



# U.S. BUSINESS COALITION FOR TPP

February 3, 2011

Mr. Gene Sperling  
Director of the National Economic Council  
and Assistant to the President for Economic Policy  
The White House  
1600 Pennsylvania Ave., N.W.  
Washington, D.C. 20500

Dear Director Sperling:

We are writing as members of the U.S. Business Coalition for TPP to highlight the priority that we place on the United States' achieving a high-standard, commercially meaningful agreement through the Trans-Pacific Partnership (TPP) negotiations. Our companies and associations strongly believe that such an outcome in the TPP negotiations is vital to create new opportunities for our industries and our workers in the years and decades to come in the fast-growing Asia-Pacific region.

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. Our companies and associations, representing 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 that is vital to sustain and generate economic activity and jobs in the United States.

U.S. leadership at the highest levels is needed now to resist calls for the United States to agree to lower standards, less market access or loopholes that other countries can use to deny access to U.S. goods and services.

Obtaining such a high-standard outcome, with strong and binding enforcement mechanisms, is important not only with respect to the countries already at the negotiating table – Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore and Vietnam – but also to ensure that the TPP fulfills its promise of becoming a larger regional agreement that will include other major economies in the Asia-Pacific region. The rules that the TPP sets now will set the template for the U.S.-Asia-Pacific trading relationship for decades to come.

As the negotiations proceed, it is critical that the United States lead the negotiations to achieve high-standard results in all key areas, including:

- **Market Access.** The final TPP agreement should be comprehensive (covering all sectors and sub-sectors and including all forms of trade, both traditional and digital), incorporate flexible rules of origin that accommodate commercial realities, and result in major new and meaningful market-opening opportunities, including through the use of sector-specific

chapters. The agreement should not rollback existing access for U.S. industries in foreign markets.

- **Intellectual Property (IP).** Given that IP is a major contributor to U.S. economic growth and employment in IP-dependent industries that span every sector of the U.S. economy, the final TPP agreement should result in the highest IP protections in order to produce effective and transparent enforcement of IP rights in the TPP countries. Importantly, IP protections should build off of, but not diminish, IP protections found in each of the existing U.S. trade agreements with TPP countries and the currently pending U.S.-Korea FTA.
- **Investment.** Given the importance of foreign investment in facilitating U.S. exports and access to foreign markets, as well as promoting economic opportunities and higher wages in the United States, a successful TPP agreement will incorporate strong investment protections, market-access provisions and investor-state and state-to-state dispute settlement to create the type of secure, predictable and non-discriminatory legal environment for U.S. investment abroad that foreign investors already enjoy in the United States.
- **More Simplified Trade.** The final TPP agreement should also include important innovations to facilitate the timely, efficient, secure, and safe movement of goods and services across production and supply chains throughout the TPP countries in order to promote economic opportunities for U.S. industries and their workers.
- **Regulatory Coherence.** A successful TPP agreement will also take on one of the key challenges of trade in the 21<sup>st</sup> century – regulatory barriers that intentionally or inadvertently act as barriers to trade – through the adoption of commitments to maintain regulatory systems that are transparent, effective, science- and risk-based, enforceable and mutually coherent.
- **Fair Competition.** The final TPP agreement should ensure a level playing field by protecting and promoting the competitive process through strong rules on transparency, strengthened anti-corruption provisions and due process in competition-policy proceedings and by ensuring that state-owned industries compete on a level playing field with private and foreign companies.

The Coalition has and continues to provide U.S. negotiators with detailed information regarding these and other issues, including in the Coalition's TPP Agreement Principles paper (attached) that was delivered in September 2010, as well as more detailed papers on additional issues. We will continue to provide additional information in the days and weeks to come.

We all share the Administration's goal of completing the TPP negotiations by November 2011 in a manner that will effectively address the barriers that limit the ability of U.S. enterprises and their workers to compete fairly in foreign markets. To achieve that end, the United States must seek high standards, strong protections and maximum market access for all key sectors of the U.S. economy throughout the TPP negotiations.

Respectfully,

Abbott Laboratories  
ACE Group  
Advanced Medical Technology Association (AdvaMed)  
American Apparel & Footwear Association (AAFA)  
American Automotive Policy Council (AAPC)  
American Business Conference (ABC)  
American Chamber of Commerce in New Zealand  
American Chamber of Commerce in Singapore  
American Chamber of Commerce in Vietnam (Hanoi)  
American Chamber of Commerce in Vietnam (Ho Chi Minh City)  
American Council of Life Insurers (ACLI)  
American Forest & Paper Association (AF&PA)  
American Import Shippers Association (AISA)  
American Soybean Association (ASA)  
ANSAC  
Applied Materials, Inc.  
Association of American Publishers (AAP)  
Association of Equipment Manufacturers (AEM)  
AT&T  
Bechtel Corporation  
Boeing Company  
Biotechnology Industry Organization (BIO)  
C.V. Starr & Co., Inc.  
Cargill, Incorporated  
Caterpillar, Inc.  
Chevron Corporation  
Citigroup, Inc.  
Coalition of Service Industries (CSI)  
The Coca-Cola Company  
Corn Refiners Association (CRA)  
Council of the Americas (COA)  
CropLife America  
DHL  
Diageo  
Distilled Spirits Council of the United States (DISCUS)  
The Dow Chemical Company  
Eli Lilly and Company  
Emergency Committee for American Trade (ECAT)  
Emerson  
Express Association of America (EAA)

Fashion Accessories Shippers Association (FASA)  
FedEx Express  
Fluor  
Footwear Distributors & Retailers of America (FDRA)  
Freeport-McMoRan Copper & Gold Inc.  
Gap, Inc.  
General Electric Company  
GlaxoSmithKline  
Grocery Manufacturers Association (GMA)  
Hanesbrands, Inc.  
Herbalife Ltd.  
Hewlett-Packard Company  
IBM Corporation  
Information Technology Industry Council (ITI)  
International Intellectual Property Alliance (IIPA)  
Independent Film & Television Alliance (IFTA)  
Intel Corporation  
J.C. Penney Corporation, Inc.  
Johnson & Johnson  
Kraft Foods  
Levi Strauss & Co.  
Mars, Incorporated  
McDermott International  
The McGraw-Hill Companies  
Merck & Co., Inc.  
Microsoft Corporation  
Monsanto Company  
Motion Picture Association of America (MPAA)  
National Association of Manufacturers (NAM)  
National Cattlemen's Beef Association (NCBA)  
National Center for APEC (NCAPEC)  
National Confectioners Association (NCA)  
National Foreign Trade Council (NFTC)  
National Music Publishers Association (NMPA)  
National Pork Producers Council (NPPC)  
National Retail Federation (NRF)  
News Corporation  
Oracle Corporation  
Outdoor Industry Association  
Pacific Sunwear of California, Inc.  
Pfizer, Inc.  
Pharmaceutical Research and Manufacturers of America (PhRMA)  
Principal Financial Group

Procter & Gamble  
Recording Industry Association of America (RIAA)  
Retail Industry Leaders Association (RILA)  
Sanofi-Aventis  
Securities Industry and Financial Markets Association (SIFMA)  
Skyway Luggage Company  
Smart Apparel U.S., Inc.  
Society of Chemical Manufacturers and Affiliates (SOCMA)  
Target Corporation  
AnnTaylor Stores Corporation  
TechAmerica  
Time Warner, Inc.  
Travel Goods Association (TGA)  
TTI Global Resources, Inc.  
Tumi  
U.S.-ASEAN Business Council  
U.S. Association of Importers of Textiles and Apparel (USA-ITA)  
U.S. Chamber of Commerce  
United States Council for International Business (USCIB)  
United Technologies Corporation  
United Parcel Service (UPS)  
US-New Zealand Council  
Visa Inc.  
Wal-Mart Stores, Inc.  
Xerox Corporation

Cc: The Honorable Tom Vilsack, Secretary of Agriculture  
The Honorable Gary Locke, Secretary of Commerce  
The Honorable Hillary Rodham Clinton, Secretary of State  
The Honorable Timothy Geithner, Secretary of the Treasury  
The Honorable Ron Kirk, United States Trade Representative