

EXPLANATION OF H.R.____, TO MAKE TECHNICAL AMENDMENTS TO PROVISIONS CLASSIFIED TO TITLE 19, UNITED STATES CODE, AND TO REPEAL OBSOLETE PROVISIONS IN TITLE 19, UNITED STATES CODE

BACKGROUND

Title 19, United States Code, contains various provisions relating to Customs Duties. Some of those provisions were enacted with technical errors or stylistic inconsistencies, and some are obsolete. H.R. XXXX amends those provisions to correct the technical errors and to make consistent the stylistic inconsistencies, and repeals provisions that are obsolete.

SECTION-BY SECTION ANALYSIS

SECTION 1 – TABLE OF CONTENTS

Section 1 of the bill provides a table of contents of the Act.

SECTION 2 – PURPOSES

Section 2 of the bill provides the purposes of the Act.

SECTION 3 – TECHNICAL AMENDMENTS

Section 3 of the bill makes technical amendments to provisions classified to title 19, United States Code.

The revision notes below provide additional information on certain amendments made in the bill.

In paragraph (5), section 431A(b)(1) of the Tariff Act of 1930 (19 U.S.C. 1431a(b)(1)) is amended to reflect the restatement of section 3(17)(B) of the Shipping Act of 1984 (formerly classified to 46 U.S.C. App. 1702(17)(B)) as section 40102(17) (formerly section 40102(16)) of title 46, United States Code, on the enactment of Public Law 109–304 (120 Stat. 1485), as amended by section 704(1) of the Federal Maritime Commission Authorization Act of 2017 (Public Law 115–282, title VII, 132 Stat. 4294).

In paragraph (10)(B), the amendment is made to carry out the intent of Congress in enacting section 421(4)(B)(i) of the United States-Mexico-Canada Agreement Implementation Act (Public Law 116–113, 134 Stat. 62), which amended section 516A(g)(3)(A)(i) of the Tariff Act of 1930 (19 U.S.C. 1516a(g)(3)(A)(i)) by striking “of the NAFTA or of the Agreement.” and inserting “of the Agreement or article 10.12 of the USMCA;”. The amendment made by that section 421(4)(B)(i) could not be executed because in section 516A(g)(3)(A)(i) of the Tariff Act of 1930 (19 U.S.C. 1516a(g)(3)(A)(i)), the words “of the NAFTA or of the Agreement” are followed by a comma, and not a period. Thus, the words stricken by Congress as set forth in that section 421(4)(B)(i) do not exist. With respect to the language that Congress intended to insert as set forth in that section, the

semicolon at the end is changed to a comma in the general amendment made by paragraph (10)(B), for consistency with clauses (ii), (iii), (iv), and (v) of section 516A(g)(3)(A) of the Tariff Act of 1930 (19 U.S.C. 1516a(g)(3)(A)).

In paragraph (12), section 558(b) of the Tariff Act of 1930 (19 U.S.C. 1558(b)) is amended to reflect the redesignation by section 2423(a)(1) of the Miscellaneous Trade and Technical Corrections Act of 1999 (Public Law 106–36, 113 Stat. 180) of the former subsection (h) of section 304 of the Tariff Act of 1930 (19 U.S.C. 1304) as subsection (i) of that section.

In paragraph (28), the last proviso of the first paragraph under the heading “BUREAU OF CUSTOMS” in the Treasury Department Appropriation Act, 1939 (19 U.S.C. 2076) is amended to reflect the restatement of section 3648 of the Revised Statutes (formerly classified to 31 U.S.C. 529) as subsections (a) and (b) of section 3324 of title 31, United States Code, on the enactment of Public Law 97–258 (96 Stat. 877), which enacted title 31, United States Code, as positive law.

In paragraph (35)(E), section 181(d) of the Trade Act of 1974 (19 U.S.C. 2241(d)) is amended to reflect the redesignation of section 1104 of the Internet Tax Freedom Act (47 U.S.C. 151 note) as section 1105 of that Act by section 3(1) of the Internet Tax Nondiscrimination Act (Public Law 108–435, 118 Stat. 2616).

In paragraph (38), section 301(d)(9) of the Trade Act of 1974 (19 U.S.C. 2411(d)(9)) is amended to reflect the redesignation of subsection (c) of section 306 of the Trade Act of 1974 (19 U.S.C. 2416) as subsection (d) by section 602(a)(1) of the Trade Facilitation and Trade Enforcement Act of 2015 (Public Law 114–125, 130 Stat. 184).

In paragraph (42), section 506B of the Trade Act of 1974 (19 U.S.C. 2466b) is amended to reflect the redesignation of subsection (c) of section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) as subsection (e) by subsections (b)(1) and (c)(1) of section 105 of the AGOA Extension and Enhancement Act of 2015 (Public Law 114–27, title I, 129 Stat. 366).

In paragraph (43)(C), section 901(a)(18) of the Trade Act of 1974 (19 U.S.C. 2497(a)(18)) is amended to reflect the redesignation of subsection (e) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) as subsection (a) of that section by section 12301(b)(3) of the Agriculture Improvement Act of 2018 (Public Law 115–334, 132 Stat. 4951).

In paragraph (44), section 1102(b)(4) of the Trade Agreements Act of 1979 (19 U.S.C. 2581(b)(4)) is amended to reflect the editorial reclassification of the Trading with the enemy Act to chapter 53 of title 50, United States Code (see 50 U.S.C. 4301 et seq.).

In paragraph (49)(A), subsection (e)(5)(A) of section 213 of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2703) is amended by striking “section 101 of this title” and inserting “section 211 of this title” because there is no section 101 in title II of Public Law 98–67, which title II is the Caribbean Basin Economic

Recovery Act (classified generally to (19 U.S.C. 2701 et seq.)), and because section 211 of that Act relates to proclamation of duty-free treatment.

In paragraph (56)(A), section 112(a) of the African Growth and Opportunity Act (19 U.S.C. 3721)(a) is amended to reflect the redesignation of subsection (c) of section 506A of the Trade Act of 1974 (19 U.S.C. 2466a) as subsection (e) of that section by subsections (b)(1) and (c)(1) of section 105 of the AGOA Extension and Enhancement Act of 2015 (Public Law 114–27, 129 Stat. 366).

In paragraph (57), section 113(b)(4) of the African Growth and Opportunity Act (19 U.S.C. 3722(b)(4)) is amended to provide a more precise reference to the pertinent provision.

In paragraph (63), section 813 of the Preclearance Authorization Act of 2015 (19 U.S.C. 4432) is amended to reflect the redesignation of paragraph (4) of section 44901(d) of title 49, United States Code, as paragraph (2) by section 1991(d)(1)(C)(iii) of the TSA Modernization Act (Public Law 115–254, div. K, title I, 132 Stat. 3628).

In paragraph (64), section 105(a)(2) of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4515(a)(2)) is amended to provide the correct reference to the pertinent provision. Section 411 of the United States-Mexico-Canada Agreement Implementation Act (19 U.S.C. 4581) does not contain a subsection (c). Section 412(c)(2) of that Act (19 U.S.C. 4582(c)(2)) provides for the establishment of an interagency organization, among the functions of which is to “exercise oversight of the administration of the United States Section that is authorized to be established under section 105”.

SECTION 4 - REPEALS

Section 4 of the bill repeals provisions that are obsolete.