

## S 3725

### Enforcing Orders and Reducing Circumvention and Evasion Act of 2010

**Congress:** 111 (2009–2011, Ended)

**Chamber:** Senate

**Policy Area:** Foreign Trade and International Finance

**Introduced:** Aug 5, 2010

**Current Status:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S6891-6893)

**Latest Action:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S6891-6893) (Aug 5, 2010)

**Official Text:** <https://www.congress.gov/bill/111th-congress/senate-bill/3725>

#### Sponsor

**Name:** Sen. Wyden, Ron [D-OR]

**Party:** Democratic • **State:** OR • **Chamber:** Senate

#### Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Schumer, Charles E. [D-NY]	D · NY		Aug 5, 2010
Sen. Snowe, Olympia J. [R-ME]	R · ME		Aug 5, 2010
Sen. Brown, Sherrod [D-OH]	D · OH		Sep 28, 2010
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 28, 2010
Sen. Sanders, Bernard [I-VT]	I · VT		Sep 28, 2010

#### Committee Activity

Committee	Chamber	Activity	Date
Finance Committee	Senate	Referred To	Aug 5, 2010

#### Subjects & Policy Tags

##### Policy Area:

Foreign Trade and International Finance

#### Related Bills

Bill	Relationship	Last Action
111 HR 6549	Related bill	Dec 17, 2010: Referred to the House Committee on Ways and Means.

Enforcing Orders and Reducing Circumvention and Evasion Act of 2010 - Amends the Tariff Act of 1930 to require the administering authority to initiate an antidumping duty or countervailing duty investigation with respect to the importation of covered merchandise into the United States that is: (1) subject to an antidumping duty order or countervailing duty order; and (2) mislabeled, misidentified, or misreported as merchandise that is not subject to such order or finding, or that is subject to a lower rate of duty than the applicable rate under such order or finding.

Requires the administering authority also to initiate such investigations upon receiving: (1) a petition alleging the importation of covered merchandise; or (2) a referral by the Commissioner for U.S. Customs and Border Protection (CBP).

Requires the administering authority in cases of an affirmative preliminary determination to instruct CBP to: (1) suspend liquidation of entry of each covered merchandise; and (2) require the posting of a cash bond for each entry.

Requires the administering authority in cases of an affirmative final determination to instruct CBP to: (1) assess duties on such merchandise pursuant to the order or finding; (2) reliquidate such merchandise in accordance with the order or finding; and (3) review bond amounts posted for covered merchandise entered into the United States.

Directs the Commissioner to establish procedures to: (1) permit interested parties to file a petition with the CBP alleging the importation of covered merchandise; (2) authorize the CBP to investigate such allegations and make determinations or referrals to the administering authority with respect to the importation; and (3) suspend liquidation of entries of covered merchandise, require the posting of bond, and assess any duties.

Requires the administering authority and the Commissioner to take certain actions in cases where the producer or exporter of covered merchandise is unknown.

Requires only a single protective order for concurrent proceedings covering the same subject merchandise. Requires any protective order to authorize the use of business proprietary information made available pursuant to a protective order in proceedings before the CBP.

Requires the Commissioner, to the maximum extent practicable, to ensure that CBP employs and assigns sufficient personnel to prevent the importation of merchandise in a manner that evades antidumping and countervailing duty orders.

Applies the amendments made by this Act to goods from Canada and Mexico.

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## **Actions Timeline**

- **Aug 5, 2010:** Introduced in Senate
- **Aug 5, 2010:** Sponsor introductory remarks on measure. (CR S6890-6891)
- **Aug 5, 2010:** Read twice and referred to the Committee on Finance. (text of measure as introduced: CR S6891-6893)