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MANNINGTON®
MANNINGTON WOOD FLOORS

June 15, 2012

Honorable David Camp
Chairman, House Ways and Means Committee
1102 Longworth House Office Building
Washington, DC 20515

Dear Chairman Camp:

This is to express our strong support for H.R. 5154, a bill introduced by Reps. LoBiondo (R-NJ) and Pascrell (D-NJ) and which is included in the House version of the Miscellaneous Tariff Bill. This legislation is designed to correct a long-standing mis-classification by the U.S. Customs Service of imports of high-density, fiberboard-core laminate floor and wall panels.

Effective Feb. 2, 2007, the duty on imports of this product was lowered by Congress and the President, prospectively only, as part of the periodic WTO required update of the Harmonized Tariff Schedules. This followed decisions by the World Customs Organization, the U.S. International Trade Commission and the Senate Finance Committee vs. Customs. Accordingly, this duty reduction was prospective only.

As to refunds of past duty overcharges, these were ordered by a Mandate from the U.S. Court of International Trade on Dec. 15, 2009. To our great frustration, Customs has refunded less than 40% of the duty refunds that we believe they are obligated to make. And 14 of 25 Customs Ports involved with the companies we are trying to help, ie. Mannington Mills, Inc. and Witex USA, Inc., have simply ignored the Court Order and have refunded nothing at all. We believe that this is due in part to the destruction of U.S. Customs records in New York on 9/11, of which most, but not all, have been reconstructed.

Mannington and its supplier, Witex, have plants or other facilities in several states, including Alabama, California, Florida, Georgia, New Jersey, North Carolina, Ohio and Texas, which employee thousands of US workers. In addition, Mannington has invested millions of dollars in a laminate plant in response to the Customs overcharge.

We respectfully request your support for H.R. 5154. If you have any questions, please call counsel for Mannington and Witex USA, Bruce Aitken of the law firm Aitken Berlin LLP, at 202-468-0968.

Respectfully Submitted,

David W. Voy

David W. Voy
Director of Operations
Mannington Wood & Laminate Floors