Congress of the United States
Washington, DC 20510

May 1, 2012

Honorable Ron Kirk
Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Kirk:

We write to ask that after the U.S.-Colombia Trade Promotion Agreement enters into force on May 15, 2012, you improve that agreement by securing an arrangement with Colombia to eliminate certain automotive tariffs on U.S. exports sooner than is currently provided. As you know, this type of accelerated tariff elimination is permitted without further legislative action if both participating countries agree following the final implementation of the agreement. Doing so will level the playing field for U.S. manufacturers, increase U.S. exports, and create U.S. manufacturing jobs.

Mack Trucks, Inc. is part of the only truck group (Volvo Group) that assembles its heavy duty engines and trucks solely in the United States for the North American market. Mack exports heavy duty straight trucks and tractors from the United States to Colombia and currently faces a tariff of 15 percent.

In contrast, Mack's competitors in Mexico currently have duty-free access to Colombia due to a trade agreement the countries implemented in 1995. This disparity gives these competitors a 15 percent tariff advantage in Colombia. As a result, Mack's historic 20 to 30 percent share of this market has fallen to approximately two percent. This is unfortunate as the Colombian market for heavy duty trucks has expanded significantly in recent years.

In the U.S.-Colombia Trade Promotion Agreement, the 15 percent tariff applied to many automotive products including heavy duty tractors exported from the United States will drop to zero immediately upon implementation. For other U.S. automotive exports, however, specifically straight trucks such as mixers, dumps, refuse, concrete pumps, water and fuel trucks, and smaller tractors[1] – the 15 percent tariff is set to phase out in equal increments over the course of 10 years. The U.S. tariffs on Colombian exports on these lines, by contrast, are eliminated immediately upon implementation of the Agreement.

We respectfully request that your office seek an accelerated elimination of Colombian tariffs on U.S. exports of straight trucks such as mixers, dumps, refuse, concrete pumps, water and fuel trucks, and tractors under Article 2.3.4 of the U.S.-Colombia Trade Promotion Agreement. This will help to fulfill the stated goal of the President's National Export Initiative,

[1] Tariff lines 8705400000, 8704230000, and 8701200000 for tractors under 48 metric tons.

leveling the playing field for U.S. exports by giving U.S. manufacturers better access to this emerging market.

We hope your office will make this action a priority upon full implementation of the Agreement. Please do not hesitate to reach out to our offices for more information.

Thank you for your consideration of this important matter.

Sincerely,

Senator Pat Toomey

Senator Barbara Mikulski

Senator Ben Cardin

Senator Kay Hagan

Senator Richard Burr

Representative Charlie Dent

Representative Roscoe Bartlett

Representative Bill Shuster

Representative Lou Barletta

Representative Pat Tiberi

Representative Jim Gerlach

Representative Mel Watt

Representative Shelley Moore Capito

Representative Howard Coble

Representative Steve Stivers