



# THOMPSON HINE

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## INTERNATIONAL TRADE & CUSTOMS UPDATE

### Tariff Relief Opportunity: Senate Moves Forward With 2009 Miscellaneous Tariff Bill

The Senate Committee on Finance announced earlier this month that it is proceeding with temporary miscellaneous tariff legislation and that proposed bills must be introduced in the Senate by October 30, 2009 to be considered for inclusion in this year's miscellaneous tariff bill (MTB). An MTB typically includes measures providing temporary relief to U.S. companies paying duties on imported items not readily available from U.S. producers. Companies seeking to benefit from such relief must act quickly to secure tariff relief for their imports.

Congress periodically adopts an MTB to address noncontroversial trade-related matters. The MTB has been used since the early 1980s as a vehicle for incorporating noncontroversial individual miscellaneous tariff bills. The current MTB was passed in 2006 and is set to expire December 31. After delays over MTB lobbying disclosure issues, efforts to renew the current bill are finally back on track, presenting importers with a short window of opportunity to seek duty suspensions or reductions. The House already completed work on its MTB legislation last session and will incorporate its MTB with the Senate's bill.

MTB tariff suspensions or reductions usually apply for a period of three years. The targeted imports are generally items not produced in the United States that are inputs for products manufactured here; however, importers, retailers and wholesalers may also seek tariff relief on finished goods.

Any tariff suspension or reduction included in an MTB must be noncontroversial (*e.g.*, no U.S. company opposes it) and must not result in a loss of revenue to the U.S. Treasury of more than \$500,000. To ensure that these criteria are met, each proposal must be introduced as a stand-alone bill and put through an extensive vetting process, including cost analysis, a public notice and comment period, before it is compiled into a single bill that will be considered by the Senate.

#### FOR MORE INFORMATION

Please contact **Julia M. McCalmon** or any member of our **International Trade & Customs** practice group for more information about the MTB process.

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