

**Written Submission of the U.S. Business Coalition for TPP  
For the Hearing on the Trans-Pacific Partnership Negotiations  
Before the Trade Subcommittee of the House Committee on Ways and Means**

December 14, 2011

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 and comprehensive outcome in the TPP negotiations as soon as possible that is vital to sustain and generate economic activity and jobs in the United States.

The TPP Business Coalition and its members have made a number of submissions to the Administration during the course of these negotiations. Attached are two of the more recent communications which we think it is important for the Committee to consider:

- 10-19-11 Letter from Associations to the President on Comprehensiveness in the TPP Negotiations; and
- 09-07-11 TPP Business Coalition Letter to the President

Please do not hesitate to let us know if you have any questions regarding these documents or other work in which the TPP Coalition is engaged.

The appended documents are submitted on behalf of the signatories to the documents.

October 19, 2011

The President  
The White House  
Washington, D.C. 20500

Dear Mr. President:

Our organizations represent U.S. companies throughout every major sector of the U.S. economy from agriculture and manufactured goods to services. We strongly support the United States' effort to negotiate a high-standard and 21<sup>st</sup>-century Trans-Pacific Partnership (TPP) and urge that the United States continue its longstanding and bipartisan approach of seeking a comprehensive agreement that covers every commercial sector and sub-sector of the U.S. economy.

Especially in these challenging economic times, achieving a comprehensive agreement that provides full reciprocal market access and does not exclude any sector, sub-sector, product or service from the market-access provisions or core trade and investment rules of the final TPP is vital. Such an agreement will ensure that all U.S. commercial sectors benefit from this agreement and that the final TPP produces new economic opportunities and exports to sustain and increase American jobs. In an integrated global economy, U.S. competitiveness and jobs are increasingly tied to the ability of U.S. companies to participate in international supply chains and compete in global markets. Excluding products, sub-sectors or sectors will undermine U.S. competitiveness that is tied to such international integration, reducing the TPP's economic opportunities for U.S. companies and their workers.

Adoption of a comprehensive approach is vital to achieve the maximum commercial benefits of the burgeoning Asia-Pacific market. Every country has particular sensitivities that arise. If the United States exempts certain products, services, sub-sectors or sectors, other TPP partner countries will do the same and very likely exclude areas of great commercial interest to the United States. The result would be a least-common-denominator outcome that would thwart the high ambitions and economic potential that all TPP negotiating countries seek.

Furthermore, given the expectation that the TPP will expand to include other major Asia-Pacific economies, now is our chance to set the highest standards for a comprehensive outcome. It prevents subsequent acceding economies from diluting by exclusion the disciplines of a high-standard TPP agreement. We believe, as has been repeatedly demonstrated, that trade and investment agreements do not impede governments from regulating to protect public health, safety and the environment or in the public interest in a manner consistent with good governance, public welfare and best practice. Rather, experience has proven that comprehensive trade and investment agreements help advance solutions to societal challenges and encourage innovation that enriches us all.

The United States' aim to achieve a 21<sup>st</sup>-century agreement can only be realized through the comprehensive coverage and commercially meaningful rules for all goods and services throughout the final TPP agreement, and we look forward to working with you and your negotiators to help achieve that vital result.

Respectfully,

AdvaMed  
American Apparel & Footwear Association (AAFA)  
American Council of Life Insurers (ACLI)  
American Farm Bureau Federation  
American Peanut Product Manufacturers, Inc.  
American Seed Trade Association (ASTA)  
American Soybean Association  
Animal Health Institute  
Business Roundtable (BRT)  
Coalition of Service Industries (CSI)  
Corn Refiners Association  
CropLife America  
Distilled Spirits Council of the U.S., Inc.  
Emergency Committee for American Trade (ECAT)  
Express Association of America (EAA)  
Fashion Accessories Shippers Association (FASA)  
Footwear Distributors & Retailers of America (FDRA)  
Grocery Manufacturers Association  
Information Technology Industry Council (ITI)  
Motion Picture Association of America (MPAA)  
National Association of Manufacturers (NAM)  
National Center for APEC  
National Chicken Council  
National Fisheries Institute (NFI)  
National Foreign Trade Council (NFTC)  
National Oilseed Processors Association  
National Pork Producers Council (NPPC)  
National Retail Federation (NRF)  
Outdoor Industry Association (OIA)  
Pharmaceutical Research and Manufacturers of America (PhRMA)  
Retail Industry Leaders Association (RILA)  
Securities Industry and Financial Markets Association (SIFMA)  
Sweetener Users Association (SUA)  
TechAmerica  
The Fertilizer Institute  
Travel Goods Association (TGA)

U.S. Chamber of Commerce

U.S. Wheat Associates

United States Association of Importers of Textiles and Apparel (USA-ITA)

United States Council for International Business (USCIB)

USA Rice Federation

US-ASEAN Business Council

US-New Zealand Council

Washington State Potato Commission

World Perspectives, Inc.



# 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)  
UPS  
US - ASEAN Business Council  
U.S. Chamber of Commerce

US - Japan Business Council

US - NZ Council

WBC Global

WORLD TRADE CENTER San Diego

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