

HR 3521

Tax Relief Extension Act of 2003

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Taxation

Introduced: Nov 19, 2003

Current Status: Read twice and referred to the Committee on Finance.

Latest Action: Read twice and referred to the Committee on Finance. (Dec 9, 2003)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/3521>

Sponsor

Name: Rep. Thomas, William M. [R-CA-22]

Party: Republican • **State:** CA • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Nov 19, 2003
Energy and Commerce Committee	House	Referred to	Dec 4, 2003
Finance Committee	Senate	Referred To	Dec 9, 2003
Ways and Means Committee	House	Referred To	Nov 19, 2003

Subjects & Policy Tags

Policy Area:

Taxation

Related Bills

No related bills are listed.

Tax Relief Extension Act of 2003 - Title I: Extension of Certain Expiring Provisions - (Sec. 1001) Amends the Internal Revenue Code to extend, for one year, provisions concerning: (1) the allowance of nonrefundable personal credits against regular and minimum tax liability; (2) the work opportunity credit; (3) the welfare-to-work credit; (4) the deduction of school teachers' expenses; (5) the deduction for corporate donations of computer technology; (6) the expensing of environmental remediation costs; (7) the five-year carryback of certain net operating losses; (8) medical savings accounts; (9) rules for life insurance companies providing that the differential earnings rate shall be treated as zero; (10) qualified zone academy bonds; (11) the District of Columbia Enterprise Zone designation; (12) the work opportunity credit with respect to the New York Liberty Zone; (13) the disclosure of tax return information relating to terrorist activity; (14) the cover over of the tax on distilled spirits; (15) parity in the application of certain limits to mental health benefits (amends similar provisions of the Employee Retirement Income Security Act of 1974 (ERISA) and the Public Health Service Act); and (16) the combined Federal and State tax reporting project initiated by the Taxpayer Relief Act of 1997.

Title II: Provisions Relating to Pensions - (Sec. 2001) Amends ERISA and the Internal Revenue Code to temporarily replace (for plan years 2004 and 2005) the 30-year Treasury rate with a rate based on long-term corporate bonds for certain pension plan funding requirements.

(Sec. 2002) Provides, for 2004 and 2005 with respect to the additional funding requirements for plans which are not multiemployer plans of commercial passenger airlines, that the increased amount shall be reduced to 20 percent of the current law increased amount.

Title III: Miscellaneous Trade and Technical Corrections - Miscellaneous Trade and Technical Corrections Act of 2003 - **Subtitle A: Tariff Provisions** - (Sec. 3001) Amends the Harmonized Tariff Schedule of the United States to strike certain expired provisions.

Chapter 1: Temporary Duty Suspensions and Reductions - (Sec. 3101) Provides for temporary duty suspensions and reductions through December 31, 2006 for certain: (1) chemicals and dyes; (2) plastics; (3) helium; (4) acrylic fiber tow; (5) compound metals; (6) cases for certain children's products; (7) bags for certain toys; (8) children's products; (9) optical instruments used in children's products; (10) epoxy molding compounds; (11) textile machinery; (12) filament yarns; (13) pesticides; (14) refracting and reflecting telescopes; (15) rubber riding boots; (16) a specified ink; (17) sawing machines; (18) manufacturing equipment; (19) shearing machines; (20) thermal release plastic film; (21) silver paints and pastes; (22) polymer masking material for aluminum capacitors; (23) necks used in cathode ray tubes; (24) combed cashmere and camel hair yarn; (25) carded cashmere yarn; (26) rayon filament yarns; (27) tire cord fabric; (28) carbon dioxide cartridges; (29) high-performance loudspeakers; (30) 12-volt batteries; (31) prepared or preserved artichokes; (32) low expansion laboratory glass; (33) stoppers, lids, and other closures; (34) night vision monoculars; (35) railway car body shells for electric multiple units (EMUs); (36) railway passenger coaches; (37) railway EMU gallery commuter coaches of stainless steel; (38) snowboard boots; (39) hand-held radio scanners; (40) mobile and base radio scanners that are combined with a clock, as well as those not combined with a clock; (41) certain fine animal hair of kashmir (cashmere) goats, as well as such hair not processed; (42) certain r-core transformers; (43) decorative plates; (44) certain satellite radio broadcasting apparatus; and (45) certain footwear.

(Sec. 3451) Extends the existing suspension of duty through December 31, 2006, for: (1) certain chemicals and dyes; (2) certain cathode-ray tubes; (3) a specified fungicide; and (4) a certain plastic.

Grants duty-free treatment through December 31, 2006, to: (1) certain cathode-ray tubes; (2) ethalfuralin (a chemical);

and (3) trifluralin (a chemical). Extends the suspension of duty through December 31, 2006, for: (1) certain polyamides; (2) DMDS (a chemical); and (3) certain railway car body shells of stainless steel. Reduces the duty on 2-methyl-4-chlorophenoxyacetic acid through December 31, 2006. Provides a duty through December 31, 2006, for Starane F (a chemical).

Chapter 2: Other Tariff Provisions - (Sec. 3501) Directs the U.S. Customs Service to liquidate or reliquidate (refund of duties) a certain entry of two tramway cars manufactured in Plzen, Czech Republic, for the use of the city of Portland, Oregon, refunding any amounts owed as a result of such liquidation or reliquidation.

(Sec. 3502) Directs the Secretary of the Treasury to admit free of duty into the United States a replica of the Liberty Bell imported from the Whitechapel Bell Foundry of London, England, by the Liberty Memorial Association of Green Bay and Brown County, Wisconsin, for use by the city of Green Bay, Wisconsin, and Brown County, Wisconsin.

(Sec. 3503) Directs the U.S. Customs Service to reliquidate certain entries of cotton gloves and posters, refunding any amounts owed as a result of such reliquidation.

(Sec. 3505) Directs the U.S. Customs Service to liquidate or reliquidate specified entries of posters and refund excess duties or relieve the importer of record of any excess duties, penalties, or associated fines.

(Sec. 3506) Directs the U.S. Customs Service to liquidate or reliquidate specified entries of 13-inch televisions and pay amounts owed.

(Sec. 3507) Directs the U.S. Customs Service to liquidate or reliquidate certain entries of neoprene synchronous timing belts, roller chain (without assessment of interest accrued after December 31, 1994), and specified drawback claims relating to juices entered in April 1993 and March 1994, certain posters entered during 2000 and 2001, certain entries at the ports of Laredo and Hidalgo, Texas, and Wilmington, Delaware, and certain railway passenger coaches, refunding any amounts owed as a result of such liquidation or reliquidation.

(Sec. 3511) Requires the U.S. Customs Service to reliquidate certain entries prematurely liquidated and to refund any amounts owed.

(Sec. 3521) Amends the Harmonized Tariff Schedule of the United States to provide duty treatment for hair clippers to be used for agricultural or horticultural purposes (including parts of hair clippers).

(Sec. 3522) Provides duty-free treatment for certain tractor parts suitable for agricultural use.

(Sec. 3523) Provides duty treatment for flexible magnets and composite goods containing flexible magnets.

(Sec. 3524) Amends the Tariff Act of 1930 and the Harmonized Tariff Schedule of the United States to declare that the duty imposed on vessels (equipment) purchased, or the repair of such vessels, in a foreign country and documented under U.S. laws to engage in the foreign or coasting trade shall not apply to the cost of such equipment, repair parts, and materials that are installed on such vessel, if the installation is done by members of the regular vessel crew while on the high seas.

(Sec. 3525) Amends the Trade Act of 1974 to provide duty-free treatment under the Generalized System of Preferences for certain hand-knotted or hand-woven carpets.

(Sec. 3526) Amends the Tariff Act of 1930 to allow a drawback (refund) of duties on certain articles imported into the

United States and later shipped to the U.S. Virgin Islands, American Samoa, Wake Island, Midway Islands, Kingman Reef, Guam, Canton Island, Enderbury Island, Johnston Island, or Palmyra Island.

(Sec. 3527) Extends to unused merchandise merely entered into United States and, within a specified time period, later exported or destroyed the mandatory drawback (refund) of duties paid on unused merchandise that is imported and then exported or destroyed.

(Sec. 3528) Amends the Caribbean Basin Economic Recovery Act to limit to specified footwear the import-sensitive exclusion of footwear from duty.

Provides duty-free treatment for certain footwear that: (1) is the growth, product, manufacture of a Caribbean Basin Trade Partnership Act (CBTPA) beneficiary country; and (2) meets certain other requirements.

(Sec. 3529) Amends the Tariff Suspension and Trade Act of 2000 to extend for an additional four years the designation of the San Antonio International Airport in San Antonio, Texas, as an airport at which certain private aircraft arriving in the United States from a foreign area may land for processing by the U.S. Customs Service.

(Sec. 3530) Directs the Commissioner of the Customs Service to seek to establish Integrated Border Inspection Areas (IBIAs) on either side of the United States-Canada border in which U.S. Customs officers can inspect vehicles before they enter the United States from Canada, or Canadian customs officers can inspect vehicles before they enter Canada from the United States. Sets forth certain program elements, including to: (1) locate IBIAs in an area with bridges or tunnels with high traffic volume, significant commercial activity, and a history of backups and delays since September 11, 2001; and (2) ensure that U.S. Customs officers stationed in any IBIA on the Canadian side of the border are vested with the maximum authority to carry out their duties and enforce U.S. law, and possess the same immunity they would possess if stationed in the United States. Requires the Commissioner to encourage the appropriate U.S. officials to enter into an agreement with Canada permitting Canadian Customs officers stationed in any IBIA on the United States side of the border to enjoy such immunities as permitted in Canada.

(Sec. 3531) Amends the Tariff Act of 1930 to provide the Secretary of the Treasury the authority to designate foreign law enforcement officers as officers of the U.S. Customs Service. Authorizes the Secretary to station U.S. customs officers in foreign countries to inspect persons and merchandise subsequent to their exit from the United States.

Authorizes the stationing in the United States of agriculture inspection officials of a foreign country (if similar privileges are extended by that country to U.S. officials) to insure that persons and merchandise going directly to that country from the United States, or that have gone directly from that country to the United States, comply with the customs and other laws of such country governing the importation or exportation of merchandise. Authorizes foreign inspection officials stationed in the United States to exercise such functions, perform such duties, and enjoy such privileges and immunities as U.S. officials are authorized to perform in that foreign country by treaty, agreement, or law.

(Sec. 3532) Amends the Harmonized Tariff Schedule of the United States to extend through 2015 the Production Incentive Certificate program (PIC), which reimburses watch and jewelry producers in the U.S. Virgin Islands, Guam, and American Samoa ("insular possessions") for import duties. Includes fringe benefits (customary health insurance, life insurance, and pension) in determining verified creditable wages, which are used for calculations to determine refund totals.

Includes in the reimbursement to producers of watches in the insular possessions, the difference between the amount that would have been due on a producer's non-digital watches during the preceding year under duty rates existing on

January 1, 2001, and the amount due under the actual duty rates of that preceding calendar year.

Increases the unit per producer limit for jewelry products of the insular possessions, while retaining the overall unit and dollar value limits for the PIC program.

Revises certain requirements for duty-free treatment of articles of jewelry as products of the insular possessions. Requires treatment as such a product if the article of jewelry is: (1) assembled in an insular possession by a jewelry manufacturer or jewelry assembler that commenced manufacturing or assembly in such territory after August 9, 2001; and (2) entered into the United States within 18 months after the manufacturer or assembler commenced operations.

(Sec. 3533) Amends the Tariff Act of 1930 to revise provisions requiring a refund of duties (drawback) on articles or merchandise which has been exported or destroyed under the supervision of the Customs Service within three years after importation or withdrawal, and which, among other things, is ultimately sold at retail by the importer, or the person who received the merchandise from the importer under a certificate of delivery, and for any reason returned to and accepted by the importer or the person who received the merchandise from the importer under a certificate of delivery. Authorizes a drawback to be claimed by designating any entry of such merchandise that was imported within one year before its exportation or destruction. Prohibits the allowance of a drawback unless the completed article is exported or destroyed under the supervision of the Customs Service within five years after its importation.

Sets forth drawback requirements with regard to: (1) use of domestic merchandise acquired in exchange for imported merchandise of same kind and quality; (2) packaging material; and (3) liquidation of entries.

Sets forth penalties for false drawback claims.

Chapter 3: Effective Date - (Sec. 3501) Sets forth the effective date for amendments made by this title.

Subtitle B: Other Trade Provisions - Chapter 1: Miscellaneous Provisions - (Sec. 3601) Authorizes the President to extend nondiscriminatory treatment (normal trade relations treatment) to the products of Armenia.

(Sec. 3602) Amends the Internal Revenue Code with respect to the cellar treatment of domestic and imported natural wine.

(Sec. 3603) States that, with respect to certain currently excluded non-import-sensitive articles (handbags, luggage, flat goods, work gloves, and leather wearing apparel) imported into the United States from Andean Trade Promotion and Drug Eradication Act (ATPDEA) beneficiary countries (Bolivia, Ecuador, Colombia, and Peru), the entry of any such article on or after August 6, 2002, and before the date that the President proclaims duty-free treatment for such article, shall be subject to the rate of duty applicable on August 5, 2002. Requires the liquidation or reliquidation of such entries as if the reduced duty preferential treatment applied. Requires the Secretary of the Treasury to refund any excess duties paid. Prescribes requirements for request of such liquidation or reliquidation.

(Sec. 3604) Amends the Trade Act of 2002 to revise certain reporting requirements to direct the Comptroller General to study and report to specified congressional committees on the extent to which the amount of certain imposed customs user fees approximates (currently, is commensurate with) the cost of services provided by the Customs Service.

Amends the African Growth and Opportunity Act (AGOA) and the Caribbean Basin Economic Recovery Act (CBERA) to revise certain requirements with respect to the duty-free treatment of certain apparel articles that are imported into the United States from CBTPA or sub-Saharan African beneficiary countries.

Amends the Andean Trade Preference Act with respect to U.S. vessels whose harvested tuna (prepared or preserved in a certain way in an Andean Trade Promotion and Drug Eradication Act (ATPDEA) beneficiary country) may enter the United States free of duty and free of any quantitative restrictions. Treats as a U.S. vessel, in addition to those with fishery endorsements on their certificates of documentation, any vessel without a fishery endorsement which is documented under U.S. laws and licensed under the South Pacific Tuna Act of 1988.

Directs the Customs Service to liquidate or reliquidate as free of duty and free of any quantitative restrictions, limitations, or consultation levels certain entries of apparel articles made on or after October 1, 2000, which meet certain CBERA or AGOA requirements.

Amends the Textile Products Identification Act to prescribe marking requirements for certain imported socks.

Chapter 2: Technical Amendments Relating to Entry and Protest - (Sec. 3701) Amends the Tariff Act of 1930 to state that entries filed as required by an importer of record shall not be liquidated if covered by an import activity summary (IAS) statement. Subjects to liquidation or reliquidation, however, each reconfigured entry of merchandise in such a statement.

Increases from 15 months to 21 months after an importer declares his intent to file it the deadlines for filing a reconciliation with regard to identified entry elements.

(Sec. 3702) Declares that a reconfigured entry, filed under an IAS statement, which is not liquidated within one year from the date such statement is filed or should have been filed, whichever is earlier, shall be deemed liquidated at the rate of duty, value, quantity, and amount of duties asserted at the time of entry by the importer of record.

(Sec. 3703) Revises requirements for protests of final decisions of the Customs Service. Increases the period of time within which a protest must be filed from 90 to 180 days after (but not before) the date (currently, notice) of liquidation or reliquidation, or, in the case of a surety with an unsatisfied legal claim under its bond, from the date of mailing of notice of demand for payment against the bond.

(Sec. 3704) Repeals the 90 day deadline for the filing of a request for an accelerated disposition of a protest.

(Sec. 3705) Repeals the authority of the Customs Service, even though a valid protest has not been not filed, to reliquidate an entry or reconciliation to correct: (1) a clerical error, mistake of fact, or other inadvertence, whether or not resulting from or contained in electronic transmission, not amounting to an error in the construction of a law, adverse to the importer and manifest from the record or established by documentary evidence, in any entry, liquidation, or other customs transaction, when the error, mistake, or inadvertence is brought to the attention of the Customs Service within one year after the date of liquidation or exaction; or (2) any assessment of duty on household or personal effects in respect of which an application for refund has been filed, with such employee as the Secretary of the Treasury shall designate, within one year after the date of entry.

(Sec. 3706) Defines reconfigured entry as one filed on an IAS statement which substitutes for all or part of one or more entries filed with the Customs Service or filed on a reconciliation entry that aggregates the entry elements to be reconciled for purposes of liquidation, reliquidation, or protest.

Chapter 3: Protection of Intellectual Property Rights - (Sec. 3751) Amends the Trade Act of 1974 to require the U.S. Trade Representative to make specified determinations about U.S. rights within 30 days after a dispute settlement procedure is concluded if the USTR considers that U.S. rights are involved under the Agreement on Trade-Related

Aspects of Intellectual Property Rights (TRIPS Agreement) or the GATT 1994 relating to products subject to intellectual property protection.

Actions Timeline

- **Dec 9, 2003:** Read twice and referred to the Committee on Finance.
- **Dec 4, 2003:** Referred to the Subcommittee on Health.
- **Nov 21, 2003:** Received in the Senate.
- **Nov 20, 2003:** Mr. McCrery moved to suspend the rules and pass the bill, as amended.
- **Nov 20, 2003:** Considered under suspension of the rules. (consideration: CR H11762-11833)
- **Nov 20, 2003:** DEBATE - The House proceeded with forty minutes of debate on H.R. 3521.
- **Nov 20, 2003:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H11762-11827)
- **Nov 20, 2003:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H11762-11827)
- **Nov 20, 2003:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 19, 2003:** Introduced in House
- **Nov 19, 2003:** Introduced in House
- **Nov 19, 2003:** Referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
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