

104TH CONGRESS
1ST SESSION

H. R. 2822

To amend title VII of the Tariff Act of 1930 to provide authority for the temporary suspension of antidumping and countervailing duties under limited market conditions.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 1995

Mr. CRANE introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title VII of the Tariff Act of 1930 to provide authority for the temporary suspension of antidumping and countervailing duties under limited market conditions.

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 “Temporary Duty Sus-
5 pension Act”.

6 **SEC. 2. TEMPORARY SUSPENSION OF DUTIES.**

7 (a) IN GENERAL.—Chapter 1 of subtitle C of title
8 VII of the Tariff Act of 1930 (19 U.S.C. 2675 and follow-

1 ing) is amended by adding at the end thereof the following
2 new section:

3 **“SEC. 754. TEMPORARY SUSPENSION OF DUTIES.**

4 “(a) AUTHORITY.—

5 “(1) IN GENERAL.—The administering author-
6 ity may suspend for a period of up to one year the
7 imposition of antidumping duties or countervailing
8 duties in whole or in part with respect to one or
9 more particular products covered in an order under
10 this title or section 303, or in a finding under the
11 Antidumping Act, 1921, if the administering author-
12 ity determines that prevailing market conditions re-
13 lated to the availability of the product in the United
14 States make imposition of such duties inappropriate.

15 “(2) OPPORTUNITY TO COMMENT.—A suspen-
16 sion may not be ordered under paragraph (1) unless
17 potentially affected parties have had an opportunity
18 to comment on the suspension.

19 “(3) EXTENSION OF SUSPENSION OF DUTIES.—
20 A suspension under paragraph (1) may be extended,
21 after opportunity for potentially affected parties to
22 comment on the extension, for additional periods of
23 not more than one year each.

24 “(4) REINSTATEMENT OF DUTIES.—Duties sus-
25 pended under this section may be reinstated at any

1 time, after opportunity for potentially affected par-
2 ties to comment on the reinstatement, if the admin-
3 istering authority determines that there is insuffi-
4 cient basis for continuing the suspension.

5 “(b) POTENTIALLY AFFECTED PARTY.—For pur-
6 poses of this section, the term ‘potentially affected party’
7 means, with respect to an order or finding described in
8 subsection (a)(1)—

9 “(1) any person who filed a petition pursuant
10 to which the order or finding was issued;

11 “(2) any producer or consumer of the product
12 in the United States; and

13 “(2) a United States importer of the product or
14 a distributor of the product in the United States.”.

15 (b) CONFORMING AMENDMENT.—The table of con-
16 tents for title VII of the Tariff Act of 1930 is amended
17 by inserting after the item relating to section 753 the fol-
18 lowing new item:

“Sec. 754. Temporary suspension of duties.”.

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