

112TH CONGRESS  
1ST SESSION

# S. 682

To provide for reliquidation of certain entries of medium density fiberboard.

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IN THE SENATE OF THE UNITED STATES

MARCH 30, 2011

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

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## A BILL

To provide for reliquidation of certain entries of medium density fiberboard.

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. RELIQUIDATION OF CERTAIN ENTRIES OF ME-**  
4 **DIUM DENSITY FIBERBOARD.**

5 (a) IN GENERAL.—Notwithstanding section 514 of  
6 the Tariff Act of 1930 (19 U.S.C. 1514) or any other pro-  
7 vision of law, if a request described in subsection (c) is  
8 filed with U.S. Customs and Border Protection, U.S. Cus-  
9 toms and Border Protection shall liquidate or reliquidate  
10 entries described in subsection (b) at the rate of duty of  
11 3.2 percent ad valorem.

1 (b) ENTRIES DESCRIBED.—The entries described in  
2 this subsection are entries of fiberboard produced using  
3 the dry method of production, otherwise known as medium  
4 density fiberboard—

5 (1) that were classified under subheading  
6 4411.19.40 of the Harmonized Tariff Schedule of  
7 the United States at the time of entry;

8 (2) that are substantially similar to the mer-  
9 chandise that was the subject of the Court of Inter-  
10 national Trade and the Court of Appeals for the  
11 Federal Circuit decisions in Faus Group, Inc. v.  
12 United States, 581 F.3d 1369 (2009), and Witex  
13 USA, Inc. v. United States, 333 Fed. App 569  
14 (2009);

15 (3) that were entered on or after January 1,  
16 1998, and before January 1, 2002;

17 (4) that were produced using the dry method of  
18 production; and

19 (5) with respect to which a request for reliqui-  
20 dation, provided for in subsection (c), is filed.

21 (c) REQUEST FOR RELIQUIDATION.—

22 (1) IN GENERAL.—Any importer seeking a liq-  
23 uidation or reliquidation pursuant to subsection (a)  
24 shall file a proper request with U.S. Customs and  
25 Border Protection before the 90th day after the date

1 of the enactment of this Act that contains sufficient  
2 information to enable U.S. Customs and Border  
3 Protection—

4 (A) to locate the entry; or

5 (B) to reconstruct the entry if it cannot be  
6 located.

7 (2) INFORMATION TO BE PROVIDED.—The in-  
8 formation required by this subsection may include  
9 the Entry Summary Documents (CBP Form 7501)  
10 for the entries and supporting documents needed to  
11 demonstrate to the satisfaction of U.S. Customs and  
12 Border Protection that the merchandise was entered.

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