

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 110<sup>th</sup> Congress<sup>1</sup>**

[Date approved: July 3, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5394 (Mr. Henry Brown of South Carolina).

**Proponent name,<sup>3</sup> location:** Metglas, Inc., Conway, SC.

**Other bills on product (110<sup>th</sup> Congress only):** None.

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Cobalt boron (provided for in subheading 8105.20.30).

**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:**

Cobalt boron is a raw material that is used in the production of amorphous metals. Amorphous metals are produced from metallic materials in a liquid state, which are rapidly cooled to prevent them from reverting to their regular metallic structure. Amorphous metals take on the properties of glass, while retaining the metallic properties of malleability and relatively good electrical conductivity. Major end-uses for amorphous metals are in electronic surveillance systems and in cores for electrical transmission and distribution systems for utilities. The subject product is imported from Japan.

<sup>1</sup> Industry analyst preparing report: Vincent DeSapio (202-205-3435); Tariff Affairs contact: Daniel Shepherdson (202-205-2598).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://www.usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/](http://www.usitc.gov/tata/hts/other/rel_doc/bill_reports/).

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

**Estimated effect on customs revenue:**

<b>HTS subheading: 8105.20.30</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	4.4%	4.4%	4.4%	4.4%	4.4%
Estimated value <i>dutiable</i> imports	\$467,500	\$425,000	\$382,500	\$340,000	\$340,000
Customs revenue loss	\$20,570	\$18,700	\$16,830	\$14,960	\$14,960

Source of estimated dutiable import data: U.S. industry estimates.

**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?
		(Yes/No)		
Metglas, Inc. (Proponent) Mary Paige Murray, 843-349-6832 Patrick Frey, 202-508-8964	05/12/2008	No	No	No
ATI Allvac Corp. Erin Bowie, 877-396-7245	05/21/2008	No	No	No
Carolmet Cobalt Products Mark Caffarey, 910-844-5614	05/16/2008	No	No	No
Carpenter Technology Products <a href="mailto:service@cartech.com">service@cartech.com</a>	05/21/2008	No	No	No

**Technical comments:<sup>4</sup>**

The Commission staff notes that HTS heading 9902.80.05 had provided a temporary duty suspension for cobalt boron that expired on December 31, 2006. Instead of enacting a new duty suspension, HTS heading 9902.80.05 should be used to renew the expired duty suspension by amending the date in the effective period column. The Commission staff notes that HTS heading 9902.80.05 omits the CAS number, which is not needed.

<sup>4</sup> 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.

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

# H. R. 5394

To suspend temporarily the duty on Cobalt Boron.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

Mr. BROWN of South Carolina introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on Cobalt Boron.

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. COBALT BORON.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by inserting in numerical sequence the following  
7 new heading:

“	9902.01.00	Cobalt Boron (CAS No. 68457-13-6) (provided for in subheading 8105.20.30) .....	Free	No change	No change	On or before 12/31/2011	”.
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8 (b) EFFECTIVE DATE.—The amendment made by  
9 subsection (a) applies to articles entered, or withdrawn

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- 1 from warehouse for consumption, on or after the 15th day
- 2 after the date of the enactment of this Act.

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