Powered by AXIOS HQ

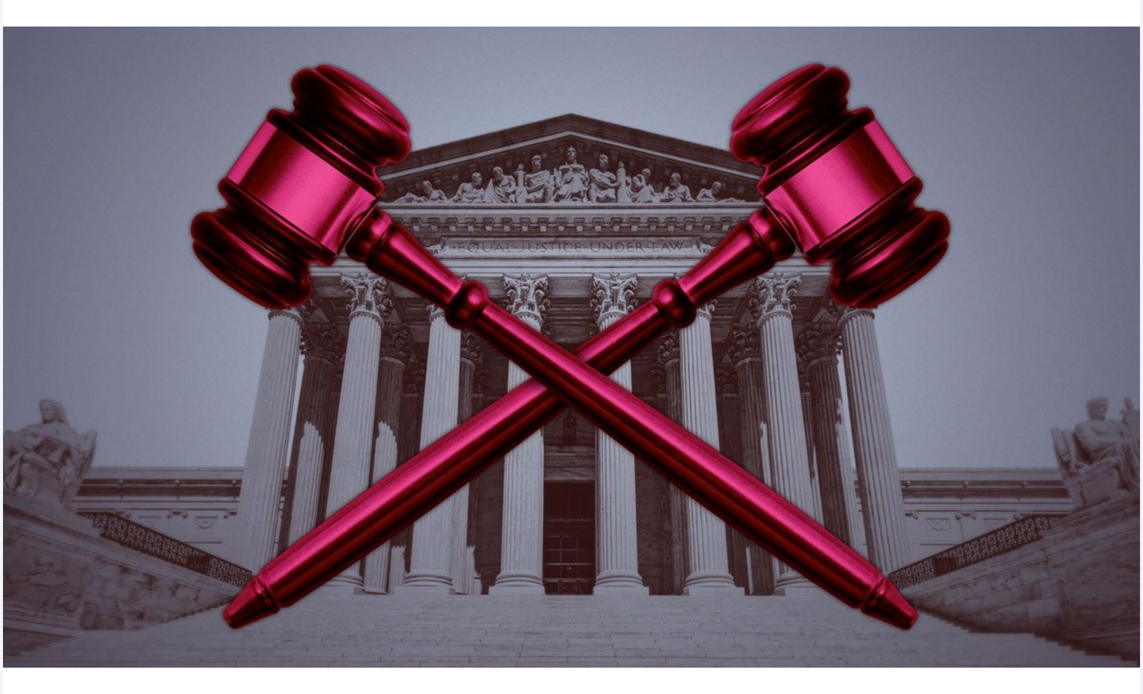

# Footwear & Politics

By Thomas Crockett • Oct 23, 2025

Smart Brevity® count: 4 mins...1080 words

A few quick updates below on the Supreme Court tariff case, possible 232 tariffs on industrial machinery, a new tariff threat on goods from Nicaragua, and the FDRA digital sample review next month.

## Supreme Court tariff case



On November 5th, the Supreme Court is set to hear oral arguments on the legality of President Trump's International Emergency Economic Powers Act (IEEPA) tariffs. Three key takeaways:

⁉️ **President Trump wants to attend**: President Trump called the tariff case one of the "the most important cases in the history of our country." Last week he said, "If we don't win that case, we will be a weakened, troubled, financial mess for many, many years to come. That's why I think I'm going to go to the Supreme Court to watch."

- If he does attend, it will be the first time a sitting U.S. President has attended oral arguments before the U.S. Supreme Court.

🚧 **Supreme Court closed to public**: No one, other than the lawyers arguing the case, may be able to attend the oral arguments … due to the government shutdown.

- As the Court states, "due to a lapse of appropriations, the Supreme Court Building will be closed to the public until further notice." The Court, however, will continue to perform essential work like hearing oral arguments and issuing opinions.

📄 **Bush officials publicly weigh in**: Several prominent members of the George W. Bush administration — former USTR Robert Zoellick, Attorney General Michael Mukasey, and Ambassador to the UN John Danforth — filed an amicus brief opposing President Trump's tariffs.

- **What they said**: "Amici are constitutional scholars, legal historians, public lawyers, a retired federal appellate judge, a former United States Attorney General, a former United States Trade Representative, and three former United States Senators united by a common conviction: the endurance of the American Republic depends not only on elections or policy outcomes, but on the faithful preservation of its constitutional structure. Amici do not appear to defend or oppose any particular trade policy. They file this brief because they believe the Constitution draws bright lines between legislative and executive power—and that those lines are being blurred in ways that threaten democratic accountability itself."
- **Go deeper**: Read the brief



## FDRA weighs in on possible new tariffs on U.S. manufacturing machines

On Friday, FDRA weighed in on the Trump Administration's Section 232 national security investigation into robotics and industrial machinery, which could result in additional tariffs on machinery used in U.S. footwear production.

📣 **What we said**: U.S. footwear manufacturers, which represent less than one percent of footwear sold in the U.S. market, are struggling under the substantial burden of tariffs that have been imposed so far this year.

- **Footwear materials**: There are new reciprocal tariffs on all components needed to make footwear in the U.S. Most of the materials used in large scale footwear production simply do not exist here, and many of these materials have never existed in the U.S.
- **Footwear machines**: U.S. footwear manufacturers are also hit with new reciprocal tariffs on the large expensive machinery needed to make shoes. These machines are often imported from Germany and Italy and are not available in the U.S.
- One FDRA member company saw the tariff it pays on a critical machine, needed for its domestic manufacturing, increase by ❗400 percent.
- **Finished footwear**: Almost all U.S. footwear manufacturers are importers of finished footwear. These companies may produce a line of specialized high-end leather boots in the U.S. while also importing children's shoes that reflect a much larger percentage of their business. These companies are now hit with an enormous tariff bill that directly impacts their ability to invest in their U.S. factory and hire new American workers.

💭 **Our thought bubble**: These tariff hits on U.S. manufacturers show one of the ironies of the President's tariff policy.

- Similarly, the President has stated his goal is not to drive shoe manufacturing back to the U.S. …
- and yet, the footwear industry is on track to pay an unprecedented $5.7 billion in duties this year, 71% more than last year.

Read FDRA's comments



## New tariff threat: Nicaragua

The Trump administration may impose ❗100 percent tariffs on all Nicaraguan products and remove the country from CAFTA.

- **Tell me more**: President Biden launched a Section 301 investigation into Nicaragua's labor and human rights practices during the final days of his presidency, in December 2024. The Trump Administration determined this week that these practices "are unreasonable and burden or restrict U.S. commerce."

**The big picture**: Unlike many of the tariff threats launched during the second Trump administration, the U.S. Trade Representative (USTR) — not President Trump — initiated this one, under a more traditional process. This is a reminder that the President has many, many tools for imposing tariffs.

🇳🇮 **What's next**: USTR has put together a range of possibly Section 301 remedies for President Trump to consider.

- These remedies include suspending some or all Central America-United States Free Trade Agreement (CAFTA) benefits to Nicaragua and/or applying up to 100 percent tariffs on some or all Nicaraguan imports. These actions could hit immediately or be phased in over several months (up to a year).
- Stakeholders can submit written comments to the administration on the proposed remedies. The deadline is November 19th.

**Go deeper**: Read the official notice here.

## FDRA sample review next month


Be sure to join us for our digital sample review with CBP Footwear National Import Specialist Stacey Kalkines on Wednesday, November 13th. Stacey is THE footwear classification decision maker at CBP, and this is a great opportunity to ask her questions in an off-the-record setting.

✋ **Important update**: *This year's event will provide continuing education credit for customs professionals. This FDRA event is worth 3 Continuing Education Units (CEUs)!*

**Why it matters**: There are more than ❗400 ways to classify a shoe, and small changes mean a huge difference in tariff rates — and 💰 costs for companies!

- **Take note**: Please email pictures of your 👟 footwear samples to me at tcrockett@fdra.org ahead of the event, and we will discuss each sample with the expert panel live during the event.

🚨 **Oh, also**: CBP's Apparel, Footwear & Textiles Center team will join us to talk about the Uyghur Forced Labor Prevention Act (UFLPA), IP protection, and recent enforcement trends.

**Go deeper**: sign up here: Digital Tariff & Customs Conference

Thanks for reading this week's Footwear & Politics update. Feel free to share this newsletter with others on your team. Have a great rest of the week!

Thomas