



December 4, 2009

Senate Finance Committee  
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**Via Email and Fax**

Dear Chairman Baucus and Ranking Member Grassley:

Following the committee's request on November 2, 2009 for public comments on bills introduced to be included in the MTB process, LeapFrog Enterprises, Inc. wishes to express its strong support for S. 2235 and S. 2270.

LeapFrog Enterprises, Inc. is a leading developer of innovative technology-based educational products and is dedicated to strengthening the educational system in the United States and throughout the world. LeapFrog is based in Emeryville, California and directly employs more than 400 people in the United States.

These two bills will amend and renew the current duty suspensions for educational devices classified as electrical machines and certain cases or containers used for electronic drawing toys, electronic games, or educational toys. Currently, the United States does not assess import duties on computers or toys. Ironically, computerized educational toys are classified as an "electronic product" and face a 2.6 percent duty. Additionally, an existing duty suspension for specially designed cases for electronic drawing toys or electronic devices is limited to such products classified as toys in chapter 96 of the Harmonized Tariff Schedule (HTS). Because the LeapFrog products are classified under "other electronic devices" in chapter 85 of the HTS, the cases in which they are shipped are also not eligible for the duty suspension. Additionally, LeapFrog is unaware of any domestic manufacturer of competing products and we are certain that each of our bills is consistent with the MTB cost parameters.

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The current economic situation makes it imperative for these bills to be approved in Congress. Duties on these products are, in fact, an educational tax on the consumer. By eliminating the unfair duty, LeapFrog products and other educational toys will have a level playing field with competitors. If you have any questions or need any additional information, please contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter M. O. Wong', with a large, stylized flourish extending to the right.

Peter M. O. Wong  
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