

105TH CONGRESS  
1ST SESSION

# H. R. 1904

To amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 1997

Mr. MCINTYRE (for himself, Mr. SPRATT, Mr. HEFNER, Ms. KAPTUR, Mr. DELAHUNT, and Mr. KIND) introduced the following bill; which was referred to the Committee on Ways and Means

---

## A BILL

To amend the Harmonized Tariff Schedule of the United States to clarify that certain footwear assembled in beneficiary countries is excluded from duty-free treatment, and for other purposes.

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. TREATMENT OF CERTAIN FOOTWEAR.**

4       (a) IN GENERAL.—U.S. Note 2 to subchapter II of  
5       chapter 98 of the Harmonized Tariff Schedule of the Unit-  
6       ed States is amended—

7               (1) in paragraph (a) by striking “paragraph  
8       (b)” and inserting “paragraphs (b) and (c)”;

1 (2) in paragraph (b)—

2 (A) by inserting “or footwear not accorded  
3 duty-free treatment under paragraph (c),” after  
4 “apparel article,” in the parenthetical, and

5 (B) by striking the last sentence, and

6 (3) by adding at the end the following new  
7 paragraph:

8 “(c)(i) An article of footwear provided for in any of  
9 subheadings 6115.93.20, 6402.91.40, 6402.99.18,  
10 6404.11.20 through 6404.19.90, and 6405.20.90, may not  
11 be treated as a foreign article, or as subject to duty, if—

12 “(A) the requirements of paragraph (b)(i) and  
13 (ii) are complied with with respect to the article;

14 “(B) the article is produced by an existing foot-  
15 wear manufacturer; and

16 “(C) the article is entered during any calendar  
17 year after 1996 before the aggregate quantity of  
18 footwear produced by that manufacturer and entered  
19 during the calendar year exceeds the annual duty-  
20 free footwear amount for the manufacturer.

21 “(ii) For purposes of this paragraph:

22 “(A) The term ‘annual duty-free amount’ for  
23 an existing footwear manufacturer means, in the  
24 case of articles of footwear provided for in a sub-  
25 heading classification listed in clause (i), an amount

1 equal to the average monthly quantity of footwear  
2 provided for under such classification that was ex-  
3 ported to the United States during calendar year  
4 1996, by all existing manufacturing facilities of such  
5 manufacturer, multiplied by 12.

6 “(B) The term ‘existing footwear manufacturer’  
7 means a person in the United States that was oper-  
8 ating at least 1 existing manufacturing facility on  
9 December 31, 1996.

10 “(C) The term ‘existing manufacturing facility’  
11 means a footwear manufacturing facility that was  
12 operating in a beneficiary country on December 31,  
13 1996.

14 “(iii) The United States International Trade Com-  
15 mission shall—

16 “(A) identify each existing footwear manufac-  
17 turer; and

18 “(B) determine the annual duty-free footwear  
19 amount for each applicable footwear subheading  
20 classification for each such manufacturer,

21 and provide such identification and determination to the  
22 Secretary of the Treasury.

23 “(iv) The Secretary of the Treasury shall by regula-  
24 tion specify such relevant entry information as may be re-  
25 quired for purposes of implementing this paragraph.

1       “(d) For purposes of paragraphs (b) and (c), the  
2 term ‘beneficiary country’ means a country listed in gen-  
3 eral note 7(a).”.

4       (b) EFFECTIVE DATE.—The amendments made by  
5 this section apply to goods entered on or after the 15th  
6 day after the date of the enactment of this Act.

○