

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 employ thousands of US workers. In addition, Mannington has invested millions of dollars in a laminate plant in response to the Customs overcharge.

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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,



Steven Kurtz
President

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Miscellaneous Tariff Bill

Ways and Means Chairman Dave Camp (R-MI), Ranking Member Sander Levin (D-MI), Trade Subcommittee Chairman Kevin Brady (R-TX), and Trade Subcommittee Ranking Member Jim McDermott (D-WA) announced the commencement of the Miscellaneous Tariff Bill (MTB) process on March 30, 2012, requiring Members to introduce bills by April 30, 2012. Due to the overwhelming Member interest in participating in the process, the Committee subsequently informed Members that they would meet the April 30 deadline if their draft bills were submitted to Legislative Counsel by 3:00 p.m. on April 30 and then introduced and submitted to the Ways and Means Committee online MTB submission process no later than 5:00 p.m. on May 16, 2012. To ensure the highest degree of transparency, the Committee announced on May 24 that it will accept public comments on the submitted bills through 5:00 p.m. on Friday, June 22, 2012. [Click here](#) for the table of submitted bills and [click here](#) to comment on individual bills. **Please note: Public comments will be accepted only through the Committee's online submissions process. Submissions in any other format will not be accepted or considered.**

The Miscellaneous Tariff Bill (MTB) Process

- Letter from Ways and Means Trade Leaders is available [here](#).
- The Ways and Means Committee MTB guidance is available [here](#).
- The MTB Bill Description form is available [here](#).
- The MTB Preliminary Disclosure Form is available [here](#).
- The MTBs in the 112th Congress House MTB process can be found [here](#).
- Comment on individual MTBs by June 22, 2012, through the fully online comment submission process [here](#).

Additional Documents

- [65 Freshman Voice Support for Miscellaneous Tariff Bill Process](#)
- [ATR Voices Support for MTB Process](#)
- [NAM Supports Transparent Miscellaneous Tariff Bill Process](#)
- [American Manufacturing Trade Action Coalition: Freshman GOP Letter Supporting Miscellaneous Tariff Bill \(MTB\) a Boost for U.S. Manufacturing](#)
- [American Apparel & Footwear Association: The Value of the MTB](#)
- [NAM Fact Sheet: Passage of a New MTB is Essential for U.S. Manufacturers and Jobs](#)
- [Broad Support for MTB Process](#)

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Miscellaneous Tariff Bill (MTB) Public Comment Submission

Please find below the form required to submit public comments to the Committee on individual bills in the 112th Congress MTB process. **Public comments will be accepted by the Committee until 5:00 p.m. on June 22, 2012. Submissions in any format other than this online form will not be accepted or considered.** Each submission must pertain to one bill only. Those submitting multiple submissions must make separate submissions for each bill. All fields below must be completed for each submission. Each submission must be completed in one sitting – the website will not save or accept incomplete submissions. Submissions that do not meet the requirements will not be considered.

Directions

Fields #1-9: Contact information is required in case the Committee, the International Trade Commission, or other federal agencies have questions or need more information regarding your submission.

Field #10: The pull down menu should be used to identify and choose the bill on which comments are being submitting. It is possible to comment on only one bill per submission.

Field #11: Please indicate support or opposition to the bill on which comments are being submitted.

Field #12: All comments must be provided in PDF format and uploaded to this website by clicking the “Browse” button. You will then be prompted to choose the document on your computer/electronic device to upload to the site. Only one document can be uploaded per submission. If you have attached a document in error, simply select the correct document and it will automatically replace the prior document.

Field #13: Double checking the completed form before submitting is strongly recommended. Once the web-based form and required forms are submitted, there will be no opportunity to go back to make changes or corrections. Only one document can be uploaded per submission. If you have attached a document in error, simply select the correct document and it will automatically replace the prior document. After all fields have been completed and verified, click the box next to Field #13 and then click “Submit here.”

The website will automatically generate an email confirmation for successful submissions to the email address provided. A submission has not been received if no confirmation is received.

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Retain the confirmation email for your records. Please also be aware that public comment submissions will be made available to the public, media, and any other interested parties.

For technical/IT issues with the submission process, please contact Ways and Means IT Director, Ted Clark at 202-226-8793.

For substantive questions on the MTB process, please contact Neena Shenai on the Ways and Means Trade Subcommittee staff at 202-225-6649 or Jason Kearns on the Minority trade staff at 202-225-4021.

1) * First Name

Steven

2) * Last Name

Kurtz

3) * Organization:

Salesmaster Associates, Inc.

4) * Address:

303 Marcus Blvd

5) * City: **6) * State:** **7) * Zip:**

Deer Park

NY

11779

8) * Phone Number:

(631) 242-0100

9) * Email:

steve@salesmaster.com

10) * Bill Number: H.R. 5154

11) * Do you support or oppose the bill listed above?

Support Oppose

12) * Upload a .pdf document containing comments on the bill identified above.

13) * You verify that you have filled in all required fields and that your submission is ready.

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