MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 109th Congress

Bill No. and sponsor:  S. 3177 (Mr. Jim Bunning of Kentucky).

Proponents name, location:  GE Consumer & Industrial, Louisville, KY; and Osram Sylvania Products Inc., Danvers, MA.

Other bills on product (109th Congress only):  None.


Retroactive effect:  None.

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

Lanthanum phosphate (CAS No. 13778-59-1) (provided for in subheading 2846.90.80).

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 product is a rare earth co-precipitate that is used in the manufacture of phosphors for use in fluorescent lighting.  The subject product is imported from China.

Estimated effect on customs revenue:

<table>
<thead>
<tr>
<th>HTS subheading: 2846.90.80</th>
<th>2006</th>
<th>2007</th>
<th>2008</th>
<th>2009</th>
<th>2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Col. 1-General rate of duty</td>
<td>3.7%</td>
<td>3.7%</td>
<td>3.7%</td>
<td>3.7%</td>
<td>3.7%</td>
</tr>
<tr>
<td>Estimated value dutiable imports</td>
<td>$4,100,000</td>
<td>$4,100,000</td>
<td>$4,100,000</td>
<td>$4,100,000</td>
<td>$4,100,000</td>
</tr>
<tr>
<td>Customs revenue loss</td>
<td>$151,700</td>
<td>$151,700</td>
<td>$151,700</td>
<td>$151,700</td>
<td>$151,700</td>
</tr>
</tbody>
</table>

Source of estimated dutiable import data: Industry estimates.
Contacts with domestic firms/organizations (including the proponent):

<table>
<thead>
<tr>
<th>Name of firm/organization</th>
<th>Date contacted</th>
<th>Claim US makes same or competing product(s)?</th>
<th>Submission attached?</th>
<th>Opposition noted?</th>
</tr>
</thead>
<tbody>
<tr>
<td>GE Consumer &amp; Industrial (Proponent) Lynn Thomson, 202-637-4022</td>
<td>08/01/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Osram Sylvania (Proponent) Jeff Turner, 202-457-6000</td>
<td>08/01/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Grace Davison Ed Laughlin, 423-697-8217</td>
<td>08/01/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Molycorp John Benfield, 760-856-7616</td>
<td>07/31/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Rhodia Rick Valentine, 202-628-1700</td>
<td>08/01/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in order to reflect a more concise chemical name, a CAS registry number, and the correct HTS subheading reference.

³ 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.
Mr. BUNNING introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To suspend temporarily the duty on certain compounds of lanthanum phosphates.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. CERTAIN COMPOUNDS OF LANTHANUM PHOSPHATES.

(a) In General.—Subchapter II of chapter 99 of the Harmonized Tariff Schedule of the United States is amended by inserting in numerical sequence the following new heading:

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9902.10.02 Compounds, inorganic or organic, of rare-earth metals, of lanthanum phosphates (provided for in subheadings 2846.10.00 and 2846.90.80) Free No change No change On or before 12/31/2009 .
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(b) **Effective Date.**—The amendment made by subsection (a) applies to goods entered, or withdrawn from warehouse for consumption, on or after the 15th day after the date of the enactment of this Act.