



## 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/](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)):**

Aluminum alloy foil, in coils, of alloy 6011, measuring either 0.006 mm or 0.008 mm in thickness and 16 mm or 25 mm in width, suitable for use in the manufacture of window shades (provided for in subheading 7607.19.60)

(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**

Aluminum alloy foil is an input into a wide variety of downstream manufactures in industries ranging from automobiles to construction. The proposed heading would cover aluminum alloy foil, in coils, made from alloy 6011, with the specified dimensions. Aluminum alloy 6011 was first registered in the United States in 1954. However, there is no known U.S. production at this time. This specialty alloy foil is currently sourced from the Netherlands to manufacture slats for window blinds and has no other known uses.

**IV. Estimated effect on customs revenue**

Subject product HTS subheading(s)	7607.19.60				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%) or percentage point reduction	3	3	3	3	3
Estimated value of <i>dutiable</i> imports (\$)	3,323,000	3,445,700	3,526,000	3,631,780	3,740,733
Customs revenue loss (\$)	99,690	103,371	105,780	108,953	112,222

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**

According to a telephone conversation with the proponent on May 29th, 2012, an incorrect subheading was listed in the tariff bill, and the reference has been corrected above. Rather than subheading 7607.19.30, particular aluminum foil if cut to shape, the subheading should have referenced subheading 7607.19.60, the provision for nonenumerated aluminum foil.

We note that an article description containing the words "suitable for use" does not necessarily result in importers entering

only a particular type of product under a temporary 9902 heading, because in the abstract it can often be argued that a wider range of goods might be "suitable for" the named application. However, the combination of the alloy that would be required and the dimensional characteristics of the eligible product should make the scope of this provision sufficiently narrow.

## **VI. Continuation**

Contacts with domestic firms/organizations – continued:

Contact with the Window Covering Manufacturers Association revealed that both Springs Window Fashions and Levolor make aluminum window blinds. Phone calls to Springs Window Fashions were not returned, and Levolor has yet to confirm its use of aluminum alloy 6011 foil in its window blind manufacturing. According to a representative of the proponent, Hunter Douglas, it is the only firm using this specialty foil.

**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	Hunter Douglas Daniel Rodil	770-995-2212	No	No	No
	2	The Aluminum Association Nicholas Adams	703-358-2984	No	No	No
	3	Levolor Mark Johnson	770-418-7785	No	No	No
	4	Springs Window Fashions Jennifer Sharky	608-836-1011	No	No	No
	5	Window Covering Manufacturers Association Ralph Vasami	212-297-2125	No	No	No

112TH CONGRESS  
2D SESSION

# H. R. 4827

To suspend temporarily the duty on certain aluminum alloy foil.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2012

Mr. NUNNELEE 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 certain aluminum alloy  
foil.

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 ALUMINUM ALLOY FOIL.**

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	Aluminum alloy foil, in coils, of alloy 6011, measuring either 0.006 mm or 0.008 mm in thickness and 16 mm or 25 mm in width, suitable for use in the manufacture of window shades (provided for in subheading 7607.19.30) ....	Free	No change	No change	On or before 12/31/2015	”.
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1       (b) EFFECTIVE DATE.—The amendment made by  
2 subsection (a) applies to goods entered, or withdrawn from  
3 warehouse for consumption, on or after the 15th day after  
4 the date of the enactment of this Act.

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