



April 22, 2020

The Honorable Robert Lighthizer
United States Trade Representative
600 17th Street NW
Washington, DC 20508

The Honorable Lawrence Kudlow
Director, National Economic Council
1650 Pennsylvania Avenue, NW
Washington, DC 20502

The Honorable Ernesto Araújo
Minister of Foreign Relations
Ministry of Foreign Affairs
Zona Cívico-Administrativa BL H
Brasília, DF, 70170-900, Brasil

The Honorable Paulo Guedes
Minister of Economy
Ministry of the Economy
Esplanada dos Ministérios BL P
Brasília, DF, 70297-400, Brasil

Dear Ambassador Lighthizer, Director Kudlow, and Ministers Guedes and Araújo:

On behalf of the undersigned business organizations, we urge the governments of the United States and Brazil to seize the momentum achieved by Presidents Donald Trump and Jair Bolsonaro in their March 2020 Mar-a-Lago Statement to secure a bilateral trade package in 2020 and strengthen the economic partnership between our countries for years to come. The unprecedented coronavirus pandemic and the resulting global economic downturn reinforce the urgent need for a new trade pact between the two largest economies in the Americas.

Building upon recent progress, we recommend that a bilateral trade agreement include binding commitments in the areas named in the annex to this letter, with priority on modernizing trade and customs, establishing good regulatory practices, creating rules for digital trade, and combating corruption. These trade disciplines can be achieved without requiring either U.S. legislation or Mercosur's involvement, and they would substantially reduce unnecessary costs and enhance bilateral trade and investment. A trade modernization agreement along these lines would be an initial step toward concluding a more comprehensive agreement in the future.

We strongly believe this pragmatic approach will unlock economic benefits for both our countries. We encourage swift action to seize this opportunity in the coming



months and deliver results never previously achieved. The U.S. and Brazilian business communities stand ready to support this endeavor.

Sincerely,

Luiz Pretti
President,
Amcham Brasil
Administrative
Council

Robson Andrade
President, National
Confederation of Industry

Myron Brilliant
Executive Vice President
and Head of International
Affairs, U.S. Chamber of
Commerce

Deborah Vieitas
CEO, Amcham Brasil

Carlos Abijaodi
Director,
National Confederation of
Industry

Cassia Carvalho,
Executive Director,
Brazil-U.S. Business
Council of the U.S.
Chamber of Commerce

ABICALÇADOS – Brazilian Footwear Industries Association
ABINEE – Brazilian Electrical and Electronics Industry Association
ABIMAPI – Brazilian Biscuits, Pasta and Industrialized Breads
ABIMCI – Brazilian Association for Mechanically Processed Timber
ABIMETAL – Brazilian Association of the Steel Processing Industry
ABIHPEC - Brazilian Association of the Cosmetic, Toiletry and Fragrance Industry
ABITAM – Brazilian Metal Tubing and Accessories Industry Association
ABIT - Brazilian Textile and Apparel Industry Association
ABPA – Brazilian Association of Animal Protein
ABRINQ – Brazilian Association of Toy Manufactures
AdvaMed - Advanced Medical Technology Association
BIO – Biotechnology Innovation Organization
Brazilian-American Chamber of Commerce
Brazil-Minnesota Chamber of Commerce
Brazil-Texas Chamber of Commerce
BSA- The Software Alliance



BUSBC - Brazil-U.S. Business Council, U.S. Section
CEBEU - Brazil U.S. Business Council, Brazil Section
CompTIA - Computing Technology Industry Association
CROPLIFE America
CROPLIFE Brasil
FIESC – Industry Federation of the State of Santa Catarina
FIERGS – Industry Federation of the State of Rio Grande do Sul
FIEP – Industry Federation of the State of Paraná
IBÁ – Brazilian Tree Industry
SIMEFRE – Interstate Association of Railroad Equipment and Materials and Road
Industry
UNICA - Brazilian Sugarcane Industry Association
PCPC - Personal Care Products Council

CC: The Honorable Wilbur Ross, U.S. Secretary of Commerce



Annex

Proposed U.S.-Brazil Trade Package

- **Phase 1 (2020) – Multi Chapter Trade Modernization Agreement**
 1. **Trade Facilitation:** Modernizes customs procedures (e.g. advanced rulings, simplified entry, risk management, authorized economic operators, single window, charges-collection system, e-signatures, ATA Carnet, deadlines for goods release, certification of origin and electronic certificates).
 2. **Good Regulatory Practices:** Recognizes the need for good regulatory practices, including transparency, public consultations, regulatory impact assessment, and the elimination of unnecessary, duplicative, or burdensome regulations, and the establishment of an enforcement authority within government (agency of central regulatory review).
 3. **Digital Trade:** Creates rules to foster growth in the digital economy for firms of all sectors and sizes, guaranteeing the freedom to move data across borders and prohibiting forced data localization.
 4. **Anti-Corruption:** Requires the parties to adopt measures to promote transparency and combat corruption, with effective enforcement, support for integrity among public officials, and active participation of the private sector in the fight against corruption in international trade.
 5. **Technical Barriers to Trade:** Promotes regulatory compatibility and best regulatory practices for ICT products, pharmaceuticals, medical devices, cosmetics, chemicals, and other products, while improving rules prohibiting discriminatory technical barriers to trade and promoting private sector participation in rule making.
 6. **Sanitary and Phytosanitary Standards:** Introduces disciplines for science-based SPS measures while ensuring parties maintain their sovereign right to protect human, animal, and plant life or health, and secure time-bound processes for control, inspection and approval procedures.
 7. **Intellectual Property:** Guarantees nondiscriminatory protection of IP, promotes efficiency and transparency in the administration of IP systems with assurances that IP rights are fully enforceable under domestic law, and expands and makes permanent existing bilateral agreements on IP.
- **Phase 2 (2021) – Remaining elements of a comprehensive trade agreement, including:**
 - Market access for goods and services, sector-specific annexes, rules of origin, financial services, dispute resolution, unfair trade practices, competition policy, subsidies, state-owned enterprises, government procurement, et al.