

MASS SPECTROMETER FOR STANFORD UNIVERSITY

JULY 24, 1963.—Ordered to be printed

Mr. BYRD of Virginia, from the Committee on Finance, submitted the following

REPORT

[To accompany H.R. 2221]

The Committee on Finance, to whom was referred the bill (H.R. 2221), to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif., having considered the same report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 2221 is to authorize and direct the Secretary of the Treasury to admit free of duty the mass spectrometer (and its accompanying spare-parts assortment) imported for the use of Stanford University, Stanford, Calif., which was entered during October 1962 pursuant to consumption entry 1232.

GENERAL STATEMENT

H.R. 2221 would direct the Secretary of the Treasury to admit free of duty the mass spectrometer (and its accompanying spare parts) imported for the use of Stanford University, Stanford, Calif., during October 1962 and provides for reliquidation of the entry and appropriate refund of duty in the event liquidation of the entry has become final.

The instrument for which free entry would be provided by this bill is now being used in the Stauffer Laboratory of the Chemistry Department of Stanford University for research in inorganic chemistry.

The research in which the instrument in question is being used is sponsored by various governmental agencies, including the Atomic Energy Commission, the Naval Research Laboratory, and the National Science Foundation. It is indicated that at the time Stanford University determined its requirements and specifications

for a mass spectrometer, no domestic instrument of equivalent scientific value or adequate performance characteristics was available from domestic sources.

Under these circumstances, it would appear that this legislation is meritorious and should be adopted. It is entirely consistent with prior congressional enactments.

DEPARTMENTAL REPORTS

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,
Washington, D.C., July 18, 1963.

Hon. HARRY F. BYRD
Chairman, Committee on Finance,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: This is in further reply to your request for the views of this Department with respect to H.R. 2221, an act to provide for the free entry of a mass spectrometer for the use of Stanford University, Stanford, Calif.

The proposed legislation provides for the duty-free entry of a mass spectrometer (and its accompanying spare parts assortment) which was entered during October 1962, pursuant to consumption entry 1232. H.R. 2221 provides for the reliquidation of the import consumption entry and appropriate refund of the duty.

The Department of Commerce favors consistent and equal administration of the customs law, and, accordingly, strongly urges that exceptions and special treatment be held to a minimum. Therefore, on general grounds, the Department is opposed to the duty-free entry of scientific instruments or apparatus for use of particular nonprofit scientific or educational institutions when similar instruments or apparatus of equivalent scientific value are available in the United States.

Several domestic producers of mass spectrometers are capable of designing and making an instrument of equivalent scientific value to the one imported by Stanford University in October 1962.

However, after careful investigation, the Department is of the opinion that at the time Stanford University determined its requirements and specifications for a mass spectrometer no domestic instrument of equivalent scientific value was available from domestic sources. In addition, at that time no domestic firm was offering to design or custom make the instrument required by the university.

In view of the special circumstances of this case, particularly the nonavailability of a domestically produced instrument of adequate characteristics at the time of purchase of the subject instrument, an exception to the general rules seems justified. Therefore, the Department does not oppose enactment of H.R. 2221.

We have been advised by the Bureau of the Budget that there would be no objection to the submission of this report from the standpoint of the administration's program.

Sincerely,

ROBERT E. GILES.

Also favorable reports were received from the Bureau of the Budget, U.S. Tariff Commission, and Departments of the Treasury, Agriculture, State, and Interior.