



October 15, 2014

Trade Ministers and Chief Negotiators of TPP Negotiating Parties:

Dear Sirs and Madams,

The ability to use and transmit data in digital form is the lifeblood of companies large and small, from all sectors of the economy and in both developed and developing countries. The seamless movement of data across borders enables businesses of every size, in every sector, in every part of the world to access innovative products and services that enhance their productivity and help them reach new customers, driving growth and job creation. A 2011 McKinsey Global Institute study spanning 13 mature and emerging markets showed that the Internet accounted for over a tenth of economic growth in the preceding five years, and that 75 percent of the Internet's economic impact accrues to traditional (non-Internet focused) industries. The same study found that SMEs making intensive use of Internet-enabled technologies grow twice as fast and export twice as much as their peers.

The Trans-Pacific Partnership (TPP) has every potential for establishing critically important market access and trade disciplines which are indispensable to ensuring global economic growth in the 21st century. We urge your support and commitment for meaningful provisions on cross-border data flows in the TPP that will drive the digital economy. Whether the TPP will truly promote the digital economy depends on the following factors: 1) clear, enforceable obligations to allow the cross-border flow of data and that prohibit requirements to localize data in particular jurisdictions; 2) exceptions and limitations to such obligations that are limited and consistent with existing international trade law; 3) dispute settlement

mechanisms on a par with all the other TPP obligations; and 4) no additional reservations that undermine the effect and enforceability of such obligations.

Thank you for your commitment to concluding an ambitious TPP that will truly enable the growth of the digital economy in the 21st century. We, the undersigned coalition of industry associations and our members, look forward to working with you on these important issues.

American Chamber of Commerce in Japan
Asia Internet Coalition
Asociación Chilena de Tecnologías de la Información
Asociación Mexicana de Internet
Association of Electronic Industries in Singapore
Australian Industry Group
Australian Information Industry Association
Australian Services Roundtable
BSA | The Software Alliance
Canadian Chamber of Commerce
Canadian Manufacturers & Exporters
Canadian Services Coalition
Coalition of Services Industries
Computer & Communications Industry Association
Consumer Electronics Association
Electro-Federation Canada
Emergency Committee for American Trade
Entertainment Software Association
Entertainment Software Association of Canada
Information Technology Association of Canada
Information Technology Industry Council
Interactive Games & Entertainment Association
Internet Association
Japan Information Technology Services Industry Association Public Policy Committee
Mexican Chamber of Electronics, Telecommunications and Information Technologies
Mexican Services Coalition
National Association of Manufacturers
National Foreign Trade Council
National ICT and Multimedia Association of Malaysia
Semiconductor Industry Association
Sociedad Nacional de Industrias
Software & Information Industry Association
TechAmerica
TechNet
Technology CEO Council
Telecommunications Industry Association
United States Council for International Business
US Chamber of Commerce
US-ASEAN Business Council
Vietnam Electronic Industries Association
