

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: May 5, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2445 (Mr. Sam Brownback of Kansas).

**Proponent name,<sup>3</sup> location:** Payless ShoeSource, Inc., Topeka, KS.

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

**Nature of bill:** Temporary duty suspension through December 31, 2011.

**Retroactive effect:** None.

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

Other footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, not covering the ankle, valued over \$2.50 per pair, for persons other than women, the foregoing other than house slippers, tennis shoes, basketball shoes and the like (provided for in subheading 6403.99.90)

**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 bill covers a variety of children's footwear with leather uppers, including sandals, clogs, slip-ons, and lace-up styles. The subject footwear cannot include welt footwear or footwear made on a base or platform of wood. China is 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 ten beneficiaries of this bill, including numerous retailers and suppliers..

**Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6403.9990:**

	2010	2011	2012	2013	2014
<del>Col. 1-General rate of duty</del>					
Col. 1-General rate of duty	10%	10%	10%	10%	10%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$42,000,000	\$42,000,000	\$42,000,000	\$42,000,000	\$42,000,000
Customs revenue loss <sup>b</sup>	\$4,200,000	\$4,200,000	\$4,200,000	\$4,200,000	\$4,200,000

a/ Source of estimated dutiable import data: Commission estimates based on trade data provided by the U.S. Department of Commerce and 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)		
Payless ShoeSource, Inc. (Proponent) Curtis Sneden, 785-295-6615	1/15/2010	No	No	No
American Apparel and Footwear Association Nate Herman, 703-797-9062	1/15/2010	No	No	No
Footwear Retailers and Distributors of America Matt Priest, 202-737-5660	1/14/2010	No	No	No
Rubber and Plastic Footwear Manufacturers Association Mitchell J. Cooper, 202-331-1858	1/15/2010	No	No	No

**Technical comments:<sup>4</sup>**

It is suggested that the article description of the proposed heading be amended to read as shown on page 1, to follow normal HTS descriptive practices more closely.

<sup>4</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.

111TH CONGRESS  
1ST SESSION

# S. 2445

To suspend temporarily the duty on certain leather upper 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 suspend temporarily the duty on certain leather upper 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 LEATHER UPPER FOOTWEAR.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of  
5 the Harmonized Tariff Schedule of the United States is  
6 amended by inserting in numerical sequence the following  
7 new heading:

“	9902.01.00	Other footwear with outer soles of rubber, plastic, leather, or composition leather and uppers of leather, not covering the ankle, valued at more than \$2.50 per pair, other than house slippers, tennis shoes, basketball shoes, and the like, the foregoing for persons other than women (provided for in sub-heading 6403.99.90) .....	Free	No change	No change	On or before 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.

○