

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: September 11, 2006]²

Bill No. and sponsor: S. 3081 (Mr. Sam Brownback of Kansas).

Proponent name, location: Celestaire, Inc., Wichita, KS.

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

Nature of bill: Temporary duty suspension through December 31, 2009.

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:

Sextants are optical instruments used for navigation that measure the angle of celestial bodies above the horizon from the observer's position. The principal U.S. import sources are Germany, China, and Japan.

Estimated effect on customs revenue:

HTS subheading: 9014.80.10					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	2.8%	2.8%	2.8%	2.8%	2.8%
Estimated value <i>dutiable</i> imports	\$275,000	\$275,000	\$275,000	\$275,000	\$275,000
Customs revenue loss	\$7,700	\$7,700	\$7,700	\$7,700	\$7,700

Source of estimated dutiable import data: Commission and industry estimates.

¹ Industry analyst preparing report: John Davitt (202-205-3407); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm.

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 Gebhardt, 316-686-9785	07/12/2006	No	No	No
Weems & Plath Dan Dickerson, 410-263-6700	07/13/2006	No	No	No
Davis Instrument Corporation John Hansen, 510-732-9229	07/25/2006	No	No	No

Technical comments:³

The term “high accuracy” in the draft description lacks definition or any standard against which to measure performance, and thus we suggest that it be deleted unless such information can be added. The description is drafted as an “actual use” provision, requiring Customs verification, and we see that as impractical and unnecessary to administering the suspension. We suggest other minor modifications to make the description more consistent with normal tariff drafting, as shown on page 1.

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.

109TH CONGRESS
2D SESSION

S. 3081

To suspend temporarily the duty on high accuracy, metal, marine sextants,
used for navigating by celestial bodies.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2006

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

A BILL

To suspend temporarily the duty on high accuracy, metal,
marine sextants, used for 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. HIGH ACCURACY, METAL, MARINE SEXTANTS,**
4 **USED FOR NAVIGATING BY CELESTIAL BOD-**
5 **IES.**

6 (a) IN GENERAL.—Subchapter II of chapter 99 of
7 the Harmonized Tariff Schedule of the United States is
8 amended by inserting in numerical sequence the following
9 new heading:

“	9902.90.14	High accuracy, metal, marine sextants, used for navigating by celestial bodies (provided for in subheading 9014.80.10)	Free	No change	No change	On or before 12/31/2009	”.
---	------------	--	------	-----------	-----------	----------------------------	----

1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of the enactment of this Act.

○