October 4, 2019

The Honorable Robert E. Lighthizer
U.S. Trade Representative
600 17th Street, NW
Washington, D.C. 20508

Dear Ambassador Lighthizer:

On behalf of the member companies of Associated Equipment Distributors (AED) and the Association of Equipment Manufacturers (AEM), we are writing to express our organizations’ objections to the inclusion of construction machinery and related supplies on the list of goods subjected to retaliatory tariffs following the World Trade Organization’s (WTO) ruling related to European subsidies provided to Airbus.

The administration’s decision to impose 25 percent tariffs on products made in Germany and the United Kingdom creates enormous uncertainty and endangers growth of our industries in the United States. Despite no evidence that European companies are engaging in predatory pricing or other inappropriate trade activities related to construction equipment or machinery, many such products appeared on the USTR’s Final Products List.

We would like to highlight the following products for your reference:

**Section 3 –** Products of Germany described below are subject to additional import duties of 25 percent ad valorem:

- 8203.20.60 Pliers (including cutting pliers but not slip joint pliers), pincers and similar tools
- 8203.30.00 Metal cutting shears and similar tools, and base metal parts thereof
- 8203.40.60 Pipe cutters, bolt cutters, perforating punches and similar tools, nesoi, and base metal parts thereof
- 8205.40.00 Screwdrivers and base metal parts thereof
- 8211.93.00 Knives having other than fixed blades
- 8467.19.10 Tools for working in the hand, pneumatic, other than rotary type, suitable for metal working
- 8467.19.50 Tools for working in the hand, pneumatic, other than rotary type, other than suitable for metal working
- 8468.80.10 Machinery and apparatus, hand-directed or -controlled, used for soldering, brazing or welding, not gas-operated
- 8468.90.10 Parts of hand-directed or -controlled machinery, apparatus and appliances used for soldering, brazing, welding or tempering
- 8505.11.00 Permanent magnets and articles intended to become permanent magnets after magnetization, of metal.

**Section 4 –** Products of Germany or the United Kingdom described below are subject to additional import duties of 25 percent ad valorem:

- 4901.10.00 Printed books, brochures, leaflets and similar printed matter in single sheets, whether or not folded
- 8429.52.10 Self-propelled backhoes, shovels, clamshells and draglines with a 360 degree revolving superstructure
• **8429.52.50** Self-propelled machinery with a 360 degree revolving superstructure, other than backhoes, shovels, clamshells and draglines
• **8467.29.00** Electromechanical tools for working in the hand, other than drills or saws, with self-contained electric motor

Independent, family-owned dealerships that sell, rent and service equipment manufactured by European companies are key parts of communities across the country, creating jobs and driving economic growth. Similarly, European equipment manufacturers have invested significant resources in the United States to expand operations while contributing to the tax-base, developing a skilled workforce, and contributing to U.S. growth and prosperity. Imposing tariffs on construction machinery and required parts and components for value-added manufacturing using U.S. labor is against the public interest.

Given that our industry is completely unrelated to the aerospace sector, we respectfully ask that you remove the above products on the final product list. Thank you for your time and consideration.

Sincerely,

Brian P. McGuire  
President & CEO  
Associated Equipment Distributors

Dennis Slater  
President  
Association of Equipment Manufacturers