



## 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)):**

Yttrium oxide (CAS No. 1314-36-9) (provided for in subheading 2846.90.80)

(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 will be used to produce lighting phosphors for use in fluorescent lighting. It is imported from China. This bill and S. 2746 extend the existing Chapter 99 provision and modify the article description as described in the technical comments below. Bills H.R. 4770 and S. 2813 extend the Chapter 99 provision leaving the article description unchanged, but change the rate of duty from "Free" to 2 percent.

**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**

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	Global Tungsten and Powders (Interested entity) Paul Sedor	570-268-5000	No	No	No
	2	Emerson Electric Robert McDonald	202-662-8790	No	No	No
	3	General Electric Sandy Merber	202-637-4000	No	No	No
	4	OSRAM SYLANIA Pamela Horner	978-777-1900	No	No	No
	5	Philips Electronics Randall B. Moorhead	202-962-8555	No	No	No

112TH CONGRESS  
2D SESSION

# H. R. 5185

To extend and modify the temporary suspension of duty on yttrium oxide.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

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

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## A BILL

To extend and modify the temporary suspension of duty  
on yttrium oxide.

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. YTTRIUM OXIDE.**

4       (a) IN GENERAL.—Heading 9902.02.21 of the Har-  
5       monized Tariff Schedule of the United States (relating to  
6       yttrium oxide) is amended—

7               (1) by striking “Yttrium oxides having a purity  
8               of at least 99.9 percent” in the article description  
9               and inserting “Yttrium oxide”; and

10              (2) by striking the date in the effective period  
11              column and inserting “12/31/2015”.

1       (b) **EFFECTIVE DATE.**—The amendments made by  
2 subsection (a) apply 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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