



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Tungsten concentrate (CAS No. 7440-33-7) (provided for in subheading 2611.00.60)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject products are used in the production of higher value-added products such as steel and other alloys, tungsten carbide components used in oil and natural gas exploration, and tungsten chemicals. They are mainly imported from Portugal and Spain. U.S. imports of these products from China, the world's leading miner of tungsten, were negligible. Opposition to this bill is noted below in the Contacts table.

IV. Estimated effect on customs revenue

Table with 6 columns: Subject product HTS subheading(s), 2013, 2014, 2015, 2016, 2017. Rows include Item, Col.1-general rate of duty or percentage point reduction (%), Estimated value of dutiable imports (\$), and Customs revenue loss (\$).

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) [] Temporary rate (%) [] Percentage point reduction (%) []

V. Technical comments

Duty rates for tungsten concentrates are reported in units of cents per kilogram tungsten content. These were converted to ad valorem equivalents based on industry estimates.

VI. Continuation

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VII. Contacts with domestic firms/organizations

	#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
	1	Kennametal (Interested entity) Erica Wright	724-539-5645	No	No	No
	2	Global Tungsten and Powders Paul Sedor	570-268-5000	No	No	No
	3	Buffalo Tungsten Tyler Showalter	716-683-9170	No	No	No
	4	Chem-Met Art Fox	391-868-3355	No	No	No
	5	Curtis Tungsten Ronald Curtis	909-982-1947	Yes	Yes	Yes
	6	ATI Tungsten Materials Jason Suslak	412-394-2823	No	No	No



855 WEST 23RD ST.
UPLAND, CA 91784
PH (909) 982-1947, Home Ronald Curtis

E-mail: curtistungsten9@aol.com

Re: Domestic Production of Tungsten Concentrates
Date: July 10, 2012

Mr. Larry Johnson
International Trade Analyst
United States International Trade Commission
500 E. Street SW., Room 513-11
Washington, DC 20436


Mr. Johnson:

This letter is in response to your e-mail dated July 10, 2012.

Curtis Tungsten is the operating company for the Andrew Tungsten Mine in Los Angeles County California and we are the **ONLY PRODUCER OF TUNGSTEN CONCENTRATES IN THE UNITED STATES OF AMERICA** since 2007 and as of this date.

Should have any other questions fell free to e-mail me and I will respond immediately with the answer.

Thank You



RONALD L. CURTIS, CEO



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COMMITTEE ON WAYS AND MEANS Dated: June 10, 2012
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515
Attn: The Honorable Dave Camp, Chairman
The Honorable Kevin Brady, Chairman, Subcommittee on Trade

Gentleman:

I, Ronald L. Curtis, CEO of Curtis Tungsten and majority owner of the Andrew Tungsten mine located in Los Angeles County, California wrote this OPPOSITION LETTER TO H.R. 4540 for the following reasons:

1. The Andrew Tungsten Mine is the only one in production in the United States, re-opened in mid 2007.
2. There was no domestic production of Tungsten Concentrates from July 1994 to September 2007. The US was totally dependent on China during this period to time.
3. Should the Committee suspend the import duty on Tungsten Concentrates it will bring USA back to similar situation of 1991. Curtis Tungsten filed a complaint with USITA and it was referred to USITC, Investigation #731-TA-497. Final Ruling was unanimous and it imposed a 151% import duty on all China Tungsten Concentrates, which has been reduced to current import duty level in 2000. Curtis Tungsten shut down in July of 1994 do to China dumping/flooding cheap Tungsten Concentrates on the world market which depressed the price down to our break-even cost.
4. Suspension of the import duty will lower the price of imports which will promoter predatory pricing and with in a short period, 5 years, cause the only producing tungsten mine to once again shut. The USA will again be totally dependent on China Tungsten Concentrates thus giving control of our National Security to a "Friendly Trading Partner".

A President of a large National Bank in Chicago made the following statement; "SHOW ME A COUNTRY WITHOUT MINES AND I WILL SHOW YOU A PEOPLE SUNK IN DEGRADATION AND POVERTY; AND POVERTY MAKES COWARDS OF NATIONS AS WELL AS INDIVIDUALS. ELIMINATE THE MINER AND YOU SET CIVILIZATION BACK TO THE DARK AGES."

Gentleman I respectfully ask that you vote to oppose the suspension of the import duty.

Thank You


RONALD L. CURTIS, CEO, CURTIS TUNGSTEN

112TH CONGRESS
2D SESSION

H. R. 4540

To suspend temporarily the duty on Tungsten concentrate.

IN THE HOUSE OF REPRESENTATIVES

APRIL 24, 2012

Mrs. ELLMERS introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Tungsten concentrate.

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. TUNGSTEN CONCENTRATE.**

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	Tungsten concentrate (CAS No. 7440-33-7) (provided for in sub- heading 2611.00.60)	Free	No change	No change	On or before 12/31/2015	”.
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8 (b) EFFECTIVE DATE.—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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

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