

110TH CONGRESS
1ST SESSION

S. 2372

To amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain footwear.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2007

Mr. SMITH (for himself and Ms. CANTWELL) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend the Harmonized Tariff Schedule of the United States to modify the tariffs on certain 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. SHORT TITLE.**

4 This Act may be cited as the “Affordable Footwear
5 Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Average collected duties on imported foot-
9 wear are among the highest of any product sector,
10 totaling more than \$1,800,000,000 during 2006.

1 (2) Duty rates on imported footwear are among
2 the highest imposed by the United States Govern-
3 ment, with some as high as 67.5 percent ad valorem.

4 (3) The duties currently imposed by the United
5 States were set in an era during which high rates of
6 duty were intended to protect production of footwear
7 in the United States.

8 (4) Production of footwear in the United States
9 has nonetheless dwindled to below 2 percent of the
10 total United States market, and is concentrated in
11 20 distinct product groupings.

12 (5) Low and moderate income families spend a
13 larger share of their disposable income on footwear.
14 Any additional costs added to the purchase price of
15 footwear constitute a disproportionate burden on
16 these households.

17 (6) The United States collected \$6.21 in duty
18 on imported footwear for every \$1 earned by United
19 States footwear workers during 2006. By compari-
20 son, the United States collected 6 cents and 1 cent,
21 respectively, in duties for each dollar earned in the
22 automotive and sugar sectors.

23 **SEC. 3. SENSE OF CONGRESS.**

24 It is the sense of Congress that—

1 (1) the elimination of duty on the importation
 2 of certain footwear articles would provide significant
 3 benefit to United States consumers, particularly
 4 lower-income families;

5 (2) there is no production in the United States
 6 of many footwear articles; and

7 (3) the elimination of duties on such products
 8 will not negatively affect manufacturing in the
 9 United States.

10 **SEC. 4. ELIMINATION OF DUTIES ON CERTAIN FOOTWEAR.**

11 (a) DEFINITIONS.—The Additional U.S. Notes to
 12 chapter 64 of the Harmonized Tariff Schedule of the
 13 United States are amended—

14 (1) in note 1—

15 (A) in paragraph (b), by striking the pe-
 16 riod and inserting a semicolon; and

17 (B) by adding at the end the following:

18 “(c) The term ‘footwear for men’ covers foot-
 19 wear of American sizes 6 and larger for males and
 20 does not include footwear commonly worn by both
 21 sexes; and

22 “(d) The term ‘footwear for women’ covers foot-
 23 wear of American sizes 4 and larger whether for fe-
 24 males or of types commonly worn by both sexes.”;
 25 and

1 (2) by adding at the end the following:

2 “5. For the purposes of this chapter:

3 “(a) The term ‘work footwear’ encompasses, in
4 addition to footwear having a metal toe-cap, special-
5 ized footwear for men or for women that:

6 “(i) has outer soles of rubber or plastics;

7 “(ii) is of a kind designed for use by per-
8 sons employed in occupations, such as those re-
9 lated to the agricultural, construction, indus-
10 trial, public safety, and transportation sectors,
11 that are not conducive to the use of casual,
12 dress, or similar lightweight footwear; and

13 “(iii) has special features to protect
14 against hazards in the workplace (such as re-
15 sistance to chemicals, compression, grease, oil,
16 penetration, slippage, or static build-up).

17 “(b) The term ‘work footwear’ does not cover:

18 “(i) sports footwear, tennis shoes, basket-
19 ball shoes, gym shoes, training shoes, and the
20 like;

21 “(ii) footwear designed to be worn over
22 other footwear;

23 “(iii) footwear with open toes or open
24 heels; or

1 “(iv) footwear, except footwear of heading
2 6401, of the slip-on type or other footwear that
3 is held to the foot without the use of laces or
4 a combination of laces and hooks or other fas-
5 teners.

6 “6. For the purposes of this chapter, the term ‘house
7 slippers’ means footwear of the slip-on type intended solely
8 for casual indoor use. The term ‘house slippers’ includes:

9 “(i) Footwear with outer soles not over 3.5 mm
10 in thickness, consisting of cellular rubber, non-grain
11 leather, or textile material;

12 “(ii) Footwear with outer soles not over 2 mm
13 in thickness consisting of polyvinyl chloride, whether
14 or not backed; and

15 “(iii) Footwear which, when measured at the
16 ball of the foot, has sole components (including any
17 inner and mid-soles) with a combined thickness not
18 over 8 mm as measured from the outer surface of
19 the uppermost sole component to the bottom surface
20 of the outer sole and which, when measured in the
21 same manner at the area of the heel, has a thickness
22 equal to or less than that at the ball of the foot.

23 “7. For purposes of subheadings 6402.91.52,
24 6402.99.35 and 6404.19.21, the dollar amounts specified
25 as the minimum value of a good shall be as follows:

1 “In calendar years 2008 through 2013, \$20/
2 pair.

3 “In calendar years 2014 through 2019, \$23/
4 pair.

5 “In calendar years 2020 through 2026, \$26/
6 pair.

7 “In calendar years 2027 and thereafter, \$29/
8 pair.”.

9 (b) MODIFICATION OF TARIFFS ON CERTAIN FOOT-
10 WEAR OF RUBBER OR PLASTICS.—

11 (1) Heading 6402 of the Harmonized Tariff
12 Schedule of the United States is amended as follows:

13 (A) By striking subheading 6402.19.15,
14 and inserting the following, with the superior
15 text having the same degree of indentation as
16 the article description for subheading
17 6402.19.05:

“	6402.19.17	Other:	5.1%	Free (AU,CA, CL,D, E, IL, J+, JO, MA, MX,P, R 1.5% (SG)	35%	”.
		For women				
	6402.19.19	Other	Free		35%	

18 (B) In subheading 6402.91.05, by striking
19 the matter in the general and special rate of
20 duty columns and inserting “Free” in the gen-
21 eral rate of duty column.

1 (C) In subheading 6402.91.16, by striking
 2 the matter in the general and special rate of
 3 duty columns and inserting “Free” in the gen-
 4 eral rate of duty column.

5 (D) By striking subheading 6402.91.40
 6 and inserting the following, with the superior
 7 text having the same degree of indentation as
 8 the article description for subheading
 9 6402.91.40, as in effect on the day before the
 10 date of the enactment of this Act:

“		Footwear having uppers of which over 90 percent of the external surface are (including any accessories or reinforcements such as those mentioned in note 4(a) to this chapter) is rubber or plastics except (1) footwear having a foxing or foxing-like band applied or molded at the sole and overlapping the upper and (2) footwear (other than footwear having uppers which form a point 3 cm above the top of the outer sole and are entirely of non-molded construction formed by sewing the parts together and having exposed on the outer surface a substantial portion of the functional stitching) designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather				
	6402.91.42	Work footwear	6%	Free (AU,CA, CL,D, E, IL, J+, JO, MA, MX,P, R) 1.5% (SG)		
	6402.91.43	Other	Free		35% 35%	”.

11 (E) By striking subheading 6402.91.50
 12 and inserting the following, with the superior
 13 text having the same degree of indentation as
 14 the superior text to subheading 6402.91.60:

5 (i) Subheading 6402.91.90.
6 (ii) Subheading 6402.99.04.
7 (iii) Subheading 6402.99.12.
8 (iv) Subheading 6402.99.31.

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“		Footwear designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather:				
	6402.99.35	Footwear, except vulcanized footwear and footwear with waterproof molded bottoms, including bottoms comprising an outer sole and all or part of the upper, where protection against water is imparted by the use of a coated or laminated textile fabric, designed to be used in lieu of, but not over, other footwear, valued over the dollar limit specified in additional U.S. note 7 to this chapter				
	6402.99.37	Other	Free 37.5%	Free (CA, D, IL) 2.5% (MX,R) 7.2% (P) 11.2% (JO) 22.5% (SG) 26.2% (AU) 29.1% (MA) 30% (CL) 30% (BH)	66% 66%	”.

1 (H) In each of the following subheadings,
2 by striking the matter in the general and spe-
3 cial rate of duty columns and inserting “Free”
4 in the general rate of duty column:

5 (i) Subheading 6402.99.40.

6 (ii) Subheading 6402.99.60.

7 (iii) Subheading 6402.99.70.

8 (2) Heading 6403 of the Harmonized Tariff
9 Schedule of the United States is amended as follows:

10 (A) By striking subheading 6403.40.30
11 and inserting the following, with the superior
12 text having the same degree of indentation as
13 the article description for subheading
14 6403.40.30, as in effect on the day before the
15 date of the enactment of this Act:

“		Welt footwear					
	6403.40.35	With pigskin uppers	Free			20%	
	6403.40.38	Other	5%	Free (AU,BH, CA,CL, D, E,IL, J+, JO, MA, MX, P, R, SG)		20%	”.

1 (B) By striking subheading 6403.51.90
2 and inserting the following, with the superior
3 text having the same degree of indentation as
4 the article description for subheading
5 6403.51.90, as in effect on the day before the
6 date of the enactment of this Act:

“		For other persons:					
	6403.51.92	For women	10%	Free (AU,BH, CA,CL, D, E,IL, J+, JO, MA, MX, P, R)			
				5% (SG)	20%		
	6403.51.94	Other	Free		20%		”.

7 (C) By striking subheading 6403.59.15
8 and inserting the following, with the superior
9 text having the same degree of indentation as
10 the article description for subheading
11 6403.59.10:

“		Turn or turned footwear					
	6403.59.17	For men or women	2.5%	Free (AU,BH, CA,CL, K, IL,J+, JO,MA, MX,P, R, SG)	10%		
					10%		
	6403.59.18	Other	Free				”.

12 (D) In subheading 6403.91.60, by striking
13 the matter in the general and special rate of
14 duty columns and inserting “Free” in the gen-
15 eral rate of duty column.

1 (E) By striking subheading 6403.91.90
 2 and inserting the following, with the superior
 3 text having the same degree of indentation as
 4 the article description for subheading
 5 6403.91.60:

“	6403.91.92	For other persons							
		Work footwear	10%		Free (AU, BH, CA,CL, K, IL, J+, JO, MA, MX, P, R) 5% (SG)	20%			
	6403.91.93	Other	Free			20%			”.

6 (F) By striking subheading 6403.99.60
 7 and inserting the following, with the superior
 8 text having the same degree of indentation as
 9 the article description for subheading
 10 6403.99.40:

“	6403.99.62	For men, youths and boys:							
		House slippers	8.5%		Free (AU, CA, BH, CL, K, IL, J+, JO, MA, MX, P, R, SG)	20%			
	6403.99.64	Work footwear	Free			20%			
	6403.99.66	Other for men	8.5%		Free (AU, CA, BH, CL, K, IL, J+, JO, MA, MX, P, R, SG)	20%			
	6403.99.68	Other	Free			20%			”.

11 (G) By striking subheading 6403.99.75
 12 and inserting the following, with the superior
 13 text having the same degree of indentation as
 14 the article description for subheading
 15 6403.99.75, as in effect on the day before the
 16 date of the enactment of this Act:

“		Valued not over \$2.50/pair:							
	6403.99.77	House slippers	Free			20%			

6403.99.78	Other	7%	Free (AU, BH, CA, CL, D, E, IL, J+, JO, MA, MX, P, R, SG)	20%	”.
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1 (H) By striking subheading 6403.99.90
2 and inserting the following, with the superior
3 text having the same degree of indentation as
4 the article description for subheading
5 6405.99.90, as in effect on the day before the
6 date of the enactment of this Act:

“	6403.99.91	Valued over \$2.50 per pair:				
		House slippers	10%	Free (AU, BH, CA, CL, D, IL, J+, JO, MA, MX, P, R) 5% (SG)	20%	
	6403.99.93	Work footwear	Free		20%	
	6403.99.95	Other, for women	10%	Free (AU, BH, CA, CL, D, IL, J+, JO, MA, MX, P, R) 5% (SG)	20%	
	6403.99.97	Other	Free		20%	”.

7 (3) Heading 6404 of the Harmonized Tariff
8 Schedule of the United States is amended as follows:

9 (A) In each of the following subheadings,
10 by striking the matter in the general and spe-
11 cial rate of duty columns and inserting “Free”
12 in the general rate of duty column:

- 13 (i) Subheading 6404.11.20.
- 14 (ii) Subheading 6404.11.40.
- 15 (iii) Subheading 6404.11.50.
- 16 (iv) Subheading 6404.11.60.
- 17 (v) Subheading 6404.11.70.

- 1 (B) By striking subheading 6404.11.80
 2 and inserting the following, with the superior
 3 text having the same degree of indentation as
 4 the superior text to subheading 6404.11.60:

“		Valued over \$6.50 but not over \$12/pair:				
	6404.11.81	Covering the ankle	Free			\$1.50/pr. + 35%
	6404.11.83	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for men or for women ...	90¢/pair + 20%	Free (AU, BH, CA, CL, D, E, IL, J+, MA, P) 6¢/pr. + 1.3% (MX, R) 27¢/pr + 6% (JO) 54¢/pr. + 12% (SG)		\$1.50/pr. + 35%
	6404.11.85	Other	Free			\$1.50/pr. + 35%
						”.

- 5 (C) By striking subheading 6404.11.90
 6 and inserting the following, with the superior
 7 text having the same degree of indentation as
 8 the superior text to subheading 6404.11.60:

“		Valued over \$12/pair:				
	6404.11.91	Covering the ankle	Free			35%
	6404.11.93	Tennis shoes, basketball shoes, gym shoes, training shoes and the like for men or for women	20%	Free (CA, D, IL, JO, MX, P, R) 12% (SG) 14% (AU) 15.5% (MA) 16% (CL) 16% (BH)		35%
	6404.11.95	Other	Free			35%
						”.

- 9 (D) By striking subheading 6404.19.20
 10 and inserting the following, with the article de-
 11 scription having the same degree of indentation
 12 as the article description for subheading

(E) In each of the following subheadings, by striking the matter in the general and special rate of duty columns and inserting “Free” in the general rate of duty column:

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1 (ix) Subheading 6404.19.90.

2 (x) Subheading 6404.20.20.

3 (xi) Subheading 6404.20.40.

4 (xii) Subheading 6404.20.60.

5 (4) Heading 6405 of the Harmonized Tariff
6 Schedule of the United States is amended as follows:

7 (A) By striking subheading 6405.10.00
8 and inserting the following, with the superior
9 text having the same degree of indentation as
10 the article description for subheading
11 6405.10.00, as in effect on the day before the
12 date of enactment of the Act:

“		With uppers of leather or composition leather:					
	6405.10.00	Footwear for men	8.5%		Free (AU, BH, CA, CL, D, E, IL, J+, JO, MA, MX, P, R) 5% (SG)	20%	
	6405.13.00	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, for women	10%		Free (AU, BH, CA, CL, D, E, IL, J+, JO, MA, MX, P, R) 5% (SG)	20%	
	6405.15.00	Other	Free			20%	”.

13 (B) By striking subheading 6405.20.30
14 and inserting the following, with the superior
15 text having the same degree of indentation as
16 the article description for subheading 6405.20,
17 as in effect on the day before the date of enact-
18 ment of the Act:

“	6405.20.10	With uppers of textile materials: Footwear with outer soles of textile materials designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather	37.5%	Free (CA, D, IL) 2.5% (MX,R) 7.2% (P) 11.2% (JO) 22.5% (SG) 26.2%(AU) 29.1% (MA) 30% (CL) 30% (BH)	66%	
	6405.20.20	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of textile materials, for men or women, valued over \$6.50 but not over \$12/pair	90¢/pr. + 20%	Free (AU, BH, CA, CL, D, E, IL, J+, MX, P) 6¢/pr. + 1.3% (MX,R) 27¢/pr. + 6% (JO) 54¢/pr. + 12% (SG)	\$1.58/pr. + 35%	
	6405.20.23	Tennis shoes, basketball shoes, gym shoes, training shoes and the like, with outer soles of textile materials, for men or women, valued over \$12/pair	20%	Free (CA, D, IL, JO, MX, P, R) 12% (SG) 14% (AU) 15.5% (MA) 16% (CL) 16% (BH)	35%	
	6405.20.25	With uppers of vegetable fibers ..	Free		35%	”.

1 (C) In subheading 6405.20.90, by striking
2 the matter in the general and special rate of
3 duty columns and inserting “Free” in the gen-
4 eral rate of duty column.

5 (D) By inserting the following new sub-
6 headings in numerical sequence after sub-
7 heading 6405.90.20, with the superior texts
8 having the same degree of indentation as the
9 article description for subheading 6405.90.20,

1 as in effect on the day before the date of enact-
 2 ment of the Act:

“	6405.90.25	Waterproof footwear with uppers of rubber or plastics and outer soles of textile materials the uppers of which are neither fixed to the sole nor assembled by stitching, riveting, nailing, screwing, plugging or similar processes	12.5%	Free (AU, BH, CA, CL, D, E, IL, J+, JO, MA, MX, P, R)	35%
		With outer soles of felt		6.2% (SG)	
	6405.90.27	Other	37.5%	Free (CA, D, IL)	75%
				2.5% (MX,R)	
	6405.90.29	Footwear with uppers of rubber or plastics and outer soles of textile materials designed to be worn over, or in lieu of, other footwear as a protection against water, oil, grease, or chemicals or cold or inclement weather	37.5%	7.2% (P)	
				11.2% (JP)	
				22.5% (SG)	66%
				26.2% (AU)	
				29.1% (MA)	
				30% (CL)	
				30% (BH)	
	6405.90.33	Footwear with uppers of rubber or plastics and outer soles of textile materials and incorporating a protective metal toe cap:		Free (CA, D, IL)	
		Covering the ankle:		2.5% (MX,R)	
		Valued over \$3 but not over \$6.50/pair	90¢/pr. + 37.5%	7.2% (P)	
				11.2% (JP)	
				22.5% (SG)	
				26.2% (AU)	
				29.1% (MA)	
				30% (CL)	
				30% (BH)	
				Free (CA, D, IL)	
				6¢/pr. + 2.5% (MX,R)	
				17.2¢/pr. + 7.2% (P)	
				27¢/pr. + 11.2% (JO)	
				54¢/pr. + 22.5% (SG)	
				63¢/pr. + 26.2% (AU)	
				69.9¢/pr. + 29.1% (MA)	
				72¢/pr. + 30% (CL)	
				72¢/pr. + 30% (BH)	
					\$1.58/pr. + 66%

6405.90.35	Valued over \$6.50 but not over \$12/pair	90¢/pr. + 20%	Free (CA, D, IL) 6¢/pr. + 1.3% (MX,R) 17.2¢/pr. + 3.8% (P) 27¢/pr. + 6% (JO) 54¢/pr. + 12% (SG) 63¢/pr. + 14% (AU) 69.9¢/pr. + 14% (MA) 72¢/pr. + 16% (CL) 72¢/pr. + 16% (BH)	\$1.58/pr. + 35%
6405.90.36	Valued over \$12/pair	20%	Free (AU, BH, CA, CL, D, IL, J+, JO, MA, MX, P, R) 12% (SG)	35%
6405.90.37	Other: Valued over \$3 but not over \$6.50/pair	90¢/pr. + 37.5%	Free (CA, D, IL) 6¢/pr. + 2.5% (MX,R) 17.2¢/pr. + 7.2% (P) 27¢/pr. + 11.2% (JO) 54¢/pr. + 22.5% (SG) 63¢/pr. + 26.2% (AU) 69.9¢/pr. + 29.1% (MA) 72¢/pr. + 30% (CL) 72¢/pr. + 30% (BH)	\$1.58/pr. + 66%
6405.90.39	Valued over \$6.50 but not over \$12/pair	90¢/pr. + 20%	Free (CA, D, IL) 6¢/pr. + 1.3% (MX,R) 17.2¢/pr. + 3.8% (P) 27¢/pr. + 6% (JO) 54¢/pr. + 12% (SG) 63¢/pr. + 14% (AU) 69.9¢/pr. + 15.5% (MA) 72¢/pr. + 16% (CL) 72¢/pr. + 16% (BH)	\$1.58/pr. + 35%

6405.90.40	Valued over \$12/pair	20%	Free (AU, BH, CA, CL, D, IL, J+, JO, MA, MX, P, R) 12% (SG)	35%
	Other footwear with uppers of rubber or plastics and outer soles of textile materials:			
	Covering the ankle:			
6405.90.43	Valued over \$3 but not over \$6.50/pair	90¢/pr. + 37.5%	Free (AU, BH, CA, CL, D, E, IL, J+, MA, MX, P, R) 27¢/pr. + 11.2% (JO) 54¢/pr. + 22.5% (SG)	\$1.58/pr. + 66%
6405.90.47	Valued over \$6.50 but not over \$12/pair	90¢/pr. + 20%	Free (CA, D, IL) 6¢/pr. + 1.3% (MX,R) 17.2¢/pr. + 3.8% (P) 27¢/pr. + 6% (JO) 54¢/pr. + 12% (SG) 63¢/pr. + 14% (AU) 69.9¢/pr. + 15.5% (MA) 72¢/pr. + 16% (CL) 72¢/pr. + 16% (BH)	\$1.58/pr. + 35%
6405.90.48	Valued over \$12 pair	20%	Free (CA, D, IL, JO) 1.3% (MX,R) 3.8% (P) 12% (SG) 14% (AU) 15.5% (MA) 16% (CL) 16% (BH)	35%
	Other:			
6405.90.51	Valued over \$3.00 but not over \$6.50/pair	90¢/pr. + 37.5%	Free (AU, BH, CA, CL, D, E, IL, J+, MA, MX, P, R) 27¢/pr. + 11.2% (JO) 54¢/pr. + 22.5% (SG)	\$1.58/pr. + 66%

6405.90.53	Valued over \$6.50 but not over \$12/pair	90¢/pr. + 20%	Free (CA, D, IL) 6¢/pr. + 1.3% (MX,R) 17.2¢/pr. + 3.8% (P) 27¢/pr. + 6% (JO) 54¢/pr. + 12% (SG) 63¢/pr. + 14% (AU) 69.9¢/pr. + 15.5% (MA) 72¢/pr. + 16% (CL) 72¢/pr. + 16% (BH)		
6405.90.55	Valued over \$12/pair	20%	Free (CA, D, IL, JO) 1.3% (MX,R) 3.8% (P) 12% (SG) 14% (AU) 15.5% (MA) 16% (CL) 16% (BH)	\$1.58/pr. + 35%	”.

1 (E) In subheading 6405.90.90, by striking
2 the matter in the general and special rate of
3 duty columns and inserting “Free” in the gen-
4 eral rate of duty column.

5 **SEC. 5. HAITI RELIEF ENHANCEMENT.**

6 Section 213A of the Caribbean Basic Economic Re-
7 covery Act (19 U.S.C. 2703a) is amended—

8 (1) by redesignating subsections (d) through (f)
9 as (e) through (g), respectively;

10 (2) by inserting the following after subsection
11 (c):

12 “(d) SPECIAL RULE FOR FOOTWEAR.—

13 “(1) IN GENERAL.—Footwear that is the prod-
14 uct or manufacture of Haiti and is imported directly
15 from Haiti into the customs territory of the United

1 States shall be accorded tariff treatment identical to
 2 the tariff treatment that is accorded under the Do-
 3 minican Republic-Central American-United States
 4 Free Trade Agreement, as implemented by the
 5 United States, to footwear described in the same 8-
 6 digit subheading of the Harmonized Tariff Schedule
 7 of the United States.

8 “(2) REQUIREMENT.—Footwear qualifies for
 9 the treatment provided for under paragraph (1) if it
 10 satisfies the applicable rule of origin set out in Arti-
 11 cle 4.1 of the Dominican Republic-Central American-
 12 United States Free Trade Agreement.”;

13 (3) in subsection (b)—

14 (A) in paragraph (1), by striking “(d) and
 15 (e)” and inserting “(e) and (f)”; and

16 (B) in paragraph (5), by striking “(d) and
 17 (e)” and inserting “(e) and (f)”; and

18 (4) in subsection (d)(1) (as redesignated by
 19 paragraph (1) of this subsection), by striking “(d)”
 20 and inserting “(e)”.

○