



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Programmable controllers certified by the importer as designed for use in agricultural and off-road construction vehicles to control vehicle accessories and auxiliary functions (provided for in subheading 8537.10.90).

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject product is a programmable controller (auxiliary electric control unit) for the distribution of electricity to vehicle accessories and auxiliary functions and is designed for use in the cab/operator station area of agricultural and off-road construction vehicles. These controllers are imported under statistical reporting number 8537.10.9060, but that provision is broader than the coverage of the proposed heading. The importer certification requirement is intended to restrict the scope of the proposed heading, but it does not specify characteristics that might differentiate the controllers for the named vehicles because it would be difficult for Customs officials to apply them and the same characteristics might be present in goods for other vehicles. This certification requirement is suggested when an actual use standard for customs and imports, but there is still a desire to restrict product coverage. Mexico, Germany, and the Czech Republic are likely the primary U.S. import suppliers of the subject product. S. 2509 is identical to H.R. 4955.

IV. Estimated effect on customs revenue

Table with 6 columns: Subject product HTS subheading(s), Item, 2013, 2014, 2015, 2016, 2017. Rows include Col.1-general rate of duty or percentage point reduction (%), Estimated value of dutiable imports (\$), and Customs revenue loss (\$).

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) [] Temporary rate (%) [] Percentage point reduction (%) []

V. Technical comments

None

VI. Continuation

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VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Deere & Company (Interested entity) Sarah P. Dean	202-423-2286	No	No	No
2	Act Sensors/Advanced Control Technology, Inc. Mike Wilber	952-882-0000	No	No	No
3	AGM Electronics, Inc. John Vermaes	502-722-1000	No	No	No
4	Calex Manufacturing Company, Inc. Michael McNally	925-687-4411	No	No	No
5	Delta Computer Systems, Inc. Bill Savela	360-254-8688	No	No	No
6	Industrial Scientific Corporation Chris Lang	412-788-4353	No	No	No
7	Mil-Ram Technology, Inc. Carlos Ramirez	510-656-2001	No	No	No
8	Moore Industries-International, Inc. Steve Todd	818-894-7111	No	No	No
9	National Electrical Manufacturers Association Craig Updyke	703-841-3200	No	No	No
10	Pinnacle Systems, Inc. Gary Kovac	412-262-3950	No	No	No
11	Tech America Christopher E. Wilson	202-682-4451	No	No	No
12	Tyco Thermal Controls Rudy Johnston	650-216-1526	No	No	No
13	Wago Corporation Dean Norton	262-255-6222	No	No	No

112TH CONGRESS
2D SESSION

H. R. 4955

To suspend temporarily the duty on certain programmable controllers.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2012

Mr. PETRI introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on certain programmable controllers.

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 PROGRAMMABLE CONTROLLERS.**

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

“	9902.01.00	Programmable controllers certified by the importer as designed for use in agricultural and off-road construction vehicles to control vehicle accessories and auxiliary functions (provided for in subheading 8537.10.90)	Free	No change	No change	On or before 12/31/2015	”.
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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.

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