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,

[Signature]

Ambassador Michael B. G. Froman
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,

Shuichi Takatori
State Minister of Cabinet Office of Japan

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