



## 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)):**

Helium (CAS No. 7440-59-7) (provided for in subheading 2804.29.00)

(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 product is primarily consumed from U.S. sources, but during peak periods, it has been imported from the United Kingdom, Canada, Algeria, Germany, and Qatar. It is used for cryogenic applications, for pressurizing and purging, for welding cover gas, and for controlled atmospheres.

**IV. Estimated effect on customs revenue**

Table with 6 columns: Subject product HTS subheading(s), 2013, 2014, 2015, 2016, 2017. Rows include 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**

None

**VI. Continuation**

[ ]

## 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	Air Products and Chemicals (Interested entity) Rich Goodstein	610-659-1234	No	No	No
2	Airgas John M. Batt	610-902-6228	No	No	No
3	Air Liquide America David Joyner	713-402-2112	No	No	No
4	Exxon Tim Khayyal	713-656-8840	No	No	No
5	Linde North America Nick Haines	908-508-4009	No	No	No
6	Matheson Robert Lien	908-991-9262	No	No	No
7	Midstream Energy Services David Wilkins	918-388-9827	No	No	No
8	Praxair Jane Hoffman	281-203-3861	No	No	No

112TH CONGRESS  
2D SESSION

# H. R. 5075

To extend the temporary suspension of duty on helium.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

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

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## A BILL

To extend the temporary suspension of duty on helium.

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. HELIUM.**

4       (a) IN GENERAL.—Heading 9902.01.47 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       helium) is amended by striking the date in the effective  
7       period column and inserting “12/31/2015”.

8       (b) EFFECTIVE DATE.—The amendment made by  
9       subsection (a) applies to goods entered, or withdrawn from  
10      warehouse for consumption, on or after the 15th day after  
11      the date of the enactment of this Act.