

110TH CONGRESS
2D SESSION

H. R. 5635

To suspend temporarily the duty on digital-to-analog converter boxes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 13, 2008

Mr. KIND (for himself and Mr. BRADY of Texas) introduced the following bill;
which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on digital-to-analog
converter boxes.

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. FINDINGS.**

7 The Congress finds the following:

8 (1) The Digital Television and Public Safety
9 Act of 2005 (Public Law 108–171) provided that all
10 full power television broadcasts be switched to digital
11 format on February 17, 2009.

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

5 (3) Upon the conversion to the digital format
6 mandated by Congress, these households will no
7 longer receive any television signal unless they are
8 equipped with digital-to-analog converters.

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

15 (5) The conversion to an all digital format
16 should not place an unfair economic burden on those
17 American families least able to afford it.

18 (6) It is the sense of Congress that the costs to
19 convert to an all digital format should be lessened
20 for all Americans, and especially those of lower in-
21 comes.

22 (7) The United States Customs and Border
23 Protection Agency is collecting an import tax, or
24 duty, on converter boxes that adds to consumers
25 costs to convert to receiving a digital signal.

1 **SEC. 3. DEFINITION.**

2 For purposes of subchapter II of chapter 99 of the
 3 Harmonized Tariff Schedule of the United States, the
 4 term “digital-to-analog converter box” means a stand-
 5 alone device that does not contain features or functions
 6 except those necessary to enable a consumer to convert
 7 any channel broadcast in the digital television service into
 8 a format that the consumer can display on television re-
 9 ceivers designed to receive and display signals only in the
 10 analog television service, but may also include a remote
 11 control device.

12 **SEC. 4. TEMPORARY DUTY SUSPENSION.**

13 Subchapter II of chapter 99 of the Harmonized Tar-
 14 iff Schedule of the United States is amended by inserting
 15 in numerical sequence the following new heading:

“	9902.xx.xx	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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16 **SEC. 5. EFFECTIVE DATE; REFUND OF CUSTOMS DUTIES**

17 **PAID.**

18 (a) **EFFECTIVE DATE.**—Subsequent to the enactment
 19 of this Act, the amendment made by section 4 applies to
 20 goods entered, or withdrawn from warehouse for consump-
 21 tion, on or after December 1, 2007.

22 (b) **IN GENERAL.**—Notwithstanding section 514 of
 23 the Tariff Act of 1930 (19 U.S.C. 1514) or any other pro-

1 vision of law, upon proper request filed with the Bureau
2 of Customs and Border Protection before the 90th day
3 after the date of the enactment of this Act, any entry,
4 or withdrawal from warehouse for consumption, of any
5 goods to which duty-free treatment is provided under sec-
6 tion 4 of this Act—

7 (1) that was made on or after December 1,
8 2007, and

9 (2) with respect to which there would have been
10 no duty if section 4 of this Act applied to such entry
11 or withdrawal,

12 shall be liquidated or reliquidated as though such Act ap-
13 plied to such entry or withdrawal.

14 (c) REQUESTS.—Liquidation or reliquidation may be
15 made under subsection (b) with respect to an entry de-
16 scribed in subsection (a) only if a request therefore is filed
17 with the Customs and Border Protection within 90 days
18 after the date of enactment of this Act and the request
19 contains sufficient information to enable Customs and
20 Border Protection to locate the entry or reconciliation
21 entry if it cannot be located.

22 (d) PAYMENT OF AMOUNTS OWED.—Any amounts
23 owed by the United States pursuant to the liquidation or
24 reliquidation of any entry under subsection (b) shall be

- 1 paid, with interest, not later than 180 days after the date
- 2 of such liquidation or reliquidation.

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