

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: July 15, 2010]²

Bill No. and sponsor: S. 2440 (Mr. Sam Brownback of Kansas).

Proponent name,³ location: Celestaire, 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)):

Marine sextants of metal, designed for use in navigating by celestial bodies (provided for in subheading 9014.80.10).

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 handheld instrument that uses mirrors and a closely graduated arc to measure the angle from the horizon to a celestial body (including the sun, the moon, or a star). This reading is then used to calculate one's position at sea, normally out of sight of land where there are no other geographical markers. As a manual (non-electronic) method to determine one's location, it is a back-up to GPS (Global Positioning System) devices.

Marine sextants made of metal are the most accurate kinds of sextants, more reliable than plastic or wood sextants. Metal sextants are high-quality products with significant manufacturing costs. The proponent (Celestaire, Inc.) noted that while one domestic firm (Davis Instruments) makes sextants out of plastic (which are much cheaper than metal sextants), no firm makes metal marine sextants domestically.

The principal U.S. import sources for metal marine sextants are Japan, Germany, and China.

¹ Industry analyst preparing report: Shannon Gaffney (202-205-2043); Tariff Affairs contact: Donnette Rimmer (202-205-0663).

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

³ The proponent identified two additional beneficiaries of this bill. USITC staff sent inquiries to the additional beneficiaries and received responses from two of them, which indicated that they would benefit from this bill. In addition, USITC staff identified one additional beneficiary of this bill that was not identified by the proponent, and that beneficiary submitted a written representation that does not indicate whether or not it would benefit from this bill.

⁴ Heading 9902.22.81 provided a temporary duty suspension for the subject product that expired on December 31, 2009.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 9014.80.10:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	2.8%	2.8%	2.8%	2.8%	2.8%
Estimated value <i>dutiable</i> imports ^a	\$395,000	\$395,000	\$395,000	\$395,000	\$395,000
Customs revenue loss ^b	\$11,060	\$11,060	\$11,060	\$11,060	\$11,060

a/ Source of dutiable import estimates data: 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.

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)	
Celestaire, Inc. (Proponent) Ken Gebhart, gebhart@celestaire.com	11/23/2009	No	No	No
Davis Instruments John Hansen, johnh@davisnet.com	11/23/2009	No	No	No
Landfall Navigation Capt. Henry E. Marx, landfallnav@juno.com	11/23/2009	No	No	No
Weems & Plath, Inc. Leigh Longenette, llongenette@weems-plath.com	11/23/2009	No	No	No

Technical comments:⁵

None.

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. 2440

To extend the temporary suspension of duty on marine sextants of metal designed for use in navigating by celestial bodies.

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 extend the temporary suspension of duty on marine sextants of metal designed for use in navigating by celestial bodies.

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. MARINE SEXTANTS OF METAL.**

4 (a) IN GENERAL.—Heading 9902.22.81 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 marine sextants of metal designed for use in navigating
7 by celestial bodies) is amended by striking the date in the
8 effective period column and inserting “12/31/2011”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) applies to goods entered, or withdrawn from

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- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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