

Union Calendar No. 797

118TH CONGRESS
2^D SESSION

H. R. 7979

[Report No. 118-948]

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2024

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

DECEMBER 24, 2024

Additional sponsors: Mr. DUNCAN and Mr. MORAN

DECEMBER 24, 2024

Reported with an amendment, committed to the Committee of the Whole
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on April 15, 2024]

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—*

10 *(1) in subsection (a)(2)—*

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

14 *(B) in subparagraph (C)—*

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

17 *(ii) by striking the period at the end*
 18 *and inserting “; and”;*

19 *(C) in the matter following subparagraph*
 20 *(C), by striking “The privilege” and all that fol-*
 21 *lows through “; and”;*

22 *(2) by redesignating subsection (b) as subsection*
 23 *(d); and*

24 *(3) by inserting after subsection (a) the fol-*
 25 *lowing:*

1 “(b)(1) *The privilege of subparagraph (A), (B), or (C)*
2 *of subsection (a)(2) shall not be granted in any case in*
3 *which merchandise covered by a single order or contract*
4 *is forwarded in separate lots to secure the benefit of such*
5 *subsection.*

6 “(2) *The privilege of subparagraph (C) of subsection*
7 *(a)(2) shall not be granted with respect to any article that*
8 *is subject to duties or other import restrictions under any*
9 *of the following provisions of law:*

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

11 “(B) *Section 201 of the Trade Act of 1974 (19*
12 *U.S.C. 2251).*

13 “(C) *Section 301 of the Trade Act of 1974 (19*
14 *U.S.C. 2411).*

15 “(D) *Section 232 of the Trade Expansion Act of*
16 *1962 (19 U.S.C. 1862).*

17 “(3)(A) *No covered article may receive the privilege*
18 *of subparagraph (C) of subsection (a)(2) unless the 10-digit*
19 *classification of the article under the Harmonized Tariff*
20 *Schedule of the United States is provided to U.S. Customs*
21 *and Border Protection, pursuant to an authorized electronic*
22 *data interchange system, as part of the entry filing in ac-*
23 *cordance with section 498 of this Act, in addition to any*
24 *other information required by law.*

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

5 “(c) Any person who enters, introduces, or attempts
6 to introduce an article in violation of this section is liable
7 for a civil penalty of \$5,000 for the first violation; and
8 \$10,000 for each subsequent violation. A penalty imposed
9 under this subsection is in addition to any other penalty
10 authorized by law.”.

11 (b) *EFFECTIVE DATE.*—The amendments made by this
12 section shall apply with respect to articles entered, or with-
13 drawn from warehouse for consumption, on or after the
14 30th day after the date of the enactment of this Act.

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