

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: March 25, 2010]²

Bill No. and sponsor: S. 2439 (Mr. Sam Brownback of Kansas).

Proponent name,³ location: Spirit Aerosystems, Inc., Wichita, KS.

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Seals of silicone or of rubber, the foregoing whether covered with textile material or containing an embedded textile material, or both, and designed for use in aircraft (provided for in subheading 5911.90.00)

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 goods are aerodynamic and/or fire-resistant seals utilized throughout the various major structural aircraft assemblies that the proponent builds and supplies to a manufacturer of large civil aircraft. Numerous locations on aircraft require aerodynamic seals; the struts and engine cowlings require fire-resistant seals that would retard heat or flames in the event a fire breaks out in the engine area. The bill would modify the language in existing HTS heading 9902.22.84 to describe more closely the proponent's imported seals. These seals are imported from the United Kingdom.

¹ Industry analyst preparing report: Don Sussman (202-205-3331); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor and proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.22.84, which had provided duty-free entry to particular seals of interest to the proponent, expired at the close of 2009.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 5911.90.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	3.8%	3.8%	3.8%	3.8%	3.8%
Estimated value <i>dutiable</i> imports ^a	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000	\$1,500,000
Customs revenue loss ^b	\$57,000	\$57,000	\$57,000	\$57,000	\$57,000

^{a/} Dutiable import estimates were provided by industry sources.

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

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)		
Spirit Aerosystems, Inc. (Proponent) Dave Adams, 316-523-4312	12/02/2009	No	No	No
Grottenrath Rubber Products Co., Inc. Kirk Dubois, 440-237-5200	12/04/2009	No	No	No
Rocket Seals Corporation Peggy Orth, 303-777-7024	12/04/2009	No	No	No
Seal Master Corp. Richard Messner, 330-673-8410	12/04/2009	No	No	No
Simrit, Div. of Freudenberg-NOK Kaye Schmidt, 734-354-5373	12/04/2009	No	No	No

Technical comments:⁵

It is suggested that the article description of the proposed heading be amended to read as shown on page 1, to describe the products more clearly using HTS-consistent language.

⁵ 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. 2439

To modify and extend the temporary suspension of duty on certain seals designed for use in aircraft.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

A BILL

To modify and extend the temporary suspension of duty on certain seals designed for use in aircraft.

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 SEALS DESIGNED FOR USE IN AIR-**
4 **CRAFT.**

5 (a) IN GENERAL.—Heading 9902.22.84 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 certain seals designed for use in aircraft) is amended—

8 (1) by striking the article description and in-
9 serting the following: “Seals, made of silicone, or
10 rubber, and either covered with, and/or containing,

1 an embedded textile material, designed for use in
2 aircraft (provided for in subheading 5911.90.00”);
3 and

4 (2) by striking “12/31/2009” and inserting
5 “12/31/2011”.

6 (b) EFFECTIVE DATE.—The amendments made by
7 subsection (a) apply with respect to goods entered, or
8 withdrawn from warehouse for consumption, on or after
9 the 15th day after the date of the enactment of this Act.

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