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Congress of the United States
House of Representatives
Washington, DC 20515-3005

June 12, 2018

Ambassador Robert E. Lighthizer
U.S. Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Lighthizer:

I write with grave concern on behalf of the State of New Jersey over the United States Trade Representative's (USTR) proposed action related to China and Section 301 of the Trade Act of 1974. I agree with the stated goals to combat China's unfair intellectual property (IP) and industrial practices. As you know, both the Commission on the Theft of American Intellectual Property and the USTR found the economic cost of China's IP theft of U.S. property to be as high as \$600 billion annually; the determined and relentless strategic theft of U.S. intellectual property cannot be allowed to continue. However, placing a tariff on some products currently under Section 301 consideration would not advance these goals, and instead would harm our businesses, employees, and consumers in New Jersey and throughout the country. I urge careful and deliberate consideration of the products proposed to incur a Section 301 tariff, given the possible side effects.

An example is New Jersey-based Snow Joe, whose CEO Joe Cohen testified in favor of two exclusions before your Section 301 Committee. Snow Joe, an innovative New Jersey business, has requested an exclusion of electric and cordless snow shovels and snow throwers from the proposed tariffs. These are unique seasonal products used by families in many regions looking for a more efficient and easier way to clear snow in the aftermath of a storm. These products are not the types of largescale farm equipment that China might attempt to advance as part of its industrial policy goals, as envisioned by the tariffs. And it is my understanding that there is no U.S. or other foreign producer of these snow tools. If they suddenly face this damaging tariff, Snow Joe and companies like this would have no place to turn. The company is a growing job creator, employing 300 American workers, a majority of whom are in New Jersey.

If the USTR follows through with its proposal to place a 25% tariff on these small-scale consumer snow removal tools, it would cripple this distinctive and innovative sector, punishing American consumers, and potentially killing New Jersey jobs - all without advancing the goals with respect to China.

Snow Joe is a growing and thriving New Jersey company. If its products, and products of similarly-situated companies, are rendered noncompetitive by a Section 301 tariff, the business will be pushed out of the United States. Snow Joe has immediate plans to expand its presence with approximately 100 new workers in Mahwah, New Jersey, and to build a new facility in Washington State. The company plays a key role in a larger retail ecosystem, with important U.S. retailers, such as Home Depot and QVC, selling large quantities of its products.

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New Jersey cannot allow strong employers to fall victim to well-intentioned, but counterproductive efforts to boost American competitiveness. The USTR's Section 301 action will be made stronger and more durable by granting meritorious exclusion applications such as Snow Joe's.

I respectfully request your full and fair consideration in applying 8430.20.0060 and 8430.20.0090 classification subheadings, and consider excluding these products from the proposed tariff. This decision will have real consequences on jobs for our constituents and our economy.

Thank you for your consideration and prompt attention to this matter.

Sincerely,



MEMBER OF CONGRESS