June 6, 2013

The President
The White House
Washington, DC 20500

Dear Mr. President,

The Government of India ("GOI") is discriminating against a wide range of U.S. exports, jeopardizing domestic jobs, and putting at risk a growing bilateral trading relationship worth more than \$60 billion last year. Our associations, which collectively represent small, medium, and large U.S. companies throughout every major sector of the U.S. economy – from manufacturing to agriculture to services – believe the United States must push for fair trade with India.

Over the last year, the courts and policymakers in India have engaged in a persistent pattern of discrimination designed to benefit India's business community at the expense of American jobs. The GOI recently demanded that as much as 100 percent of its market for certain information technology and clean energy equipment must be satisfied by firms based domestically. Administrative and court rulings have repeatedly ignored internationally recognized rights — imposing arbitrary marketing restrictions on medical devices and denying, breaking, or revoking patents for nearly a dozen lifesaving medications.

These actions and others constitute a disturbing trend that may continue and even expand to other products, sectors, and countries. Already there are indications that other countries are considering similar measures. Such actions are completely at odds with recognized global norms and raise troubling questions about India's compliance with its international obligations to protect ideas, brands, and inventions and to treat imported goods no less favorably than domestic products.

These actions are unacceptable for a responsible middle-income country and rising global power to treat its second-largest export trading partner. They are counterproductive to India's stated goals to attract capital and to develop its own innovative economy. Forcing local production and seeking to profit and create jobs through the rejection of basic property rights undermines India's ability to achieve the type of long-term foreign investment that is so essential for sustainable economic growth and job creation.

It is time the GOI ended discrimination against our nation's exporters and took steps to ensure it is not repeated in the future. To achieve this result, we urge the U.S. government immediately to initiate bilateral engagement at the highest levels and to coordinate closely with the European Union and other like-minded economies. If this engagement is not fruitful, we ask the U.S. government to respond purposefully, using all available trade tools and diplomatic engagement.

Reversing discrimination and restoring trust would be a win-win – enabling domestic exporters to further invest in India's future and helping India grow its economy and create opportunities for its people. We look forward to working with you toward that end.

Sincerely,

Jay Timmons
President and CEO

National Association of Manufacturers

Thomas J. Donohue
President and CEO
U.S. Chamber of Commerce

in Commundo

Jay Vroom
President and CEO
CropLife America

Jim Greenwood President and CEO BIO

Grant Seiffert President

**Telecommunications Industry Association** 

John Castellani President and CEO PhRMA

Peter Robinson
President and CEO
United States Council for International Business

Calman Cohen President

**Emergency Committee for American Trade** 

John Endean

John Endean President American Business Conference El Nadolie

Evan Gaddis President & CEO National Electrical Manufacturers Association

Stephen Yurek
President and CEO
Air-Conditioning, Heating, and
Refrigeration Institute

Kevin Messner
Vice President, Policy & Government
Relations
Association of Home Appliance
Manufacturers

Jerry Call Executive Vice President American Foundry Society Brian C. Toohey President & CEO Semiconductor Industry Association Layufum

Cary W. Drico

Gary W. Price Chief Executive Officer Dental Trade Alliance \_\_\_\_\_

William A. Reinsch

President

National Foreign Trade Council

C. A. Dic

\_\_\_\_\_

Rhone Resch President & CEO

Solar Energy Industries Association

Chones. Cash

Cc: The Honorable John Kerry

The Honorable Jacob Lew

The Honorable Cameron Kerry
The Honorable Miriam Sapiro
The Honorable Mike Froman