

EXECUTIVE OFFICE OF THE PRESIDENT
THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

February 4, 2016

The Honorable Shuichi Takatori
State Minister of Cabinet Office of Japan
Tokyo, Japan

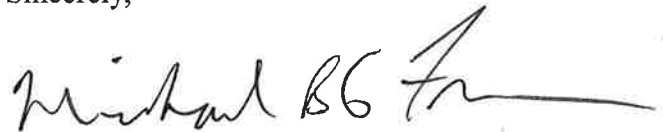
Dear State Minister Shuichi Takatori:

I have the honor to confirm the following understanding reached between representatives of the Government of the United States of America and the Government of Japan during the course of negotiations regarding Chapter 12 (Temporary Entry for Business Persons) of the Trans-Pacific Partnership Agreement (the Agreement) signed this day:

Until such time as the United States undertakes commitments pursuant to Article 12.4 (Grant of Temporary Entry), the United States shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with respect to a refusal by Japan to grant temporary entry pursuant to Article 12.4, notwithstanding the requirements set out in Article 12.10.1 (Dispute Settlement).

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement with respect to the United States and Japan.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael B. G. Froman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Ambassador Michael B. G. Froman

Auckland, February 4, 2016

Excellency,

I am pleased to acknowledge your letter of February 4, 2016 which reads as follows:

“I have the honor to confirm the following understanding reached between representatives of the Government of the United States of America and the Government of Japan during the course of negotiations regarding Chapter 12 (Temporary Entry for Business Persons) of the Trans-Pacific Partnership Agreement (the Agreement) signed this day:

Until such time as the United States undertakes commitments pursuant to Article 12.4 (Grant of Temporary Entry), the United States shall refrain from seeking recourse to Chapter 28 (Dispute Settlement) with respect to a refusal by Japan to grant temporary entry pursuant to Article 12.4, notwithstanding the requirements set out in Article 12.10.1 (Dispute Settlement).

I have the honor to propose that this letter and your letter in reply confirming that your Government shares this understanding shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement with respect to the United States and Japan.”

I have the honor to confirm that my Government shares this understanding, and that your letter and this reply shall constitute an agreement between our two Governments, which shall enter into force on the date of entry into force of the Agreement with respect to Japan and the United States.

Sincerely,

Handwritten signature in black ink, consisting of the characters '高鳥修一' (Takatori Shuichi) followed by a horizontal line.

Shuichi Takatori
State Minister of Cabinet Office of Japan

His Excellency
Mr. Michael B.G. Froman
United States Trade Representative