

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. 1916 (Mr. Pat Roberts of Kansas).

Proponent name,³ location: Payless ShoesSource, 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)):

Other footwear (except house slippers) with uppers of textile materials, other than of vegetable fibers or of wool felt, the foregoing valued not over \$10/pair, for women (provided for in subheading 6405.20.90).

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 proposed heading would encompass a variety of casual or dress shoes for women with uppers of textile materials, such as nylon, satin, or polyester. It would not include footwear with uppers of vegetable fibers or of wool felt, which are classified in HTS subheadings 6405.20.30 or 6405.20.60, respectively. The subject footwear is imported under HTS statistical reporting number 6405.20.9060. China is the leading supplier of these imports.

¹ Industry analyst preparing report: Laura Rodriguez (202-205-3499); 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 6405.20.90:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	12.5%	12.5%	12.5%	12.5%	12.5%
Estimated value <i>dutiable</i> imports ^a	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000	\$200,000,000
Customs revenue loss ^b	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000	\$25,000,000

a/ Dutiable import estimates were based on trade data provided by the U.S. Department of Commerce and industry representatives and reflect the proposed limitation of the scope of the provision to footwear valued not over \$10 per pair.

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)	01/14/2010	No	No	No
American Apparel and Footwear Association Nate Herman,(703-797-9062)	01/15/2010	No	No	No
Footwear Retailers and Distributors of America Matt Priest, 202-737-5660	01/14/2010	No	No	No
New Balance Athletic Shoe, Inc. ⁴ Kelly Callahan, 978-974-1553	01/13/2010	Yes	Yes	Yes
Rubber and Plastic Footwear Manufacturers Association Mitchell J. Cooper, 202-331-1858	01/15/2010	No	No	No

Technical comments:⁵

It is suggested that the article description of the proposed heading be amended to read as shown on page 1. At the request of the proponent's representative, we have included a limitation on the customs value of eligible footwear of \$10 per pair. The proponent has not provided precise information on the real product of interest so as to permit drafting of a narrower article description.

⁴ New Balance expressed opposition to the bill as drafted but has indicated that it would not oppose the bill if it is revised to apply only to footwear that is valued not over \$10/pair.

⁵ 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. 1916

To suspend temporarily the duty on certain women's textile upper footwear.

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 women's textile 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 WOMEN'S TEXTILE UPPER FOOT-**
4 **WEAR.**

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:

“	9902.01.00	Other footwear with uppers of textile materials (other than of vegetable fibers), other than house slippers, the foregoing for women (provided for in subheading 6405.20.90)	Free	No change	No change	On or before 12/31/2011	”.
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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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