

118TH CONGRESS
2D SESSION

H. R. 7864

To amend the Tariff Act of 1930 to treat certain merchandise as unused merchandise for drawback purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2024

Ms. VAN DUYNE (for herself and Ms. SEWELL) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To amend the Tariff Act of 1930 to treat certain merchandise as unused merchandise for drawback purposes.

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. TREATMENT OF CERTAIN MERCHANDISE AS**
4 **UNUSED FOR DRAWBACK PURPOSES.**

5 Section 313(j)(5) of the Tariff Act of 1930 (19
6 U.S.C. 1313(j)(5)) is amended to read as follows:

7 “(5)(A) For purposes of paragraphs (1)(B) and
8 (2)(C), merchandise shall be considered as not having
9 been used within the United States if the merchandise
10 is—

1 “(i) returned to inventory;
2 “(ii) commingled with merchandise that has not
3 been used within the United States; and
4 “(iii) treated in the normal course of business
5 without distinction from unused merchandise.
6 “(B) Merchandise described in subparagraph (A) is
7 not eligible for drawback under subsection (c)(1)(C)(ii).”.

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