

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: April 23, 2010]²

Bill No. and sponsor: S. 1908 (Mr. Pat Roberts of Kansas).

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

Other bills on product (111th 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)):

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 (other than with uppers of pigskin), covering the ankle, the foregoing for women (provided for in subheading 6403.91.90).

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 women's over-the-ankle leather athletic or casual shoes, such as "high-top" leather training shoes. Footwear with uppers of pigskin and work footwear classifiable in the same HTS subheading would not be covered by virtue of the article description of the proposed heading. A range of types of footwear for women is imported under HTS statistical reporting number 6403.91.9045, which encompasses the subject footwear. The primary source of U.S. imports of the subject footwear is China.

¹ Industry analyst preparing report: Vincent DeSapio (202-205-3435); 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 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 6403.91.90:

| | 2010 | 2011 | 2012 | 2013 | 2014 |
|--|---------------|---------------|---------------|---------------|---------------|
| Col. 1-General rate of duty | | | | | |
| Col. 1-General rate of duty | 10% | 10% | 10% | 10% | 10% |
| Estimated value <i>dutiable</i> imports ^a | \$984,000,000 | \$984,000,000 | \$984,000,000 | \$984,000,000 | \$984,000,000 |
| Customs revenue loss ^b | \$9,840,000 | \$9,840,000 | \$9,840,000 | \$9,840,000 | \$9,840,000 |

a/ Dutiable import estimates were provided by industry sources; official Government statistics also show that quantity of dutiable imports under HTS statistical reporting number 6403.91.9045 in 2009.

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 | 01/13/2010 | No | Yes | No |
| Footwear Distributors and Retailers of America Matt Priest, 202-737-5660 | 01/14/2010 | No | Yes | No |
| American Apparel and Footwear Association Nate Herman, 703-797-9062 | 01/16/2010 | No | Yes | No |
| Rubber and Plastic Footwear Manufacturers Association Mitchell J. Cooper, 202-331-1858 | 01/19/2010 | No | No | No |

Technical comments:⁴

The proponent of the bill has indicated a willingness to narrow the product description in the bill so as to result in a lower customs revenue loss but has not provided precise information on the real product of interest. The article description shown on page 1 would cover all merchandise now imported under HTS statistical reporting number 6403.91.9045.

⁴ 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. 1908

To suspend temporarily the duty on certain sports footwear for women.

IN THE SENATE OF THE UNITED STATES

OCTOBER 26, 2009

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

A BILL

To suspend temporarily the duty on certain sports footwear
for women.

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 SPORTS FOOTWEAR FOR WOMEN.**

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 | 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 (other than with uppers of pigskin), covering the ankle, the foregoing for women (provided for in subheading 6403.91.90) | 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.

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