

115TH CONGRESS
2D SESSION

S. 3379

To amend the Tariff Act of 1930 to prevent the circumvention of antidumping and countervailing duties by nonmarket economy countries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 23, 2018

Ms. BALDWIN (for herself and Mrs. CAPITO) introduced the following bill;
which was read twice and referred to the Committee on Finance

A BILL

To amend the Tariff Act of 1930 to prevent the circumvention of antidumping and countervailing duties by nonmarket economy countries, 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 “Play by the Rules Act
5 of 2018”.

1 **SEC. 2. PREVENTION OF CIRCUMVENTION OF ANTI-**
2 **DUMPING AND COUNTERVAILING DUTIES BY**
3 **NONMARKET ECONOMY COUNTRIES.**

4 Section 781 of the Tariff Act of 1930 (19 U.S.C.
5 1677j) is amended—

6 (1) in subsection (c), by adding at the end the
7 following:

8 “(3) TREATMENT OF MERCHANDISE FROM
9 NONMARKET ECONOMY COUNTRIES.—

10 “(A) EXCLUSION OF APPLICATION OF EX-
11 CEPTION.—With respect to merchandise from
12 nonmarket economy countries, the exception in
13 paragraph (2) shall not apply.

14 “(B) INCLUSION OF MERCHANDISE OUT-
15 SIDE OF SCOPE.—With respect to merchandise
16 from nonmarket economy countries, the admin-
17 istering authority shall consider any such mer-
18 chandise that is altered in form or appearance
19 in minor respects (including raw agricultural
20 products that have undergone minor processing)
21 as being subject to paragraph (1) notwith-
22 standing that such merchandise was not in-
23 cluded in the scope of the investigation, order,
24 or finding described in such paragraph.”;

25 (2) by redesignating subsections (e) and (f) as
26 subsections (f) and (g), respectively; and

1 (3) by inserting after subsection (d) the fol-
2 lowing:

3 “(e) TREATMENT OF CERTAIN MERCHANDISE FROM
4 NONMARKET ECONOMY COUNTRIES.—If the admin-
5 istering authority finds that imports into the United
6 States of merchandise from a nonmarket economy country
7 have increased and imports of the merchandise are inter-
8 changeable in the market with imports of merchandise
9 subject to an antidumping duty order issued under section
10 736, a finding issued under the Antidumping Act, 1921,
11 or a countervailing duty order issued under section 706
12 or section 303, the administering authority shall include
13 within the scope of such order or finding the merchandise
14 imported from the nonmarket economy country at any
15 time such order or finding is in effect.”.

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