

104TH CONGRESS
2D SESSION

S. 1765

To authorize substitution for drawback purposes of certain types of fibers
and yarns for use in the manufacture of carpets and rugs.

IN THE SENATE OF THE UNITED STATES

MAY 16, 1996

Mr. COVERDELL introduced the following bill; which was read twice and
referred to the Committee on Finance

A BILL

To authorize substitution for drawback purposes of certain
types of fibers and yarns for use in the manufacture
of carpets and rugs.

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. DRAWBACK FOR CERTAIN YARNS AND FIBERS.**

4 Section 313 of the Tariff Act of 1930 (19 U.S.C.
5 1313) is amended by adding at the end the following:

6 “(x) CARPET AND RUG PRODUCTS.—Notwithstand-
7 ing any other provision of law, when used or appearing
8 in the manufacture of products classified in heading 5703
9 of the Schedule B Classification of Exports issued by the
10 Bureau of the Census, imported duty-paid merchandise

1 shall be deemed for purposes of this section to be of the
2 same kind and quality as the duty-paid, duty-free, or do-
3 mestic merchandise which is substituted in the exported
4 product if—

5 “(1) the imported duty-paid merchandise is
6 classified under heading 5402, 5404, or 5406 of the
7 Harmonized Tariff Schedule of the United States
8 (or the equivalent heading under the Tariff Schedule
9 of the United States as set forth in Publication
10 Number 2051 of the United States International
11 Trade Commission) and the material for which sub-
12 stitution occurs is substituted on a nylon for nylon,
13 polyester for polyester, and polypropylene for poly-
14 propylene basis, regardless of the base chemical com-
15 position of the merchandise, or

16 “(2) the imported duty-paid merchandise is
17 classified under heading 5501, 5503, 5505, or 5506
18 of the Harmonized Tariff Schedule of the United
19 States (or the equivalent heading under the Tariff
20 Schedule of the United States as set forth in Publi-
21 cation Number 2051 of the United States Inter-
22 national Trade Commission) and the material for
23 which substitution occurs is substituted on a nylon
24 for nylon, polyester for polyester, and polypropylene

1 for polypropylene basis, regardless of the base chem-
2 ical composition of the merchandise.”.

3 **SEC. 2. EFFECTIVE DATE.**

4 (a) IN GENERAL.—Subject to subsection (b), the
5 amendment made by section 1 shall apply to drawback en-
6 tries filed on or after the date of the enactment of this
7 Act, regardless of any amendment to the underlying draw-
8 back contract.

9 (b) RETROACTIVE APPLICATION FOR CERTAIN
10 DRAWBACK ENTRIES.—

11 (1) RETROACTIVE APPLICATION.—Notwith-
12 standing section 514 of the Tariff Act of 1930 or
13 any other provision of law, the amendment made by
14 section 1 shall apply to any drawback claim de-
15 scribed in paragraph (2), regardless of any amend-
16 ment to the underlying drawback contract, if the ap-
17 propriate amendment to the claim is filed with the
18 Customs Service within 180 days after the date of
19 the enactment of this Act.

20 (2) CLAIMS TO WHICH APPLICABLE.—A claim
21 is described in this paragraph if it—

22 (A) was filed or liquidated on or after Jan-
23 uary 1, 1991, and before the date of the enact-
24 ment of this Act; or

1 (B) was filed before January 1, 1991, but
2 on such date of enactment the claim is unliqui-
3 dated, under protest, or in litigation, or the liq-
4 uidation of the claim is otherwise not final.

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