

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 110th Congress¹**

[Date approved: May 23, 2008]²

Bill No. and sponsor: H.R. 4687 (Mr. Joseph R. Pitts of Pennsylvania).

Proponent name,³ location: Armstrong World Industries, Inc., Marietta, PA.

Other bills on product (110th Congress only): None.

Nature of bill: Extension of temporary duty suspension with modifications through December 31, 2011.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Smooth nonwoven fiberglass sheets, 0.40 mm or more but not over 1.65 mm in thickness, predominantly of glass fibers bound together in a polyvinyl alcohol matrix, of a type primarily used as acoustical facing for ceiling panels (provided for in subheading 7019.32.00).

Check one: Same as that in bill as introduced.
 Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The subject product is used in the production of acoustic ceiling tiles for commercial suspension ceiling systems. The fiberglass sheets provide an acoustically transparent and scratch resistant substrate material on which the producer builds the finished ceiling tile products. Other possible uses for this product include incorporation in soft adhesive roofing systems for vehicles, as a barrier between a composite and aluminum in truck deck-lids, as an outer cover for foam panels used in OEM boat-building applications, and in various other building material applications. The subject product is produced by Owens-Corning in the Netherlands. Owens-Corning supplies Armstrong World Industries, Inc., and their major competitor, USG Corporation. Both Armstrong and USG use the subject product to produce acoustic ceiling tiles.

¹ Industry analyst preparing report: Don Sussman (202-205-3331); Tariff Affairs contact: Jan Summer (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/.

³ The sponsor/proponent did not identify any additional beneficiaries of this bill.

Estimated effect on customs revenue:

HTS subheading: 7019.32.00					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	4.3%	4.3%	4.3%	4.3%	4.3%
Estimated value <i>dutiable</i> imports	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
Customs revenue loss 1/	\$0	\$516,000	\$516,000	\$516,000	\$516,000

1/ There is an existing duty suspension under HTS heading 9902.70.19 that expires on December 31, 2009. Therefore, there will be no customs revenue loss related to this bill for 2009.

Source of estimated dutiable import data: Compiled from industry estimates and official statistics of the U.S. Department of Commerce.

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
Armstrong World Industries, Inc. (Proponent) Mary Huwaldt, 717-396-2886	3/24/2008	No	No	No
CertainTeed - Saint Gobain Donna O'Neil, 610-341-7000	3/24/2008	No	No	No
Georgia-Pacific Corporation Lisa Bernat, 404-652-5388	3/24/2008	No	No	No
USG Corporation Pat Evans, 800-874-4968	3/24/2008	No	No	No
PPG Bill Reese, 412-434-1717	3/25/2008	No	No	No

Technical comments:⁴

The article description of the existing provision could be clarified as shown on page 1, in addition to putting in the new language about the thickness of the material, to make it more consistent with other tariff provisions. It would be possible to drop the general word “thin” now that a range of covered thicknesses is being proposed.

⁴ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

110TH CONGRESS
1ST SESSION

H. R. 4687

To extend and amend the temporary duty suspension on certain thin fiberglass sheets.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2007

Mr. PITTS introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To extend and amend the temporary duty suspension on certain thin fiberglass sheets.

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. CERTAIN FIBERGLASS SHEETS.**

4 (a) IN GENERAL.—Heading 9902.70.19 of the Har-
5 monized Tariff Schedule of the United States is amend-
6 ed—

7 (1) by striking “approximately .0125 inches
8 thick” and inserting “that are approximately 0.40
9 millimeters to 1.65 millimeters thick”; and

1 (2) by striking the date in the effective period
2 column and inserting “12/31/2011”.

3 (b) **EFFECTIVE DATE.**—The amendments made by
4 subsection (a) apply to goods entered, or withdrawn from
5 warehouse for consumption, on or after the 15th day after
6 the date of the enactment of this Act.

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