

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 111<sup>th</sup> Congress<sup>1</sup>**

[Date approved: March 25, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 1786 (Mr. Patrick Leahy of Vermont).

**Proponent name,<sup>3</sup> location:** SnowSports Industries America, McLean, VA.

**Other bills on product (111<sup>th</sup> Congress only):** None.

**Nature of bill:** Extension of temporary duty suspension through December 31, 2011.<sup>4</sup>

**Retroactive effect:** None.

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

Ski boots, cross country ski footwear or snowboard boots, the foregoing valued over \$12/pair, with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials (provided for in subheading 6404.11.90).

**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 subject boots are those designed for snow sports: ski boots, cross-country ski footwear, and snowboard boots, whether for men, women, or children, when they are valued over \$12 per pair. As noted in the description of the duty suspension provision (HTS heading 9902.64.04), which expired at the end of 2009, the soles of such footwear could be of several different materials, but the uppers must be of textile materials; thus, textile materials must predominate in the outer surface constituent of the footwear. The dutiable value of U.S. imports of the subject footwear entering under subheading 6404.11.90 totaled about \$235,000 in 2008 but increased to approximately \$800,000 during the first nine months of 2009. Industry sources reportedly expect a decline from the 2009 totals. China was the leading supplier of these imports.

<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://www.usitc.gov/tariff\\_affairs/congress\\_reports/](http://www.usitc.gov/tariff_affairs/congress_reports/).

<sup>3</sup> The sponsor and proponent stated there are more than 10 beneficiaries (numerous retailers and suppliers) of this bill.

<sup>4</sup> Heading 9902.64.04, which expired at the end of 2009, had provided a duty suspension to the subject goods.

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6404.11.90:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	20%	20%	20%	20%	20%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$800,000	\$700,000	\$700,000	\$700,000	\$700,000
Customs revenue loss <sup>b</sup>	\$160,000	\$140,000	\$140,000	\$140,000	\$140,000

a/ Source of estimated dutiable import data: Commission estimates based on trade data provided by the U.S. Department of Commerce and U.S. industry representatives.

b/ At the request of Congress, customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ.

**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)		
SnowSports Industries America (Proponent) Davie Ingemie, President (703-556-9020)	11/13/2009	No	Yes	No
American Apparel and Footwear Association Nate Herman, Director of International Trade (703-797-9062)	11/16/2009	No	Yes	No
Footwear Distributors and Retailers of America Matt Priest, President (202-737-5660)	11/16/2009	No	Yes	No
Rubber and Plastic Footwear Producers Mitchell Cooper, Counsel (202-331-1848)	11/16/2009	No	Yes	No

**Technical comments:<sup>5</sup>**

None.

<sup>5</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.

111<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 1786

To extend the temporary suspension of duty on certain ski boots, cross country ski footwear, and snowboard boots.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 14, 2009

Mr. LEAHY introduced the following bill; which was read twice and referred to the Committee on Finance

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## A BILL

To extend the temporary suspension of duty on certain ski boots, cross country ski footwear, and snowboard boots.

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 SKI BOOTS, CROSS COUNTRY SKI**  
4 **FOOTWEAR, AND SNOWBOARD BOOTS.**

5 (a) IN GENERAL.—Heading 9902.64.04 of the Har-  
6 monized Tariff Schedule of the United States (relating to  
7 certain ski boots, cross country ski footwear, and  
8 snowboard boots) is amended by striking “12/31/2009”  
9 and inserting “12/31/2011”.

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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