

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

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

[Date approved: May 3, 2010]²

Bill No. and sponsor: S. 2112 (Mr. Christopher Bond of Missouri).

Proponent name,³ location: Brown Shoe Company, Inc., St. Louis, MO.

Other bills on product (111th Congress only): None.

Nature of bill: Temporary duty suspension through December 31, 2011.⁴

Retroactive effect: None.

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

Footwear for persons other than men or women, with outer soles of leather or composition leather and with uppers of textile materials (provided for in subheading 6404.20.60).

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 footwear for children with outer soles of leather or composition leather and uppers of textile materials. China and Italy are the leading suppliers of these imports. The total customs value of imports under HTS subheading 6404.20.60, a residual or "basket" category applicable to a broader class of footwear than is covered by this bill, amounted to just over \$2.5 million during 2009, of which just under \$2 million came from China.

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..

⁴ Heading 9902.22.09, which expired at the end of 2009, had afforded duty-free entry to the subject goods for persons other than women, while this bill would provide that benefit to a narrower class of footwear of the named materials. See technical comments.

Estimated effect on customs revenue for the subject product classifiable in HTS subheading 6404.20.60:

	2010	2011	2012	2013	2014
Col. 1-General rate of duty	37.5%	37.5%	37.5%	37.5%	37.5%
Estimated value <i>dutiable</i> imports ^a	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000	\$1,200,000
Customs revenue loss ^b	\$450,000	\$450,000	\$450,000	\$450,000	\$450,000

a/ Source of estimated dutiable import data: Commission estimates based on trade data provided by the U.S. Department of Commerce and industry representatives.

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)		
Brown Shoe Company, Inc. (Proponent) Lance Frutiger, 314-854-4228	01/15/2010	No	No	No
American Apparel and Footwear Association Nate Herman, 703-797-9062	01/15/2010	No	No	No
E. S. Originals, Inc. John Magnus, 202-626-1474	02/23/2010	Yes	Yes	Yes
Footwear Retailers and Distributors of America Matt Priest, 202-737-5660	01/14/2010	No	No	No
Rubber and Plastic Footwear Manufacturers Association Mitchell J. Cooper, 202-331-1858	01/15/2010	No	No	No

Technical comments:⁵

The simplest way to accomplish the intended purpose of the bill would be to amend existing heading 9902.22.09, which now covers goods for men or for children entered under HTS subheading 6404.20.60, rather than to enact a new HTS heading in chapter 99. The article description of existing heading 9902.22.09 should be amended by adding “men or” after the word “than” and by striking the current expiration date for the provision and inserting the new date. The article description set forth on page 1 reflects the first change.

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. 2112

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 29, 2009

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

A BILL

To suspend temporarily the duty on certain children'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 CHILDREN'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	Footwear with outer soles of leather or composition leather and with uppers of textile materials, for persons other than for men or women (provided for in subheading 6404.20.60)	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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