

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: August 30, 2006]²

Bill No. and sponsor: S. 3054 (Mr. Tom Carper of Delaware).

Proponent name, location: INVISTA, Inc., Wilmington, Delaware.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2009.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Synthetic staple fibers of polyester, having a cruciform (tetralobal) cross section, measuring less than 3.3 decitex, the foregoing carded, combed or otherwise prepared for spinning (provided for in subheading 5506.20.00).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject synthetic staple fibers of polyester have a cruciform cross section, measure less than 3.3 decitex, and are carded, combed, or otherwise prepared for spinning. The fibers convey properties to yarn or fabric that aid with moisture management and temperature control and are intended to be used in specialty performance apparel. This product is imported from Taiwan.

¹ Industry analyst preparing report: Erin McLaughlin (202-205-2334); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

Estimated effect on customs revenue:

HTS subheading: 5506.20.00					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	5.7%	5.7%	5.7%	5.7%	5.7%
Estimated value <i>dutiable</i> imports	\$500,000	\$500,000	\$500,000	\$500,000	\$500,000
Customs revenue loss	\$28,500	\$28,500	\$28,500	\$28,500	\$28,500

Source of estimated dutiable import data: Estimates provided by the proponent.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
INVISTA, Inc. (Proponent) Mary Vane, 302-683-3230	06/21/2006	No	Yes	No
American Fiber Manufacturers Association Paul O'Day, President, 703-875-0432	06/26/2006	No	No	No
DAK Americas Jonathan McNaull, 704-940-7590	06/29/2006	Yes	Yes	Yes
Nanya J.C. Hsio, 843-389-6971	06/26/2006	No	No	No
National Council of Textile Organizations Michael Hubbard, 704-824-3522	07/30/2006	No	Yes	No
Unifi Jane Johnson, 336-316-5278	06/29/2006	No	No	No
Wellman, Inc. Gisela Katz, 718-269-4193	06/28/2006	No	No	No

Technical comments:³

To be more consistent with normal drafting practices in the HTS, it is suggested that the description be modified as shown on page 1.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

INVISTA Inc.
3 Little Falls
2801 Centerville Rd.
Wilmington, DE 19808



July 17, 2006

Senator Charles Grassley
Chairman, Senate Finance Committee
Senate Finance Committee
SD-219
U.S. Senate
Washington, DC 20510

Re: S. 3054 to temporarily suspend the duty on synthetic staple fiber

Dear Mr. Chairman:

INVISTA is the proponent of S. 3054 and strongly supports suspending the duty on this synthetic polyester staple fiber of cruciform cross section, which is combed and processed into tops form for woolen system blending. The individual fibers measure 2.25 to 2.75 decitex, and the end use applications are apparel. The item is currently classified under HTS 5506.20.00.

INVISTA is one of the world's largest integrated fibers, polymer, and intermediates companies, producing and marketing to the apparel, performance fibers, interiors, intermediates, and resins industries. It is recognized across the globe through its well-known brands and trademarks, including: LYCRA[®], STAINMASTER[®], ANTRON[®], and COOLMAX[®]. INVISTA is a wholly owned, but independently managed, subsidiary of Koch Industries, Inc. We are committed to meeting the needs of our customers through technology innovations.

The fiber has a cruciform (or high modification tetralobal) cross section, rather than the traditional round cross section. It provides exceptional consumer performance characteristics when spun into a yarn and woven into a fabric, creating improved comfort in apparel. This is a very small volume, premium priced product that is a response to U.S. textile mills' demands for innovative, technologically sophisticated offerings. Availability of advanced products such as this is what is needed to sustain the U.S. textile industry. U.S. import duties on this product are considered an unnecessary burden.

This item is one of a large family of products that may be used under INVISTA's COOLMAX[®] fabric certification program. This program was created by INVISTA and is promoted by our company to garment brands, retailers, and consumers. The certification requires that the fabrics demonstrate certain performance characteristics, and it requires that the fabrics be made with a minimum content of qualifying fibers. Only INVISTA fibers will qualify for the certification. There are no domestic suppliers commercially producing this cruciform cross sectioned form of polyester staple fiber.

We urge Congressional passage of S. 3054.

Sincerely,

Mary Vane
Director, International Trade & Business Development
INVISTA
Phone: 302-683-3230
FAX: 302-683-3495
E-mail: mary.vane@invista.com

109TH CONGRESS
2^D SESSION

S. 3054

To suspend temporarily the duty on synthetic staple fiber.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

Mr. CARPER introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on synthetic staple fiber.

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. SYNTHETIC STAPLE FIBER.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.55.06	Synthetic staple fiber of polyester; cruetiform (tetralobal) cross section, measuring less than 3.3 decitex, carded, combed or prepared for spinning (provided for in subheading 5506.20.00)	Free	No change	No change	On or before 12/31/2009	”.
---	------------	--	------	-----------	-----------	----------------------------	----

8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

2

- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

○