



July 24, 2020

Via Regulations.gov

The Honorable Robert Lighthizer
U.S. Trade Representative
Office of the U.S. Trade Representative
600 17th Street, NW
Washington, DC 20508

Re: Request for Public Comment; Review of Action: Enforcement of U.S. WTO Rights in Large Civil Aircraft Dispute [Docket No. USTR-2020-0023]

Dear Ambassador Lighthizer:

The Motor & Equipment Manufacturers Association (MEMA) respectfully submits these comments regarding the Office of the United States Trade Representative's (USTR) Request for Comments on its Review of Action, as cited above, and the List of Products (Annexes I, II and III), which were compiled from lists that the USTR originally published in previous *Federal Register* notices. MEMA reiterates the concerns we raised in comments we submitted in August 2019¹ and in January 2020² regarding several HTS codes for copper wiring that are currently in Annex II. If retaliation lists are modified, these HTS codes should not be included in any revised list.

Specifically, MEMA is concerned about the inclusion of 12 tariff lines of copper alloy products on the Annex II list of products (7407.10.50 –7410.22.00). Duties should not be imposed on these additional specific products listed in Annex II. As we noted last year, "These critical tariff lines should be withdrawn because U.S. alternatives are not being manufactured to the standards necessary for public safety, not available in necessary quantities or not available at all."

For your immediate reference, a current list of the 12 referenced HTS codes is also included. Certainly, tariffs of 100 percent on these items would be highly problematic to the vehicle supplier sector.

Please contact Bill Frymoyer at bfrymoyer@mema.org or (202) 312-9253 if there is any additional information MEMA can provide on this important topic.

Sincerely,

A handwritten signature in black ink that reads "Ann Wilson". The signature is fluid and cursive, written over a light grey rectangular background.

Ann Wilson
Senior Vice President, Government Affairs

¹ USTR-2019-0003-0749; MEMA comments (August 5, 2019)

² USTR-2019-0003-2518; MEMA comments (January 13, 2020)



Attachment

MEMA Remains Opposed to the Inclusion of These Products in Any Potential Airbus Subsidy Retaliation:

1. 7407.10.50 Refined copper, bars and rods
2. 7407.21.90 Copper-zinc base alloys (brass), bars & rods nesoi, not having a rectangular cross section
3. 7408.21.00 Copper-zinc base alloys (brass), wire
4. 7408.29.10 Copper alloys (o/than brass, cupro-nickel or nickel-silver), wire, coated or plated with metal 7409.11.50 Refined copper, plates, sheets and strip, in coils, with a thickness over 0.15mm but less than 5 mm
5. 7409.21.00 Copper-zinc base alloys (brass), plates, sheets and strip, in coils
6. 7409.29.00 Copper-zinc base alloys (brass), plates, sheets and strip, not in coils
7. 7409.31.50 Copper-tin base alloys (bronze), plates, sheets and strip, in coils, with a thickness o/0.15mm but less than 5mm & a width of 500mm or more
8. 7409.31.90 Copper-tin base alloys (bronze), plates, sheets and strip, in coils, w/thickness o/0.15mm but less than 5mm & a width of less than 500mm
9. 7409.40.00 Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base alloys (nickel silver), plates, sheets and strip, w/thickness o/0.15mm
10. 7409.90.90 Copper alloys (o/than brass/bronze/cupro-nickel/nickel silver), plates, sheets & strip, w/thick. o/0.15mm but less th/5mm & width less 500mm
11. 7410.11.00 Refined copper, foil, w/thickness of 0.15 mm or less, not backed
12. 7411.22.00 Copper-nickel base alloys (cupro-nickel) or copper-nickel-zinc base alloys (nickel-silver), tubes and pipes