AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 7979
OFFERED BY MR. SMITH OF MISSOURI

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “End China’s De Minimis Abuse Act”.

SEC. 2. MODIFICATION OF ADMINISTRATIVE EXEMPTIONS UNDER THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Section 321 of the Tariff Act of 1930 (19 U.S.C. 1321) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A), by striking “admit articles” and inserting “subject to subsection (b)(1), admit articles”;

(B) in subparagraph (C)—

(i) by striking “$800” and inserting “subject to subsection (b)(2), $800”; and

(ii) by striking the period at the end and inserting “; and”;
(C) in the matter following subparagraph (C), by striking “The privilege” and all that follows through “; and”;
(2) by redesignating subsection (b) as subsection (d); and
(3) by inserting after subsection (a) the following:
“(b)(1) The privilege of subparagraph (A), (B), or (C) of subsection (a)(2) shall not be granted in any case in which merchandise covered by a single order or contract is forwarded in separate lots to secure the benefit of such subsection.
“(2) The privilege of subparagraph (C) of subsection (a)(2) shall not be granted with respect to any article that is subject to duties or other import restrictions under any of the following provisions of law:
“(A) Subtitle A or B of title VII of this Act.
“(3)(A) No covered article may receive the privilege of subparagraph (C) of subsection (a)(2) unless the 10-
digit classification of the article under the Harmonized
Tariff Schedule of the United States is provided to U.S.
Customs and Border Protection, pursuant to an author-
ized electronic data interchange system, as part of the
entry filing in accordance with section 498 of this Act,
in addition to any other information required by law.

“(B) In this paragraph, the term ‘covered article’
means an article the origin of which is a country with any
goods subject to duties or other import restrictions under

“(c) Any person who enters, introduces, or attempts
to introduce an article in violation of this section is liable
for a civil penalty of $5,000 for the first violation; and
$10,000 for each subsequent violation. A penalty imposed
under this subsection is in addition to any other penalty
authorized by law.”.

(b) EFFECTIVE DATE.—The amendments made by
this section shall apply with respect to articles entered,
or withdrawn from warehouse for consumption, on or after
the 30th day after the date of the enactment of this Act.