

110TH CONGRESS  
2D SESSION

# S. 3242

To suspend temporarily the duty on digital-to-analog converter boxes, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 10 (legislative day, JULY 9), 2008

Mrs. LINCOLN (for herself and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on digital-to-analog converter boxes, and for other purposes.

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 “Digital Television  
5 Transition Consumer Relief Act of 2008”.

6 **SEC. 2. TEMPORARY DUTY SUSPENSION AND RELIQUIDA-**  
7 **TION OF CERTAIN DIGITAL-TO-ANALOG CON-**  
8 **VERTER BOXES AND TELEVISION TUNERS.**

9 (a) FINDINGS.—Congress finds the following:

1           (1) The Digital Television Transition and Pub-  
2           lic Safety Act of 2005 (Public Law 109–171) pro-  
3           vided that all full power television broadcasts be  
4           switched to digital format on February 17, 2009.

5           (2) Nearly 20,000,000 United States consumers  
6           do not subscribe to cable or satellite television serv-  
7           ice and millions more have untethered television sets  
8           that only receive over-the-air signals.

9           (3) Upon the conversion to the digital format  
10          mandated by Congress, these households will no  
11          longer receive any television signal unless they are  
12          equipped with digital-to-analog converters.

13          (4) Low and middle income families, rural resi-  
14          dents, American Indians, senior citizens, the  
15          infirm and the physically and mentally impaired  
16          are less likely to own television sets capable of re-  
17          ceiving a digital signal without the purchase of dig-  
18          ital-to-analog converters.

19          (5) The conversion to an all digital format  
20          should not place an unfair economic burden on those  
21          families of the United States least able to afford it.

22          (6) The U.S. Customs and Border Protection  
23          agency is collecting an import tax, or duty, on con-  
24          verter boxes, which adds to the costs of converting  
25          to receiving a digital signal.

1           (b) SENSE OF CONGRESS.—It is the sense of Con-  
2 gress that the costs to convert to an all digital format  
3 should be affordable for all people of the United States,  
4 and especially those of lower incomes.

5           (c) DEFINITION OF DIGITAL-TO-ANALOG CON-  
6 VERTER BOX.—The U.S. Notes at the beginning of sub-  
7 chapter II of chapter 99 of the Harmonized Tariff Sched-  
8 ule of the United States is amended by adding at the end  
9 the following:

10           “20. For purposes of headings 9902.85.28 and  
11 9902.85.29, the term ‘digital-to-analog converter box’  
12 means a stand-alone device that does not contain features  
13 or functions except those necessary to enable a consumer  
14 to convert any channel broadcast in the digital television  
15 service into a format that the consumer can display on  
16 television receivers designed to receive and display signals  
17 only in the analog television service, but may also include  
18 a remote control device.”.

19           (d) TEMPORARY DUTY SUSPENSIONS.—

20           (1) DIGITAL-TO-ANALOG CONVERTER BOXES.—  
21           Subchapter II of chapter 99 of the Harmonized Tar-  
22           iff Schedule of the United States is amended by in-  
23           serting in numerical sequence the following new  
24           heading:

“	9902.85.28	Digital-to-analog converter boxes (provided for in sub-heading 8528.71.40) .....	Free	No change	No change	On or before 12/31/2009	”.
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1           (2) CERTAIN TELEVISION TUNERS.—Such sub-  
2           chapter is further amended by inserting in numerical  
3           sequence the following new heading:

“	9902.85.29	Television tuners used in the United States assembly of digital-to-analog converter boxes (provided for in sub-heading 8529.90.29) .....	Free	No change	No change	On or before 12/31/2009	”.
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4           (e) RETROACTIVE EFFECTIVE DATE.—The amend-  
5           ments made by subsection (d) apply to goods entered, or  
6           withdrawn from warehouse for consumption, on or after  
7           December 1, 2007.

8           (f) RELIQUIDATION OF ENTRIES.—

9           (1) IN GENERAL.—Notwithstanding section 514  
10          of the Tariff Act of 1930 (19 U.S.C. 1514) or any  
11          other provision of law and subject to the provisions  
12          of paragraph (2), the U.S. Customs and Border Pro-  
13          tection shall, not later than 90 days after the receipt  
14          of a request described in paragraph (2), liquidate or  
15          reliquidate as applicable any entry described in para-  
16          graph (4) at the applicable rate under subchapter II  
17          of chapter 99 of the Harmonized Tariff Schedule of  
18          the United States, as amended by subsection (d).

19          (2) REQUESTS.—Liquidation or reliquidation  
20          may be made under paragraph (1) with respect to  
21          an entry described in paragraph (4) only if—

1 (A) a request therefore is filed with U.S.  
2 Customs and Border Protection not later than  
3 90 days after the date of the enactment of this  
4 Act; and

5 (B) the request contains sufficient infor-  
6 mation to enable U.S. Customs and Border  
7 Protection to locate the entry or reconciliation  
8 entry if it cannot be located.

9 (3) PAYMENT OF AMOUNTS OWED.—Any  
10 amounts owed by the United States pursuant to the  
11 liquidation or reliquidation of any entry under para-  
12 graph (1) shall be paid, with interest, not later than  
13 180 days after the date of such liquidation or re-  
14 liquidation.

15 (4) ENTRIES DESCRIBED.—The entries referred  
16 to in paragraph (1) are the entries, or withdrawals  
17 from warehouse for consumption, of goods to which  
18 duty-free treatment is provided by subsections (d)  
19 and (e)—

20 (A) that was made on or after December  
21 1, 2007; and

22 (B) with respect to which there would have  
23 been no duty if subsection (d) of this Act had  
24 applied to such entry or withdrawal.

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