



MEMORANDUM ON PROPOSED TARIFF LEGISLATION of the 112th Congress

Date approved

I. Background

Bill number:

Sponsor name:

Sponsor state:

Interested entity:

Name

City

State

Other bills on product (112th Congress only):

Nature of bill:

Expiration date:

Current or previous chapter 99 heading:

Retroactive date:

CAS number (if applicable):

Industry analyst:

Telephone:

Tariff Affairs contact:

Telephone:

Note:

1. Access to an electronic copy of this memorandum is available at http://www.usitc.gov/tariff_affairs/congress_reports/.
2. In regard to the country(ies) of origin listed in section III, this report focuses on dutiable imports and does not take into account any tariff preference programs or special rates of duty.

II. Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

Sleeping bag carrying cases having a body of nonwoven polypropylene fabric and a top of nonwoven polyester fabric, with a zipper running completely around the top to fasten it to the body, measuring 77.5 cm or more but not over 127.7 cm in circumference, valued not over \$2 each (provided for in subheading 6307.90.98)

(If enacted, the tariff relief provided for in this bill would be available to any entity that imports the product that is covered by the bill.)

Description above compared with bill as introduced:

- Same
 Different (see Technical Comments section)

III. Other product information, including uses/applications and source(s) of imports

The subject product is a case or stuff sack for a sleeping bag made of nonwoven polypropylene and nonwoven polyester fabrics (fabrics in which these materials predominate by weight). Each carrying case is later sold at retail with a sleeping bag inside. Imports of these cases, when imported separately, are primarily from China. Opposition to this bill is noted below in the Contacts table.

IV. Estimated effect on customs revenue

Subject product HTS subheading(s)	6307.90.98				
Item	2013	2014	2015	2016	2017
Col.1-general rate of duty or percentage point reduction (%)	7	7	7	7	7
Estimated value of <i>dutiable</i> imports (\$)	550,000	550,000	550,000	550,000	550,000
Customs revenue loss (\$)	38,500	38,500	38,500	38,500	38,500

Note: Customs revenue loss is provided for 5 years, although the effective period of the proposed legislation may differ. Regarding the HTS subheading listed in the article description of the bill, the Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only U.S. Customs and Border Protection is authorized to issue a binding ruling on this matter. The Commission believes that Customs should be consulted prior to enactment of the bill.

Dutiable imports were based on (more than one may apply):

- Official statistics of the U.S. Department of Commerce
 Provided by industry sources
 Industry information
 Commission estimates

Duty reduction notes:

- This bill is not a duty reduction
 This bill is a temporary duty reduction. Rates are shown below.

Col.1-general duty rate (%) Temporary rate (%) Percentage point reduction (%)

V. Technical comments

The article description set forth above has been modified for greater clarity. It has also been corrected to refer to the appropriate HTS subheading for the subject products, based on input from U.S. Customs and Border Protection officials. According to Customs, nonwoven polypropylene and nonwoven polyester fabrics are textile materials and not plastics of chapter 39. Therefore, it is likely that the product would be classified as a made-up textile article, and the referenced HTS classification is incorrect in the bill as drafted.

VI. Continuation

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VII. Contacts with domestic firms/organizations

#	Firm/organization and contact name	Telephone number	Claims same or competing product made in the United States	Submission attached	Opposition noted
1	Exxel Outdoors (Interested entity) Armen Kouleyan	626-962-4130	No	No	No
2	American Discovery Textile Manufacturing Tim Moritz	660-338-2273	Yes	Yes	Yes
3	American Manufacturing Trade Action Coalition Sara Beatty	202-452-0866	No	No	No
4	Cascade Designs Pete Haggerty	206-505-9500	No	No	No
5	Down Works Nick Gravem	831-423-9078	No	No	No
6	Feathered Friends Peter Hickner	206-292-6292	No	No	No
7	National Council of Textile Organizations Mike Hubbard	704-215-4540	No	No	No
8	National Textile Association David Trumbell	617-542-8220	No	No	No
9	Nunatak Gear, LLC Tom Halpin	509-997-0348	No	No	No
10	Western Mountaineering Gary Schaezlein	408-287-8944	No	Yes	Yes
11	Wiggy's Jerry Wigutow	866-411-6465	Yes	Yes	Yes

From: Tim Moritz [mailto:tim.moritz@adtmfg.com]
Sent: Friday, July 20, 2012 5:43 PM
To: Freund, Kimberlie
Cc: Jones, Jackie
Subject: RE: Request for comment on miscellaneous tariff bills

Kim,

I oppose hr 4973,4974, and 4975. We manufacture sleeping bags, carrying totes, sleep systems, and waterproof outer shells for sleeping bags. American Discovery Textiles was purchased three and one half years ago when the former owners planned to close the doors. There were thirteen employees left at that time. We have all worked very hard to compete with foreign manufactures and have been able to bring our employment to thirty eight full time employees. We struggle every day to keep our business competitive. We can use all the help available to even the playing field.

Thank you,

Tim Moritz
Facility Manager
American Discovery Textile Mfg
302 Hawthorn Drive
Glasgow, MO 65254

From: Jerry Wigutow [mailto:wiggys@wiggys.com]

Sent: Thursday, July 12, 2012 2:54 PM

To: Freund, Kimberlie

Subject: RE: Request for comment on temporary import duty suspensions on sleeping bag shells and carrying cases

I oppose the import duty free all of the products shown.
We produce these items as do other companies.
Thank you for making me aware of this ridiculous legislation.
We do need to have USA RESIDENTS WORKING.

Jerry Wigutow
President
Wiggy's Inc.
Phone: 866-411-6465
Email: wiggys@wiggys.com

Bill No.	Sponsor	State	Current HTS No.	Product Description As Introduced
hr4973	Aderholt	AL	6307.90.98	Sleeping bag carry cases imported separately from sleeping bags, with a body of polyester or nylon, and with a drawstring closure, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference, valued not over \$2
hr4974	Aderholt	AL	3926.90.99	Sleeping bag carry cases imported separately from sleeping bags, with a body of nonwoven polypropylene and a top of nonwoven polyester, and with a zipper running completely around the perimeter sealing the top to the body, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference, valued not over \$2
hr4975	Aderholt	AL	6307.90.98	Man-made shells used in the manufacture of sleeping bags

From: Gary Schaezlein [mailto:Garys@westernmountaineering.com]

Sent: Thursday, July 19, 2012 2:20 PM

To: Freund, Kimberlie

Subject: Re: Request for comment on temporary import duty suspensions on sleeping bag shells and carrying cases

Hi Kimberlie,

Thank you for including me in your decision for future trade bills.

First of all, my position on made goods is that everything coming into the USA should have a duty. Just because something isn't made here or that it is cheaper, doesn't mean that in the future that item won't be made here. So for HR4973 and HR4974, they do not affect me but my position is that duty should be charged.

Concerning #HR4975, this is a specific case where a US manufacturer of sleeping bags is competing with companies from Bangladesh. Bangladesh has a duty preference and pays \$0 duty. I think this is wrong and therefore if Bangladesh continues with this duty preference, I would support a \$0 duty on bag shells up to \$5.

Sincerely,

Gary Schaezlein

Western Mountaineering

112TH CONGRESS
2D SESSION

H. R. 4974

To suspend temporarily the duty on certain nonwoven polypropylene zippered sleeping bag carry cases, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference.

IN THE HOUSE OF REPRESENTATIVES

APRIL 27, 2012

Mr. ADERHOLT introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on certain nonwoven polypropylene zippered sleeping bag carry cases, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference.

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. CERTAIN NONWOVEN POLYPROPYLENE SLEEP-**
4 **ING BAG CARRY CASES.**

5 (a) IN GENERAL.—Subchapter II of chapter 99 of
6 the Harmonized Tariff Schedule of the United States is
7 amended by inserting in numerical sequence the following
8 new heading:

“	9902.01.00	Sleeping bag carry cases imported separately from sleeping bags, with a body of nonwoven polypropylene and a top of nonwoven polyester, and with a zipper running completely around the perimeter sealing the top to the body, not under 77.5 cm in circumference and not exceeding 127.7 cm in circumference, valued not over \$2 (provided for in subheading 3926.90.99)	Free	No change	No change	On or before 12/31/2015	”.
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1 (b) **EFFECTIVE DATE.**—The amendment made by
2 subsection (a) applies to articles entered, or withdrawn
3 from warehouse for consumption, on or after the 15th day
4 after the date of the enactment of this Act.

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