

116TH CONGRESS
2D SESSION

H. R. 5911

To provide for the liquidation or reliquidation of certain entries of products of European Union member states exported on or before October 9, 2019, and entered on or after October 18, 2019.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2020

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

A BILL

To provide for the liquidation or reliquidation of certain entries of products of European Union member states exported on or before October 9, 2019, and entered on or after October 18, 2019.

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 maybe cited as the “For Accurate Import
5 Relief To Aid Retailers and Importers of Foreign Freights
6 Act of 2019” or “FAIR TARIFF Act of 2019”.

1 **SEC. 2. CERTAIN ENTRIES OF PRODUCTS OF EUROPEAN**
2 **UNION MEMBER STATES ENTERED AFTER OC-**
3 **TOBER 1, 2019.**

4 (a) IN GENERAL.—Notwithstanding sections 514 and
5 520 of the Tariff Act of 1930 (19 U.S.C. 1514 and 1520),
6 or any other provision of law, U.S. Customs and Border
7 Protection shall—

8 (1) liquidate or reliquidate each entry of a
9 product—

10 (A) provided for in subheading 9903.89.05,
11 9903.89.10, 9903.89.13, 9903.89.16,
12 9903.89.19, 9903.89.22, 9903.89.25,
13 9903.89.28, 9903.89.31, 9903.89.34,
14 9903.89.37, 9903.89.40, 9903.89.43,
15 9903.89.46, or 9903.89.49 of the HTS; and

16 (B) that—

17 (i) was exported to the United States
18 on or before October 9, 2019; and

19 (ii) was entered, or withdrawn from
20 warehouse for consumption, during the
21 120-day period beginning on October 18,
22 2019; and

23 (2) refund to the importer of record the amount
24 of additional duties previously collected on the entry
25 of that product by reason of the application of that
26 subheading of the HTS to the product.

1 (b) REQUEST.—

2 (1) IN GENERAL.—Liquidation or reliquidation
3 may be made under subsection (a) with respect to
4 an entry described in subsection (a) only if a request
5 is filed with the U.S. Customs and Border Protec-
6 tion not later than 90 days after the date of the en-
7 actment of this Act.

8 (2) CLARIFICATION.—The filing of an entry de-
9 scribed in subsection (a) may serve as the filing of
10 a request described in paragraph (1) with respect to
11 the entry.

12 (c) REFUND OF AMOUNTS OWED.—

13 (1) UNLIQUIDATED ENTRIES.—For an entry
14 described in subsection (a) that is unliquidated, any
15 duties, including interest, eligible for a refund under
16 subsection (a) shall be processed for purposes of liq-
17 uidation in accordance with sections 504 and 505 of
18 the Tariff Act of 1930 (19 U.S.C. 1504 and 1505).

19 (2) RELIQUIDATED ENTRIES.—Any amounts
20 owed by the United States pursuant to a reliquida-
21 tion of an entry described in subsection (a) (includ-
22 ing interest from the date of entry) shall be re-
23 funded not later than 90 days after the date on
24 which the request for reliquidation is filed under
25 subsection (b).

1 (d) HTS DEFINED.—In this section, the term
2 “HTS” means the Harmonized Tariff Schedule of the
3 United States.

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