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May 9, 2013

Mr. Douglas Bell
Chair, Trade Policy Staff Committee
Office of the United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Re: Comments on the Transatlantic Trade and Investment Partnership (TTIP)

Dear Mr. Bell:

In response to the April 1, 2013 *Federal Register* notice (78 *Fed. Reg.* 19566), Ingersoll-Rand PLC (Ingersoll Rand) is pleased to submit the following comments on the proposed negotiation of a Transatlantic Trade and Investment Partnership (TTIP) agreement with the European Union (EU). Ingersoll Rand believes that a TTIP agreement that reduces barriers in the transatlantic marketplace will help enhance the competitiveness of companies doing business in the United States and the EU.

In particular, Ingersoll Rand is supportive of a strengthening of commitments by both countries to eliminate barriers to government procurement, as access to procurement opportunities for suppliers of goods and services only enhances the quality and value available to the public sector. Restrictions on participation in government procurement orders serve to distort trade and harm employment on both sides of the Atlantic.

About Ingersoll Rand

Ingersoll Rand is a diversified, global company that provides products, services and solutions to enhance the quality and comfort of air in homes and buildings, transport and protect food and perishables, secure homes and commercial properties, and increase industrial productivity and efficiency. Our business segments consist of Climate Solutions, Residential Solutions, Industrial Technologies and Security Technologies, each with strong brands and leading positions within their respective markets. We design, manufacture, sell and service a diverse portfolio of industrial and commercial products that include well-recognized, premium brand names such as Club Car®, Ingersoll-Rand®, Schlage®, Thermo King® and Trane®.

With a history dating back to 1871, Ingersoll Rand conducts manufacturing and assembly operations in 67 plants worldwide. Ingersoll Rand also maintains offices, warehouses and repair centers throughout the world, with 50,000 employees globally.

With our focus on a progressive, diverse and inclusive culture, growth through innovation in emerging markets and services and operational excellence, Ingersoll Rand is a company that

Ingersoll Rand Family of Brands



achieves real progress for our customers around the world. More than 40% of Ingersoll Rand's 2012 net revenues were derived outside the U.S. and we sold products in more than 100 countries. Europe and the Middle East accounted for 16% of Ingersoll Rand's 2011 revenue.

Ingersoll Rand is continually evaluating and developing technologies in areas that we believe will enhance our business. Research and development expenditures were approximately \$273.6 million in 2012 and we anticipate that we will continue to make significant expenditures for research and development activities as we look to maintain and improve our competitive position.

Government Procurement Barriers

The U.S. federal government and various states and municipalities have enacted legislation intended to deny government contracts to firms based on certain conditions, including their place of incorporation.

By prohibiting European-incorporated companies from participating in federal contracts, the United States is not living up to its commitments under the WTO Agreement on Government Procurement (GPA). In particular, the GPA prohibits a country from discriminating on the basis of nationality (Article III) and prohibits a country from imposing conditions upon a contract that are unrelated to a supplier's ability to perform the contract (Article VIII).

The GPA provides that EU suppliers of goods and services have access to procurement opportunities in the United States in return for U.S. companies having access to the substantial procurement opportunities available in EU countries. By inventing reasons to exclude certain companies from procurement opportunities, the U.S. is committing a clear violation of the GPA and the WTO. By failing to live up its WTO commitments on government procurement, the U.S. invites other countries to do the same, undermining U.S. credibility with trading partners around the world.

Benefits of an Open Procurement System

As the U.S. Chamber of Commerce has noted¹, markets outside the United States represent 80% of the world's purchasing power, 92% of its economic growth, and 95% of its consumers. "Buy American" rules and similar restrictive procurement policies only invite foreign governments to engage in discriminatory policies that threaten U.S. access to export markets and the American jobs they support. In the case of the TTIP, U.S. insistence on maintaining procurement barriers will only cause the European Union and its member state governments to resist opening their markets to U.S.-based suppliers.

As the TTIP will be an influential model for future trade liberalization, all efforts should be made to ensure the government procurement disciplines it contains are as strong as possible.

¹ <http://www.uschamber.com/international/agenda/reject-%E2%80%9Cbuy-american%E2%80%9D-rules>

Instead of fighting to maintain procurement barriers, the U.S. and EU should adopt a “win-win” policy by removing as many restrictions to government procurement as possible.

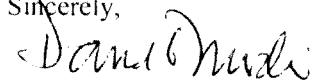
Recommendation

Ingersoll Rand encourages the United States to advance a position in the TTIP negotiation that will ensure that U.S. and EU goods and services suppliers will be given fair and non-discriminatory opportunities to compete in government procurement tenders.

In the TTIP, the U.S. and EU should refrain from discriminating against foreign companies on criteria that aren’t specifically enumerated in the GPA, and instead ensure that their legal regimes align with the requirements provided in the GPA.

Manufacturers and service suppliers with significant U.S. employment and investments should not be restricted from procurement opportunities as a result of their European incorporation.

Sincerely,

A handwritten signature in black ink that reads "David Modi". The signature is written in a cursive style with a large initial "D".

David Modi
Vice President – Government Affairs