

106TH CONGRESS
2D SESSION

S. 3116

To amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27 (legislative day, SEPTEMBER 22), 2000

Mr. BREAUX (for himself, Mr. CRAIG, Mr. CONRAD, Mr. DASCHLE, Ms. LANDRIEU, Mr. AKAKA, Mr. DORGAN, Mr. ENZI, Mr. BURNS, Mr. GRAMS, Mr. THOMAS, Mr. KERREY, Mr. CRAPO, Mr. BAUCUS, Mr. ABRAHAM, Mr. GRAHAM, Mr. INOUYE, Mr. CAMPBELL, and Mr. MACK) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Harmonized Tariff Schedule of the United States to prevent circumvention of the sugar tariff-rate quotas.

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. PREVENTION OF CIRCUMVENTION OF SUGAR**
4 **TARIFF-RATE QUOTAS.**

5 (a) ANTICIRCUMVENTION.—

6 (1) AMENDMENT TO ADDITIONAL U.S.
7 NOTES.—Additional U.S. Note 5(a)(i) of chapter 17

1 of the Harmonized Tariff Schedule of the United
2 States is amended—

3 (A) in the first sentence, by striking “and
4 2106.90.44,” and inserting “1702.90.40, and
5 2106.90.44, and any other article (other than
6 an article classified under subheading 1701.11
7 or 1701.12) that is entered, or withdrawn from
8 warehouse for consumption, if the article is sub-
9 sequently used for the commercial extraction or
10 production of sugar, or the article is otherwise
11 used in any manner that circumvents any quota
12 imposed pursuant to the notes to this chapter,”;
13 and

14 (B) in the second sentence, by striking
15 “and molasses” and inserting “, molasses, and
16 other articles,”.

17 (2) RATE OF DUTY.—The rate of duty in effect
18 under subheading 1701.99.10 or 1701.99.50 of the
19 Harmonized Tariff Schedule of the United States,
20 on the date of entry of articles described in the ap-
21 plicable subheading shall apply to any article which
22 the Secretary of the Treasury determines is circum-
23 venting the tariff-rate quota relating to articles de-
24 scribed in the applicable subheading.

1 (b) CONFORMING AMENDMENT.—Chapter 17 of the
 2 Harmonized Tariff Schedule of the United States is
 3 amended by striking subheading 1702.90.40 and inserting
 4 in numerical sequence the following new subheadings:

| | | | | | | |
|---|------------|--|---|---|---|----|
| “ | 1702.90.40 | Described in additional U.S. note 5 to this chapter and entered pursuant to its provisions | 3.6606¢/kg less 0.020668¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 3.143854¢/kg | Free (A*, CA, E*, IL, J, MX) | 6.58170¢/kg less 0.0622005¢/kg for each degree under 100 degrees (and fractions of degree in proportion) but not less than 5.031562¢/kg | ”. |
| | 1702.90.45 | Other | 35.74¢/kg | 28.247¢/kg less 0.4¢/kg for each degree under 100 degrees (and fractions of a degree in proportion) but not less than 18.256¢/kg (MX) | 42.05¢/kg | |

5 (c) EFFECTIVE DATE.—The amendments made by
 6 this section apply to goods entered, or withdrawn from
 7 warehouse for consumption, on or after the 15th day after
 8 the date of enactment of this Act.

○