

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. 2438 (Mr. Sam Brownback of Kansas).

Proponent name,³ location: Spirit Aerosystems, 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)):

Vacuum relief valves designed to equalize pressure between the internal cabin and the external atmosphere, certified by the importer for use in civil aircraft (provided for in subheading 8481.40.00).

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:

These valves are designed to equalize pressure between the internal cabin and the external atmosphere in civil aircraft; for example, such a valve may be used to allow an exterior door to open after a plane has made an emergency landing with a pressurized cabin. According to the proponent, the existing article description in HTS heading 9902.22.83 does not accurately describe the imported product of interest, but the proposed language would more closely match the product the firm purchases. Imports of the subject valves are primarily from Turkey.

¹ Industry analyst preparing report: Karen Taylor (202-708-4101); 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 proponent did not identify any additional beneficiaries of this bill.

⁴ Heading 9902.22.83, which had provided duty-free entry to the subject goods on proper importer claim, expired at the close of 2009.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 8481.40.00:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	2%	2%	2%	2%	2%
Estimated value <i>dutiable</i> imports ^a	\$428,352	\$428,352	\$428,352	\$428,352	\$428,352
Customs revenue loss ^b	\$8,567	\$8,567	\$8,567	\$8,567	\$8,567

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 (Proponent) Dave Adams, dave.adams@spiritaero.com	01/05/2010	No	No	No
Aerospace Industries Association William Chadwick, William.Chadwick@aia-aerospace.org	01/07/2010	No	No	No

Technical comments:⁵

It is suggested that the language of the proposed article description be modified as shown on page 1. This language takes into account descriptive changes desired by the proponent.

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. 2438

To modify and extend the temporary suspension of duty on certain vacuum relief valves 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 vacuum relief valves 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 VACUUM RELIEF VALVES DESIGNED**

4 **FOR USE IN AIRCRAFT.**

5 (a) IN GENERAL.—Heading 9902.22.83 of the Har-
6 monized Tariff Schedule of the United States (relating to
7 vacuum relief valves) is amended—

8 (1) by striking the article description and in-
9 serting the following: “Vacuum relief valves for
10 equalizing pressure between the internal cabin and

1 the external atmosphere certified by the importer for
2 use in civil aircraft (provided for in subheading
3 8481.40.00)”; 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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