

112TH CONGRESS
1ST SESSION

S. 380

To extend the Andean Trade Preference Act, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2011

Mr. MCCAIN introduced the following bill; which was read twice and referred
to the Committee on Finance

A BILL

To extend the Andean Trade Preference Act, 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 “Andean Trade Pref-
5 erence Extension Act of 2011”.

6 **SEC. 2. EXTENSION OF ANDEAN TRADE PREFERENCE ACT.**

7 (a) EXTENSION.—Section 208(a) of the Andean
8 Trade Preference Act (19 U.S.C. 3206(a)) is amended—

9 (1) in paragraph (1)(A), by striking “February
10 12, 2011” and inserting “November 30, 2012”; and

1 (2) in paragraph (2), by striking “February 12,
2 2011” and inserting “November 30, 2012”.

3 (b) TREATMENT OF CERTAIN APPAREL ARTICLES.—

4 Section 204(b)(3) of the Andean Trade Preference Act
5 (19 U.S.C. 3203(b)(3)) is amended—

6 (1) in subparagraph (B)—

7 (A) in clause (iii)—

8 (i) in subclause (II), by striking “8
9 succeeding 1-year periods” and inserting
10 “10 succeeding 1-year periods”; and

11 (ii) in subclause (III)(bb), by striking
12 “and for the succeeding 3-year period” and
13 inserting “and for the succeeding 5-year
14 period”; and

15 (B) in clause (v)(II), by striking “7 suc-
16 ceeding 1-year periods” and inserting “9 suc-
17 ceeding 1-year periods”; and

18 (2) in subparagraph (E)(ii)(II), by striking
19 “February 12, 2011” and inserting “November 30,
20 2012”.

21 (c) EFFECTIVE DATE.—

22 (1) IN GENERAL.—The amendments made by
23 this section shall apply to articles entered on or after
24 the 15th day after the date of the enactment of this
25 Act.

1 (2) RETROACTIVE APPLICATION FOR CERTAIN
2 LIQUIDATIONS AND RELIQUIDATIONS.—

3 (A) IN GENERAL.—Notwithstanding sec-
4 tion 514 of the Tariff Act of 1930 (19 U.S.C.
5 1514) or any other provision of law and subject
6 to subparagraph (B), any entry of an article to
7 which duty-free treatment or other preferential
8 treatment under the Andean Trade Preference
9 Act would have applied if the entry had been
10 made on February 12, 2011, that was made—

11 (i) after February 12, 2011; and

12 (ii) before the 15th day after the date

13 of the enactment of this Act,

14 shall be liquidated or reliquidated as though
15 such entry occurred on the date that is 15 days
16 after the date of the enactment of this Act.

17 (B) REQUESTS.—A liquidation or reliqui-
18 dation may be made under subparagraph (A)
19 with respect to an entry only if a request there-
20 for is filed with U.S. Customs and Border Pro-
21 tection not later than 180 days after the date
22 of the enactment of this Act that contains suffi-
23 cient information to enable U.S. Customs and
24 Border Protection—

25 (i) to locate the entry; or

1 (ii) to reconstruct the entry if it can-
2 not be located.

3 (C) PAYMENT OF AMOUNTS OWED.—Any
4 amounts owed by the United States pursuant to
5 the liquidation or reliquidation of an entry of
6 an article under subparagraph (A) shall be
7 paid, without interest, not later than 90 days
8 after the date of the liquidation or reliquidation
9 (as the case may be).

10 (3) DEFINITION.—As used in this subsection,
11 the term “entry” includes a withdrawal from ware-
12 house for consumption.

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