

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: September 8, 2008]<sup>2</sup>

**Bill No. and sponsor:** H.R. 5214 (Mrs. Ellen O. Tauscher of California).

**Proponent name,<sup>3</sup> location:** Applied Materials, Inc., Santa Clara, CA.

**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)):**

Vacuum rotary feed-through shaft couplings, the foregoing each with a housing 125 mm in length, with the housing mounting flange having an outside diameter of 180 mm and a thickness of 20 mm, and with such housing including a shaft with an outside diameter of 30 mm and a length of 273 mm extending 70 mm from the housing face on one end and 78 mm from the housing on the opposite end (provided for in subheading 8483.60.80).

**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:**

The subject vacuum rotary feed-through device, of specified dimensions, is a shaft coupling that connects two shafts within a machine, one located in a sub-atmosphere (vacuum) area of the machine and the other in a different atmosphere area. The subject vacuum rotary feed-through is likely to be used in semiconductor, liquid crystal display, or solar panel manufacturing machines. According to the proponent, U.S. imports of subject products will originate in Germany, Japan, or China. Dutiable U.S. imports under HTS subheading 8483.60.80 (a broader category than is covered by this bill) totaled \$145.9 million in 2007, of which Germany, Japan, and China accounted for \$82.3 million, \$13.1 million, and \$6.2 million, respectively.

<sup>1</sup> Industry analyst preparing report: Dennis Fravel (202-205-3404); Tariff Affairs contact: Jan Summers (202-205-2605).

<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: 8483.60.80</b>					
	2009	2010	2011	2012	2013
Col. 1-General rate of duty	2.8%	2.8%	2.8%	2.8%	2.8%
Estimated value <i>dutiable</i> imports	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss	\$28,000	\$28,000	\$28,000	\$28,000	\$28,000

Source of estimated dutiable import data: Commission 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)		
Applied Materials, Inc. (Proponent) Joe Pasetti, 202-638-443, ext. 6	04/30/2008	No	No	No
A&N Corp. Paul Donovan, 352-528-4100	06/09/2008	No	No	No
Assn. of Vacuum Equipment Manufacturers Intl. Dawn M. Shiley, 703-538-3543	06/11/2008	No	No	No
Corning, Inc. Debbie Waggoner, waggonerdl@corning.com	06/06/2008	No	No	No
Ferrotec (USA) Corp. Robert Shaw, 603-472-6820	06/12/2008	No	No	No
KLA-Tencor Corp. Meggan Powers, 408-875-3000	06/05/2008	No	No	No
MDC Vacuum Products, LLC Sandeep Davlvie, 510-887-0626	06/06/2008	No	No	No
National Electrical Manufacturers Association John Meakem, joh_meakem@nema.org	06/06/2008	No	No	No
Nor-Cal Products, Inc. David Stone, davidstone@n-c.com	06/05/2008	No	No	No
Novellus Systems, Inc. Nicole Malcolm, pushpita.prasad@novellus.com	06/05/2008	No	Yes	No
Qioptiq Imaging Solutions John Gebhardt, john.gebhardt@ny.qioptiq.com	06/06/2008	No	No	No
Rigaku Vacuum Products Joe LaPlante, 603-890-6001	06/09/2008	No	No	No
SAES Pure Gas, Inc. Cristian Landoni, cristian_landoni@saes-group.com	06/05/2008	No	No	No

Name of firm/organization	Date contacted	Claim US makes same or competing product(s)?	Submission attached?	Opposition noted?
		(Yes/No)		
Semiconductor Equipment and Materials, Intl. Ken Schramko, kschramko@semi.org	06/05/2008	No	No	No
3M Co. Megan Ivory, mmivory@mmm.com	06/09/2008	No	No	No
T&M Service Mike Brooker, mbrooker@tandmservice.com	06/05/2008	No	No	No
Varian, Inc. John Nieberding, 650-424-4539	06/09/2008	No	Yes	No
W.L. Gore and Associates Mike Ratchford, mratchfo@wlgore.com	06/06/2008	No	No	No
Xandex, Inc. N. Manoochehri, nmanoochehri@xandex.com	06/05/2008	No	No	No

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

The product description should be amended as shown on page 1 to simplify the language (compared to the bill as introduced) and to follow normal drafting practices in the HTS. The key dimensions specified in the bill have been retained. However, Customs may have difficulty administering this provision because the physical dimensions of the subject goods established in the proposed heading are very specific, and the coverage represents a subset of the product scope of the tariff rate line. We lack information from the proponent about any slight variances in the stated units of measure to insert into the description to take into account the fact that some items may not exactly measure to the required dimensions. Without such variances in the article description, it is possible that too few goods might be deemed ineligible for the benefits of the duty suspension.

<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.

110TH CONGRESS  
2D SESSION

# H. R. 5214

To suspend temporarily the duty on feedthrough with housing 125 millimeters long, Housing mounting flange 180 millimeters outside diameter  $\times$  20 millimeters thick.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 29, 2008

Mrs. TAUSCHER 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 feedthrough with housing 125 millimeters long, Housing mounting flange 180 millimeters outside diameter  $\times$  20 millimeters thick.

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. FEEDTHROUGH WITH HOUSING 125 MILLIME-**  
4 **TERS LONG, HOUSING MOUNTING FLANGE**  
5 **180 MILLIMETERS OUTSIDE DIAMETER  $\times$  20**  
6 **MILLIMETERS THICK.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of  
8 the Harmonized Tariff Schedule of the United States is

1 amended by inserting in numerical sequence the following  
 2 new heading:

“	9902.01.00	Feedthrough with housing 125 millimeters long, Housing mounting flange 180 millimeters outside diameter × 20 millimeters thick. Housing includes 30 millimeters outside diameter shaft of 273 millimeters length. Shaft extends 70 millimeters from housing face on one end and 78 millimeters from housing on opposite end. Unit includes rubber O-ring of 5 millimeters thickness and 110 millimeters inside diameter; 2 stainless steel keystocks of 8 millimeters height, 7 millimeters width and 30 millimeters length; and 8 installation screws (provided for in sub-heading 8483.60.80) .....	Free	No change	No change	On or before 12/31/2011	”.
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3 (b) EFFECTIVE DATE.—The amendment made by  
 4 subsection (a) applies to articles entered, or withdrawn  
 5 from warehouse for consumption, on or after the 15th day  
 6 after the date of the enactment of this Act.

