

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: March 5, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2240 (Mrs. Dianne Feinstein of California).

**Proponent name,<sup>3</sup> location:** Agilent Technologies, Palo Alto, CA.

**Other bills on product (111<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)):**

Parts or accessories of instruments or apparatus for measuring or checking electrical quantities, such instruments or apparatus specially designed for telecommunications (provided for in subheading 9030.90.88) (but not including subassemblies containing one or more printed circuit assemblies for such instruments or apparatus (provided for in subheading 9030.90.88)).

**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 products are various parts and accessories that are used in instruments and apparatus that measure and check electrical quantities (excluding subassemblies containing one or more printed circuit assemblies) and specially designed for telecommunications (provided for in subheading 9030.90.88). Leading U.S. import suppliers of products classified in this HTS subheading include Malaysia and the United Kingdom.

<sup>1</sup> Industry analyst preparing report: Linda White (202-205-3427); 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/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor/proponent did not identify any additional beneficiaries of this bill.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 9030.90.88:**

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	1.7%	1.7%	1.7%	1.7%	1.7%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$15,894,000	\$15,894,000	\$15,894,000	\$15,894,000	\$15,894,000
Customs revenue loss <sup>b c</sup>	\$270,198	\$270,198	\$270,198	\$270,198	\$270,198

a/ Source of estimated dutiable import data: Official U.S. Government statistics and industry estimates.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

c/ There is an existing duty suspension under HTS heading 9902.23.86 that expired on December 31, 2009.

**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)	
Agilent Technologies (Proponent) Mr. Frank Orlandella, 202-772-3588	11/19/2009	No	No	No
Christopher Associates, Inc. Mr. Matthew Holzmann, 714-979-7500	11/18/2009	No	No	No
Energy Technologies, Inc. Mr. M. L. Mosier, 419-522-4444	11/20/2009	No	No	No
National Electrical Manufacturers Association Mr. Gene Eckhart, 703-841-3200	11/19/2009	No	No	No
TechAmerica (formerly AeA) Mr. John Palafoutas, 202-682-4451	11/19/2009	No	No	No

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

The bill should be redrafted so as to merely change the effective date in existing HTS heading 9902.23.86, the article description of which matches the language shown on page 1 of this report. No new HTS heading should be enacted; this bill should delete “12/31/2009” from heading 9902.23.86 and insert the desired expiration date, whether “12/31/2011” or “12/31/2012.”

<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.

111TH CONGRESS  
1ST SESSION

# S. 2240

To suspend temporarily the duty on certain parts and accessories of measuring or checking instruments.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

Mrs. FEINSTEIN introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To suspend temporarily the duty on certain parts and accessories of measuring or checking instruments.

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 PARTS AND ACCESSORIES OF MEAS-**  
4 **URING OR CHECKING INSTRUMENTS.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of  
6 the Harmonized Tariff Schedule of the United States is  
7 amended by inserting in numerical sequence the following  
8 new heading:

“	9902.01.00	Parts and accessories, of instruments and apparatus for measuring or checking electrical quantities, specially designed for telecommunications (provided for in subheading 9030.90.88), not including subassemblies containing one or more printed circuit assemblies, specially designed for telecommunications (provided for in subheading 9030.90.88) .....	Free	No change	No change	On or before 12/31/2011	”.
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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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