

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 4066

To prohibit the designation of Brazil under title V of the Trade Act of 1974.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2006

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

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## A BILL

To prohibit the designation of Brazil under title V of the Trade Act of 1974.

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. GENERALIZED SYSTEM OF PREFERENCES.**

4       (a) FINDINGS.—Congress makes the following find-  
5       ings:

6               (1) The generalized system of preferences  
7       (GSP) is an important economic tool which gives de-  
8       veloping countries duty free access to United States  
9       markets for certain products.

1           (2) Brazil has utilized the benefits of the gener-  
2           alized system of preferences to gain access into  
3           United States markets and to increase Brazil's im-  
4           ports of automotive brakes, refined copper cathodes,  
5           refined copper wires, plywood, parts of generators,  
6           and other products.

7           (3) Brazil is the third leading beneficiary under  
8           the generalized system of preferences with respect to  
9           access into the United States markets. The total  
10          value of imports from Brazil under the generalized  
11          system of preferences was over \$3,600,000,000 in  
12          2005.

13          (4) When granting benefits under the general-  
14          ized system of preferences to a country, the Presi-  
15          dent is directed to consider the country's commit-  
16          ment to a liberal trade policy.

17          (5) Brazil has imposed prohibitive antidumping  
18          duties of over 100 percent against United States  
19          and Argentine exports of polyethylene terephthalate  
20          (PET), which is a resin widely used to make plastic  
21          packaging for soft drinks, foods, cosmetics, and  
22          pharmaceuticals.

23          (6) Brazil failed to conduct antidumping inves-  
24          tigations properly, in apparent violation of Article VI  
25          of the General Agreement on Tariffs and Trade

1 1994, giving the United States companies no oppor-  
2 tunity to fully defend themselves or cure alleged de-  
3 fects in their responses, despite their attempts to co-  
4 operate fully.

5 (b) INELIGIBILITY FOR GENERALIZED SYSTEM OF  
6 PREFERENCES.—

7 (1) IN GENERAL.—Section 502(b)(1) of the  
8 Trade Act of 1974 (19 U.S.C. 2462(b)(1)) is  
9 amended by adding at the end the following:

10 “(J) Brazil.”

11 (2) EFFECTIVE DATE.—The amendment made  
12 by this subsection applies to goods entered, or with-  
13 drawn from warehouse for consumption, on or after  
14 the 15th day after the date of enactment of this Act.

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