

BRIAN HIGGINS
26TH DISTRICT, NEW YORK

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CO-CHAIR, REVITALIZING OLDER CITIES
TASK FORCE

Congress of the United States
House of Representatives
Washington, DC 20515-3226

2459 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515
(202) 225-3306
(202) 226-0347 (FAX)

726 EXCHANGE STREET
SUITE 601
BUFFALO, NY 14210
(716) 852-3501
(716) 852-3929 (FAX)

800 MAIN STREET
SUITE 3C
NIAGARA FALLS, NY 14301
(716) 282-1274
(716) 282-2479 (FAX)
higgins.house@gmail.com

September 6, 2018

The Honorable Robert Lighthizer
United States Trade Representative
Office of United States Trade Representative
600 17th Street, NW
Washington, D.C. 20006

Re: Removal of Harmonized Tariff Schedule (HTSUS) code 6505 from Proposed Section 301 Tariffs on Chinese Imports

Dear Ambassador Lighthizer,

I appreciate your commitment to creating a fair and balanced trade relationship with China by pursuing actions that pressure the Government of China to address their use of unfair policies, such as forced technology transfer, that put American businesses at a disadvantage. While I applaud the intent behind the efforts of the Section 301 actions, the inclusion of headwear on the proposed \$200 billion list has a direct negative impact in my district.

Founded and headquartered in Buffalo, New York, New Era Cap Co. Inc. (New Era Cap) has grown to be the largest dedicated headwear company in the United States. It employs over 800 workers in 19 states, hundreds of them are located in and around Western New York. New Era Cap has been integral to the resurgence of Buffalo - as one of the few global companies headquartered there - their investment in the area serves as a reminder this area is ripe for economic growth and opportunity. As a U.S. based headwear manufacturer, the proposed 25% ad valorem tariff will diminish their ability to compete, jeopardize the growth of the company and hinder continued investment in my district.

During a House Ways & Means Committee hearing, I was pleased to hear that the Administration's approach under Section 301 would be to "maximize the pain on China and minimize the pain on U.S. consumers." The inclusion of HTSUS code 6505 unfortunately does not meet that test for my district and U.S. consumers broadly.

While I appreciate the aggressive stance you have taken in reproaching China's unfair trade practices, I am concerned that the actions are obtrusive and over-inclusive. I respectfully request that you consider removing HTSUS code 6505 from the proposed list.

Sincerely,



Brian Higgins
Member of Congress