

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 109<sup>th</sup> Congress<sup>1</sup>**

[Date approved: October 4, 2006]<sup>2</sup>

**Bill No. and sponsor:** S. 3571 (Mr. Tom Carper of Delaware).

**Proponent name, location:** Outdoor Industry Association, Boulder, CO.

**Other bills on product (109<sup>th</sup> 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)):**

Footwear (other than for men or women, and other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper), valued over \$20/pair, whose height from the bottom of the outer sole to the top of the upper does not exceed approximately 17.8 cm, designed to be worn in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather where such protection includes protection against water that is imparted by the use of a coated or laminated textile fabric (provided in subheading 6402.91.50).

**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:**

The bill covers children's footwear designed for rugged outdoor activities such as hiking and trail running, valued at over \$20/pair, and with waterproofing properties imparted by coated or laminated textile fabrics. Trail running shoes have nobbier and stiffer soles and are generally more rigid and protective than road running shoes. China was the leading supplier of these imports in recent years.

<sup>1</sup> Industry analyst preparing report: Laura Rodriguez (202-205-3499); Tariff Affairs contact: Jan Summers (202-205-2605).

<sup>2</sup> Access to an electronic copy of this memorandum is available at [http://usitc.gov/tata/hts/other/rel\\_doc/bill\\_reports/index.htm](http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>6402.91.50</u></b>					
	2006	2007	2008	2009	2010
Col. 1-General rate of duty	37.5%	37.5%	37.5%	37.5%	37.5%
Estimated value <i>dutiable</i> imports	\$969,098	\$1,017,553	\$1,068,431	\$1,121,852	\$1,177,945
Customs revenue loss	\$363,412	\$381,582	\$400,662	\$420,695	\$441,729

Source of estimated dutiable import data: Commission estimates based on information provided by U.S. importers and on official Department of Commerce statistics.

**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)		
Outdoor Industry Association (Proponent) Alex Boian, 303-444-3353	08/10/2006	No	Yes	No
American Apparel and Footwear Association Nate Herman, 703-797-9062	08/01/2006	No	No	No
Columbia Sportswear Jeff Tooze, 503-985-4039	08/03/2006	No	No	No
Footwear Distributors and Retailers of America Peter T. Mangione, 202-737-5660	08/03/2006	No	No	No
Rubber and Plastic Footwear Mfg Association Mitchell Cooper, 202-331-1848	08/01/2006	No	No	No
VF Corporation/North Face Patrick Fox, 562-565-8267, ext. 7, 7974	08/23/2006	No	No	No
W.L. Gore & Associates Mike Ratchford, 302-292-4147	08/22/2006	No	No	No

**Technical comments:<sup>3</sup>**

It is suggested that the article description be modified as shown on page 1, to track the permanent tariff category more closely, to indicate more clearly what goods are excluded, and to convert the English unit of measurement to its rounded metric equivalent.

<sup>3</sup> 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.