

U.S. TRADE LEGISLATION PROPOSALS
100th CONGRESS

Revised
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SUBJECT	CURRENT LAW	HOUSE	SENATE	ADMIN POSITION	CDN POSITION
<u>3. Anticircumvention</u>		"Trade and International Economic Policy Reform Act of 1987" (HR3) [passed April 30, 1987]	"Omnibus Trade and Competitiveness Act of 1987"/ [H.R.3(S.1420)] [passed July 21, 1987]		
A. Assembly in U.S.	No provision.	If a product subject to either antidumping or countervailing order is assembled in U.S. from components imported from countries subject to an order, the order shall apply to the parts if: (i) substantially all of the parts are imported from the country subject to the order; (ii) U.S. value added is small; and (iii) parts were produced by a company related to U.S. company performing assembly.	Similar to House bill without provision (iii).	Generally supports but has proposed clarification of situations in which circumvention could occur.	Although not enshrined in legislation, concept has been applied in some Cdn cases.
B. Assembly in Third Countries	No provision.	Commerce may include in an order imports of same product from third country if same conditions as (A) are satisfied.	Similar to House bill but provision A(iii) is dropped.	See above.	CDA recognizes problem but believes unilateral action to address unwelcome.
C. Minor Alterations	No provision.	Creates presumption that articles altered in form or appearance in minor way shall be included in order.	Similar to House bill.		Could create trade barrier by giving customs additional discretion to determine minor alteration.
<u>4. Error Correction</u>	No provision.	Requires Commerce to establish procedures for correcting statistical errors after final determinations.	No provision.		Canada would support.
<u>5. Drawback</u>	Allows drawback of antidumping and countervailing duties.	Amends law not to allow drawback of antidumping and countervailing duty.	No provision.	Sympathic but would prefer discretion.	