



The Current

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GSP and ATPA One-Year Extension Bill Still Pending Passage by Senate

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Dear Valued Customers:

The one-year extension of the Generalized System of Preferences and Trade Preference Act/Andean Trade Promotion and Drug Eradication Act (ATPA/ATPDEA) programs still requires passage by the Senate in order to be enacted into law.

On December 14, 2009, the House voted on and passed H.R. 4284 to extend the GSP and ATPA programs for one year beyond their current December 31, 2009 expiration dates on December 14, 2009. Please see our previous newsletter for details at:

<http://www.jjboyle.com/IndustryNewsAttachments/JJB-TheCurrent-12152009.pdf>

However, the bill has been on hold by the Senate for objections raised by Senators Sessions and Shelby over GSP eligibility for sleeping bags made in Bangladesh and Senator Snowe regarding passage of a small business bill. These holds appear to have been resolved, but another has surfaced due to the controversy surrounding a custody battle over a child in Brazil. (Brazil is a GSP beneficiary country.)

The GSP and ATPA/ATPDEA programs will expire, at least temporarily, on December 31, 2009 unless a law extending it is enacted. The Senate may stay in session until Christmas Eve (or possibly after) if needed to resolve issues with the health care bill. As a result, there is still time for Senate to pass H.R. 4284 if all Senators remove their holds and objections from the measure. The Obama administration has indicated its support for a GSP and ATPA/ATPDEA extension.

For ATPA/ATPDEA, the extension would apply to Colombia, Ecuador, and Peru, the ATPDEA regional fabric tariff preference level (TPL), and the ATPDEA brassiere provision. H.R. 4284 would also extend through December 31, 2010 (from December 31, 2009) authority for the President to take certain bilateral emergency tariff actions with respect to ATPDEA apparel. H.R. 4284 would move up the deadline for a report on ATPA/ATPDEA, including compliance with eligibility criteria, to June 30, 2010 (from April 30, 2011).

For more information on H.R. 4284, please visit the following URLs:

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=111_cong_bills&docid=f:h4284ih.txt.pdf.

We thank you very much for your time and should you require any assistance or if you have any questions, please consult with your local James J. Boyle & Co. office listed below.

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