Public Law 91-654

AN ACT

January 5, 1971
[H. R. 16745]

To limit, in the case of certain special service vessels, the application of the duties imposed on equipments and repair parts purchased for, and repairs made to, United States vessels in foreign countries.

U.S. service vessels. Equipment and repairs, duty exemption. 46 Stat. 719. 19 USC 257, 258.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 466 of the Tariff Act of 1930 is amended to read as follows:

"SEC. 466. EQUIPMENT AND REPAIRS OF VESSELS.

"(a) The equipments, or any part thereof, including boats, purchased for, or the repair parts or materials to be used, or the expenses of repairs made in a foreign country upon a vessel documented under the laws of the United States to engage in the foreign or coasting trade, or a vessel intended to be employed in such trade, shall, on the first arrival of such vessel in any port of the United States, be liable to entry and the payment of an ad valorem duty of 50 per centum on the cost thereof in such foreign country; and if the owner or master of such vessel shall willfully and knowingly neglect or fail to report, make entry, and pay duties as herein required, such vessel, with her tackle, apparel, and furniture, shall be seized and forfeited. For the purposes of this section, compensation paid to members of the regular crew of such vessel in connection with the installation of any such equipments or any part thereof, or the making of repairs, in a foreign country, shall not be included in the cost of such equipment or part thereof, or of such repairs.

Crew compensation, exclusion.

Conditions.

"(b) If the owner or master of such vessel furnishes good and sufficient evidence that—

"(1) such vessel, while in the regular course of her voyage, was compelled, by stress of weather or other casualty, to put into such foreign port and purchase such equipments, or make such repairs, to secure the safety and seaworthiness of the vessel to enable her to reach her port of destination;

"(2) such equipments or parts thereof or repair parts or materials, were manufactured or produced in the United States, and the labor necessary to install such equipments or to make such repairs was performed by residents of the United States, or by members of the regular crew of such vessel; or

"(3) such equipments, or parts thereof, or materials, or labor, were used as dunnage for cargo, or for the packing or shoring thereof, or in the erection of temporary bulkheads or other similar devices for the control of bulk cargo, or in the preparation (without permanent repair or alteration) of tanks for the carriage of liquid cargo;

Duties, refund.

then the Secretary of the Treasury is authorized to remit or refund such duties, and such vessel shall not be liable to forfeiture, and no license or enrollment and license, or renewal of either, shall hereafter be issued to any such vessel until the collector to whom application is made for the same shall be satisfied, from the oath of the owner or master, that all such equipments or parts thereof or materials and repairs made within the year immediately preceding such application have been duly accounted for under the provisions of this section,

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and the duties accruing thereon duly paid; and if such owner or master shall refuse to take such oath, or take it falsely, the vessel shall be seized and forfeited.

"(c) In the case of any vessel designed and used primarily for purposes other than transporting passengers or property in the foreign or coasting trade which arrives in a port of the United States two years or more after its last departure from a port of the United States, the duties imposed by this section shall apply only with respect to (1) fish nets and netting, and (2) other equipments, and parts thereof, and repair parts and materials purchased, or repairs made, during the first six months after the last departure of such vessel from a port of the United States."

SEC. 2. (a) The amendment made by the first section of this Act shall apply with respect to entries made in connection with arrivals of vessels on or after the date of the enactment of this Act.

Shrimp vessels.

(b) Upon request therefor filed with the customs officer concerned on or before the ninetieth day after the date of the enactment of this Act, any entry in connection with the arrival of a vessel used primarily for the catching of shrimp—

(1) which was made after January 1, 1969, and before the date of the enactment of this Act, and

(2) with respect to which there would have been no duty if the amendment made by the first section of this Act applied to such entry,

shall, notwithstanding the provisions of section 514 of the Tariff Act of 1930 or any other provision of law, be liquidated or reliquidated as though such entry had been made on the day after the date of the enactment of this Act.

Ante, p. 284.

Repeals.

SEC. 3. Effective with respect to entries made in connection with arrivals of vessels on or after the date of the enactment of this Act (or treated under section 2 as made on the day after such date), sections 3114 and 3115 of the Revised Statutes of the United States (19 U.S.C. 257 and 258) are repealed.

Approved January 5, 1971.

Public Law 91-655

AN ACT

January 5, 1971
[H. R. 7311]

To amend item 709.10 of the Tariff Schedules of the United States to provide that the rate of duty on parts of stethoscopes shall be the same as the rate on stethoscopes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the article description for item 709.10 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended to read as follows: "Percussion hammers, stethoscopes, and parts of stethoscopes".

Stethoscope parts.
Duty.
77A Stat. 342; 79 Stat. 945.

(b) The amendment made by subsection (a) shall apply with respect to articles entered, or withdrawn from warehouse, for consumption after the date of the enactment of this Act.

Approved January 5, 1971.