



## 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)):**

Women's footwear with uppers other than of leather, composition leather or of textile materials, valued at \$25/pair or higher (provided for in subheading 6405.90.90)

(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 product is a variety of women's footwear, including higher-valued heels, pumps, and flats with uppers of plastics, fur/animal hair, or other materials that are not specifically named in the HTS. This tariff subheading is a residual or "basket" category covering footwear not enumerated in earlier provisions of chapter 64. China is the leading supplier of imports of this footwear. Opposition to this bill is noted below in the Contacts table.

**IV. Estimated effect on customs revenue**

Subject product HTS subheading(s)	6405.90.90				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty (%) or percentage point reduction	12.5	12.5	12.5	12.5	12.5
Estimated value of <i>dutiable</i> imports (\$)	3,200,000	3,360,000	3,528,000	3,704,400	3,889,620
Customs revenue loss (\$)	400,000	420,000	441,000	463,050	486,203

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**

The article description set forth above was revised slightly to provide more detail and clarity and to conform more closely with existing footwear article descriptions in HTS chapter 99.

**VI. Continuation**

--

## 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	ANN Inc. (Interested entity) Bryan Wolfe	212-536-4183	No	No	No
	2	American Apparel and Footwear Association Nate Herman	703-797-9062	No	No	No
	3	Footwear Distributors and Retailers of America Matt Priest	202-737-5660	No	No	No
	4	KEEN, Inc. Joel Much	503-273-2540	No	No	No
	5	National Retail Federation Erik Autor	202-250-9580	No	No	No
	6	New Balance Athletic Shoe, Inc. Kelly Callahan	978-725-2680	Yes	Yes	Yes
	7	Rubber and Plastic Footwear Manufacturers Association Jamie Hunter	202-857-6000	No	Yes	Yes

112TH CONGRESS  
2D SESSION

# H. R. 5166

To suspend temporarily the duty on nonenumerated footwear for women,  
valued \$25/pair or higher.

---

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mrs. MALONEY introduced the following bill; which was referred to the  
Committee on Ways and Means

---

## A BILL

To suspend temporarily the duty on nonenumerated footwear  
for women, valued \$25/pair or higher.

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. NONENUMERATED FOOTWEAR FOR WOMEN,**

4 **VALUED \$25/PAIR OR HIGHER.**

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	Nonenumerated footwear for women, valued \$25/pair or higher (provided for in 6405.90.90) .....	Free	No change	No change	On or before 12/31/2015	”.
---	------------	--	------	-----------	-----------	----------------------------	----

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.

○