MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 109th Congress

[Date approved: October 24, 2006]

Bill No. and sponsor: S. 3178 (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)):

Mixtures or co-precipitates of yttrium oxide (CAS No. 1314-36-9) and europium oxide (CAS No. 1308-96-9) having a yttrium oxide content of at least 90 percent (provided for in subheading 2846.90.80)

Check one: 

X 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 rare earth co-precipitates or mixtures that are used in the manufacture of phosphors for use in fluorescent lighting. The subject products are 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>
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<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):

1 Industry analyst preparing report: Jack Greenblatt (202-205-3353); Tariff Affairs contact: David Michels (202-205-3340).

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.

<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>
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<tr>
<td>Grace Davison Ed Laughlin, 423-697-8217</td>
<td>08/01/2006</td>
<td>No</td>
<td>No</td>
<td>No</td>
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<tr>
<td>Molycorp John Benfield, 760-856-7616</td>
<td>07/31/2006</td>
<td>No</td>
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<td>No</td>
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<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:**

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

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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.
To suspend temporarily the duty on certain compounds of yttrium europium oxide co-precipitates.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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 yttrium europium oxide co-precipitates.

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

SECTION 1. CERTAIN COMPOUNDS OF YTTRIUM EUROPIUM OXIDE CO-PRECIPITATES.

(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:

9902.10.04 Compounds, inorganic or organic, of rare-earth metals, of yttrium europium oxide co-precipitates having a purity of at least 90% yttrium (provided for in subheadings 2846.10.00 and 2846.90.80) Free No change No change On or before 12/31/2009.
2
(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.