

May 22, 2018

The Honorable Robert Lighthizer
United States Trade Representative
600 17th Street NW
Washington, DC 20508

RE: Multi-Industry Association Post-Hearing Comments: Proposed Determination of Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation (Docket Number: USTR-2018-0005)

Dear Ambassador Lighthizer:

The undersigned organizations representing U.S. manufacturers, farmers and agribusinesses, retailers, technology companies, importers, exporters, and other supply chain stakeholders are writing to provide post-hearing comments in response to the hearings on Docket Number USTR-2018-0005. We appreciate the effort to hear from all interested speakers during three days of hearings on the proposed tariff list. Many of the associations who signed this letter either testified or provided comments for the docket to express concerns about the use of tariffs to address China's unfair trading practices.

The hearing and written submissions to the docket provided interested parties the opportunity to provide comments about the list of proposed tariffs on \$50 billion of Chinese imports. Several stakeholders testified at the hearing and in their written submissions to request the addition of certain products, including finished products, to the proposed tariff list. We strongly oppose the addition of products, both components and finished goods, to the proposed tariff list, and urge you to reject proposals to add products to the proposed tariff list.

It is unclear what process USTR and the Section 301 Committee intend to use to favorably consider proposals to add products to the proposed tariff list that were suggested through the Section 301 comment process. We request USTR to provide greater transparency and immediately make public the details of the process that will be used to consider the inclusion of any additional products on the proposed 301 tariff list. We strongly believe there needs to be additional public input for any products that USTR is considering adding to the proposed list.

We recommend that USTR adopt the following process when considering any additional products to the proposed Section 301 tariff list –

- 1) Publish in the Federal Register a full listing of any HTS codes being considered for addition to the proposed tariff list;
- 2) Provide the rationale and criteria for selecting any additional products for the proposed tariff list; and
- 3) Provide an opportunity for stakeholders to comment on any such products being considered.

We continue to believe that the proposed tariffs would be counterproductive and undermine the Administration's efforts to change China's policies and practices. As indicated in written comments and throughout the public hearings, tariffs will harm U.S. businesses, farmers, workers and consumers. Even those stakeholders who support the tariffs indicated that the tariffs would lead to increased costs on their own operations and consumers – higher tariffs equate to taxes and higher costs for producers and consumers.

We appreciate the opportunity to submit our post-hearing comments. We stand ready to work with the Administration, Congress and other stakeholders to find effective long-term solutions that meaningfully address commercial issues in China and that promote the competitiveness of U.S. farmers, workers, consumers, and businesses rather than saddle them with new costs, lost sales, and lost jobs. We appreciate your consideration of our comments and the views of our members.

Sincerely,

Agriculture Transportation Coalition
Airforwarders Association
American Apparel & Footwear Association (AAFA)
American Association of Exporters and Importers (AAEI)
American Chemistry Council (ACC).
American Lighting Association
American Pyrotechnics Association
Americans for Farmers & Families
Association of Equipment Manufacturers (AEM)
Auto Care Association
CAWA – Representing the Automotive Parts Industry
Coalition of New England Companies for Trade (CONNECT)
Columbia River Customs Brokers and Forwarders Association
Consumer Technology Association
Customs Brokers and Forwarders Association of Northern California
Customs Brokers and International Freight Forwarders Association of Washington State
Electronic Transactions Association
Fashion Accessories Shippers Association
Footwear Distributors & Retailers of America (FDRA)
Foreign Trade Association
Gemini Shippers Association
Halloween Industry Association
Home Furnishings Association
Household & Commercial Products Association
Imaging Supplies Coalition for Intellectual Property Protection (ISC)
Information Technology Industry Council (ITI)
International Wood Products Association
Internet Association
Juvenile Products Manufacturers Association
Kentucky Distillers' Association

Los Angeles Customs Brokers and Freight Forwarders Association
National Association of Chemical Distributors
National Association of Foreign-Trade Zones (NAFTZ)
National Council of Chain Restaurants
National Customs Brokers and Forwarders Association of America (NCBFAA)
National Marine Manufacturers Association
National Retail Federation
Pacific Coast Council of Customs Brokers & Freight Forwarders
Personal Care Products Association
Promotional Products Association International (PPAI)
Retail Industry Leaders Association (RILA)
San Diego Customs Brokers Association
SEMI
Software & Information Industry Association (SIIA)
Specialty Equipment Market Association
Telecommunications Industry Association (TIA)
The Hardwood Federation
The Toy Association
Travel Goods Association
Truck and Engine Manufacturers Association (EMA)
United States Council for International Business
United States Fashion Industry Association