



**U.S. Customs and  
Border Protection**

**OCT 24 2011**

**MEMORANDUM FOR:** Directors, Field Operations

**FROM:** Executive Director, Trade Policy and Programs  
Office of International Trade

**SUBJECT:** Renewal of the Andean Trade Preference Act (ATPA) and  
Andean Trade Promotion and Drug Eradication Act  
(ATPDEA)

On October 21, 2011, the President signed H.R. 3078, which extends both the Andean Trade Preference Act (ATPA) and the Andean Trade Promotion and Drug Eradication Act (ATPDEA) programs through July 31, 2013. The ATPA/ATPDEA programs, having lapsed February 12, 2011, have been retroactively renewed, for Ecuador and Colombia, allowing for a refund of all duties paid on ATPA/ATPDEA-eligible merchandise that was entered or withdrawn from warehouse for consumption while the program was lapsed, from February 13, 2011 through November 4, 2011. Benefits under the ATPA/ATPDEA will commence on November 5, 2011, 15 days after the October 21, 2011, Presidential signing date.

Accordingly, filers will be entitled to file ATPA/ATPDEA-eligible entry summaries, utilizing the Special Program Indicators (SPI) "J, J+" without the payment of duty for shipments entered or withdrawn from warehouse for consumption effective November 5, 2011. For ACE entry summaries, retroactive ATPA/ATPDEA claims must be made via post-summary correction, where applicable, i.e., if the entry meets the time requirements for PSC filing.

ATPA/ATPDEA refunds for all entries entered or withdrawn from warehouse for consumption during the lapse period will be processed upon receipt of a valid refund request. Claims may be made via post-entry amendment (PEA) or protest, as long as they meet the applicable time requirements. In order to process a refund, CBP requires the following information:

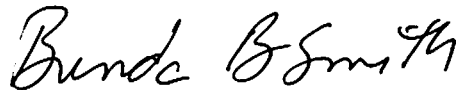
- A. A statement that the letter is a request for a refund as provided for under H.R. 3078;
- B. The entry numbers and line items for which refunds are being requested; and
- C. The amount to be refunded for each line item; and where multiple entries are involved, the total amount due for all entry summaries.

A valid liquidation or re-liquidation request must be filed with CBP within 180 days of the ATPA/ATPDEA renewal date. Any amounts owed by the United States pursuant to the liquidation or re-liquidation of an entry of an article shall be paid without interest.

Copies of this memorandum should be made available to Port Directors, Assistant Port Directors, Supervisory Import Specialist, Import Specialist, Importers, Brokers, and other interested parties.

Note that a memorandum addressing ATPA concerns for quotas and textiles will be issued shortly. CBP is awaiting information from the Committee for the Implementation of Textile Agreements (CITA) prior to issuing this direction.

Questions regarding this guidance should be directed to Katrina Chang, Chief, Trade Agreements Branch, or Christina Alvez, Trade Agreements Branch at [FTA@dhs.gov](mailto:FTA@dhs.gov). Entry summary and processing questions should be directed to Laurie Dempsey, Chief, Entry Summary and Drawback Branch at (202) 863-6509.

A handwritten signature in black ink that reads "Brenda B. Smith". The signature is written in a cursive style with a large initial "B" and a stylized "S".

Brenda B. Smith