

116TH CONGRESS  
1ST SESSION

# H. R. 3390

To incentivize manufacturers to relocate production to Opportunity Zones in the United States, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

JUNE 20, 2019

Mr. HOLDING introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To incentivize manufacturers to relocate production to Opportunity Zones in the United States, 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 “Incentivizing Invest-  
5 ment and Job Creation in Opportunity Zones Act of  
6 2019”.

7 **SEC. 2. REFUNDING DUTIES FOR PRODUCTION IN QUALI-**  
8 **FIED OPPORTUNITY ZONES.**

9 (a) IN GENERAL.—Not later than January 31 of  
10 each calendar year that begins after the date of the enact-

1 ment of this Act, the Secretary of the Treasury, acting  
2 through the Commissioner of U.S. Customs and Border  
3 Protection, shall refund to each eligible entity that applies  
4 in accordance with subsection (c) the net amount de-  
5 scribed in subsection (b) with respect to articles imported  
6 and produced in the previous five years.

7 (b) NET REFUND AMOUNT.—The net amount de-  
8 scribed in this subsection, with respect to a calendar year,  
9 is the following:

10 (1) If the quantity of qualified imports in the  
11 preceding five calendar years by an eligible entity is  
12 less than the quantity of articles classifiable under  
13 the same 8-digit codes of the Harmonized Tariff  
14 Schedule of the United States as the articles so im-  
15 ported that were produced by such eligible entity in  
16 a qualified opportunity zone in such calendar years,  
17 an amount equal to the amount paid by such eligible  
18 entity in duties on such qualified imports.

19 (2) If the quantity of such qualified imports is  
20 equal to or greater than the quantity of articles so  
21 produced, an amount that is equal to—

22 (A) the quantity of articles so produced by  
23 such eligible entity, multiplied by

24 (B) the rate of duty that would be imposed  
25 in accordance with section 301 of the Trade Act

1 of 1974 (19 U.S.C. 2411) or section 232 of the  
2 Trade Expansion Act of 1962 (19 U.S.C.  
3 1862), as applicable, with respect to a cor-  
4 responding qualified import.

5 (c) APPLICATIONS FOR REFUND.—An entity may  
6 apply for a refund under subsection (a), or a liquidation  
7 or reliquidation of the entry of an article eligible for a  
8 refund under subsection (a), in accordance with such re-  
9 quirements the Commissioner of U.S. Customs and Bor-  
10 der Protection may require in order to locate or recon-  
11 struct such entry and verify the duties initially paid on  
12 such entry. Amounts owed by the United States pursuant  
13 to such liquidation or reliquidation shall be paid, with in-  
14 terest, not later than 90 days after the date on which the  
15 Secretary determines that such amount is owed.

16 (d) DEFINITIONS.—In this section:

17 (1) QUALIFIED OPPORTUNITY ZONE.—The term  
18 “qualified opportunity zone” means a location des-  
19 ignated as a qualified opportunity zone pursuant to  
20 section 1400Z–1 of the Internal Revenue Code of  
21 1986 (26 U.S.C. 1400Z–1).

22 (2) ELIGIBLE ENTITY.—The term “eligible enti-  
23 ty” means an entity that owns or operates one or  
24 more manufacturing facilities in a qualified oppor-  
25 tunity zone and any entity that the Commissioner of

1 U.S. Customs and Border Protection determines to  
2 be related to such an entity.

3 (3) QUALIFIED IMPORT.—The term “qualified  
4 import” means an article with respect to which du-  
5 ties are imposed pursuant to section 301 of the  
6 Trade Act of 1974 (19 U.S.C. 2411) or section 232  
7 of the Trade Expansion Act of 1962 (19 U.S.C.  
8 1862).

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