

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

February 4, 2016

The Honorable Chrystia Freeland
Minister of International Trade
Canada

Dear Minister Freeland:

In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the TPP Agreement), I have the honor to confirm the following agreement reached between representatives of the Government of the United States of America (United States) and the Government of Canada (Canada).

Seeking to facilitate effective government procurement systems in our two countries, and further to the agreement between the Governments of Canada, Mexico and the United States of this date to apply Chapter 15 (Government Procurement) of the TPP Agreement to procurement covered by Article 1001 of Chapter 10 (Government Procurement) of the North American Free Trade Agreement (NAFTA) in place of the provisions of Chapter 10 (Government Procurement) of NAFTA, the United States and Canada agree to apply the goods and services thresholds and construction services threshold for Central Government Entities government procurement set out in their respective schedules to Chapter 15 (Government Procurement) of the TPP Agreement, as adjusted from time to time in accordance with those schedules, to the respective obligations of the United States and Canada for the goods threshold, services threshold and construction services threshold for federal government entities procurement under Chapter 10 (Government Procurement) of NAFTA.

With regard to the World Trade Organization Agreement on Government Procurement, the thresholds specified in our respective schedules to that Agreement shall continue to apply.

I have the honor to propose that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our two governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between the United States and Canada.

Sincerely,


Ambassador Michael B.G. Froman



4 February 2016

Ambassador Michael B. Froman
United States Trade Representative
United States of America

Dear Ambassador Froman,

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

“In connection with the signing on this date of the Trans-Pacific Partnership Agreement (the TPP Agreement), I have the honor to confirm the following agreement reached between representatives of the Government of the United States of America (United States) and the Government of Canada (Canada).

Seeking to facilitate effective government procurement systems in our two countries, and further to the agreement between the Governments of Canada, Mexico and the United States of this date to apply Chapter 15 (Government Procurement) of the TPP Agreement to procurement covered by Article 1001 of Chapter 10 (Government Procurement) of the North American Free Trade Agreement (NAFTA) in place of the provisions of Chapter 10 (Government Procurement) of NAFTA, the United States and Canada agree to apply the goods and services thresholds and construction services threshold for Central Government Entities government procurement set out in their respective schedules to Chapter 15 (Government Procurement) of the TPP Agreement, as adjusted from time to time in accordance with those schedules, to the respective obligations of the United States and Canada for the goods threshold, services threshold and construction services threshold for federal government entities procurement under Chapter 10 (Government Procurement) of NAFTA.

With regard to the World Trade Organization Agreement on Government Procurement, the thresholds specified in our respective schedules to that Agreement shall continue to apply.

.../2



I have the honor to propose that this letter and your letter of confirmation in reply, equally valid in English and French, shall constitute an agreement between our two governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between the United States and Canada.”

I have the honour to confirm that my Government shares this understanding and that your letter and this letter in reply, equally valid in English and French, shall constitute an agreement between our two governments, subject to dispute settlement under Chapter 28 (Dispute Settlement) of the TPP Agreement, which shall enter into force on the date of entry into force of the TPP Agreement as between the Canada and the United States.

Sincerely,

The Honourable Chrystia Freeland
Minister of International Trade
Canada