

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: August 3, 2010]<sup>2</sup>

**Bill No. and sponsor:** S. 2545 (Ms. Maria Cantwell of Washington).

**Proponent name,<sup>3</sup> location:** Outdoor Industry Association, Boulder, CO.

**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)):**

Men's wading boots, valued over \$20/pair but not over \$45/pair, with outer soles of rubber, plastics, leather or composition leather and uppers of leather, whose height from the bottom of the outer sole to the top of the upper does not exceed 22.9 cm (provided for in subheading 6403.19.40).

**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 men's footwear is designed for wading or other outdoor uses. The bill's proponent estimates that less than 1 percent of imports under HTS subheading 6403.19.40 are intended for such outdoor uses. The primary import source is China.

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<sup>1</sup> Industry analyst preparing report: Karen Taylor (202-708-4101); 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 6403.19.40:**

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	4.3%	4.3%	4.3%	4.3%	4.3%
Estimated value <i>dutiable</i> imports <sup>a</sup>	\$21,225	\$22,075	\$22,950	\$23,875	\$24,825
Customs revenue loss <sup>b</sup>	\$913	\$949	\$987	\$1,027	\$1,067

a/ Dutiable import estimates were provided by industry sources.

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)		
Outdoor Industry Association (Proponent) Alex Boian, aboian@outdoorindustry.org	02/26/2010	No	No	No
American Apparel & Footwear Association Nate Herman, nherman@apparelandfootwear.org	01/16/2010	No	Yes	No
Footwear Distributors & Retailers of America Matt Priest, mpriest@fdra.org	01/14/2010	No	Yes	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. The description should not contain the English unit of measure used in the bill because the HTS uses metric units of measure.

<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. 2545

To suspend temporarily the duty on certain men's wading boots, valued over \$20/pair, but not over \$45/pair, with outer soles of rubber, plastics, leather, or composition leather and uppers of leather whose height from the bottom of the outer sole to the top of the upper does not exceed 9 inches (22.86 cm).

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IN THE SENATE OF THE UNITED STATES

OCTOBER 30, 2009

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

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## A BILL

To suspend temporarily the duty on certain men's wading boots, valued over \$20/pair, but not over \$45/pair, with outer soles of rubber, plastics, leather, or composition leather and uppers of leather whose height from the bottom of the outer sole to the top of the upper does not exceed 9 inches (22.86 cm).

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. CERTAIN MEN’S WADING BOOTS, VALUED OVER**  
 2 **\$20/PAIR, BUT NOT OVER \$45/PAIR, WITH**  
 3 **OUTER SOLES OF RUBBER, PLASTICS, LEATH-**  
 4 **ER, OR COMPOSITION LEATHER AND UPPERS**  
 5 **OF LEATHER WHOSE HEIGHT FROM THE BOT-**  
 6 **TOM OF THE OUTER SOLE TO THE TOP OF**  
 7 **THE UPPER DOES NOT EXCEED 9 INCHES**  
 8 **(22.86 CM).**

9 (a) IN GENERAL.—Subchapter II of chapter 99 of  
 10 the Harmonized Tariff Schedule of the United States is  
 11 amended by inserting in numerical sequence the following  
 12 new heading:

“	9902.01.00	Men’s wading boots, valued over \$20/pair, but not over \$45/pair, with outer soles of rubber, plastics, leather, or composition leather and uppers of leather whose height from the bottom of the outer sole to the top of the upper does not exceed 9 inches (22.86 cm) (provided for in subheading 6403.19.40) .....	Free	No change	No change	On or before 12/31/2011	”.
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13 (b) EFFECTIVE DATE.—The amendment made by  
 14 subsection (a) applies to goods entered, or withdrawn from  
 15 warehouse for consumption, on or after the 15th day after  
 16 the date of the enactment of this Act.

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