

107TH CONGRESS
1ST SESSION

S. 834

To provide duty-free treatment for certain steam or other vapor generating
boilers used in nuclear facilities.

IN THE SENATE OF THE UNITED STATES

MAY 4, 2001

Mr. MURKOWSKI (for himself, Mr. BINGAMAN, and Mr. KYL) introduced the
following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide duty-free treatment for certain steam or other
vapor generating boilers used in nuclear facilities.

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. SHORT TITLE.**

4 This Act may be cited as the “Generator Tariff
5 Elimination Act”.

6 **SEC. 2. DUTY-FREE TREATMENT FOR CERTAIN BOILERS**
7 **USED IN NUCLEAR FACILITIES.**

8 (a) IN GENERAL.—Chapter 84 of the Harmonized
9 Tariff Schedule of the United States is amended by strik-
10 ing subheading 8402.11.00 and inserting the following

1 new subheadings, with the article description for sub-
 2 heading 8402.11 having the same degree of indentation
 3 as the article description for subheading 8402.12.00:

“	8402.11	Watertube boilers with a steam production exceeding 45 t per hour	Free 5.2%	Free (A, CA, E, IL, J, MX)	45% 45%	”.
	8402.11.10	For use in nuclear reactors				
	8402.11.20	Other				

4 (b) EFFECTIVE DATE.—

5 (1) IN GENERAL.—The amendment made by
 6 subsection (a) applies with respect to goods entered,
 7 or withdrawn from warehouse for consumption, on
 8 or after the 15th day after the date of the enact-
 9 ment of this Act.

10 (2) APPLICATION TO LIQUIDATIONS OR RELIQ-
 11 UIDATIONS.—Notwithstanding section 514 of the
 12 Tariff Act of 1930 or any other provision of law and
 13 subject to paragraph (3), any article described in
 14 subheading 8402.11.10 of the Harmonized Tariff
 15 Schedule of the United States, as added by sub-
 16 section (a) that was entered, or withdrawn from
 17 warehouse for consumption—

18 (A) on or after January 1, 2000, and

19 (B) before the date that is 15 days after
 20 the date of the enactment of this Act,

21 shall be liquidated or reliquidated as if such sub-
 22 heading 8402.11.10 applied to such entry or with-
 23 drawal, and the Secretary of the Treasury shall re-

1 fund any excess duty paid with respect to such
2 entry.

3 (3) REQUESTS.—Liquidation or reliquidation
4 may be made under paragraph (2) with respect to
5 any entry only if a request therefor is filed with the
6 Customs Service, within 180 days after the date of
7 the enactment of this Act, that contains sufficient
8 information to enable the Customs Service—

9 (A) to locate the entry; or

10 (B) to reconstruct the entry if it cannot be
11 located.

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