



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

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

Individual footwear article descriptions are listed in the "Continuation" section.

Description above compared with bill as introduced:

- Same
- Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The covered products include several categories of low-priced footwear, children’s footwear, various high-duty sports shoes, and protective footwear. These goods fall in subheadings of HTS headings 6401 (waterproof footwear with outer soles and uppers of rubber or plastics, the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes), 6402 (other footwear with outer soles and uppers of rubber or plastics), 6403 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather), 6404 (footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials) and 6405 (miscellaneous other footwear). Dutiable U.S. imports of the subject footwear totaled an estimated \$11.9 billion in 2011. For virtually all the subject footwear products, China was the leading supplier, followed by Vietnam and Indonesia. Industry sources estimate that there are hundreds of importers of the affected footwear and that the footwear types covered by the bill account for about 35 percent of the shoes sold in the United States in 2011.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	Total Estimated Customs Revenue Losses				
	2013	2014	2015	2016	2017
Item					
Col.1-general rate of duty (%)	10.6	10.6	10.6	10.6	10.6
Estimated value of <i>dutiable</i> imports (\$)	12,264,000,000	12,500,000,000	13,000,000,000	13,500,000,000	14,000,000,000
Customs revenue loss (\$)	1,299,984,000	1,325,000,000	1,378,000,000	1,431,000,000	1,484,000,000

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
- Provided by industry sources
- Industry information
- Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
- This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

" See Continuation" section.

VI. Continuation

Suggested Article Description... -- continued:

If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.

Estimated effect on customs revenue-continued:

In the summary table shown above, the Col.1-general rate of duty shown is the calculated average trade-weighted U.S. duty rate. In the provisions set forth below, general rates of duty are included in brackets but are not part of the suggested description for enactment.

Commission staff provided estimates for customs revenue losses for individual affected footwear products in the tables that follow; the estimates are based on data for usage of existing temporary HTS provisions and on industry information. Products for which individual reasonable estimates of customs revenue losses could not be made are grouped together as "other" at the end of this section.

HTS No. 9902.23.85- Vulcanized rubber lug boot bottoms boots for use in fishing waders (provided for in subheading 6401.92.90) [general rate of duty 37.5%]

2013-\$675,000
2014-\$693,750
2015-\$712,500
2016-\$731,250
2017-\$759,000

Note: The bill would create a new heading numbered 9902.64.25; however, these products are already covered by heading 9902.23.85 and that provision's expiration date should merely be amended to reflect the desired end date.

HTS No. 9902.64.26 - Sports footwear with outer soles and uppers of rubber or plastics (other than golf shoes), having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements) is rubber or plastics (except footwear having foxing or a foxing-like band applied or molded at the sole and overlapping the upper); the foregoing not including footwear for women (provided for in subheading 6402.19.15) [general rate of duty 5.1%]

2013-\$8,670,000
2014-\$8,695,000
2015-\$9,180,000
2016-\$9,435,000
2017-\$9,690,000

HTS No. 9902.64.27- Footwear (other than work footwear or footwear designed to be worn over or in lieu of other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather) with outer soles and uppers of rubber or plastics, covering the ankle, not incorporating a protective metal toe-cap, having uppers of which over 90 percent of the external surface area is rubber or plastics (provided for in subheading 6402.91.40) [general rate of duty 6%]

2013-\$48,000,000
2014-\$49,500,000
2015-\$51,000,000
2016-\$52,500,000
2017-\$54,000,000

HTS No. 9902.64.28 - Footwear (other than sports footwear) with outer soles and uppers of rubber or plastics, with a per pair value exceeding the dollar amount specified in U.S. note 20(e) to this subchapter [subchapter II of chapter 99], whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women, or does not exceed 17.78 cm if for persons other than men or women, the foregoing designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease or chemicals or cold or inclement weather, and where protection against water is imparted by the use of a coated or laminated fabric (provided for in subheading 6402.91.50) [general rate

of duty 37.5%]

2013-\$1,575,000
2014-\$1,593,750
2015-\$1,612,500
2016-\$1,631,250
2017-\$1,665,000

HTS No. 9902.64.29 - Footwear (other than work footwear) with outer soles and uppers of rubber or plastics, valued over \$12/pair, covering the ankle, for men or women, such footwear either: which has a height measured from the bottom of the outer sole to the top of the upper that (1) does not exceed 13 cm or (2) exceeds 21 cm; or which regardless of height is slip-on footwear (provided for in subheading 6402.91.90) [general rate of duty 20%]

2013-\$5,600,000
2014-\$5,700,000
2015-\$5,800,000
2016-\$5,900,000
2017-\$6,000,000

HTS No. 9902.64.30 - Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles and uppers of rubber or plastics, covering the ankle, valued over \$12/pair (provided for in subheading 6402.91.90) [general rate of duty 20%]

2013-\$45,000,000
2014-\$45,100,000
2015-\$46,000,000
2016-\$46,100,000
2017-\$47,000,000

HTS No. 9902.64.31- Footwear with outer soles and uppers of rubber or plastic, not covering the ankle, other than work footwear or house slippers (provided for in subheading 6402.99.31) [general rate of duty 6%]

2013-\$186,000,000
2014-\$189,000,000
2015-\$192,000,000
2016-\$195,000,000
2017-\$199,800,000

HTS No. 9902.64.32 - Footwear with outer soles and uppers of rubber or plastics, with a per pair value exceeding the dollar amount specified in U.S. note 20(e) to this subchapter [subchapter II of chapter 99], the foregoing designed to be used in lieu of, but not over, other footwear, and where protection against water is imparted by the use of a coated or laminated textile fabric (provided for in subheading 6402.99.33) [general rate of duty 37.5%]

2013-\$6,000,000
2014-\$6,093,750
2015-\$6,187,500
2016-\$6,281,250
2017-\$6,375,000

HTS No. 9902.64.33 - Footwear with uppers and outer soles of rubber or plastics, other than house slippers (provided for in subheading 6402.99.41) [general rate of duty 12.5%]

2013-\$3,000,000
2014-\$3,031,250
2015-\$3,062,500
2016-\$3,093,750
2017-\$3,125,000

HTS No. 9902.64.34 - Footwear with outer soles and uppers of rubber or plastic, other than house slippers, valued over \$3 but not over \$6.50/pair (provided for in subheading 6402.99.79 [general rate of duty 90¢/pr. + 37.5%]

2013-\$1,500,000
2014-\$2,000,000
2015-\$2,250,000
2016-\$2,500,000
2017-\$3,000,000

HTS No. 9902.22.49- Footwear with outer soles and uppers of leather, covering the ankle, other than for women (provided for in subheading 6403.51.90) [general rate of duty 10%]

2013-\$930,000
2014-\$935,000
2015-\$940,000
2016-\$945,000
2017-\$950,000

Note: The bill would create a new heading numbered 9902.64.35; however, these products are already covered by heading 9902.22.49 and that provision's, article description and expiration date should be amended to reflect the desired end date; also, if such footwear is the product of Japan, it may be subject to additional duties under subheading 9903.41.10. 1/

HTS No. 9902.64.39 -Footwear for youths and boys, with outer soles of rubber, plastics, leather or composition leather and uppers of leather, covering the ankle, other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.60) [general rate of duty 8.5%]

2013-\$4,802,500
2014-\$4,823,750
2015-\$4,866,250
2016-\$4,887,500
2017-\$4,930,000

Note: If such footwear is the product of Japan, it may be subject to additional duties under subheading 9903.41.10. 1/

HTS No. 9902.64.43 - Footwear for persons other than women, with outer soles of rubber, plastics, leather or composition leather and uppers of leather, covering the ankle, other than slip-on footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.90) [general rate of duty 10%]

2013-\$21,500,000
2014-\$22,000,000
2015-\$22,500,000
2016-\$23,000,000
2017-\$23,500,000

Note: if such footwear is the product of Japan, it may be subject to additional duties under subheading 9903.41.10. 1/

HTS No. 9902.64.45 - Footwear for men with outer soles of rubber, plastics, leather or composition leather and uppers of pigskin, not covering the ankle, other than house slippers, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in 6403.99.60) [general rate of duty 8.5%]

2013-\$1,200,000
2014-\$1,300,000
2015-\$1,350,000
2016-\$1,400,000
2017-\$1,450,000

Note: if such footwear is the product of Japan, it may be subject to additional duties under subheading 9903.41.10. 1/

HTS No. 9902.64.46 - Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber, plastics, leather or composition leather and uppers of leather, not covering the ankle, for youths and boys (provided for in subheading 6403.99.60) [general rate of duty 8.5%]

2013-\$21,250,000
2014-\$22,100,000
2015-\$22,950,000
2016-\$23,800,000

2017-\$24,225,000

Note: if such footwear is the product of Japan, it may be subject to additional duties under subheading 9903.41.10. 1/

HTS No. 9902.64.47 - Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather, valued over \$2.50/pr (other than footwear for men, youths, and boys, footwear for women and house slippers, and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like) (provided for in subheading 6403.99.90)

[general rate of duty 10%]

2013-\$18,000,000

2014-\$19,000,000

2015-\$20,000,000

2016-\$21,000,000

2017-\$22,000,000

Note: if the intention of this heading is to cover footwear that is not work footwear, that exclusion should be added to the parenthetical expression starting with "other than"; this addition would also avoid potential overlapping coverage with existing heading 9902.22.52. If instead the intent is to cover the footwear described in the latter heading, no new heading should be enacted for it and the expiration date in such heading should be amended to reflect the desired end date.

HTS No. 9902.64.49 Sports footwear, with outer soles of rubber or plastics and uppers of textile materials, valued over \$12/pair (other than ski boots, cross country ski footwear and snowboard boots), for persons other than men or women (provided for in subheading 6404.11.90) [general rate of duty 20%]

2013-\$6,600,000

2014-\$6,700,000

2015-\$6,800,000

2016-\$6,900,000

2017-\$7,000,000

HTS No. 9902.64.04- Ski boots, cross country ski footwear and snowboard boots, the foregoing valued over \$12/pair, with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials, for men or women (provided for in subheading 6404.11.90) [general rate of duty 20%]

2013-\$240,000

2014-\$250,000

2015-\$260,000

2016-\$270,000

2017-\$280,000

Note: the bill would create a new heading numbered 9902.64.50; however, most of the products described in that proposed heading are already covered by 9902.64.04 and that provision's article description and expiration date should merely be amended to reflect the desired scope and end date.

HTS No. 9902.64.51 - Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber or plastics and uppers of textile materials, valued over \$12/pair, covering the ankle, for men and women (provided for in subheading 6404.11.90) [general rate of duty 20%]

2013-\$124,000,000

2014-\$125,000,000

2015-\$126,000,000

2016-\$127,000,000

2017-\$128,000,000

HTS No. 9902.64.54 - Footwear for men with outer soles of rubber or plastics and uppers of vegetable fibers, other than house slippers (provided for in subheading 6404.19.25) [general rate of duty 7.5%]

2013-\$22,500

2014-\$26,250

2015-\$30,000

2016-\$33,750

2017-\$37,500

Note: As drafted, this heading would overlap existing heading 9902.13.78; available information does not allow us to suggest additional modifications to avoid this problem.

HTS No. 9902.64.55- Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.39) [general rate of duty 37.5%]

2013-\$9,000,000
2014-\$9,375,000
2015-\$9,750,000
2016-\$10,125,000
2017-\$10,500,000

HTS No. 9902.64.56-Footwear for women, with outer soles of rubber or plastics and uppers of textile materials, valued not over \$3/pair, other than house slippers (provided for in subheading 6404.19.59) [general rate of duty 48%]

2013-\$135,000
2014-\$138,750
2015-\$142,500
2016-\$146,250
2017-\$150,000

HTS No. 9902.64.57 - Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheadings 6404.19.69, 6404.19.79, 6404.19.89 or 6404.19.90) [general rate of duty 90¢/pr. + 37.5%]

2013-\$693,480,000
2014-\$706,588,250
2015-\$747,346,250
2016-\$789,155,000
2017-\$828,077,500

HTS No. 9902.64.58- Footwear for men with uppers of leather or composition leather (provided for in subheading 6405.10.00) [general rate of duty 10%]

2013-\$570,000
2014-\$580,000
2015-\$585,000
2016-\$590,000
2017-\$595,000

HTS No. 9902.64.59 - Footwear with uppers of textile materials, other than with soles and uppers of wool felt (provided for in subheading 6405.20.90) [general rate of duty 12.5%]

2013-\$175,000,000
2014-\$178,125,000
2015-\$181,250,000
2016-\$184,375,000
2017-\$187,500,000

HTS No. 9902.64.60 - Footwear not elsewhere provided for in chapter 64 (provided for in subheading 6405.90.90) [general rate of duty 12.5%]

2013-\$62,500,000
2014-\$63,750,000
2015-\$64,375,000
2016-\$65,000,000
2017-\$65,625,000

Note: As drafted, this heading's coverage would overlap existing [expired] heading 9902.23.84; available information does not allow us to suggest language to avoid this problem.

Other HTS headings for which specific revenue estimates are not available, and which may include products of Japan that are subject to additional duties under heading 9903.41.10. 1/

HTS No. 9902.64.36 - Footwear for men, youths and boys, covering the ankle, valued over \$12/pair, such footwear which from the bottom of the outer sole to the top of the upper (1) does not exceed 13 cm or (2) exceeds 21 cm; or which regardless of height is waterproof footwear, other than work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, and other than slip-on footwear (provided for in subheading 6403.91.60) [general rate of duty 8.5%]

HTS No. 9902.64.37 - Slip-on footwear for men and footwear for youths and boys, covering the ankle; such footwear with sole components, including any mid-soles but excluding any inner soles, which when measured at the ball of the foot has a combined thickness measuring less than 13.5 mm, the foregoing valued over \$20/pair (provided for in subheading 6403.91.60) [general rate of duty 8.5%]

HTS No. 9902.64.38 - Footwear for men, covering the ankle, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.60) [general rate of duty 8.5%]

HTS No. 9902.64.40 - Footwear other than footwear for men, youths and boys. covering the ankle, valued over \$12/pair, such footwear either having a height measured from the bottom of the outer sole to the top of the upper which (1) does not exceed 13 cm or (2) exceeds 21 cm; or which, regardless of height, is waterproof footwear or footwear where the difference in height between the bottom of the sole at the ball of the foot to the top of the midsole and from the bottom of the heel to the top of the mid-sole is over 30 mm; the foregoing other than work footwear and other than slip-on footwear (provided for in subheading 6403.91.90) [general rate of duty 8.5%]

HTS No. 9902.64.41 - Slip-on footwear other than footwear for men, youths or boys covering the ankle; such footwear with a heel over 15 mm in height as measured from the bottom of the sole or sole components (including any midsoles but excluding any inner soles) which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued not over \$20/pair (provided for in subheading 6403.91.90) [general rate of duty 8.5%]

HTS No. 9902.64.42 - Footwear for women, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.90) [general rate of duty 8.5%]

HTS No. 9902.64.44 - Footwear for men, valued not over \$20/pair, having uppers of leather other than pigskin, the foregoing other than house slippers, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.99.60) [general rate of duty 8.5%]

HTS No. 9902.64.48- Sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.11.59, 6404.11.69, 6404.11.79 or 6404.11.89) [general rate of duty 1048%, 37.5%, 37.5%, or 90¢/pr. + 20%, respectively]

HTS No. 9902.64.52 - Footwear with outer soles of rubber or plastics and uppers of textile materials, having uppers of which over 50 percent of the external surface area is leather (provided for in subheading 6404.19.15) [general rate of duty 10.5%]

HTS No. 9902.64.53 - Footwear (except vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles of rubber or plastics and uppers of textile materials, with a per pair value exceeding the dollar amount specified in U.S. note 20(e) to this subchapter [subchapter II of chapter 99]; whose height from the bottom of the outer sole to the top of the upper either (1) does not exceed 20.32 cm if for men or women or (2) does not exceed 17.78 cm for persons other than men or women; the foregoing designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather and where protection against water is imparted by the use of a coated or laminated textile fabric (provided for in subheading 6404.19.20) [general rate of duty 37.5%]

1/ Proclamation 5448 of March 16, 1986: Increase in the rates of duty on certain articles from Japan, 51 Fed. Reg. 9435 (Mar. 19, 1986). USITC data web shows no imports under 9903.41.10 since 1996, when data web records begin.

VII. Contacts with domestic firms/organizations

	# Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Footwear Distributors and Retailers of America (interested entity) Matt Priest	202-737-5660	No	No	No
2	American Apparel and Footwear Association Nate Herman	703-797-9062	No	No	No
3	National Retail Federation Eric Autor	202-250-9580	No	No	No
4	Outdoor Industry Association Alex Boian	303-444-3353	No	No	No
5	Rubber and Plastic Footwear Manufacturers Association Marc Fleischaker	202-857-6000	Yes	Yes	Yes

Rodriguez, Laura

From: Fleischaker, Marc L. <Fleischaker.Marc@ARENTFOX.COM>
Sent: Thursday, May 10, 2012 7:10 PM
To: Rodriguez, Laura
Subject: Affordable Footwear Act ("AFA")

Ms. Rodriguez:

This will confirm that the Rubber and Plastics Footwear Manufacturers Association supports the Senate version of the Affordable Footwear Act. Our support is premised on the facts that the bill does not include any of the "sensitive products" (that is, footwear that continues to be manufactured in the United States) within the footwear for which tariffs would be eliminated, and because the bill includes the so-called Note 5 language involving textile outsoles. We do not support the House version of the AFA because it does not include Note 5.

Please let me know if you would like additional information.

Marc L. Fleischaker
Trade Counsel
Rubber and Plastics Footwear
Manufacturers Association

IRS Circular 230 disclosure: To ensure compliance with requirements imposed by the IRS, we inform you that, unless expressly stated otherwise, any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

112TH CONGRESS
1ST SESSION

H. R. 2697

To suspend temporarily the duty on certain footwear, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2011

Ms. JENKINS (for herself, Mr. CROWLEY, Mr. BRADY of Texas, and Mr. BLUMENAUER) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To suspend temporarily the duty on certain footwear, and
for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “Affordable Footwear
5 Act of 2011”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Average collected duties on imported foot-
9 wear are among the highest of any product sector,
10 totaling approximately \$2,000,000,000 during 2010.

1 (2) Duty rates on imported footwear are among
2 the highest imposed by the United States Govern-
3 ment, with some as high as the equivalent of 67.5
4 percent ad valorem.

5 (3) The duties currently imposed by the United
6 States were set in an era during which high rates of
7 duty were intended to protect production of footwear
8 in the United States.

9 (4) Footwear produced in the United States
10 supplies only about 1 percent of the total United
11 States market for footwear. This production is con-
12 centrated in distinct product groupings, which are
13 not affected by the provisions of this Act.

14 (5) Footwear duties, which are higher on lower-
15 price footwear, serve no purpose and are a hidden,
16 regressive tax on those people in the United States
17 least able to pay.

18 (6) Low- and moderate-income families spend a
19 larger share of their disposable income on footwear
20 than higher-income families.

21 (7) The outdoor industry develops innovative
22 and high performance footwear that promotes
23 healthy and active lifestyles through outdoor recre-
24 ation.

1 **SEC. 3. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

3 (1) there is no production in the United States
4 of many footwear articles;

5 (2) the reduction or elimination of duties on
6 such articles will not negatively affect manufacturing
7 or employment in the United States; and

8 (3) the reduction or elimination of duties on
9 such articles will result in reduced retail prices for
10 a wide range of consumers.

11 **SEC. 4. TEMPORARY ELIMINATION OR REDUCTION OF DU-**
12 **TIES ON CERTAIN FOOTWEAR.**

13 (a) DEFINITIONS.—The U.S. Notes to subchapter II
14 of chapter 99 of the Harmonized Tariff Schedule of the
15 United States are amended by adding at the end the fol-
16 lowing:

17 “(20) For the purposes of headings 9902.64.25
18 through 9902.64.60:

19 “(a) The term ‘footwear for men’ means
20 footwear of American men’s size 6 and larger
21 for males, and does not include footwear com-
22 monly worn by both sexes.

23 “(b) The term ‘footwear for women’ means
24 footwear of American women’s size 4 and larg-
25 er, whether for females or of types commonly
26 worn by both sexes.

1 “(c)(i) The term ‘work footwear’ means, in
2 addition to footwear for men or footwear for
3 women having a metal toe-cap, footwear for
4 men or for women that—

5 “(A) has outer soles of rubber or plas-
6 tics;

7 “(B) is of a kind designed for use by
8 persons employed in occupations, such as
9 those related to the agricultural, construc-
10 tion, industrial, public safety or transpor-
11 tation sectors, that are not conducive to
12 the use of casual, dress, or similar light-
13 weight footwear; and

14 “(C) has special features to protect
15 against hazards in the workplace (such as
16 resistance to chemicals, compression,
17 grease, oil, penetration, slippage, or static
18 build-up).

19 “(ii) The term ‘work footwear’ does not in-
20 clude—

21 “(A) sports footwear, tennis shoes,
22 basketball shoes, gym shoes, training shoes
23 and the like;

24 “(B) footwear designed to be worn
25 over other footwear;

1 “(C) footwear with open toes or open
2 heels; or

3 “(D) footwear (except footwear cov-
4 ered by heading 6401) of the slip-on type
5 or other footwear that is held to the foot
6 without the use of laces or a combination
7 of laces and hooks or other fasteners.

8 “(d) The term ‘house slippers’ means footwear
9 of the slip-on type designed solely for casual indoor
10 use. The term ‘house slippers’ includes—

11 “(i) footwear with outer soles not over 3.5
12 mm in thickness, consisting of cellular rubber,
13 non-grain leather, or textile material;

14 “(ii) footwear with outer soles not over 2
15 mm in thickness consisting of polyvinyl chlo-
16 ride, whether or not backed; and

17 “(iii) footwear which, when measured at
18 the ball of the foot, has sole components (in-
19 cluding any inner and mid-soles) with a com-
20 bined thickness not over 8 mm as measured
21 from the outer surface of the uppermost sole
22 component to the bottom surface of the outer
23 sole and which, when measured in the same
24 manner at the area of the heel, has a thickness
25 equal to or less than that at the ball of the foot.

1 “(e) For purposes of subheadings 9902.64.28,
2 9902.64.32 and 9902.64.53, the dollar amount spec-
3 ified as the value of a good shall be as follows:

4 “(i) In calendar year 2011 through 2013,
5 \$22/pair.

6 “(ii) In calendar year 2014, \$24/pair.

7 “(f) The term ‘waterproof footwear’ means foot-
8 wear designed to protect against penetration by
9 water or other liquids, whether or not such footwear
10 is primarily designed for such purposes.”.

11 (b) AMENDMENTS TO HTS.—Subchapter II of chap-
12 ter 99 of the Harmonized Tariff Schedule of the United
13 States is amended by inserting in numerical sequence the
14 following new headings:

“	9902.64.25	Vulcanized rubber lug boot bottoms for use in fishing waders (provided for in subheading 6401.92.90)	Free	No change	No change	On or before 12/31/2014
	9902.64.26	Sports footwear with outer soles and uppers of rubber or plastics (other than golf shoes), having uppers of which over 90 percent of the external surface area (including any accessories or reinforcements) is rubber or plastics (except footwear having foxing or a foxing-like band applied or molded at the sole and overlapping the upper); the foregoing not including footwear for women (provided for in subheading 6402.19.15)	Free	No change	No change	On or before 12/31/2014

9902.64.27	Footwear (other than work footwear or footwear designed to be worn over or in lieu of other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather) with outer soles and uppers of rubber or plastics, covering the ankle, not incorporating a protective metal toe-cap, having uppers of which over 90 percent of the external surface area is rubber or plastics (provided for in subheading 6402.91.40)	Free	No change	No change	On or before 12/31/2014
9902.64.28	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. note 20(e) to this subchapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women, or does not exceed 17.78 cm if for persons other than men or women, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather, and where protection against water is imparted by the use of a coated or laminated fabric (provided for in subheading 6402.91.50)	Free	No change	No change	On or before 12/31/2014
9902.64.29	Footwear (other than work footwear) with outer soles and uppers of rubber or plastics, covering the ankle, for men or women, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is slip-on footwear (provided for in subheading 6402.91.90)	Free	No change	No change	On or before 12/31/2014
9902.64.30	Tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6402.91.90)	Free	No change	No change	On or before 12/31/2014
9902.64.31	Footwear with outer soles and uppers of rubber or plastic, not covering the ankle, other than work footwear or house slippers (provided for in subheading 6402.99.31) ...	Free	No change	No change	On or before 12/31/2014

9902.64.32	Footwear (other than vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper), with outer soles and uppers of rubber or plastics, valued over the dollar amount specified in U.S. note 20(e) to this subchapter, designed to be used in lieu of, but not over, other footwear, and where protection against water is imparted by the use of a coated or laminated textile fabric (provided for in subheading 6402.99.33)	Free	No change	No change	On or before 12/31/2014
9902.64.33	Footwear with uppers and outer soles of rubber or plastics, other than house slippers (provided for in subheading 6402.99.40)	Free	No change	No change	On or before 12/31/2014
9902.64.34	Footwear with outer soles and uppers of rubber or plastic, other than house slippers (provided for in subheading 6402.99.70)	Free	No change	No change	On or before 12/31/2014
9902.64.35	Footwear with outer soles and uppers of leather, covering the ankle, other than footwear for women (provided for in subheading 6403.51.90)	Free	No change	No change	On or before 12/31/2014
9902.64.36	Footwear for men, and footwear for youths and boys, covering the ankle, valued over \$12/pair, such footwear which from the bottom of the outer sole to the top of the upper does not exceed 13 cm or which exceeds 21 cm, or regardless of height is waterproof footwear, other than work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, and other than slip-on footwear (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2014
9902.64.37	Slip-on footwear for men and footwear for youths and boys covering the ankle; such footwear with sole components, including any mid-soles but excluding any inner soles, which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued over \$20/pair (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2014

9902.64.38	Footwear for men, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2014
9902.64.39	Footwear for youth and boys, other than tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.60)	Free	No change	No change	On or before 12/31/2014
9902.64.40	Footwear (other than footwear for men or footwear for youths and boys) covering the ankle, valued over \$12/pair, such footwear of a height which from the bottom of the outer sole to the top of the upper does not exceed 13 cm, or which exceeds 21 cm, or regardless of height, is waterproof footwear, or footwear where the difference in height between the bottom of the sole at the ball of the foot to the top of the midsole and from the bottom of the heel to the top of the midsole is over 30 mm, other than work footwear and other than slip-on footwear (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2014
9902.64.41	Slip-on footwear (other than footwear for men or footwear for youths or boys) covering the ankle; such footwear with a heel over 15 mm in height as measured from the bottom of the sole, or sole components (including any midsoles but excluding any inner soles) which when measured at the ball of the foot have a combined thickness less than 13.5 mm, the foregoing valued not over \$20/pair (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2014
9902.64.42	Footwear for women, other than slip-on footwear, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, valued not over \$12/pair (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2014
9902.64.43	Footwear for persons other than women, other than slip-on footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.91.90)	Free	No change	No change	On or before 12/31/2014

9902.64.44	Footwear for men, valued not over \$20/pair, having uppers of leather other than pigskin, and other than house slippers, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in subheading 6403.99.60)	Free	No change	No change	On or before 12/31/2014
9902.64.45	Footwear for men having uppers of pigskin, other than house slippers, work footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like (provided for in 6403.99.60)	Free	No change	No change	On or before 12/31/2014
9902.64.46	Tennis shoes, basketball shoes, gym shoes, training shoes and the like for youths and boys (provided for in subheading 6403.99.60)	Free	No change	No change	On or before 12/31/2014
9902.64.47	Footwear valued over \$2.50/pair (other than footwear for men, youths, and boys, footwear for women, house slippers, and other than tennis shoes, basketball shoes, gym shoes, training shoes and the like) (provided for in subheading 6403.99.90)	Free	No change	No change	On or before 12/31/2014
9902.64.48	Sports footwear, tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.11.50, 6404.11.60, 6404.11.70 or 6404.11.80)	Free	No change	No change	On or before 12/31/2014
9902.64.49	Sports footwear (other than ski boots, cross country ski footwear, and snowboard boots) for persons other than men or women (provided for in subheading 6404.11.90) ...	Free	No change	No change	On or before 12/31/2014
9902.64.50	Ski boots, cross country ski footwear, and snowboard boots for men or women (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2014
9902.64.51	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, covering the ankle, for men and women (provided for in subheading 6404.11.90)	Free	No change	No change	On or before 12/31/2014
9902.64.52	Footwear with outer soles of rubber or plastics, and uppers of textile materials, having uppers of which over 50 percent of the external surface area is leather (provided for in subheading 6404.19.15)	Free	No change	No change	On or before 12/31/2014

9902.64.53	Footwear (except vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper) with outer soles of rubber or plastics and uppers of textile materials, valued over the dollar amount specified in U.S. note 20(e) to this subchapter, whose height from the bottom of the outer sole to the top of the upper does not exceed 20.32 cm if for men or women or does not exceed 17.78 cm for persons other than men or women, designed to be used in lieu of, but not over, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather, and where protection against water is imparted by the use of a coated or laminated textile fabric (provided for in subheading 6404.19.20)	Free	No change	No change	On or before 12/31/2014
9902.64.54	Footwear for men with outer soles of rubber or plastics and uppers of vegetable fibers, other than house slippers (provided for in subheading 6404.19.25)	Free	No change	No change	On or before 12/31/2014
9902.64.55	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.35)	Free	No change	No change	On or before 12/31/2014
9902.64.56	Footwear for women, with outer soles of rubber or plastics and uppers of textile materials, other than house slippers (provided for in subheading 6404.19.50)	Free	No change	No change	On or before 12/31/2014
9902.64.57	Footwear with outer soles of rubber or plastics and uppers of textile materials (provided for in subheading 6404.19.60, 6404.19.70, 6404.19.80 or 6404.19.90) ...	Free	No change	No change	On or before 12/31/2014
9902.64.58	Footwear with uppers of leather or composition leather for men (provided for in subheading 6405.10.00)	Free	No change	No change	On or before 12/31/2014
9902.64.59	Footwear with uppers of textile materials, other than with soles and uppers of wool felt (provided for in subheading 6405.20.90)	Free	No change	No change	On or before 12/31/2014
9902.64.60	Footwear not elsewhere provided for in chapter 64 (provided for in subheading 6405.90.90)	Free	No change	No change	On or before 12/31/2014

1 **SEC. 5. EFFECTIVE DATE.**

2 This Act and the amendments made by this Act
3 shall—

4 (1) take effect on the 15th day after the date
5 of the enactment of this Act; and

6 (2) apply to articles entered, or withdrawn from
7 warehouse for consumption, on or after such 15th
8 day.

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