



M·A·C Working  
Group

Michael Pompeo, Secretary  
United States Department of State  
Harry S Truman Building  
2201 C Street Northwest,  
Washington, D.C., United States of America

cc:  
Diane Farrell  
Performing the Non-Exclusive Functions and Duties of the  
Under Secretary for International Trade  
U.S. Department of Commerce

July 28, 2020

Dear Mr. Pompeo:

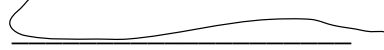
I write to you on behalf of the companies and organizations set forth on Exhibit A to express our continued support for the fourth Protocol to the Cape Town Convention covering mining, agricultural and construction equipment (the MAC Protocol).

As noted in our October 15, 2019 letter to you, which I've attached hereto as Exhibit B, the Cape Town Convention has a demonstrated legacy of success in improving secured financing practice. Thanks to the skilled negotiating of Karin Kizer and the other members of the US delegation at the Diplomatic Conference in Pretoria, South Africa, the MAC Protocol produced for signature includes all of the features that we believe will allow it to have the greatest possible positive impact on the export of US manufactured MAC equipment - one that we hope will rival the impact on the export of aircraft manufactured in the United States that was achieved by the US ratification of the Aircraft Protocol.

Now, more than ever, we believe that the new economic opportunities that will be created by the MAC Protocol are necessary for the future success of the MAC industries. As such, we again urge the United States to sign the MAC Protocol at its earliest opportunity.

Yours sincerely,

Mining, Agricultural and Construction Equipment Working Group

A handwritten signature in black ink, appearing to read "Phil Durham", written over a horizontal line.

By: Phil Durham

Title: Secretary General

## **Exhibit A**

AGCO Corporation

Association of Equipment Manufacturers

Deere & Company

Equipment Leasing and Finance Association

Vermeer Corporation

## Exhibit B



M·A·C Working  
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Michael Pompeo, Secretary  
United States Department of State  
Harry S Truman Building  
2201 C Street Northwest,  
Washington, D.C., United States of America

cc:  
Diane Farrell  
Performing the Non-Exclusive Functions and Duties of the  
Under Secretary for International Trade  
U.S. Department of Commerce

October 17, 2019

Dear Mr. Pompeo:

The undersigned are writing to you in relation to the upcoming Diplomatic Conference (the Diplomatic Conference) for the fourth Protocol to the Cape Town Convention covering mining, agricultural and construction equipment (the MAC Protocol). The Diplomatic Conference will be held in Pretoria, South Africa from November 11, 2019 to November 22, 2019. We are writing to express our support for the MAC Protocol and to encourage the United States to not only participate in the Diplomatic Conference, but to also sign the MAC Protocol at the Diplomatic Conference.

The Cape Town Convention has a demonstrated legacy of success in improving secured financing practice. Best exemplifying this success is the Aircraft Protocol, which the United States was one of the first countries to both sign and ratify. The implementation of the Aircraft Protocol and its operation over the past thirteen years has had a positive impact on the export of aircraft manufactured in the United States.

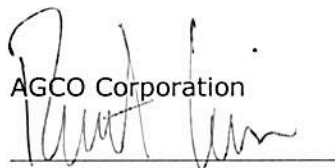
The MAC Protocol is expected to similarly benefit manufacturers of mining, agricultural and construction equipment, including in the export of mining, agricultural and construction equipment abroad. The coverage of the MAC Protocol is considerable; it is anticipated that the MAC Protocol will apply to mining, agricultural and construction equipment worth over one hundred billion dollars in annual trade. In fact, an economic analysis commissioned by the International Institute for the Unification of Private Law and funded by certain of the

undersigned projects that the MAC Protocol will result in an increase in the stock of mining, agricultural and construction equipment in developing countries by ninety billion dollars over a ten year period. The full text of the economic analysis can be found at <https://www.unidroit.org/english/documents/2018/study72k/1808-final-mac-protocol-ea.pdf>.

As the undersigned operate in the mining, agricultural and/or construction equipment sectors, the MAC Protocol will lead to new economic opportunities for us and/or our members. As such, we urge the United States to sign the MAC Protocol at the Diplomatic Conference, indicating its strong support for a modern personal property security regime for mobile equipment, without intending to become a contracting state under the MAC Protocol.

[SIGNATURE PAGE FOLLOWS]

Yours sincerely,



AGCO Corporation

By: Robert B. Crain

Title: Senior Vice President and General Manager, Americas,

Yours sincerely,

Association of Equipment Manufacturers



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Name: Dennis J. Slater

Title: President, Association of Equipment Manufacturers (AEM)



Yours sincerely,  
Deere & Company

Yours sincerely,

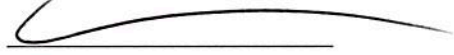
Vermeer Corporation

By: 

Dary J. Bouwkamp  
Sr. Director Intl Business Dev & Gov't Affairs

Yours sincerely,

Mining, Agricultural and Construction Equipment Working Group

A handwritten signature in black ink, appearing to read 'Phil Durham', written over a horizontal line.

By: Phil Durham

Title: Secretary General