

118TH CONGRESS 2D SESSION

S. 4015

To temporarily suspend duties on imports of titanium sponge, and for other purposes.

IN THE SENATE OF THE UNITED STATES

March 21, 2024

Ms. Cortez Masto (for herself, Mrs. Blackburn, Mrs. Capito, Mr. Manchin, and Mr. Tillis) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To temporarily suspend duties on imports of titanium sponge, and for other purposes.

- 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. SHORT TITLE.
- 4 This Act may be cited as the "Securing America's
- 5 Titanium Manufacturing Act of 2024".
- 6 SEC. 2. TEMPORARY SUSPENSION OF DUTIES ON IMPORTS
- 7 **OF TITANIUM SPONGE.**
- 8 (a) In General.—During the period described in
- 9 subsection (b), and except as provided by subsection (c),
- 10 imports of titanium sponge classified under subheading

1	8108.20.00 of the Harmonized Tariff Schedule of the
2	United States shall enter the United States free of duty
3	(b) Period Described.—The period described in
4	this subsection is the period—
5	(1) beginning on the date that is 30 days after
6	the date of the enactment of this Act; and
7	(2) ending on the earlier of—
8	(A) December 31, 2031; or
9	(B) the date on which the President termi-
10	nates, under section 3(a)(3), the duty-free
11	treatment of titanium sponge under subsection
12	(a).
13	(c) Exception.—The rate of duty provided for in
14	column 2 of subheading 8108.20.00 of the Harmonized
15	Tariff Schedule of the United States on the day before
16	the date of the enactment of this Act shall continue to
17	apply with respect to imports of titanium sponge from
18	Belarus, Cuba, North Korea, and the Russian Federation
19	during the period described in subsection (b).
20	SEC. 3. AUTHORITY TO TERMINATE DUTY-FREE TREAT
21	MENT BASED ON MONITORING OF TITANIUM
22	SPONGE MARKET AND NATIONAL SECURITY
23	CONDITIONS.
24	(a) Authority To Terminate Suspension of Du-
25	TIES —

- 1 (1) IN GENERAL.—Not later than 3 years after
 2 the date of the enactment of this Act, and annually
 3 thereafter until the end of the period described in
 4 section 2(b), the President shall determine whether
 5 the production of titanium sponge in the United
 6 States is sufficient to meet the national security
 7 needs of the United States.
 - (2) Consultation Period.—Before making a determination required by paragraph (1), the President shall provide for a period of 60 days during which stakeholders may submit comments relating to the determination.
 - (3) EFFECT OF POSITIVE DETERMINATION.—If the President determines under paragraph (1) that the production of titanium sponge in the United States is sufficient to meet the national security needs of the United States, the President shall terminate the duty-free treatment of titanium sponge under section 2, effective on the date that is one year after the date of the determination.

(b) AUTHORITY TO MODIFY INCREASE DUTIES.—

(1) IN GENERAL.—The President may, notwithstanding section 2(a) and upon consideration of the factors described in paragraph (2) and subject to paragraph (3), proclaim increases in the rate of duty

1	applicable to titanium sponge classified under sub-
2	heading 8108.20.00 of the Harmonized Tariff
3	Schedule of the United States.
4	(2) Consideration of Certain Market and
5	SECURITY CONDITIONS.—In determining whether to
6	proclaim increases in the rate of duty applicable to
7	titanium sponge under paragraph (1), the President
8	shall consider the following:
9	(A) Increases in imports of titanium
10	sponge from countries specified in section
11	4872(d)(2) of title 10, United States Code.
12	(B) Increases or decreases in domestic pro-
13	duction of titanium sponge.
14	(C) Increases or decreases in domestic pro-
15	duction of titanium products downstream from
16	titanium sponge.
17	(D) Trends in employment in titanium
18	sponge and titanium product industries.
19	(E) The impact of titanium sponge market
20	conditions on national security.
21	(3) Maximum rate of duty.—The President
22	may not increase the rate of duty applicable to tita-
23	nium sponge under paragraph (1) to a rate that ex-

ceeds the bound rate set pursuant to the commit-

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- 1 ments of the United States as a member of the
- World Trade Organization.

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