



U.S. BUSINESS COALITION FOR TPP

September 7, 2011

The President
The White House
Washington, DC 20500

Dear Mr. President:

As the Chicago Round of the Trans-Pacific Partnership (TPP) negotiations commences this week, the undersigned members of the U.S. Business Coalition for TPP urge the United States and its TPP trading partners to move forward decisively and ambitiously so that the “broad outlines” of a final TPP agreement can be reached by the APEC Leaders’ meeting in Honolulu, as the TPP Ministers agreed in Big Sky, Montana, in May. While much work has already been accomplished through intensive negotiations, many difficult issues and decisions remain. With only one additional negotiating round before the APEC Leaders’ meeting, it is necessary for the Chicago Round to produce substantial progress across all negotiating groups this week and next.

The U.S. Business Coalition for TPP is a broad-based, cross-sectoral group of companies and business groups representing the principal sectors of the U.S. economy, including agriculture, manufacturing and services enterprises of all sizes throughout the country. Many of our companies are actively engaged as traders and investors in the other TPP negotiating countries as well. Our companies and associations, accounting for a significant portion of U.S. research and development, innovation and American jobs, have come together to promote a strong outcome in the TPP negotiations as soon as possible that is vital to sustain and generate economic activity and jobs in the United States.

To produce much-needed economic growth throughout all the TPP countries, the final TPP agreement must achieve greater economic integration and eliminate unnecessary barriers and anti-competitive distortions, while upholding strong standards of transparency, predictability, fairness and property protection. As innovation is key to the United States’ future competitiveness, the final TPP agreement must contain strong substantive and enforcement-related intellectual property provisions that are clear, specific and enforceable.

An agreement short of these goals, such as one in which each country holds back its most sensitive areas, maintains significant entry, operational barriers or other non-tariff barriers to trade and investment and/or otherwise fails to set strong standards, would be a lost opportunity. It would thwart, rather than accelerate, the economic growth that all TPP partners, their populations and their businesses need, particularly at this time.

To achieve a growth-producing outcome, we urge the following:

- TPP countries must open up all sectors of their economy, to the goods, services and investments of the other TPP partners, creating a regional agreement that will simplify trade and reduce complexity. Trying to shield particular sectors will only lead to a downward spiral and limit what the TPP can achieve among the current TPP partners, as well as with future partners.
- TPP countries need to adopt strong standards of fairness, non-discrimination, transparency and property protection, including the protection of intellectual property. Such core measures are recognized by the World Bank, the World Economic Forum and international investors, among others, as necessary to attract new investment and business.
- Individual countries also must face other sensitive issues head-on and recognize they need to adopt core principles and commercially meaningful outcomes. Among the business community's top priorities are the following:
 - The acceptance of investor-state dispute settlement by all TPP partners with all other TPP partners;
 - The adoption of strong and complete rules to protect and enforce intellectual property rights;
 - The adoption of rules of origin in all sectors that are commercially meaningful, flexible, and predictable and will advance trade;
 - The adoption of market access and other rules to promote TPP country exports, including of inputs;
 - The adoption of rules on the application of sanitary and phytosanitary measures that are in line with international standards, address trade barriers and supplement current WTO rules; and
 - The adoption of strong government-procurement commitments to ensure the operation of government-procurement markets in an open, transparent, non-discriminatory, technology-neutral and pro-competitive basis.
- TPP countries also need to make serious progress on the "new" cross-cutting issues being negotiated. In this regard, the business community's top priorities are the following:
 - The adoption of strong pro-competitive, transparency and other obligations with regard to state-owned and state-invested enterprises to ensure that the private enterprises of the United States and other TPP members can compete with such enterprises on a non-discriminatory basis;
 - The adoption of meaningful new supply-chain, customs and regulatory-coherence commitments that advance these issues now, but also prioritize concrete, flexible, and action-oriented work programs developed through public-private partnerships to make even greater progress in the future as global supply chains and regulatory standards continue to evolve;
 - The elimination of barriers to trade in environmental goods and services; and
 - The adoption of strong commitments related to "digital trade," including ensuring cross-border data flows and prohibiting localization requirements as a condition of supplying a service or investing.

- The creation of a living agreement through the adoption of specific commitments to promote the accession of other eligible countries to the TPP on a commercially strong basis and to provide a concrete monitoring and review mechanism, including at least semi-annual public stakeholder meetings with senior TPP government officials to provide input on improving ongoing implementation in a transparent manner.

We recognize that these priorities are challenging to all countries. Yet, if each of the TPP countries truly seeks an ambitious outcome – one that will make a positive economic difference to its own and the other countries – then jointly addressing all of these issues is essential.

We look forward to working with each of the TPP countries in advancing these negotiations as productively as possible during this and future rounds.

Respectfully,

ACE Group
American Apparel & Footwear Association (AAFA)
American Automotive Policy Council (AAPC)
American Council of Life Insurers
American Forest & Paper Association
American Peanut Product Manufacturers, Inc.
Amway Corporation
Applied Materials, Inc.
Association of Equipment Manufacturers (AEM)
The Boeing Company
Business Roundtable (BRT)
Business Software Alliance (BSA)
Cargill, Incorporated
Caterpillar Inc.
Chartis Inc.
Citi
Coalition of Service Industries (CSI)
Council of the Americas (COA)
CropLife America
DIAGEO
Direct Selling Association (DSA)
Distilled Spirits Council of the United States (DISCUS)
The Dow Chemical Company
Emergency Committee for American Trade (ECAT)
Express Association of America (EAA)
Fashion Accessories Shippers Association (FASA)
FedEx Express
Footwear Distributors & Retailers of America (FDRA)
Freeport-McMoRan Copper & Gold Inc.

General Electric Company
GlaxoSmithKline
Grocery Manufacturers Association (GMA)
Guardian Industries Corp
Harley-Davidson Motor Company
Hewlett-Packard Company
IBM Corporation
Information Technology Industry Council (ITI)
Intel Corporation
International Game Technology (IGT)
Kraft Foods
Levi Strauss & Co.
McDermott, Inc.
The McGraw-Hill Companies, Inc.
Michar, LLC
Microsoft Corporation
Motion Picture Association of America (MPAA)
National Association of Manufacturers (NAM)
National Center for APEC
National Foreign Trade Council (NFTC)
National Pork Producers Council (NPPC)
National Retail Federation (NRF)
News Corporation
Oracle
Outdoor Industry Association (OIA)
Pacific Sunwear of California
Pfizer, Inc.
Qualcomm, Inc.
Retail Industry Leaders Association (RILA)
Securities Industry and Financial Markets Association (SIFMA)
Society of Chemical Manufacturers and Affiliates (SOCMA)
Sweetener Users Association (SUA)
Time Warner Inc
Travel Goods Association (TGA)
Underwriters Laboratories Inc.
United Technologies Corporation
United States Association of Importers of Textiles and Apparel (USA-ITA)
United States Council for International Business (USCIB)
US - ASEAN Business Council
U.S. Chamber of Commerce
US - Japan Business Council
US - NZ Council
WBC Global
WORLD TRADE CENTER San Diego
Xerox Corporation