIBED.—

21 “(A) IN GENERAL.—In any applicable 1-
22 year period, apparel articles described in this
23 paragraph are apparel articles that are wholly
24 assembled, or are knit-to-shape, in Haiti from
25 any combination of fabrics, fabric components,



1 components knit-to-shape, and yarns, only if,
2 for each entry in the applicable 1-year period,
3 the sum of—

4 “(i) the cost or value of the materials
5 produced in Haiti or one or more countries
6 described in subparagraph (C), or any
7 combination thereof, plus

8 “(ii) the direct costs of processing op-
9 erations (as defined in section 213(a)(3))
10 performed in Haiti or one or more coun-
11 tries described in subparagraph (C), or any
12 combination thereof,

13 is not less than the applicable percentage (as
14 defined in subparagraph (E)(i)) of the declared
15 customs value of such apparel articles.

16 “(B) DEDUCTIONS.—In calculating cost or
17 value under subparagraph (A)(i), there shall be
18 deducted the cost or value of—

19 “(i) any foreign materials that are
20 used in the production of the apparel arti-
21 cles in Haiti; and

22 “(ii) any foreign materials that are
23 used in the production of the materials de-
24 scribed in subparagraph (A)(i).



1 “(C) COUNTRIES DESCRIBED.—The coun-
2 tries referred to in subparagraph (A) are the
3 following:

4 “(i) The United States.

5 “(ii) Any country that is a party to a
6 free trade agreement with the United
7 States that is in effect on the date of the
8 enactment of the Haitian Hemispheric Op-
9 portunity through Partnership Encourage-
10 ment Act of 2006, or that enters into force
11 under the Bipartisan Trade Promotion Au-
12 thority Act of 2002 (19 U.S.C. 3801 et
13 seq.).

14 “(iii) Any country designated as a
15 beneficiary country under section
16 213(b)(5)(B) of this Act.

17 “(iv) Any country designated as a
18 beneficiary country under section
19 506A(a)(1) of the Trade Act of 1974 (19
20 U.S.C. 2466a(a)(1)), if a finding has been
21 made by the President or the President’s
22 designee, and published in the Federal
23 Register, that the country has satisfied the
24 requirements of section 113 of the African



1 Growth and Opportunity Act (19 U.S.C.
2 3722).

3 “(v) Any country designated as a ben-
4 eficiary country under section
5 204(b)(6)(B) of the Andean Trade Pref-
6 erence Act (19 U.S.C. 3203(b)(6)(B)).

7 “(D) ANNUAL AGGREGATION.—

8 “(i) INITIAL APPLICABLE 1-YEAR PE-
9 RIOD.—In the initial applicable 1-year pe-
10 riod, the requirements under subparagraph
11 (A) relating to applicable percentage may
12 also be met for articles of a producer or an
13 entity controlling production that enter
14 during the initial applicable 1-year period
15 by aggregating—

16 “(I) the cost or value of mate-
17 rials under clause (i) of subparagraph
18 (A), and

19 “(II) the direct costs of proc-
20 essing operations under clause (ii) of
21 subparagraph (A),

22 of all apparel articles of that producer or
23 entity controlling production that are whol-
24 ly assembled, or are knit-to-shape, in Haiti



1 and are entered during the initial applica-
2 ble 1-year period.

3 “(ii) OTHER APPLICABLE 1-YEAR PE-
4 RIODS.—In each of the second, third,
5 fourth, and fifth applicable 1-year periods,
6 the requirements under subparagraph (A)
7 relating to applicable percentage may also
8 be met for articles of a producer or an en-
9 tity controlling production that enter dur-
10 ing the applicable 1-year period by
11 aggregating—

12 “(I) the cost or value of mate-
13 rials under clause (i) of subparagraph
14 (A), and

15 “(II) the direct costs of proc-
16 essing operations under clause (ii) of
17 subparagraph (A),

18 of all apparel articles of that producer or
19 entity controlling production that are whol-
20 ly assembled, or are knit-to-shape, in Haiti
21 and are entered during the preceding ap-
22 plicable 1-year period.

23 “(iii) DEDUCTIONS.—In calculating
24 cost or value under clause (i)(I) or (ii)(I),



1 there shall be deducted the cost or value
2 of—

3 “(I) any foreign materials that
4 are used in the production of the ap-
5 parel articles in Haiti; and

6 “(II) any foreign materials that
7 are used in the production of the ma-
8 terials described in clause (i)(I) or
9 (ii)(I) (as the case may be).

10 “(iv) INCLUSION IN CALCULATION OF
11 OTHER ARTICLES RECEIVING PREF-
12 ERENTIAL TREATMENT.—(I) The entry of
13 a woven apparel article receiving pref-
14 erential treatment under paragraph (4) is
15 not included in an annual aggregation
16 under clause (i) or (ii).

17 “(II) Entries of articles receiving pref-
18 erential treatment under paragraph (5) are
19 not included in an annual aggregation
20 under clause (i) or (ii) unless the producer
21 or entity controlling production elects, at
22 the time the annual aggregation calcula-
23 tion is made, to include such entries in
24 such aggregation.



1 “(III) Entries of apparel articles that
2 receive preferential treatment under any
3 provision of law other than this subsection
4 or are subject to the ‘General’ column 1
5 rate of duty under the HTS are not in-
6 cluded in an annual aggregation under
7 clause (i) or (ii) unless the producer or en-
8 tity controlling production elects, at the
9 time the annual aggregation calculation is
10 made, to include such entries in such ag-
11 gregation.

12 “(E) DEFINITIONS.—In this paragraph:

13 “(i) APPLICABLE PERCENTAGE.—The
14 term “applicable percentage” means—

15 “(I) 50 percent or more during
16 the initial applicable 1-year period,
17 the second applicable 1-year period,
18 and the third applicable 1-year period;

19 “(II) 55 percent or more during
20 the fourth applicable 1-year period;
21 and

22 “(III) 60 percent or more during
23 the fifth applicable 1-year period.

24 “(ii) FOREIGN MATERIAL.—The term
25 ‘foreign material’ means a material pro-



1 duced in a country other than Haiti or any
2 country described in subparagraph (C).

3 “(F) DEVELOPMENT OF PROCEDURE TO
4 ENSURE COMPLIANCE.—

5 “(i) IN GENERAL.—The Bureau of
6 Customs and Border Protection of the De-
7 partment of Homeland Security shall de-
8 velop and implement methods and proce-
9 dures to ensure ongoing compliance with
10 the requirements set forth in subpara-
11 graphs (A) and (D).

12 “(ii) NONCOMPLIANCE.—If the Bu-
13 reau of Customs and Border Protection
14 finds that a producer or an entity control-
15 ling production has not satisfied such re-
16 quirements in any applicable 1-year period,
17 either for individual entries entered pursu-
18 ant to subparagraph (A) or for entries en-
19 tered in aggregate pursuant to subpara-
20 graph (D), then apparel articles described
21 in subparagraph (A) of that producer or
22 entity shall be ineligible for preferential
23 treatment under paragraph (1) during any
24 succeeding applicable 1-year period until—



1 “(I) the cost or value of mate-
2 rials under clause (i) of subparagraph
3 (A), plus

4 “(II) the direct costs of proc-
5 essing operations under clause (ii) of
6 subparagraph (A),

7 of that producer or entity controlling pro-
8 duction, is not less than the applicable per-
9 centage under subparagraph (E)(i), plus
10 10 percent, of the aggregate declared cus-
11 toms value of all apparel articles of that
12 producer or entity controlling production
13 that are wholly assembled, or are knit-to-
14 shape, in Haiti and are entered during the
15 preceding applicable 1-year period.

16 “(iii) RETROACTIVE APPLICATION OF
17 DUTY-FREE TREATMENT.—If—

18 “(I) a producer or an entity con-
19 trolling production is ineligible for
20 preferential treatment under para-
21 graph (1) in an applicable 1-year pe-
22 riod because that producer or entity
23 controlling production did not satisfy
24 the requirements of subparagraph (A)
25 or (D), and



1 “(II) that producer or entity con-
2 trolling production satisfies the re-
3 quirements of clause (ii) of this sub-
4 paragraph in that applicable 1-year
5 period,
6 then, notwithstanding section 514 of the
7 Tariff Act of 1930 (19 U.S.C. 1514) or
8 any other provision of law, upon proper re-
9 quest filed with the Bureau of Customs
10 and Border Protection before the 90th day
11 after the Bureau of Customs and Border
12 Protection determines that subclause (II)
13 applies, the entry of any articles—
14 “(aa) that was made during that
15 applicable 1-year period, and
16 “(bb) with respect to which there
17 would have been preferential treat-
18 ment under paragraph (1) if the pro-
19 ducer or entity controlling production
20 had satisfied the requirements in sub-
21 paragraph (A) or (D) (as the case
22 may be),
23 shall be liquidated or reliquidated as
24 though such preferential treatment under
25 paragraph (1) applied to such entry.



1 “(G) FABRICS NOT AVAILABLE IN COM-
2 MERCIAL QUANTITIES.—

3 “(i) IN GENERAL.—For purposes of
4 determining the applicable percentage
5 under subparagraph (A) or (D), there may
6 be included in that percentage—

7 “(I) the cost of fabrics or yarns
8 to the extent that apparel articles of
9 such fabrics or yarns would be eligible
10 for preferential treatment, without re-
11 gard to the source of the fabrics or
12 yarns, under Annex 401 of the
13 NAFTA; and

14 “(II) the cost of fabrics or yarns
15 that are designated as not being avail-
16 able in commercial quantities for pur-
17 poses of—

18 “(aa) section
19 213(b)(2)(A)(v) of this Act,

20 “(bb) section 112(b)(5) of
21 the African Growth and Oppor-
22 tunity Act,

23 “(cc) section
24 204(b)(3)(B)(i)(III) or (ii) of the
25 Andean Trade Preference Act, or



1 “(dd) any other provision,
 2 relating to determining whether a
 3 textile or apparel article is an
 4 originating good eligible for pref-
 5 erential treatment, of a law that
 6 implements a free trade agree-
 7 ment that enters into force under
 8 the Bipartisan Trade Promotion
 9 Authority Act of 2002,
 10 without regard to the source of the
 11 fabrics or yarns.

12 “(ii) REMOVAL OF DESIGNATION OF
 13 FABRICS OR YARNS NOT AVAILABLE IN
 14 COMMERCIAL QUANTITIES.—If the Presi-
 15 dent determines that—

16 “(I) any fabric or yarn described
 17 in clause (i)(I) was determined to be
 18 eligible for preferential treatment, or

19 “(II) any fabric or yarn described
 20 in clause (i)(II) was designated as not
 21 being available in commercial quan-
 22 tities,

23 on the basis of fraud, the President is au-
 24 thorized to remove the eligibility or des-
 25 ignation (as the case may be) of that fab-



1 ric or yarn with respect to articles entered
2 after such removal.

3 “(3) QUANTITATIVE LIMITATIONS.—The pref-
4 erential treatment described in paragraph (1) shall
5 be extended, during each of the applicable 1-year pe-
6 riods set forth in the following table, to not more
7 than the corresponding percentage of the aggregate
8 square meter equivalents of all apparel articles im-
9 ported into the United States in the most recent 12-
10 month period for which data are available:

“During the:	the corresponding percent- age is:
“initial applicable 1-year period	1 percent.
“second applicable 1-year period	1.25 percent.
“third applicable 1-year period	1.5 percent.
“fourth applicable 1-year period	1.75 percent.
“fifth applicable 1-year period	2 percent.

11 No preferential treatment shall be provided under
12 paragraph (1) after the last day of the fifth applica-
13 ble 1-year period.

14 “(4) SPECIAL RULE FOR WOVEN APPAREL.—In
15 the case of apparel articles classifiable under chapter
16 62 of the HTS (other than articles classifiable under
17 subheading 6212.10 of the HTS), as in effect on the
18 date of the enactment of the Haitian Hemispheric
19 Opportunity through Partnership Encouragement
20 Act of 2006, that do not qualify for preferential
21 treatment under paragraph (1) because they do not
22 meet the percentage requirements under paragraph



1 (2)(A), (2)(B), or (2)(D), the preferential treatment
2 under paragraph (1)—

3 “(A) shall be extended, in addition to the
4 quantities permitted under paragraph (3) to—

5 “(i) not more than 50,000,000 square
6 meter equivalents of such apparel articles
7 for the initial applicable 1-year period;

8 “(ii) not more than 50,000,000
9 square meter equivalents of such apparel
10 articles for the second applicable 1-year pe-
11 riod; and

12 “(iii) not more than 33,500,000
13 square meter equivalents for the third ap-
14 plicable 1-year period; and

15 “(B) may not be extended to such apparel
16 articles after the last day of the third applicable
17 1-year period.

18 “(5) SPECIAL RULE FOR BRASSIERES.—The
19 preferential treatment under paragraph (1) shall,
20 subject to the limitations under paragraph (3), be
21 extended to any article classifiable under heading
22 6212.10 of the HTS, if the article is both cut and
23 sewn or otherwise assembled in Haiti or the United
24 States, or both, without regard to the source of the
25 fabric or components from which the article is made,



1 and if Haiti has met the requirements of subsections
2 (d) and (e).

3 “(c) SPECIAL RULE FOR CERTAIN WIRE HARNESS
4 AUTOMOTIVE COMPONENTS.—

5 (1) IN GENERAL.—Any wire harness automotive
6 component that is the product or manufacture of
7 Haiti and is imported directly from Haiti into the
8 customs territory of the United States shall enter
9 the United States free of duty, during the 5-year pe-
10 riod beginning on the date of the enactment of the
11 Haitian Hemispheric Opportunity through Partner-
12 ship Encouragement Act of 2006, if Haiti has met
13 the requirements of subsection (d) and if the sum
14 of—

15 “(A) the cost or value of the materials pro-
16 duced in Haiti or one or more countries de-
17 scribed in subsection (b)(2)(C), or any combina-
18 tion thereof, plus

19 “(B) the direct costs of processing oper-
20 ations (as defined in section 213(a)(3)) per-
21 formed in Haiti or the United States, or both,
22 is not less than 50 percent of the declared customs
23 value of such wire harness automotive component.

24 “(2) WIRE HARNESS AUTOMOTIVE COMPO-
25 NENT.—For purposes of this subsection, the term



1 “wire harness automotive component” means any ar-
2 ticle provided for in subheading 8544.30.00 of the
3 HTS, as in effect on the date of the enactment of
4 the Haitian Hemispheric Opportunity through Part-
5 nership Encouragement Act of 2006.

6 “(d) ELIGIBILITY REQUIREMENTS.—

7 “(1) IN GENERAL.—Haiti shall be eligible for
8 preferential treatment under this section if the
9 President determines and certifies to Congress that
10 Haiti—

11 “(A) has established, or is making con-
12 tinual progress toward establishing—

13 “(i) a market-based economy that pro-
14 tects private property rights, incorporates
15 an open rules-based trading system, and
16 minimizes government interference in the
17 economy through measures such as price
18 controls, subsidies, and government owner-
19 ship of economic assets;

20 “(ii) the rule of law, political plu-
21 ralism, and the right to due process, a fair
22 trial, and equal protection under the law;

23 “(iii) the elimination of barriers to
24 United States trade and investment, in-
25 cluding by—



1 “(I) the provision of national
 2 treatment and measures to create an
 3 environment conducive to domestic
 4 and foreign investment;

5 “(II) the protection of intellectual
 6 property; and

7 “(III) the resolution of bilateral
 8 trade and investment disputes;

9 “(iv) economic policies to reduce pov-
 10 erty, increase the availability of health care
 11 and educational opportunities, expand
 12 physical infrastructure, promote the devel-
 13 opment of private enterprise, and encour-
 14 age the formation of capital markets
 15 through microcredit or other programs;

16 “(v) a system to combat corruption
 17 and bribery, such as signing and imple-
 18 menting the Convention on Combating
 19 Bribery of Foreign Public Officials in
 20 International Business Transactions; and

21 “(vi) protection of internationally rec-
 22 ognized worker rights, including the right
 23 of association, the right to organize and
 24 bargain collectively, a prohibition on the
 25 use of any form of forced or compulsory



1 labor, a minimum age for the employment
 2 of children, and acceptable conditions of
 3 work with respect to minimum wages,
 4 hours of work, and occupational safety and
 5 health;

6 “(B) does not engage in activities that un-
 7 dermine United States national security or for-
 8 eign policy interests; and

9 “(C) does not engage in gross violations of
 10 internationally recognized human rights or pro-
 11 vide support for acts of international terrorism
 12 and cooperates in international efforts to elimi-
 13 nate human rights violations and terrorist ac-
 14 tivities.

15 “(2) TIME LIMIT FOR DETERMINATION.—The
 16 President shall determine whether Haiti meets the
 17 requirements of paragraph (1) not later than 90
 18 days after the date of the enactment of the Haitian
 19 Hemispheric Opportunity through Partnership En-
 20 couragement Act of 2006.

21 “(3) CONTINUING COMPLIANCE.—If the Presi-
 22 dent determines that Haiti is not making continual
 23 progress in meeting the requirements described in
 24 paragraph (1)(A), the President shall terminate the
 25 preferential treatment under this section.



1 “(e) CONDITIONS REGARDING ENFORCEMENT OF
2 CIRCUMVENTION.—

3 “(1) IN GENERAL.—The preferential treatment
4 under subsection (b)(1) shall not apply unless the
5 President certifies to Congress that Haiti is meeting
6 the following conditions:

7 “(A) Haiti has adopted an effective visa
8 system, domestic laws, and enforcement proce-
9 dures applicable to articles described in sub-
10 section (b) to prevent unlawful transshipment
11 of the articles and the use of counterfeit docu-
12 ments relating to the importation of the articles
13 into the United States.

14 “(B) Haiti has enacted legislation or pro-
15 mulgated regulations that would permit the Bu-
16 reau of Customs and Border Protection ver-
17 ification teams to have the access necessary to
18 investigate thoroughly allegations of trans-
19 shipment through such country.

20 “(C) Haiti agrees to report, on a timely
21 basis, at the request of the Bureau of Customs
22 and Border Protection, on the total exports
23 from and imports into that country of articles
24 described in subsection (b), consistent with the
25 manner in which the records are kept by Haiti.



1 “(D) Haiti agrees to cooperate fully with
2 the United States to address and take action
3 necessary to prevent circumvention as provided
4 in Article 5 of the Agreement on Textiles and
5 Clothing.

6 “(E) Haiti agrees to require all producers
7 and exporters of articles described in subsection
8 (b) in that country to maintain complete
9 records of the production and the export of
10 such articles, including materials used in the
11 production, for at least 5 years after the pro-
12 duction or export (as the case may be).

13 “(F) Haiti agrees to report, on a timely
14 basis, at the request of the Bureau of Customs
15 and Border Protection, documentation estab-
16 lishing the country of origin of articles de-
17 scribed in subsection (b) as used by that coun-
18 try in implementing an effective visa system.

19 “(2) DEFINITION OF TRANSSHIPMENT.—Trans-
20 shipment within the meaning of this subsection has
21 occurred when preferential treatment for a textile or
22 apparel article under this section has been claimed
23 on the basis of material false information concerning
24 the country of origin, manufacture, processing, or
25 assembly of the article or any of its components. For



1 purposes of this paragraph, false information is ma-
2 terial if disclosure of the true information would
3 mean or would have meant that the article is or was
4 ineligible for preferential treatment under this sec-
5 tion.

6 “(f) REGULATIONS.—The President shall issue regu-
7 lations to carry out this section not later than 180 days
8 after the date of the enactment of the Haitian Hemi-
9 spheric Opportunity through Partnership Encouragement
10 Act of 2006. The President shall consult with the Com-
11 mittee on Ways and Means of the House of Representa-
12 tives and the Committee on Finance of the Senate in pre-
13 paring such regulations.”.

14 **SEC. 5003. ITC STUDY.**

15 The International Trade Commission shall, not later
16 than 18 months after the date of the enactment of this
17 Act, submit a report to Congress on the effects of the
18 amendments made by this Act on the trade markets and
19 industries, involving textile and apparel articles, of Haiti,
20 the countries described in clauses (ii) and (iii) of section
21 213A(b)(2)(C) of the Caribbean Basin Economic Recovery
22 Act (as added by section 5002 of this Act), and the United
23 States.



1 **SEC. 5004. SENSE OF CONGRESS ON INTERPRETATION OF**
 2 **TEXTILE AND APPAREL PROVISIONS FOR**
 3 **HAITI.**

4 It is the sense of the Congress that the executive
 5 branch, particularly the Committee for the Implementa-
 6 tion of Textile Agreements (CITA), the Bureau of Cus-
 7 toms and Border Protection of the Department of Home-
 8 land Security, and the Department of Commerce, should
 9 interpret, implement, and enforce the provisions of section
 10 213A(b) of the Caribbean Basin Economic Recovery Act,
 11 as added by section 5002 of this Act, relating to pref-
 12 erential treatment of textile and apparel articles, broadly
 13 in order to expand trade by maximizing opportunities for
 14 imports of such articles from Haiti.

15 **SEC. 5005. TECHNICAL AMENDMENTS.**

16 (a) CBI.—Section 213(b)(2)(A)(v) of the Caribbean
 17 Basin Economic Recovery Act (19 U.S.C.
 18 2703(b)(2)(A)(v)) is amended by adding at the end the
 19 following new subclause:

20 “(III) If the President determines
 21 that any fabric or yarn was determined to
 22 be eligible for preferential treatment under
 23 subclause (I) on the basis of fraud, the
 24 President is authorized to remove that des-
 25 ignation from that fabric or yarn with re-



1 spect to articles entered after such re-
2 moval.”.

3 (b) ATPA.—Section 204(b)(3)(B) of the Andean
4 Trade Preference Act (19 U.S.C. 3202(b)(3)(B)) is
5 amended by adding at the end the following new clause:

6 “(viii) REMOVAL OF DESIGNATION OF
7 FABRICS OR YARNS NOT AVAILABLE IN
8 COMMERCIAL QUANTITIES.—If the Presi-
9 dent determines that any fabric or yarn
10 was determined to be eligible for pref-
11 erential treatment under clause (i)(III) or
12 (ii) on the basis of fraud, the President is
13 authorized to remove that designation from
14 that fabric or yarn with respect to articles
15 entered after such removal.”.

16 **SEC. 5006. EFFECTIVE DATE.**

17 This title and the amendments made by this title
18 apply to articles entered, or withdrawn from warehouse
19 for consumption, on or after the 15th day after the date
20 of the enactment of this Act.

21 **TITLE VI—AFRICAN GROWTH**
22 **AND OPPORTUNITY ACT**

23 **SEC. 6001. SHORT TITLE.**

24 This title may be referred to as the “Africa Invest-
25 ment Incentive Act of 2006”.

