



## 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/](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)):**

Work footwear for men with outer soles of rubber, plastics, leather or composition leather and uppers of leather, incorporating a protective toe-cap of materials other than metal, covering the ankle but not higher than 15.24 cm (provided for in subheading 6403.91.60)

(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.)

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 subject work footwear generally has toe caps of rubber or plastics. China is the leading supplier of imports of the subject footwear.

**IV. Estimated effect on customs revenue**

Subject product HTS subheading(s)	6403.91.60				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%) or percentage point reduction	8.5	8.5	8.5	8.5	8.5
Estimated value of <i>dutiable</i> imports (\$)	5,725,000	5,725,000	5,750,000	5,775,000	5,800,000
Customs revenue loss (\$)	486,625	486,625	488,750	490,875	493,000

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**

It is suggested that the comma after "ankle" be deleted to clarify how the footwear's height is to be measured. Because the HTS is written in terms of metric units, deletion of the alternative English unit of measure would make this heading consistent with other provisions.

**VI. Continuation**

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## 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	Warson Group, Inc. (Interested entity) Jim Maritz	314-721-8500	No	No	No
2	American Apparel and Footwear Association Nate Herman	703-797-9062	No	No	No
3	Brown Shoe Company, Inc. Lance Frutiger	314-854-4228	No	No	No
4	Footwear Distributors and Retailers of America Matt Priest	202-737-5660	No	No	No
5	KEEN, Inc. Joel Much	503-273-2540	No	No	No
6	National Retail Federation Erik Autor	202-250-9580	No	No	No
7	New Balance Athletic Shoe, Inc. Kelly Callahan	978-725-2680	No	No	No
8	Outdoor Industry Association Alex Boian	303-327-3509	No	No	No
9	Red Wing Shoe Company, Inc. Stacey Nesseth	651-385-6708	Yes	Yes	Yes
10	Rubber and Plastic Footwear Manufacturers Association Jamie Hunter	202-857-6000	No	Yes	Yes

**From:** [Stacey Nesseth](#)  
**To:** [Rodriguez, Laura](#)  
**Cc:** [Dave Baker](#)  
**Subject:** RE: RE Email voicing opposition  
**Date:** Wednesday, June 13, 2012 2:27:15 PM

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Dear Ms. Rodriguez,

As per our conversation yesterday Red Wing Shoe Company has three manufacturing facilities in the USA located in Red Wing, MN, Danville, Kentucky and Potosi, Missouri which employ approximately 1,200 people. Because we manufacture footwear that would fall into the category of HR4893 & HR4894 in these three facilities Red Wing Shoe Company directly opposes these bills. Currently Red Wing Shoe Company does not manufacture footwear covered under HR4891, HR4892, HR4895 & HR4896 but we have in the past and may bring these styles back into our manufacturing line in the future we therefore oppose these bills as well.

Thank you – please let me know if you have any further questions.

Stacey Nesseth  
Red Wing Shoe Company, Inc.  
Import/Export Compliance Manager  
Phone:651-385-6708

June 18, 2012

The Honorable Dave Camp  
Chairman  
House Committee on Ways and Means  
Washington, DC 20515

The Honorable Sander Levin  
Ranking Member  
House Committee on Ways and Means  
Washington, DC 20515

**Jamie Hunter**

Government Relations Director  
202.775.5752 DIRECT  
202.857.6395 FAX  
hunter.jamie@arentfox.com

Dear Chairman Camp and Ranking Member Levin:

On behalf of the Rubber and Plastic Footwear Manufacturers Association, which represents the domestic footwear manufacturing industry, I object to the following miscellaneous tariff bill:

H.R. 4894 – Rep. Carnahan (6403.91.60)

This bill requests a tariff suspension for certain footwear within the part of the Harmonized Tariff Schedule that is reserved for domestically manufactured footwear.

Sincerely,  
James A. Hunter  
Government Relations Director  
Arent Fox, LLP

112TH CONGRESS  
2D SESSION

# H. R. 4894

To suspend temporarily the duty on certain work footwear for men covering the ankle.

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IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2012

Mr. CARNAHAN introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on certain work footwear for men covering the ankle.

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 WORK FOOTWEAR FOR MEN COV-**  
4 **ERING THE ANKLE.**

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

“	9902.64.01	Work footwear for men with outer soles of rubber, plastics, leather or composition leather and uppers of leather, incorporating a protective toe-cap of materials other than metal, covering the ankle, but not higher than 15.24 cm (6 inches) (provided for in subheading 6403.91.60) .....	Free	No change	No change	On or before 12/31/2014	”.
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1           (b) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) applies to articles entered, or withdrawn  
 3 from warehouse for consumption, on or after the 15th day  
 4 after the date of the enactment of this Act.

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