

“	9902.52.08	Woven fabrics of cotton, all the foregoing certified by the importer as suitable for use in making men’s and boys’ shirts and as imported by or for the benefit of a manufacturer of men’s and boys’ shirts, subject to the quantity limitations contained in general note 18 of this subchapter (provided for in section 204(b)(3)(B)(i)(III) of the Andean Trade Preference Act (19 U.S.C. 3203))	Free	No change	No change	On or before 12/31/2006	”.
	9902.52.09	Woven fabrics of cotton, all the foregoing certified by the importer as containing 100 percent pima cotton grown in the United States, as suitable for use in making men’s and boys’ shirts, and as imported by or for the benefit of a manufacturer of men’s and boys’ shirts (provided for in section 204(b)(3)(B)(i)(III) of the Andean Trade Preference Act (19 U.S.C. 3203))	Free	No change	No change	On or before 12/31/2006	

1 (2) DEFINITIONS AND LIMITATION ON QUAN-
2 TITY OF IMPORTS.—The U.S. Notes to subchapter II
3 of chapter 99 are amended by adding at the end the
4 following:

5 “18. For purposes of subheadings 9902.52.08 and
6 9902.52.09, the term ‘making’ means cutting and
7 sewing in the United States, and the term ‘manufac-
8 turer’ means a person or entity that cuts and sews
9 in the United States.

10 “19. The aggregate quantity of cotton fabrics entered
11 under subheading 9902.52.08 from January 1 to De-
12 cember 31 of each year, inclusive, by or on behalf
13 of each manufacturer of men’s and boys’ shirts shall
14 be limited to 85 percent of the total square meter
15 equivalents of all imported cotton woven fabric used
16 by such manufacturer in cutting and sewing men’s

1 and boys' cotton shirts in the United States and pur-
2 chased by such manufacturer during calendar year
3 2000.”.

4 (b) DETERMINATION OF TARIFF-RATE QUOTAS.—

5 (1) AUTHORITY TO ISSUE LICENSES AND LI-
6 CENSE USE.—In order to implement the limitation
7 on the quantity of cotton woven fabrics that may be
8 entered under subheading 9902.52.08 of the Har-
9 monized Tariff Schedule of the United States, as re-
10 quired by U.S. Note 19 to subchapter II of chapter
11 99 of such Schedule, the Secretary of Commerce
12 shall issue licenses to eligible manufacturers under
13 subheading 9902.52.08, specifying the restrictions
14 under each such license on the quantity of cotton
15 woven fabrics that may be entered each year by or
16 on behalf of the manufacturer. A licensee may as-
17 sign the authority (in whole or in part) under the li-
18 cense to import fabric under subheading 9902.52.08
19 of such Schedule.

20 (2) LICENSES UNDER U.S. NOTE 19.—For pur-
21 poses of U.S. Note 19 to subchapter II of chapter
22 99 of the Harmonized Tariff Schedule of the United
23 States, the Secretary of Commerce shall issue a li-
24 cense to a manufacturer within 60 days after the
25 manufacturer files with the Secretary of Commerce

1 an application containing a notarized affidavit from
2 an officer of the manufacturer that the manufac-
3 turer is eligible to receive a license and stating the
4 quantity of imported cotton woven fabric purchased
5 during calendar year 2000 for use in the cutting and
6 sewing men's and boys' shirts in the United States.

7 (3) AFFIDAVITS.—For purposes of an affidavit
8 described in this subsection, the date of purchase
9 shall be—

10 (A) the invoice date if the manufacturer is
11 not the importer of record; and

12 (B) the date of entry if the manufacturer
13 is the importer of record.

14 **SEC. 2. COTTON TRUST FUND.**

15 (a) ESTABLISHMENT OF TRUST FUND.—

16 (1) IN GENERAL.—There is established in the
17 Treasury of the United States a trust fund to be
18 known as the “Pima Cotton Trust Fund” (in this
19 section referred to as the “Trust Fund”), consisting
20 of such amounts as may be transferred to the Trust
21 Fund under paragraph (2).

22 (2) TRANSFER OF AMOUNTS.—

23 (A) IN GENERAL.—Beginning October 1,
24 2005, the Secretary of the Treasury shall trans-
25 fer to the Trust Fund, from the general fund

1 of the Treasury, amounts determined by the
 2 Secretary of the Treasury to be equivalent to
 3 the amounts received in the general fund that
 4 are attributable to duties received since Janu-
 5 ary 1, 1994, on articles under subheadings
 6 5208.21.60, 5208.22.80, 5208.29.80,
 7 5208.31.80, 5208.32.50, 5208.39.80,
 8 5208.41.80, 5208.42.50, 5208.49.80,
 9 5208.51.80, 5208.52.50, 5208.59.80,
 10 5210.21.80, and 5210.31.80 of the Harmonized
 11 Tariff Schedule of the United States, subject to
 12 the limitation in subparagraph (B).

13 (B) LIMITATION.—The Secretary may not
 14 transfer more than \$16,000,000 to the Trust
 15 fund in any fiscal year, and may not transfer
 16 any amount beginning on or after October 1,
 17 2007.

18 (3) DISTRIBUTION OF FUNDS.—From amounts
 19 in the Trust Fund, the Commissioner of the Bureau
 20 of Customs and Border Protection shall make the
 21 following payments annually beginning in fiscal year
 22 2005:

23 (A) 25 percent of the amounts in the
 24 Trust Fund shall be paid annually to a nation-
 25 ally recognized association established for the

1 promotion of pima cotton grown in the United
2 States for the use in textile and apparel goods.

3 (B) 25 percent of the amounts in the
4 Trust Fund shall be paid annually to yarn spin-
5 ners of pima cotton grown in the United States,
6 and shall be allocated to each spinner in an
7 amount that bears the same ratio as—

8 (i) the spinner's production of ring
9 spun cotton yarns, measuring less than
10 83.33 decitex (exceeding 120 metric num-
11 ber) from pima cotton grown in the United
12 States in single and plied form during cal-
13 endar year 2002 (as evidenced by an affi-
14 davit provided by the spinner) bears to—

15 (ii) the production of the yarns de-
16 scribed in clause (i) during calendar year
17 2002 for all spinners who qualify under
18 this subparagraph.

19 (C) 50 percent of the amounts in the Trust
20 Fund shall be paid annually to those manufac-
21 turers who cut and sew cotton shirts in the
22 United States who certify that they used im-
23 ported cotton fabric during the period January
24 1, 1998, through July 1, 2003, and shall be al-

1 located to each such manufacturer in an
2 amount that bears the same ratio as—

3 (i) the dollar value (excluding duty,
4 shipping, and related costs) of imported
5 woven cotton shirting fabric of 80s or
6 higher count and 2-ply in warp purchased
7 by the manufacturer during calendar year
8 2002 (as evidenced by an affidavit from
9 the manufacturer that meets the require-
10 ments of paragraph (4)) used in the manu-
11 facturing of men's and boys' cotton shirts,
12 bears to—

13 (ii) the dollar value (excluding duty,
14 shipping, and related costs) of the fabric
15 described in clause (i) purchased during
16 calendar year 2002 by all manufacturers
17 who qualify under this subparagraph.

18 (4) AFFIDAVIT OF SHIRTING MANUFACTUR-
19 ERS.—The affidavit required by paragraph (3)(C) is
20 a notarized affidavit provided by an officer of the
21 manufacturer of men's and boys' shirts concerned
22 that affirms—

23 (A) that the manufacturer used imported
24 cotton fabric during the period January 1,
25 1998, through July 1, 2003, to cut and sew

1 men's and boys' woven cotton shirts in the
2 United States;

3 (B) the dollar value of imported woven cot-
4 ton shirting fabric of 80s or higher count and
5 2-ply in warp purchased during calendar year
6 2002;

7 (C) that the manufacturer maintains in-
8 voices along with other supporting documenta-
9 tion (such as price lists and other technical de-
10 scriptions of the fabric qualities) showing the
11 dollar value of such fabric purchased, the date
12 of purchase, and evidencing the fabric as woven
13 cotton fabric of 80s or higher count and 2-ply
14 in warp; and

15 (D) that the fabric was suitable for use in
16 the manufacturing of men's and boys' cotton
17 shirts.

18 (5) DATE OF PURCHASE.—For purposes of the
19 affidavit under paragraph (4), the date of purchase
20 shall be the invoice date, and the dollar value shall
21 be determined excluding duty, shipping, and related
22 costs.

23 (6) AFFIDAVIT OF YARN SPINNERS.—The affi-
24 davit required by paragraph (3)(B) is a notarized af-

1 fidavit provided by an officer of the producer of ring
2 spun yarns that affirms—

3 (A) that the producer used pima cotton
4 grown in the United States during the period
5 January 1, 2002, through December 31, 2002,
6 to produce ring spun cotton yarns, measuring
7 less than 83.33 decitex (exceeding 120 metric
8 number), in single and plied form during 2002;

9 (B) the quantity, measured in pounds, of
10 ring spun cotton yarns, measuring less than
11 83.33 decitex (exceeding 120 metric number),
12 in single and plied form during calendar year
13 2002; and

14 (C) that the producer maintains sup-
15 porting documentation showing the quantity of
16 such yarns produced, and evidencing the yarns
17 as ring spun cotton yarns, measuring less than
18 83.33 decitex (exceeding 120 metric number),
19 in single and plied form during calendar year
20 2002.

21 (7) NO APPEAL.—Any amount paid by the
22 Commissioner of the Bureau of Customs and Border
23 Protection under this section shall be final and not
24 subject to appeal or protest.

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