

May 10, 2018

Submitted Online: <https://www.regulations.gov>

The Honorable Robert E. Lighthizer
U.S. Trade Representative
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20006

Re: Reference Docket # USTR-2018-0005, Notice of Determination and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

Dear Ambassador Lighthizer:

The Association of Pool & Spa Professionals (APSP) is a national trade group based in Alexandria, Virginia that represents over 3,100 company members. APSP is the world's oldest and largest association representing swimming pool, hot tub, and spa manufacturers, distributors, manufacturers' agents, designers, builders, installers, suppliers, retailers, and service professionals. Dedicated to the growth and development of its members' businesses and to promoting the enjoyment and safety of pools and spas, APSP offers a range of services, from professional development to advancing key legislation and regulation at the federal and local levels, to consumer outreach and public safety.

On behalf of our member companies, APSP is grateful for the opportunity to comment on the consideration of trade actions against the Peoples Republic of China.

Several of our larger members have asked us to comment on this proposal. Specifically there is growing industry concern about specific products that are likely to cause disruptions to the pool construction and distribution supply chain. We respectfully ask that your office consider removal of these specific products from the proposed list. Those products are listed below with their designated HTS subheading numbers.

HTS subheading	Product Description
84137020	Centrifugal pumps for liquids, not fitted with a measuring device, nesi
84191900	Storage water heaters, nonelectric
84212100	Machinery and apparatus for filtering or purifying water
84219900	Parts for filtering or purifying machinery or apparatus for liquids or gases

This list, however, is not exhaustive. We are still in the process of determining the potential detrimental impact of other product categories. Our industry consists of many market sectors, and we are in the process of reaching out to our manufacturers, chemical suppliers, and construction trades.

In total, these proposed trade actions are likely to raise the cost of new construction, maintenance and repair for the nearly 8 million residential pool owners and commercial pool operators nationwide. The uncertainty of pricing of these component parts, chemicals and machine tools, will unfortunately end up being passed on to our customers. New pool construction could be impacted as our membership would be forced to adjust prices or take losses on products that must be delivered on existing contracts.

US pool owners and operators will have to absorb, or pass on the costs of operations. Furthermore, community organizations, municipalities, schools, retirement communities, condominium and home owner associations may struggle to find replacement parts or end up deferring maintenance in the hopes that tariffs will cease and prices readjust.

It should also be noted that pool equipment such as pumps, small motors, filtration systems, diving boards, lighting and pipes could end up being effected as each complex part relies on a reliable supply chain.

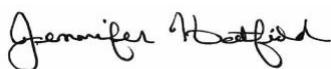
The 2009 downturn in the US real estate markets brought our industry to a relative standstill. We are only now starting to witness an increase in new sales and construction. As a whole, our industry was pleased with the recent passage of the tax reform package. And our leadership was hopeful that legislative achievement would increase demand in our market sector. Unfortunately, the imposition of these proposed tariffs may again cause a downturn in new construction given the market uncertainty these trade actions may have on our industry supply chain.

Therefore, the APSP asks that the USTR proceed cautiously towards a final policy. And make a careful review of all public comments and the potential unintended consequences of future actions.

Our government affairs team would be available to meet with your staff at any time. We also hope your office might entertain future meetings with our private sector industry representatives who are ready to come to Washington, DC to provide concrete examples of how this market may be affected by potential USTR actions in the future.

In conclusion, we again thank you for your deliberate and constructive approach to this issue. We appreciate the opportunity to provide public comment through this important stakeholder engagement process.

Respectfully submitted,



Jennifer Hatfield
Director, Government Affairs
703-838-0083
jhatfield@apsp.org