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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. 7979

To amend section 321 of the Tariff Act of 1930 to modify the administrative exemptions under that Act.

IN THE HOUSE OF REPRESENTATIVES

Mr. MURPHY introduced the following bill; which was referred to the Committee on _____

A BILL

To amend section 321 of the Tariff Act of 1930 to modify the administrative exemptions under that Act.

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. SHORT TITLE.**

4 This Act may be cited as the “End China’s De Mini-
5 mis Abuse Act”.

6 **SEC. 2. MODIFICATION OF ADMINISTRATIVE EXEMPTIONS**

7 **UNDER THE TARIFF ACT OF 1930.**

8 (a) IN GENERAL.—Section 321 of the Tariff Act of
9 1930 (19 U.S.C. 1321) is amended—

1 (1) in subsection (a)(2)—

2 (A) in the matter preceding subparagraph

3 (A), by striking “admit articles” and inserting

4 “subject to subsection (b)(1), admit articles”;

5 (B) in subparagraph (C)—

6 (i) by striking “\$800” and inserting

7 “subject to subsection (b)(2), \$800”; and

8 (ii) by striking the period at the end

9 and inserting “; and”;

10 (C) in the matter following subparagraph

11 (C), by striking “The privilege” and all that fol-

12 lows through “; and”;

13 (2) by redesignating subsection (b) as sub-

14 section (d); and

15 (3) by inserting after subsection (a) the fol-

16 lowing:

17 “(b)(1) The privilege of subparagraph (A), (B), or

18 (C) of subsection (a)(2) shall not be granted in any case

19 in which merchandise covered by a single order or contract

20 is forwarded in separate lots to secure the benefit of such

21 subsection.

22 “(2) The privilege of subparagraph (C) of subsection

23 (a)(2) shall not be granted with respect to any article that

24 is subject to duties or other import restrictions under any

25 of the following provisions of law:

1 “(A) Subtitle A or B of title VII of this Act.

2 “(B) Section 201 of the Trade Act of 1974 (19
3 U.S.C. 2251).

4 “(C) Section 301 of the Trade Act of 1974 (19
5 U.S.C. 2411).

6 “(D) Section 232 of the Trade Expansion Act
7 of 1962 (19 U.S.C. 1862).

8 “(3)(A) No covered article may receive the privilege
9 of subparagraph (C) of subsection (a)(2) unless the 10-
10 digit classification of the article under the Harmonized
11 Tariff Schedule of the United States is provided to U.S.
12 Customs and Border Protection, pursuant to an author-
13 ized electronic data interchange system, as part of the
14 entry filing in accordance with section 498 of this Act,
15 in addition to any other information required by law.

16 “(B) In this paragraph, the term ‘covered article’
17 means an article the origin of which is a country with any
18 goods subject to duties or other import restrictions under
19 section 301 of the Trade Act of 1974 (19 U.S.C. 2411).

20 “(c) Any person who enters, introduces, or attempts
21 to introduce an article in violation of this section is liable
22 for a civil penalty of \$5,000 for the first violation, and
23 \$10,000 for each subsequent violation. A penalty imposed
24 under this subsection is in addition to any other penalty
25 authorized by law.”.

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