

Suspend the Rules and Pass the Bill, H.R. 4979, with An Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

115TH CONGRESS
2^D SESSION

H. R. 4979

To extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2018

Mr. REICHERT (for himself, Mr. PASCRELL, Mr. BRADY of Texas, Mr. NEAL, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. SMITH of Nebraska, Mr. KELLY of Pennsylvania, and Mr. MEEHAN) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend the Generalized System of Preferences and to make technical changes to the competitive need limitations provision of the program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. EXTENSION OF GENERALIZED SYSTEM OF**
2 **PREFERENCES.**

3 (a) IN GENERAL.—Section 505 of the Trade Act of
4 1974 (19 U.S.C. 2465) is amended by striking “December
5 31, 2017” and inserting “December 31, 2020”.

6 (b) EFFECTIVE DATE.—

7 (1) IN GENERAL.—The amendment made by
8 subsection (a) shall apply to articles entered on or
9 after the 30th day after the date of the enactment
10 of this Act.

11 (2) RETROACTIVE APPLICATION FOR CERTAIN
12 LIQUIDATIONS AND RELIQUIDATIONS.—

13 (A) IN GENERAL.—Notwithstanding sec-
14 tion 514 of the Tariff Act of 1930 (19 U.S.C.
15 1514) or any other provision of law and subject
16 to subparagraph (B), any entry of a covered ar-
17 ticle to which duty-free treatment or other pref-
18 erential treatment under title V of the Trade
19 Act of 1974 (19 U.S.C. 2461 et seq.) would
20 have applied if the entry had been made on De-
21 cember 31, 2017, that was made—

22 (i) after December 31, 2017, and

23 (ii) before the effective date specified
24 in paragraph (1),

1 shall be liquidated or reliquidated as though
2 such entry occurred on the effective date speci-
3 fied in paragraph (1).

4 (B) REQUESTS.—A liquidation or reliqui-
5 dation may be made under subparagraph (A)
6 with respect to an entry only if a request there-
7 for is filed with U.S. Customs and Border Pro-
8 tection not later than 180 days after the date
9 of the enactment of this Act that contains suffi-
10 cient information to enable U.S. Customs and
11 Border Protection—

12 (i) to locate the entry; or

13 (ii) to reconstruct the entry if it can-
14 not be located.

15 (C) PAYMENT OF AMOUNTS OWED.—Any
16 amounts owed by the United States pursuant to
17 the liquidation or reliquidation of an entry of a
18 covered article under subparagraph (A) shall be
19 paid, without interest, not later than 90 days
20 after the date of the liquidation or reliquidation
21 (as the case may be).

22 (3) DEFINITIONS.—In this subsection:

23 (A) COVERED ARTICLE.—The term “cov-
24 ered article” means an article from a country
25 that is a beneficiary developing country under

1 title V of the Trade Act of 1974 (19 U.S.C.
2 2461 et seq.) as of the effective date specified
3 in paragraph (1).

4 (B) ENTER; ENTRY.—The terms “enter”
5 and “entry” include a withdrawal from ware-
6 house for consumption.

7 (c) ANNUAL REPORT ON ENFORCEMENT OF ELIGI-
8 BILITY CRITERIA.—Not later than one year after the date
9 of the enactment of this Act, and annually thereafter
10 through December 31, 2020, the United States Trade
11 Representative shall submit to the Committee on Ways
12 and Means of the House of Representatives and the Com-
13 mittee on Finance of the Senate a report on efforts to
14 ensure that countries designated as beneficiary developing
15 countries under title V of the Trade Act of 1974 (19
16 U.S.C. 2461 et seq.) are meeting the eligibility criteria set
17 forth in section 502(c) of such Act (19 U.S.C. 2462(c)).

18 **SEC. 2. TECHNICAL MODIFICATION TO PROCEDURES FOR**
19 **COMPETITIVE NEED LIMITATION AND WAIV-**
20 **ERS.**

21 Section 503 of the Trade Act of 1974 (19 U.S.C.
22 2463) is amended—

23 (1) in subsection (c)(2)—

1 (A) in the matter following subparagraph
2 (A)(i)(II), by striking “July 1” and inserting
3 “November 1”; and

4 (B) in subparagraph (E), by striking “on
5 January 1, 1995” and inserting “in any of the
6 preceding three calendar years”; and

7 (2) in subsection (d), by striking “July 1” each
8 place it appears and inserting “November 1”.

9 **SEC. 3. CUSTOMS USER FEES.**

10 Section 13031(j)(3)(A) of the Consolidated Omnibus
11 Budget Reconciliation Act of 1985 (19 U.S.C.
12 58c(j)(3)(A)) is amended by striking “February 24, 2027”
13 and inserting “August 1, 2027”.