

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.

8 (2) CONSULTATION PERIOD.—Before making a
9 determination required by paragraph (1), the Presi-
10 dent shall provide for a period of 60 days during
11 which stakeholders may submit comments relating to
12 the determination.

13 (3) EFFECT OF POSITIVE DETERMINATION.—If
14 the President determines under paragraph (1) that
15 the production of titanium sponge in the United
16 States is sufficient to meet the national security
17 needs of the United States, the President shall ter-
18 minate the duty-free treatment of titanium sponge
19 under section 2, effective on the date that is one
20 year after the date of the determination.

21 (b) AUTHORITY TO MODIFY INCREASE DUTIES.—

22 (1) IN GENERAL.—The President may, notwith-
23 standing section 2(a) and upon consideration of the
24 factors described in paragraph (2) and subject to
25 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-
24 ceeds the bound rate set pursuant to the commit-

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

