

119TH CONGRESS
2D SESSION

S. _____

To clarify provisions of the United States-Mexico-Canada Agreement Implementation Act and the Foreign Trade Zones Act with respect to the appropriate tariff treatment of merchandise in a United States foreign-trade zone, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. SCOTT of South Carolina (for himself and Mrs. BRITT) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To clarify provisions of the United States-Mexico-Canada Agreement Implementation Act and the Foreign Trade Zones Act with respect to the appropriate tariff treatment of merchandise in a United States foreign-trade zone, 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 “Foreign-Trade Zone
5 Export Enhancement Act of 2026”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to ensure that foreign-
3 trade zones in the United States continue—

4 (1) to operate in support of United States com-
5 petitiveness in manufacturing and distribution; and

6 (2) to create and preserve jobs in the United
7 States.

8 **SEC. 3. RULES RELATED TO DUTIES IMPOSED ON FOREIGN-**
9 **TRADE ZONE MERCHANDISE.**

10 (a) AMENDMENTS TO FOREIGN TRADE ZONES
11 ACT.—Section 3 of the Act of June 18, 1934 (commonly
12 known as the “Foreign Trade Zones Act”) (19 U.S.C.
13 81c), is amended by adding at the end the following new
14 subsection:

15 “(f) EXPORT FROM A FOREIGN-TRADE ZONE OF
16 CERTAIN MERCHANDISE MANUFACTURED OR CHANGED
17 IN CONDITION.—Notwithstanding the seventh proviso of
18 subsection (a)—

19 “(1) each article subject to the procedures de-
20 scribed in such proviso and classifiable under the
21 heading 9801.00.95 of the Harmonized Tariff
22 Schedule of the United States shall enter free of
23 duty in accordance with such heading; and

24 “(2) any article consisting of components sub-
25 ject to such procedures and classifiable under such

1 heading shall enter free of duty with respect to such
 2 components.”.

3 (b) DUTY-FREE TREATMENT FOR CERTAIN ARTI-
 4 CLES.—Subchapter I of chapter 98 of the Harmonized
 5 Tariff Schedule of the United States is amended by insert-
 6 ing in numerical sequence the following new subheading:

“	9801.00.95	Merchandise that is subject to duty deferral restrictions of the free trade agreement between the United States, Mexico, and Canada (19 U.S.C. 4501, et seq.; commonly known as the ‘USMCA’) (or any successor agreement) that is admitted into a United States foreign-trade zone, manufactured, or changed in condition therein, and subsequently withdrawn for direct exportation to the territory of a Party to that agreement	Free	”.
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7 **SEC. 4. IMPLEMENTATION AND ENFORCEMENT.**

8 Not later than 90 days after the date of the enact-
 9 ment of this Act, the Commissioner of U.S. Customs and
 10 Border Protection shall issue such regulations as are nec-
 11 essary to implement section 3.