

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 111th Congress¹**

[Date approved: March 25, 2010]²

Bill No. and sponsor: S. 2434 (Mr. Sam Brownback of Kansas).

Proponent name,³ location: Payless ShoeSource, Inc. (Topeka, KS).

Other bills on product (111th Congress only): None.

Nature of bill: Extension of temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

Other work footwear for women, with outer soles and uppers of rubber or plastics, other than house slippers and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.99.31).

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 work footwear for women with outer soles and uppers of rubber or plastics, provided for in subheading 6402.99.31 and imported under statistical reporting number 6402.99.3155. No legal definition of the term “work footwear” exists in the HTS, but the product is described in statistical note 1(a) to chapter 64 of the HTS.

U.S. imports of such footwear under the duty suspension provision (HTS heading 9902.22.47), which expired at the close of 2009, totaled \$8.8 million in 2008 and \$7.4 million in January–September 2009. China is the leading supplier of the subject footwear imports.

¹ Industry analyst preparing report: Kimberlie Freund (202-708-5402); Tariff Affairs contact: Jan Summers (202-205-2605).

² Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.

³ The sponsor/proponent indicated that the bill is reasonably expected to benefit more than ten firms, but did not provide any named beneficiaries.

⁴ Heading 9902.22.47, which had provided duty-free entry to the subject footwear on proper importer claim, expired at the close of 2009.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6402.99.31:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty					
Col. 1-General rate of duty	6.0%	6.0%	6.0%	6.0%	6.0%
Estimated value <i>dutiable</i> imports ^a	\$10,300,000	\$10,300,000	\$10,300,000	\$10,300,000	\$10,300,000
Customs revenue loss ^b	\$618,000	\$618,000	\$618,000	\$618,000	\$618,000

a/ Dutiable import estimates were based on official U.S. Government statistics and industry information.

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)		
Payless ShoeSource, Inc. (Proponent) Curtis Sneden, curtis-snedden@payless.com	11/30/2009	No	No	No
American Apparel and Footwear Association Nate Herman, nherman@apparelandfootwear.org	11/30/2009	No	No	No
Footwear Distributors and Retailers of America Matt Priest, mpriest@frdr.org	11/30/2009	No	No	No
Rubber and Plastic Footwear Manufacturers Mitch Cooper, mjc12311@verizon.net	11/30/2009	No	No	No

Technical comments:⁵

None.

⁵ 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.

111TH CONGRESS
1ST SESSION

S. 2434

To extend the temporary suspension of duty on certain footwear.

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

A BILL

To extend the temporary suspension of duty on certain footwear.

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 FOOTWEAR.**

4 (a) **IN GENERAL.**—Heading 9902.22.47 of the Har-
5 monized Tariff Schedule of the United States (relating to
6 certain footwear) is amended by striking “12/31/2009”
7 and inserting “12/31/2011”.

8 (b) **EFFECTIVE DATE.**—The amendment made by
9 subsection (a) applies to goods entered, or withdrawn from

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- 1 warehouse for consumption, on or after the 15th day after
- 2 the date of the enactment of this Act.

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