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**UNITED STATES - SCHEDULE of COMMITMENTS
Trade in Services Agreement (TiSA)
October 21, 2016**

The United States reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations. The United States further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

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PART I. HORIZONTAL COMMITMENTS - SECTION A		
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
Sector	Obligations Concerned	Conditions and Limitations
		<p>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</p> <p>Article I-4 (National Treatment) ("NT") Article X.1 (Local Presence) ("LP") Article X.2 (Local Management and Boards of Directors) ("LMBD") Article X.3 (Local Content and Other Performance Requirements) ("PR") Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</p>
All sectors: Social Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.
All sectors: Minority Affairs	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the <i>Alaska Native Claims Settlement Act</i> .
All sectors: Subsidies	NT (Article I-4) LP (Article X.1) LMBD (Article X.2)	The United States reserves the right to adopt or maintain any measure regarding (1) the grant of research and development subsidies inconsistent with these obligations; (2) the grant of education-services-related funding, subsidies, scholarship and grants inconsistent with these obligations; (3) the grant of other subsidies inconsistent with these obligations pertaining to services supplied through modes 1, 2, or 4; and (4) the grant of other subsidies inconsistent with these obligations pertaining to services supplied through mode 3, but only with respect to services for which the United States has not undertaken a market access commitment in Part II.
All sectors: Subsidies	NT (Article I-4)	<p>The United States reserves the right to adopt or maintain the measures described below. These measures will not be amended in a way that increases the inconsistency with National Treatment.</p> <p>The Federal Overseas Private Investment Corporation (OPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, and foreign-controlled enterprises established in the United States.</p> <p>Trade and Development Agency financing is limited to:</p>

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		<p>I. individuals 1) who are either US citizens or non-US citizens lawfully admitted for permanent residence in the United States and 2) whose principal places of business are in the United States, or</p> <p>II. privately-owned commercial corporations or partnerships that are incorporated or legally organized under the laws of the United States and whose principal places of business are in the United States and (1) that are more than 50 per cent beneficially owned by individuals who are US citizens or (2) that have been incorporated or legally organized in the United States for more than 3 years, have performed similar services in each of the prior 3 years, and employ US citizens in more than half of their permanent full-time positions in the United States and have the existing capability in the United States to perform the contract.</p>
Gambling and Betting Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure relating to gambling and betting services.
All sectors: Taxation	NT (Article I-4) LP (Article X.1)	<p>The United States reserves the right to adopt or maintain measures with regard to taxation as set out below.</p> <p>At the federal level, with respect to direct taxes:</p> <p>Differential tax treatment may be provided between trusts created or organized in the United States to provide employee benefits and trusts not created or organized in the United States and their respective beneficiaries. Such provisions affect the taxation of the income of the trust or the beneficiary, the availability of deductions to taxpayers for contributions to the trust, and tax administration requirements; these provisions include different rules for allowing deductions to, and determining the earnings of, foreign employee benefit plans.</p> <p>An increase in the rate or a widening of the base of a federal income tax may be imposed on a national, resident or corporation of a foreign country where a national, resident or corporation of the United States is being subjected to discriminatory or extraterritorial taxes (as described in section 891 or section 896 of the Internal Revenue Code).</p> <p>At the federal level, with respect to taxes other than direct taxes:</p> <p>An excise tax may be imposed in connection with transfers of any property by a citizen or resident of the United</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART I. HORIZONTAL COMMITMENTS - SECTION A		
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
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		States, or by a domestic entity (corporations, partnership, estate or trust) to a foreign entity (corporation partnership, estate or trust). An excise tax may be imposed on US source gross investment income of foreign organizations that are private foundations.
All Sectors: Temporary Entry and Stay of Natural Persons	NT (Article I-4)	The United States reserves the right to adopt or maintain any measure concerning temporary entry and stay of nationals of another Party. "Temporary entry" means entry without intent to establish permanent residence under immigration laws of the United States and confers no rights with respect to citizenship.
Communications	NT (Article I-4)	The United States reserves the right to: a) adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services; and b) prohibit a person of a Party from offering DTH or DBS television and digital audio services into the territory of the United States unless that person establishes that the Party of which it is a person: (i) permits U.S. persons to obtain a license for such service in that Party in similar circumstances; and (ii) treats the audio or video content originating in the Party no more favorably than the supply of audio or video content originating in a non-Party or any other Party. ¹
Communications: Cable Television	NT (Article I-4)	The United States reserves the right to adopt or maintain any measure that prohibits a person of a Party from owning or operating a cable television system in the territory of the United States unless that person establishes that the Party: (a) permits U.S. persons to own or operate such systems in the territory of the Party under similar circumstances; and (b) treats the video content originating in the Party no more favorably than the supply of content of any other Party or non-Party. ¹ oben

¹ A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.

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MODIFIED HANDLING AUTHORIZED**

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Financial Services: All financial services referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	Except as otherwise provided for in this schedule, the United States reserves the right to adopt or maintain: Mode 1: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement; Mode 2: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement
Financial Services - All financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list]	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	For Modes 1 and 2, the United States reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.
Financial Services: Banking and Other Financial Services (Excluding Insurance)	NT (Article I-4)	The United States reserves the right to adopt or maintain any measure with respect to housing finance programs.
Transportation: Maritime	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following: (a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways; (b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades; (c) requirements for investment in, ownership or control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone; (d) requirements related to documenting a vessel under the U.S. flag; (e) promotional programs, including tax benefits, available for shipowners, operators, and vessels meeting certain requirements; (f) certification, licensing, and citizenship requirements for crew members on U.S.-flagged vessels;

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

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		<p>(g) manning requirements for U.S.-flagged vessels; (h) all matters under the jurisdiction of the Federal Maritime Commission; (i) negotiation and implementation of bilateral and other international maritime agreements and understandings; (j) limitations on longshore work performed by crew members; (k) tonnage duties and light money assessments for entering U.S. waters; and (l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters.</p> <p>The following activities are not included in this reservation. However, the treatment in (b) is conditioned on reciprocity: (a) vessel construction and repair through cross-border supply and commercial presence; and (b) landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.</p>
Aviation-Related Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	<p>The United States reserves the right to adopt or maintain any measure relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services and specialty air services.</p> <p>For specialty air services, foreign civil aircraft require authority from the Department of Transportation to conduct specialty air services in the territory of the United States. In determining whether to grant a particular application, the Department will consider, among other factors, the extent to which the country of the applicant's nationality accords U.S. civil aircraft operators effective reciprocity.</p>

PART I. HORIZONTAL COMMITMENTS - SECTION B				
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**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

Sector / Subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
ALL SECTORS COVERED BY THIS SCHEDULE: For the purpose of this schedule the "United States" is defined as encompassing the 50 states of the United States, plus the District of Columbia.				
All Sectors Acquisition of Land	3	None	NT (Article I-4)	<p>The federal government restricts initial sale of federally owned lands to US citizens. (Preceding restriction does not apply to foreign-owned companies formed under the laws of any state of the United States.)</p> <p>Acquisition of land reclaimed with federal funds and reclamation of desert land is restricted to individual US citizens.</p> <p>Ownership of land by non-US citizens is limited in: Kentucky (restrictions apply only to individuals, not to foreign-owned companies incorporated within the United States) and South Carolina (applies to individuals and foreign-owned corporations).</p> <p>Purchase of land by non-US citizens not resident within the state is restricted in: Oklahoma, Florida, and Wyoming. In Mississippi, non-US citizens may not purchase more than 5 acres for residential property, or more than 320 acres for industrial development.</p> <p>Non-US citizens may not purchase or bid on sales of public lands in: Hawaii, Idaho, Mississippi, Montana, and Oregon.</p>
All Sectors Ownership of Radio Licenses	1, 3	<p>No station license may be granted to or held by a foreign government or representative thereof.</p> <p>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized</p>	NT (Article I-4)	<p>No station license may be granted to or held by a foreign government or representative thereof.</p> <p>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized under the laws of a foreign government; or</p> <p>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

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Sector / Subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
		under the laws of a foreign government; or (iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.		
All Sectors			PR (Article X.3)	Any existing measure inconsistent with Article X.3 (PR) of all states of the United States and the District of Columbia and all local levels of government.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	Commitments under Article I-3 (Market Access) including terms, limitations and conditions are set out below		<p>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</p> <p>Article I-4 (National Treatment) ("NT") Article X.1 (Local Presence) ("LP") Article X.2 (Local Management and Boards of Directors) ("LMBD") Article X.3 (Local Content and Other Performance Requirements) ("PR") Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</p>
1 BUSINESS SERVICES			
A PROFESSIONAL SERVICES			
a 1 i) Legal services: domestic law	<p>1 None, except services must be supplied by a natural person.</p> <p>2 None, except services must be supplied by a natural person.</p> <p>3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	LP (Article X-1)	<p>In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota),</p> <p>U.S. residency is required to practice before the US Patent and Trademark Office.</p>
a 2 ii) and iii) Legal services: foreign law and international law ²	<p>1 None, except services must be supplied by a natural person.</p> <p>2 None, except services must be supplied by a natural person.</p>	LP (Article X-1)	In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New

² Additional commitment pursuant to Article I-5: Limited license for foreign legal consultancy available in Alaska, Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Texas, Utah, Washington. For this license,

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
	3	None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers.	Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.
	4	Unbound, except as indicated in the horizontal section.	An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), U.S. residency is required to practice before the US Patent and Trademark Office.
b Accounting, Auditing and Bookkeeping Services	1	None	NT (Article I-4)
	2	None	LP (Article X-1)
	3	Sole proprietorships or partnerships are limited to persons licensed as accountants.	In-state residency is required to receive a license to perform audits in: Arizona, Arkansas, Connecticut, District of Columbia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, and West Virginia.
	4	Unbound, except as indicated in the horizontal section.	An in-state office must be maintained to receive a license to perform audits in: Arkansas, Connecticut, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, Ohio, Vermont, and Wyoming.
c Taxation Services	1	None	US citizenship is required for licensure in North Carolina.
	2	None	
	3	None	
	4	Unbound, except as indicated in the horizontal section.	
d Architectural Services	1	None	
	2	None	

in-state residency is required for Michigan and Texas; in-state office is required for Arizona, District of Columbia, Indiana, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Ohio, Utah; association with an in-state law office required for Missouri.

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	3	Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors.		
	4	Unbound, except as indicated in the horizontal section.		
e Engineering Services	1	None	LP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
f Integrated Engineering Services	1	None	LP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
g Urban Planning & Landscape Services	1	None		
	2	None		
	3	Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors.		
	4	Unbound, except as indicated in the horizontal section.		
B COMPUTER AND RELATED SERVICES ³	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
C RESEARCH AND DEVELOPMENT SERVICES (excluding R&D financed in whole or in part by public funds)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		

³ Computer Reservation System services, as defined in the Annex on Air Transport Services, are classified under Air Transport Services

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MODIFIED HANDLING AUTHORIZED**

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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
D REAL ESTATE SERVICES			
	1	None	NT (Article I-4)
	2	None	
	3	None	LP (Article X-1)
	4	Unbound, except as indicated in the horizontal section.	Corporations that own real estate in Florida must maintain an office and registered agent in Florida. In-state residency or US citizenship is required for licensure as a real estate broker in South Dakota; and US citizenship is required for licensure as a real estate broker in Mississippi and New York.
E RENTAL/LEASING SERVICES WITHOUT OPERATORS			
Rental/Leasing Services without Operators:	1	None	
- Relating to Other Transport Equipment	2	None	
- Relating to Other Machinery and Equipment	3	None	
- Other	4	Unbound, except as indicated in the horizontal section.	
F OTHER BUSINESS SERVICES			
a Advertising (except aerial advertising and skywriting)	1	None	
	2	None	
	3	None	
	4	Unbound, except as indicated in the horizontal section.	
b Market Research and Public Opinion Polling Services	1	None	
	2	None	
	3	None	
	4	Unbound, except as indicated in the horizontal section.	
c Management Consulting Services	1	None	
	2	None	
	3	None	
	4	Unbound, except as indicated in the horizontal section.	
d Services Related to Management Consulting	1	None	
	2	None	
	3	None	
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**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
e Technical testing and analysis services, other than government-mandated services or services financed in whole or in part by public funds ⁴	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
f Services Incidental to Agriculture, Hunting and Forestry (except provision of agricultural machinery with drivers and crew, harvesting and related services, services of farm labor contractors, and aerial fire fighting)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
g Services Incidental to Fishing	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
h Services Incidental to Mining	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
j Services Incidental to Energy Distribution	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
k Placement and Supply Services of Personnel	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.	NT (Article I-4)	In Arkansas, US citizenship is required for ownership of employment agencies, and for licensure as an employment agent, employment agency counselor and employment agency manager.
l Investigation and Security Services	1 2	None None	NT (Article I-4)	Permanent resident alien status or US citizenship is required for private investigators and security guards in

⁴ For greater certainty, vessel and aircraft testing services fall within the relevant transportation service

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MODIFIED HANDLING AUTHORIZED**

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	3	None	LP (Article X-1)	Maine and New York, and to own contract security companies in Maine.
	4	Unbound, except as indicated in the horizontal section.		In-state residency is required for private detectives in Michigan.
m Related Scientific & Technical Consulting (except land surveying for the purpose of establishing legal boundaries, aerial surveying and aerial map-making)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
n Maintenance & Repair of Equipment (except maritime vessels, aircraft, and other transport equipment)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
o Building-Cleaning Services	1	Unbound		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
p Photographic Services (except aerial photographic services)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
q Packaging Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
r Publishing (Only part of MTN.GNS/W/120 category: "r) Printing, Publishing")	1	None		
	2	None		
	3	A single company or firm is not permitted to own a combination of newspaper, radio and/or TV broadcast stations serving the same local market.		
	4	Unbound, except as indicated in the horizontal section		
s Convention Services	1	None		

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MODIFIED HANDLING AUTHORIZED**

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	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
t Other business services, except for convention services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 COMMUNICATION SERVICES				
2 A/B Postal and Courier Services				
2 A/B Express Delivery	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 A/B Other Competitive Delivery Services ⁵	1	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts		
	2	None		
	3	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts		
	4	Unbound, except as indicated in the horizontal section		
2 C TELECOMMUNICATION SERVICES				
2 C 1 Basic Telecommunications Services - The transmission between or among points specified by the user, of information of the users choosing, without change in the	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁵ Under U.S. law, the universal service obligation requires the U.S. Postal Service to receive, transmit, and deliver throughout the United States written and printed matter, parcels, and like materials.

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MODIFIED HANDLING AUTHORIZED**

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<p>form or content of the information as sent and received, as defined in U.S. law. Services can be supplied on either a public or private basis, regardless of the facilities used. These services may be provided on a facilities basis or non-facilities basis, and encompass local, long-distance, or international services, for public or non-public use, and may be provided through any means of technology.</p> <p>Services include:</p> <ul style="list-style-type: none"> a) Voice telephone services b) Packet-switched data transmission services (note: packet switched services classified as information services are not considered basic telecommunications services.) c) Circuit-switched data transmission services d) Telex services e) Telegraph services f) Facsimile services g) Private leased circuit services 			
2 C 2 Information Services (Value-Added) - The offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making	<ul style="list-style-type: none"> 1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section 		

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
<p>available information via telecommunications. Services include, but are not limited to:</p> <ul style="list-style-type: none"> - electronic mail - voice mail - on line Information and/or data base retrieval - Electronic Data Interchange (EDI) - Enhanced/Value added Facsimile Services - Code and Protocol conversion - on line information and/or Data processing; - packet-switched information services 			
2 D AUDIOVISUAL SERVICES			
2 D a 1 Motion Picture and Video Tape Production and Distribution - Promotion or Advertising Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 2 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Production Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 3 Motion Picture and Video Tape Production and Distribution -	1 None 2 None		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
Motion Picture and Video Tape Distribution Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)	3 4	None Unbound, except as indicated in the horizontal section		
2 D a 4 Motion Picture and Video Tape Production and Distribution - Other services in connection with motion pictures and video tape production and distribution (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
2 D b Motion Picture Projection Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
2 D c 1 Radio & Television Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 2 Radio and Television distribution services, excluding transmission (For greater clarity, distribution services in this context may include the licensing of radio and television programs to other service providers for exhibition, broadcast or other transmission, rental, sale or other use. Transmission services for radio and television programs are listed under “Other Communication Services: Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services.”	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D e Sound Recording Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D f Other services in connection with radio and television production and distribution	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 F OTHER COMMUNICATIONS			

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PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
SERVICES				
2 F a Cable services provided over cable systems	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F b One-way satellite transmission of DTH and DBS television services and of digital audio services.	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F c Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services	1	None	NT (Article I-4)	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country. US citizenship is required to obtain radio and television licenses.
	2	None		
	3	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.		
	4	Unbound, except as indicated in the horizontal section		
3 CONSTRUCTION & RELATED ENGINEERING SERVICES (except Marine Dredging)	1	Unbound		
	2	None		
	3	None, except an in-state office must be maintained by all contractors in Michigan.		
	4	Unbound, except as indicated in the horizontal section		
4 DISTRIBUTION SERVICES				
4 A Commission Agents' Services				
4 A Commission Agents' Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
4 B Wholesale Trade				

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PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
4 B 1 Wholesale Trade (except wholesale trade of alcoholic beverages, firearms and military equipment)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
4 C Retailing				
4 C Retailing (except retail sale of alcoholic beverages, firearms and military equipment)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
4 D Franchising				
4 D Franchising	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
5 EDUCATION SERVICES				
5 C Higher Education Services (except flying instruction) ⁶	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁶ For transparency purposes, individual U.S. institutions maintain autonomy in admission policies, in setting tuition rates, and in the development of curricula or course content. Educational and training entities must comply with requirements of the jurisdiction in which the facility is established. In some jurisdictions, accreditation of institutions or programs may be required. Institutions maintain autonomy in selecting the jurisdiction in which they will operate, and institutions and programs maintain autonomy in choosing to meet standards set by accrediting organizations as well as to continue accredited status. Accrediting organizations maintain autonomy in setting accreditation standards. Tuition rates vary for in-state and out-of-state residents. Additionally, admissions policies include considerations of equal opportunity for students (regardless of race, ethnicity, or gender), as permitted by domestic law, as well as recognition by regional, national, and/or specialty organizations; and required standards must be met to obtain and maintain accreditation. To participate in the U.S. student loan program, foreign institutions established in the United States are subject to the same requirements as U.S. institutions.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
5 D Adult Education (except flying instruction)	1	None		
	2	None		
	3	None		
	4	None, except as indicated in the horizontal section		
5 E Other Education Services				
5 E Other Education Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 ENVIRONMENTAL SERVICES:⁷				
6 A Wastewater Management, excluding Water for Human Use: Wastewater services (contracted by private industry)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B a Solid/hazardous waste management (contracted by private industry): Refuse disposal services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B b Solid/hazardous waste management (contracted by private industry): Sanitation and Similar Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 C Protection of ambient air and climate: Services to reduce exhaust gases and other emissions to improve air quality	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 D Remediation and cleanup of soil and water: Treatment, remediation of contaminated/ polluted soil and water	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁷ Nothing in this offer related to transportation should be construed to supersede the existing US commitments on transportation or related MFN exemptions.

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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
6 E Noise and vibration abatement: Noise abatement services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 F Protection of biodiversity and landscape: Nature and landscape protection services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 G Other environmental and ancillary services: Other services not classified elsewhere	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
7 FINANCIAL SERVICES				
7 A INSURANCE SERVICES				
<p>1. The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(a) and 1(b) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p> <p>2. National treatment commitments in this subsector are subject to the following limitation: national treatment with respect to services and service suppliers will be provided according to a non-U.S. service supplier's state of domicile, where applicable, in the United States. State of domicile is defined by individual states, and is generally the state in which an insurer either is incorporated, is organized or maintains its principal office in the United States.</p>				
7 A a/b Life, Accident, and Health Insurance Services (except workers compensation insurance)	1	With regard to non-life insurance services, government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	With regard to non-life insurance services, a four percent federal excise tax is imposed on all non-life insurance premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States.
7 a/b Non-Life Insurance Services		Branches are not permitted to provide surety bonds for US federal government contracts.		When more than 50 percent of the value of a maritime vessel whose hull was built under federally guaranteed mortgage funds is insured by a non-US insurer, the insured must demonstrate that the risk was substantially first offered in the US market.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
	2	With regard to non-life insurance services, none. Branches are not permitted to provide surety bonds for US federal government contracts.	Branches are not permitted to provide surety bonds for US federal government contracts.
	3	Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.	The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.
		Branches are not permitted to provide surety bonds for US federal government contracts.	The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.
		The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.	US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three-quarters in Washington (mutual life companies with the majority of the board being resident in the state); two-thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one-fourth resident in the state), Idaho (for stock and mutual insurers), Indiana, Mississippi, Oregon, New York, South Dakota (except if more than 1000 persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents), Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies,
		The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.	
		Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota,	

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MODIFIED HANDLING AUTHORIZED**

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Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p> <p>Unbound except as indicated in the horizontal section</p> <p>4</p>		<p>three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident).</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two-thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers). State residency is required in the following states for the organizing members of the following types of mutual insurance companies: Arkansas (farm mutual insurers), California (county mutual fire insurer); Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals), Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p> <p>4</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents</p>

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PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
			<p>of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p>
7 A c Reinsurance and retrocession	1	<p>Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p> <p>2 Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p>	<p>NT (Article I-4) LP (Article X.1)</p> <p>A one percent federal excise tax is imposed on all premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States. In Texas, total direct reinsurance of mutual life insurance companies may not be entered into with non-US companies.</p> <p>The provision of reinsurance for workers' compensation may be limited in Maine.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>3 Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>4 Unbound except as indicated in the horizontal section</p>		<p>Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p>
7 A d Services Auxiliary to Insurance (Applicable to sub-sectors i-iii below)		NT (Article I-4) LP (Article X.1)	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary, California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker),

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
			Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).
7 A d i Brokerage Services ⁸	1	Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty). All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.	NT (Article I-4) LP (Article X.1)
	2	None	Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty). All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming. Higher license fees for non-residents may be charged in:

⁸ For transparency purposes, it should be noted that brokerage firms can generally offer services in most states by obtaining licenses as "brokers" and in other states by obtaining licenses to operate as "agents". Brokerage licenses are not issued in Florida, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Oregon, Tennessee, Texas, Virginia, West Virginia, Wisconsin

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
	3	<p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p>	Alaska, California, Colorado, Georgia, Indiana, Louisiana, Maine, Montana, New Hampshire, North Dakota, Oklahoma, Rhode Island, Vermont.
	4	Unbound, except as indicated in the horizontal section.	
7 A d ii Agency Services	1	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p>	NT (Article I-4) LP (Article X.1)
	2	None	
	3	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p>	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	4 Unbound, except as indicated in the horizontal section.		
7 A d ii Consultancy, Actuarial, Risk i Assessment, and Claim Settlement Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	NT (Article I-4)	<p>Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster).</p> <p>In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters).</p> <p>US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p>
7 B BANKING AND OTHER FINANCIAL SERVICES AND EXCLUDING INSURANCE <ol style="list-style-type: none"> The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(c) through 1(f) and 2(c) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken. 			

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PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
<p>2. National treatment commitments in these subsectors are subject to the following limitation: National treatment with respect to banking will be provided based upon the foreign bank's "home state" in the United States, as that term is defined under the International Banking Act, where that Act is applicable. A domestic bank subsidiary of a foreign firm will have its own "home state," and national treatment will be provided based upon the subsidiary's home state, as determined under applicable law.⁹</p> <p>3. To clarify the U.S. commitment with respect to Article I-3 (Market Access) of the Agreement and Article III-2 of the Annex, juridical persons supplying banking or other financial services (excluding insurance) and constituted under the laws of the United States are subject to non-discriminatory limitations on juridical form.¹⁰</p>			
7 B a All subsectors except as specifically provided below	1	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)
	2	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.	
	3	Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.	
		Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law.	
		In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement	
			Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors.
			Foreign banks are required to register as investment advisers under the Investment Advisers Act of 1940 to engage in securities advisory and investment management services in the United States, while domestic banks ¹¹ (or a separately identifiable department or division of the bank) do not have to register unless they advise registered investment companies. The registration requirement involves record maintenance, inspections, submission of reports and payment of a fee. Foreign banks cannot be members of the Federal Reserve System, and thus may not vote for directors of a Federal Reserve Bank. Foreign-owned bank subsidiaries are not subject to this measure.

⁹ Foreign banking organizations are generally subject to geographic and other limitations in the United States on a national treatment basis. Where such limitations do not conform to national treatment, they have been reserved. For purposes of illustration, under this approach, the following situation does not accord national treatment and would therefore be scheduled as a limitation: a foreign bank from a particular home state is accorded less favorable treatment than that accorded to a domestic bank from that state with respect to expansion by branching.

¹⁰ For example, partnerships and sole proprietorships are generally not acceptable juridical forms for depository financial institutions in the United States.

¹¹ For greater clarity, "domestic banks" include U.S. bank subsidiaries of foreign banks.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991. Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Unbound with respect to paragraph 2(e) of Article I-3 of the Agreement, in relation to the expansion, by a foreign bank into another state from its “home state,” as that term is defined under applicable law, via:</p> <ul style="list-style-type: none"> • The establishment of a “de novo” branch in another state; • The establishment of branches by merger with a bank in another state; or • The acquisition of one or more branches of a bank in another state without the acquisition of the entire bank if not permitted by the state in which the resulting branch is or would be located. Except as specifically set forth elsewhere in this schedule, such expansion shall be accorded on a national treatment basis in accordance with headnote 2. <p>Unbound for initial entry by establishment or acquisition of state chartered banks or state licensed offices of foreign banks as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank</p>		<p>Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.</p> <p>Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991.</p> <p>Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Establishment or acquisition of state chartered banks or state licensed offices of foreign banks is prohibited or otherwise limited as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency,</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹⁴</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁵</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; California (limit on foreign non-bank ownership of international banking corporation); Indiana; Kansas; Louisiana; Maryland; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Pennsylvania; South Carolina; Tennessee; Virginia; Washington; West Virginia. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States. The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities:</p>		<p>or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹²</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹³</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; California (limit on foreign non-bank ownership of international banking corporation); Indiana; Kansas; Louisiana; Maryland; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Pennsylvania; South Carolina; Tennessee; Virginia; Washington; West Virginia. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking</p>

¹⁴ The limitations in this paragraph reflect state reciprocity measures.

¹⁵ The limitations in this paragraph reflect state reciprocity measures.

¹² The limitations in this paragraph reflect state reciprocity measures.

¹³ The limitations in this paragraph reflect state reciprocity measures.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:</p> <ul style="list-style-type: none"> • State branch license subject to certain limitations -- Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches. • State branch license not available, but state agency license is available in Idaho, Oklahoma, and West Virginia. • No state branch or agency license available – Arizona; Arkansas; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Rhode Island; South Carolina; South Dakota; Tennessee; Virginia. These limitations do not apply to Federal offices. • Branch license not available but agency license is, subject to any specified limitations -- Florida (available only to a foreign bank with at least \$40 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Certain restrictions on fiduciary 		<p>presence in the United States.</p> <p>The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Missouri (all); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); West Virginia (majority);.</p> <p>Texas allows pre-judgment seizure remedies to be applied against foreign bank agencies, while bank subsidiaries of foreign banks and branches of foreign banks are exempt to the same extent as domestic banks incorporated in Texas.</p> <p>The following states require direct branches or agencies of foreign banks to register under securities broker dealer or investment adviser measures, while bank subsidiaries of foreign banks are exempt from such registration to the same extent as domestic banks incorporated in the state: Alabama; Arizona; Arkansas; California; Connecticut; Delaware; District of Columbia; Georgia; Idaho; Iowa; Kansas; Louisiana; Maryland; Missouri; Nebraska; New</p>

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>powers apply to federal agencies.</p> <ul style="list-style-type: none"> • No branch or agency license available --Alabama; Kansas; Maryland; North Dakota. <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Kansas; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Rhode Island; South Carolina; South Dakota; Tennessee; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p> <p>4 Unbound except as indicated in the horizontal section</p>		<p>Hampshire; New Jersey; New Mexico; New York; North Carolina; Pennsylvania; South Dakota; Tennessee; Texas; Vermont. These limitations do not apply to Federally licensed branches or agencies.</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial institutions organized under state law.U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:• State branch license subject to certain limitations --Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches.</p> <ul style="list-style-type: none"> • State branch license not available, but state agency license is available in Idaho, ,Oklahoma, and West Virginia. • No state branch or agency license available – Arizona; Arkansas; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Rhode Island; South Carolina; South Dakota; Tennessee; Virginia. These limitations do not apply to Federal offices.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
			<p>• Branch license not available but agency license is, subject to any specified limitations -- Florida (available only to a foreign bank with at least \$40 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions);. Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or agency license available --Alabama; Kansas; Maryland; North Dakota.</p> <p>The following states require direct branches or agencies of foreign banks, but not bank subsidiaries of foreign banks, to register or obtain licenses in order to engage in the following activities: Arkansas (selling checks; mortgage transactions); California (selling payment instruments); Delaware (sale or cashing of checks, drafts, money orders; motor vehicle financing; transportation of money/valuables); Georgia (mortgage lending/brokerage, check selling/cashing); Indiana (money transmission; loan brokerage); Kansas (money transmission); Maryland (selling payment instruments, traveler's checks); Massachusetts (check selling/cashing; foreign transmittal agencies; motor vehicle financing; insurance premium financing; retail installment sales/ servicing; residential real estate mortgage financing -- license requirement applies only to agencies); North Carolina (selling checks); Oklahoma (selling checks); Pennsylvania (mortgage banking/ brokerage); Tennessee (money transmission;</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
			<p>residential lending/brokerage; industrial loan and thrift activities); Virginia (mortgage lending/brokerage; money transmission; sale of money orders; check cashing); Wisconsin (selling checks).</p> <p>The following states restrict various commodities transactions by foreign bank branches and agencies, but not by other depository financial institutions: Arizona; California; Idaho; Indiana; Iowa; Missouri; Nebraska; Washington.</p> <p>Offers and sales of securities to foreign bank branches and agencies in the following states are subject to registration/disclosure requirements that do not apply if the transaction involves other financial institutions: Illinois; Indiana; Louisiana; Montana; Nebraska; New Jersey; North Dakota; Tennessee; Texas (applies to branches and agencies of all foreign financial institutions).</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Kansas; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Rhode Island; South Carolina; South Dakota; Tennessee; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p>
7 B b Trading of Securities and Derivative Products and Services Related Thereto;	1	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.	NT (Article I-4)

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PART II. SECTOR-SPECIFIC COMMITMENTS					
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Sector / subsector		Mode Market Access Commitments		Obligations Concerned	Conditions and Limitations
Participation in Securities Issues		2	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.		The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.
		3	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.		
		4	Unbound except as indicated in the horizontal section		
7 B c	Participation in Issues of Government Debt Securities	1	None	NT (Article I-4)	Designation as a primary dealer in US government debt securities is subject to reciprocity.
		2	None		
		3	None		
		4	Unbound except as indicated in the horizontal section		
8 HEALTH RELATED & SOCIAL SERVICES					
8 A	Hospital and Other Health Care Facilities - Direct ownership and management and operation by contract of such facilities on a "for fee" basis	1	None	LP (Article X.1)	If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency. In Michigan and New York Health Maintenance Organizations must be incorporated in those states.
		2	None		
		3	Establishment of hospitals or other health care facilities, procurement of specific types of medical equipment, or provision of specific types of medical procedures may be subject to needs based quantitative limits. In New York, corporate ownership of an operating corporation for, and limited partnerships as operators of, hospitals, nursing homes (including long term health care centers) or diagnostic and treatment centers is prohibited. If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency. In Michigan and New York Health Maintenance Organizations must be incorporated in those states.		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	4	Unbound except as indicated in the horizontal section		
9 TOURISM AND TRAVEL RELATED SERVICES				
9 A Hotels and restaurants (including catering)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
9 B Travel agencies and tour operators services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
9 C Tourist guide services	1	None		
	2	None		
	3	The number of concessions available for commercial operations in federal, state and local facilities is limited		
	4	Unbound except as indicated in the horizontal section		
9 D Other tourism and travel related services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 RECREATIONAL, CULTURAL, & SPORTING SERVICES				
10 A Entertainment services (including theater, live bands and circus services) ¹⁶	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 B News agency services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 C Libraries, archives, museums and other cultural services	1	None		
	2	None		
	3	None		

¹⁶ This sector includes "cinema theater operations"

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	4	Unbound except as indicated in the horizontal section		
10 D Other Recreational Services (except sporting and gambling and betting services)	1 2 3 4	None None The number of concessions available for commercial operations in federal, state and local facilities is limited Unbound except as indicated in the horizontal section		
10 E Other services: Physical well-being services ¹⁷	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 TRANSPORT SERVICES				
11 A MARITIME TRANSPORT SERVICES				
11 A d Repair of Vessels	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 A f Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of	1 2 3 4	None None None Unbound except as indicated in the horizontal section		

¹⁷ For transparency purposes, this subsector includes physical well-being services such as delivered by, inter alia, fitness centers, spas, salons, massage (excluding therapeutic massage), and ayurvedics. This subsector does not include regulated medical services. For greater certainty, nothing in this commitment authorizes the provision of unregulated substances or affects the ability of state authorities to regulate substances that may be affiliated with these services.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.				
11 C AIR TRANSPORT SERVICES				
11 C d Aircraft repair and maintenance. (Aircraft repair and maintenance activities, when undertaken on an aircraft or a part thereof, while it is withdrawn from service. Does not include line maintenance or other repair or maintenance activities undertaken by an air carrier (includes its agents or contractors) on aircraft it owns, leases, or operates.)	1	Unbound		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 E RAIL TRANSPORT				
11 E a Passenger Transportation, excluding high speed rail	1	None	NT (Article I-4)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
	2	None	LP (Article X.1)	
	3	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont		
	4	Unbound except as indicated in the horizontal section		
11 E b Freight Transportation	1	None	NT (Article I-4)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
	2	None	LP (Article X.1)	
	3	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont		
	4	Unbound except as indicated in the horizontal section		
11 E d Maintenance and Repair of Rail Transport Equipment	1	None		
	2	None		
	3	None		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS					
Modes of Supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
Sector / subsector		Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
		4	Unbound except as indicated in the horizontal section		
11 F ROAD TRANSPORT					
11 F a	Passenger transport: Interurban regular transport	1	None	NT (Article I-4) LP (Article X.1)	<u>Passenger and Freight Road Transport:</u> Only persons of the United States, using U.S. registered and either U.S.-built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of the United States.
		2	None		
		3	None		
		4	Unbound except as indicated in the horizontal section		
11 F b	Freight transport	1	None		Operating authority from the Department of Transportation is required to provide interstate or cross-border for hire bus or truck services in the territory of the United States. For persons of Mexico, grants of operating authority are subject to certain statutory and regulatory requirements. For truck services supplied through mode 3, grants of authority for the provision of truck services by persons of Mexico between points in the United States for the transportation of goods other than international cargo is subject to reciprocity.
		2	None		
		3	None		
		4	Unbound except as indicated in the horizontal section		
11 F d	Maintenance and Repair of Road Transport Equipment	1	None		
		2	None		
		3	None		
		4	Unbound except as indicated in the horizontal section		
11 G	PIPELINE TRANSPORT				
11 G a	Transportation of fuels	1	None	NT (Article I-4)	Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia. Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil
		2	None		
		3	Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia.		
		4	Unbound except as indicated in the horizontal section		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
				or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands. ¹⁸
11 H SERVICES AUXILIARY TO ALL MODES OF TRANSPORT				
11 H a Cargo-handling services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 H b Storage and warehouse services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 H c Freight transport agency services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 H d Other Supporting and Auxiliary Transport Services: Customs House Brokers	1 2 3 4	Unbound None Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen. Unbound except as indicated in the horizontal section	NT (Article I-4)	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.
12 SECTORS NOT LISTED IN PART II, ABOVE	1 2	Unbound Unbound	NT (Article I-4) LP (Article X.1)	Any existing measures inconsistent with Article I-4 (National Treatment), Article X.1 (Local Presence), and

¹⁸ For transparency purposes, non-U.S. citizens may own a 100-percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, unless the foreign investor's home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	3 Unbound 4 Unbound except as indicated in the horizontal section	LMBD (Article X.2)	Article X.2 (Local Management and Boards of Directors) of all states of the United States and the District of Columbia and all local levels of government.

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Movement of Persons	Government issuance of treaty trader or treaty investor non-immigrant visas that extend a special visa category to nationals of treaty partners in executive and other personnel categories engaged: (i) solely to carry on substantial trade, including trade in services or trade in technology, principally between the US and the foreign state of which a natural person is a national; or (ii) solely to develop and direct the operations of an enterprise in which a natural person has invested, or is actively in the process of investing, a substantial amount of capital.	Countries with whom the United States has a qualifying Friendship, Commerce and Navigation Treaty (FCN) or Bilateral Investment Treaty (BIT), or certain countries as described in statutory provisions pertaining to section 101(a)(15)(E)(i) or (ii) of the Immigration and Nationality Act.	Indefinite	To facilitate trade and investment under FCNs and BITs
All sectors: Movement of Persons	Restrictions on performance of longshore work when making US port calls by crews of foreign vessels owned and flagged in countries that similarly restrict US crews on US-flag vessels from longshore work.	Countries that prohibit longshore work by crew members aboard US vessels	Indefinite	Reciprocal restrictions on countries that prohibit longshore work by crew members aboard US vessels
All Sectors: Taxation Measures	Differential treatment under direct tax measures at the federal level. Such measures are: <ul style="list-style-type: none"> • measures under the US Internal Revenue Code (IRC) permitting the residents of countries contiguous to the United States to receive more favorable treatment and permitting certain US taxpayers to receive more favorable treatment as to their contiguous country operations, and providing any other benefits with respect to contiguous countries; • benefits available under the US IRC with respect to US possessions; • benefits available under the US IRC with respect to Caribbean Basin Initiative (CBI) beneficiary countries; • regarding activities covered by the scope of the General Agreement on 	All	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>Trade in Services, reciprocal reduction of taxation on income derived from the international operation of aircraft or of taxation of certain earnings derived from the use of railroad rolling stock;</p> <ul style="list-style-type: none"> • tax exemption for earnings derived from the ownership or operation of a communications satellite system by a foreign entity designated by a foreign government to participate in such ownership if the United States, through its designated entity, participates in such system pursuant to the Communications Satellite Act of 1962; • denial of statutory reduction of double taxation or deferral of US tax on income earned through controlled foreign corporations, because the country participates in or cooperates with an international boycott, or for similar foreign policy reasons; • measures permitting less favorable taxation for citizens, corporations or products of a foreign country based on discriminatory or extraterritorial taxes, more burdensome taxation, or other discriminatory conduct; • allow the deduction for expenses of an advertisement carried by a foreign broadcast undertaking and directed primarily to a US market only where the broadcast undertaking is located in a foreign country that allows a similar deduction for an advertisement placed with a US broadcast undertaking; • in connection with the exclusion of, or deduction relating to, certain foreign earned income from the gross income of individuals, the benefit of a waiver of the required period of stay in a foreign country as determined by the Secretary of the Treasury. The Secretary is empowered to determine that individuals were required to leave a foreign country because of war, civil unrest or similar adverse conditions in such foreign country which precluded the normal conduct of business by such individuals. 			
All Sectors: Taxation Measures, Sub-federal Measures	<p>Sub-federal tax measures affording differential treatment to service suppliers or to services when the differential treatment is based on one of the following criteria:</p> <ul style="list-style-type: none"> • are performed, consumed, or located within different sub-federal entities; • differ based on the size or income of the service supplier or on the scale or methods (including environmental and health and safety measures) of performance; • differ in the extent of ownership or participation by minority or other 	All	Indefinite	To implement fiscal policies of sub-central governments

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>disadvantaged groups;</p> <ul style="list-style-type: none"> • differ as to the eligibility for non-profit status for pension, profit-sharing or other employee-benefit regimes; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • are performed or located in countries contiguous to the United States; or • are performed or located in jurisdictions with which sub-federal entities have arrangements for tax cooperation and assistance. <p>Sub-federal measures substantively incorporating provisions of federal law subject to an MFN exemption under this agreement.</p>			
All Sectors: Land Use	Non-US citizens in Wyoming may not acquire or inherit land unless the country of which they are a citizen extends a reciprocal right to US citizens	All	Indefinite	Lack of Reciprocity
All	Canadian small businesses, but not small businesses of other countries, may use simplified registration and periodic reporting forms with respect to their securities	Canada	Indefinite	Maintenance of established preference
Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.
Insurance	Measures according differential treatment in regard to the expansion of existing operations, the establishment of a new commercial presence or the conduct of new activities, in a circumstance in which a Member adopts or applies a measure that compels, or has the effect of compelling, a person of the United States, on the basis of its nationality, to reduce its share of ownership in an insurance services provider operating in the Member's territory to a level below that prevailing on 12/12/97.	All Countries	Indefinite	Need to protect existing US ownership of service suppliers operating in other Members.
Banking and other	A broker-dealer registered under US law that has its principal place of	Canada	Indefinite	Maintenance of established

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
financial services (excluding insurance)	business in Canada may maintain its required reserves in a bank in Canada subject to the supervision of Canada.			preference
Banking and other financial services (excluding insurance)	<p>Permission to establish state-licensed branches, agencies, or representative offices, or to own commercial bank subsidiaries, is based on a reciprocity test in the following States: California (applies also to savings and loan associations), Connecticut (applies also to credit unions), Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, North Carolina, Pennsylvania, Washington.</p> <p>Among the conditions on which agency or agency and representative office licenses may be granted for the following States is that the foreign bank is one of the five largest banks in the home country: Florida, Oklahoma. Permission for a foreign-owned bank or trust company to act as fiduciary, and to use satellite banking terminals, is based on a reciprocity test in Iowa. Iowa also subjects the activities of foreign-owned savings and loan associations to a reciprocity test.</p> <p>Authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Designation as a primary dealer in US Government debt securities is conditioned on reciprocity.</p>	All Countries	Indefinite	Need to protect existing activities of US service suppliers abroad and to ensure substantially full market access and national treatment in international financial markets.
Banking and other financial services (excluding insurance) - Michigan	Michigan permits corporate central credit unions to place deposits in banks chartered in Canada or the European Common Market but not in banks chartered in other foreign countries.	Canada and European Common Market	Indefinite	Maintenance of established preference.
Transport Services: Maritime Transport Services	<p>Measures relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels.</p> <p>The following activities are conditioned on reciprocity: Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of</p>	All countries	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.			
Transport Services: Air Transport Services	Measures relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services. (For transparency purposes, these measures include, but are not limited to, bilateral and multilateral civil aviation agreements, understandings and undertakings and informal comity and reciprocity aviation regimes to which the United States is a party; US laws and regulations, including the International Air Transportation Fair Competitive Practices Act of 1974, as amended, the Federal Aviation Act of 1958, as amended, the International Air Transportation Competition Act of 1979, the International Aviation Facilities Act, as amended, and Title 14, Parts 1 - 399, of the Code of Federal Regulations; and measures of US states and territories and the District of Columbia, and of their agencies and subdivisions).	All partners with which the United States has active aviation relations covered by bilateral or other air services agreements and comity and reciprocity regimes. Also concerned are the co-signatories of the Chicago Convention and various other international aviation agreements, undertakings, and understandings to which the United States is a party.	Indefinite	The common policy and practice of exchanging rights, settling disputes, and applying laws and other measures pertaining to the operation of civil aircraft and air transportation differentially, with respect to the activities referred to above, on the basis of mutual agreement and balanced exchanges of rights and responsibilities.
Transport Services: Road Transport	The US government has discretion to limit the issuance of trucking licenses to persons from contiguous countries on the basis of reciprocity. The Bus Regulatory Reform Act of 1982 permits the President to remove or modify in whole or in part the moratorium on a finding that such removal or modification is in the national interest. Domestic and cross-border trucking operations are permitted within designated Interstate Commerce Commission commercial zones. The moratorium was lifted for Canada in October 1982. Without prejudice to the reservation in Part II with respect to passenger and freight road transport, the United States acknowledges the relevant reservation and phase-out in its schedule to Annex I of the North	Mexico, Canada	Indefinite	Need to have authority to impose a moratorium on the issuance of new licenses for domestic operations within and cross-border operations into the United States on the basis of reciprocity

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	American Free Trade Agreement, located at pages 18-20 of that schedule.			
Transport Services: Pipeline Transport	<p>Pursuant to the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil.</p> <p>Non-US citizens may own a 100 per cent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investors' home country denies similar or like privileges for the mineral or access in question to US citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs or regulations of their country deny the privilege of leasing public lands to US citizens or corporations.</p>	All	Indefinite	Lack of reciprocity
Transport Services:Space Transportation	Quantitative restrictions and price disciplines in certain bilateral agreements on the launch of satellites in the international commercial space launch market	All	Indefinite	Need to prevent disruption of competition in the international space launch market

**UNITED STATES - SCHEDULE of COMMITMENTS
Trade in Services Agreement (TiSA)
October 21, 2016**

The United States reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations. The United States further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Obligations Concerned	Conditions and Limitations
		<p>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</p> <p>Article I-4 (National Treatment) ("NT") Article X.1 (Local Presence) ("LP") Article X.2 (Local Management and Boards of Directors) ("LMBD") Article X.3 (Local Content and Other Performance Requirements) ("PR") Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</p>
All sectors: Social Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.
All sectors: Minority Affairs	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the <i>Alaska Native Claims Settlement Act</i> .
All sectors: Subsidies	NT (Article I-4) LP (Article X.1) LMBD (Article X.2)	The United States reserves the right to adopt or maintain any measure regarding (1) the grant of research and development subsidies inconsistent with these obligations; (2) the grant of education-services-related funding, subsidies, scholarship and grants inconsistent with these obligations; (3) the grant of other subsidies inconsistent with these obligations pertaining to services supplied through modes 1, 2, or 4; and (4) the grant of other subsidies inconsistent with these obligations pertaining to services supplied through mode 3, but only with respect to services for which the United States has not undertaken a market access commitment in Part II.
All sectors: Subsidies	NT (Article I-4)	<p>The United States reserves the right to adopt or maintain the measures described below. These measures will not be amended in a way that increases the inconsistency with National Treatment.</p> <p>The Federal Overseas Private Investment Corporation (OPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, and foreign-controlled enterprises established in the United States.</p> <p>Trade and Development Agency financing is limited to:</p> <p>I. individuals 1) who are either US citizens or non-US citizens lawfully admitted for permanent residence in the United States and 2) whose principal places of business are in the United States, or</p> <p>II. privately-owned commercial corporations or partnerships that are incorporated or legally organized under the laws of the United States and whose principal places of business are in the United States and (1) that are more than 50 per</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Obligations Concerned	Conditions and Limitations
		cent beneficially owned by individuals who are US citizens or (2) that have been incorporated or legally organized in the United States for more than 3 years, have performed similar services in each of the prior 3 years, and employ US citizens in more than half of their permanent full-time positions in the United States and have the existing capability in the United States to perform the contract.
Gambling and Betting Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	The United States reserves the right to adopt or maintain any measure relating to gambling and betting services.
All sectors: Taxation	NT (Article I-4) LP (Article X.1)	<p>The United States reserves the right to adopt or maintain measures with regard to taxation as set out below.</p> <p>At the federal level, with respect to direct taxes:</p> <p>Differential tax treatment may be provided between trusts created or organized in the United States to provide employee benefits and trusts not created or organized in the United States and their respective beneficiaries. Such provisions affect the taxation of the income of the trust or the beneficiary, the availability of deductions to taxpayers for contributions to the trust, and tax administration requirements; these provisions include different rules for allowing deductions to, and determining the earnings of, foreign employee benefit plans.</p> <p>An increase in the rate or a widening of the base of a federal income tax may be imposed on a national, resident or corporation of a foreign country where a national, resident or corporation of the United States is being subjected to discriminatory or extraterritorial taxes (as described in section 891 or section 896 of the Internal Revenue Code).</p> <p>At the federal level, with respect to taxes other than direct taxes:</p> <p>An excise tax may be imposed in connection with transfers of any property by a citizen or resident of the United States, or by a domestic entity (corporations, partnership, estate or trust) to a foreign entity (corporation partnership, estate or trust).</p> <p>An excise tax may be imposed on US source gross investment income of foreign organizations that are private foundations.</p>
All Sectors: Temporary Entry and Stay of Natural Persons	NT (Article I-4)	The United States reserves the right to adopt or maintain any measure concerning temporary entry and stay of nationals of another Party. "Temporary entry" means entry without intent to establish permanent residence under immigration laws of the United States and confers no rights with respect to citizenship.
Communications	NT (Article I-4)	<p>The United States reserves the right to:</p> <p>a) adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Obligations Concerned	Conditions and Limitations
		<p>transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services; and</p> <p>b) prohibit a person of a Party from offering DTH or DBS television and digital audio services into the territory of the United States unless that person establishes that the Party of which it is a person:</p> <p>(i) permits U.S. persons to obtain a license for such service in that Party in similar circumstances; and</p> <p>(ii) treats the audio or video content originating in the Party no more favorably than the supply of audio or video content originating in a non-Party or any other Party.¹</p>
Communications: Cable Television	NT (Article I-4)	<p>The United States reserves the right to adopt or maintain any measure that prohibits a person of a Party from owning or operating a cable television system in the territory of the United States unless that person establishes that the Party:</p> <p>(a) permits U.S. persons to own or operate such systems in the territory of the Party under similar circumstances; and</p> <p>(b) treats the video content originating in the Party no more favorably than the supply of content of any other Party or non-Party.¹ above</p>
Financial Services: All financial services referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	<p>Except as otherwise provided for in this schedule, the United States reserves the right to adopt or maintain:</p> <p>Mode 1: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</p> <p>Mode 2: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement</p>
Financial Services - All financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list]	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	For Modes 1 and 2, the United States reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.
Financial Services: Banking and Other Financial Services (Excluding Insurance)	NT (Article I-4)	The United States reserves the right to adopt or maintain any measure with respect to housing finance programs.

¹ A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Obligations Concerned	Conditions and Limitations
Transportation: Maritime	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	<p>The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:</p> <ul style="list-style-type: none"> (a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways; (b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades; (c) requirements for investment in, ownership or control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone; (d) requirements related to documenting a vessel under the U.S. flag; (e) promotional programs, including tax benefits, available for shipowners, operators, and vessels meeting certain requirements; (f) certification, licensing, and citizenship requirements for crew members on U.S.-flagged vessels; (g) manning requirements for U.S.-flagged vessels; (h) all matters under the jurisdiction of the Federal Maritime Commission; (i) negotiation and implementation of bilateral and other international maritime agreements and understandings; (j) limitations on longshore work performed by crew members; (k) tonnage duties and light money assessments for entering U.S. waters; and (l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters. <p>The following activities are not included in this reservation. However, the treatment in (b) is conditioned on reciprocity:</p> <ul style="list-style-type: none"> (a) vessel construction and repair through cross-border supply and commercial presence; and (b) landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.
Aviation-Related Services	NT (Article I-4) LP (Article X.1) LMBD (Article X.2) PR (Article X.3)	<p>The United States reserves the right to adopt or maintain any measure relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services and specialty air services.</p> <p>For specialty air services, foreign civil aircraft require authority from the Department of Transportation to conduct specialty air services in the territory of the United States. In determining whether to grant a particular application, the Department will consider, among other factors, the extent to which the country of the applicant's nationality accords U.S. civil aircraft operators effective reciprocity.</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
<u>ALL SECTORS COVERED BY THIS SCHEDULE:</u> For the purpose of this schedule the "United States" is defined as encompassing the 50 states of the United States, plus the District of Columbia.				
All Sectors Acquisition of Land	3	None	NT (Article I-4)	<p>The federal government restricts initial sale of federally owned lands to US citizens. (Preceding restriction does not apply to foreign-owned companies formed under the laws of any state of the United States.)</p> <p>Acquisition of land reclaimed with federal funds and reclamation of desert land is restricted to individual US citizens.</p> <p>Ownership of land by non-US citizens is limited in: Kentucky (restrictions apply only to individuals, not to foreign-owned companies incorporated within the United States) and South Carolina (applies to individuals and foreign-owned corporations).</p> <p>Purchase of land by non-US citizens not resident within the state is restricted in: Oklahoma, Florida, and Wyoming. In Mississippi, non-US citizens may not purchase more than 5 acres for residential property, or more than 320 acres for industrial development.</p> <p>Non-US citizens may not purchase or bid on sales of public lands in: Hawaii, Idaho, Mississippi, Montana, and Oregon.</p>
All Sectors Ownership of Radio Licenses	1, 3	<p>No station license may be granted to or held by a foreign government or representative thereof.</p> <p>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized under the laws of a foreign</p>	NT (Article I-4)	<p>No station license may be granted to or held by a foreign government or representative thereof.</p> <p>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized under the laws of a foreign government; or</p> <p>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
		government; or (iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.		
All Sectors			PR (Article X.3)	Any existing measure inconsistent with Article X.3 (PR) of all states of the United States and the District of Columbia and all local levels of government.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	Commitments under Article I-3 (Market Access) including terms, limitations and conditions are set out below		<p>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</p> <p>Article I-4 (National Treatment) ("NT") Article X.1 (Local Presence) ("LP") Article X.2 (Local Management and Boards of Directors) ("LMBD") Article X.3 (Local Content and Other Performance Requirements) ("PR") Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</p>
1 BUSINESS SERVICES			
A PROFESSIONAL SERVICES			
a 1 i) Legal services: domestic law	<p>1 None, except services must be supplied by a natural person.</p> <p>2 None, except services must be supplied by a natural person.</p> <p>3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	LP (Article X-1)	<p>In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota),</p> <p>U.S. residency is required to practice before the US Patent and Trademark Office.</p>
a 2 ii) and iii) Legal services: foreign law and international law ²	<p>1 None, except services must be supplied by a natural person.</p> <p>2 None, except services must be supplied by a natural person.</p> <p>3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers.</p>	LP (Article X-1)	<p>In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p>

² Additional commitment pursuant to Article I-5: Limited license for foreign legal consultancy available in Alaska, Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Texas, Utah, Washington. For this license, in-state residency is required for Michigan and Texas; in-state office is required for Arizona, District of Columbia, Indiana, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Ohio, Utah; association with an in-state law office required for Missouri.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	4 Unbound, except as indicated in the horizontal section.		An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), U.S. residency is required to practice before the US Patent and Trademark Office.
b Accounting, Auditing and Bookkeeping Services	1 None 2 None 3 Sole proprietorships or partnerships are limited to persons licensed as accountants. 4 Unbound, except as indicated in the horizontal section.	NT (Article I-4) LP (Article X-1)	In-state residency is required to receive a license to perform audits in: Arizona, Arkansas, Connecticut, District of Columbia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, and West Virginia. An in-state office must be maintained to receive a license to perform audits in: Arkansas, Connecticut, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, Ohio, Vermont, and Wyoming. US citizenship is required for licensure in North Carolina.
c Taxation Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
d Architectural Services	1 None 2 None 3 Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors. 4 Unbound, except as indicated in the horizontal section.		
e Engineering Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	LP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
f Integrated Engineering Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	LP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
g Urban Planning & Landscape Services	1	None		
	2	None		
	3	Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors.		
	4	Unbound, except as indicated in the horizontal section.		
B COMPUTER AND RELATED SERVICES³	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
C RESEARCH AND DEVELOPMENT SERVICES (excluding R&D financed in whole or in part by public funds)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
D REAL ESTATE SERVICES	1	None		
	2	None	NT (Article I-4)	Corporations that own real estate in Florida must maintain an office and registered agent in Florida.
	3	None	LP (Article X-1)	In-state residency or US citizenship is required for licensure as a real estate broker in South Dakota; and US citizenship is required for licensure as a real estate broker in Mississippi and New York.
	4	Unbound, except as indicated in the horizontal section.		
E RENTAL/LEASING SERVICES WITHOUT OPERATORS	1	None		
Rental/Leasing Services without Operators:	2	None		
- Relating to Other Transport Equipment	3	None		
- Relating to Other Machinery and Equipment	4	Unbound, except as indicated in the horizontal section.		
- Other				
F OTHER BUSINESS SERVICES				
a Advertising (except aerial advertising and skywriting)	1	None		
	2	None		

³ Computer Reservation System services, as defined in the Annex on Air Transport Services, are classified under Air Transport Services

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
b Market Research and Public Opinion Polling Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
c Management Consulting Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
d Services Related to Management Consulting	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
e Technical testing and analysis services, other than government-mandated services or services financed in whole or in part by public funds ⁴	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
f Services Incidental to Agriculture, Hunting and Forestry (except provision of agricultural machinery with drivers and crew, harvesting and related services, services of farm labor contractors, and aerial fire fighting)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
g Services Incidental to Fishing	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
h Services Incidental to Mining	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
j Services Incidental to Energy Distribution	1	None		
	2	None		
	3	None		

⁴ For greater certainty, vessel and aircraft testing services fall within the relevant transportation service

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	4	Unbound, except as indicated in the horizontal section		
k Placement and Supply Services of Personnel	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.	NT (Article I-4)	In Arkansas, US citizenship is required for ownership of employment agencies, and for licensure as an employment agent, employment agency counselor and employment agency manager.
l Investigation and Security Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.	NT (Article I-4) LP (Article X-1)	Permanent resident alien status or US citizenship is required for private investigators and security guards in Maine and New York, and to own contract security companies in Maine. In-state residency is required for private detectives in Michigan.
m Related Scientific & Technical Consulting (except land surveying for the purpose of establishing legal boundaries, aerial surveying and aerial map-making)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
n Maintenance & Repair of Equipment (except maritime vessels, aircraft, and other transport equipment)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
o Building-Cleaning Services	1 2 3 4	Unbound None None Unbound, except as indicated in the horizontal section		
p Photographic Services (except aerial photographic services)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
q Packaging Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
r Publishing (Only part of MTN.GNS/W/120 category: "r) Printing, Publishing")	1 2 3 4	None None A single company or firm is not permitted to own a combination of newspaper, radio and/or TV broadcast stations serving the same local market. Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
s Convention Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
t Other business services, except for convention services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 COMMUNICATION SERVICES				
2 A/B Postal and Courier Services				
2 A/B Express Delivery	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 A/B Other Competitive Delivery Services ⁵	1	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts		
	2	None		
	3	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts		
	4	Unbound, except as indicated in the horizontal section		
2 C TELECOMMUNICATION SERVICES				
2 C 1 Basic Telecommunications Services - The transmission between or among points specified by the user, of information of the users choosing, without change in the form or content of the information as sent and received, as defined in U.S. law. Services can be supplied on either a public or private basis, regardless of the facilities used.	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁵ Under U.S. law, the universal service obligation requires the U.S. Postal Service to receive, transmit, and deliver throughout the United States written and printed matter, parcels, and like materials.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
<p>These services may be provided on a facilities basis or non-facilities basis, and encompass local, long-distance, or international services, for public or non-public use, and may be provided through any means of technology.</p> <p>Services include:</p> <ul style="list-style-type: none"> a) Voice telephone services b) Packet-switched data transmission services (note: packet switched services classified as information services are not considered basic telecommunications services.) c) Circuit-switched data transmission services d) Telex services e) Telegraph services f) Facsimile services g) Private leased circuit services 			
<p>2 C 2 Information Services (Value-Added)</p> <ul style="list-style-type: none"> - The offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications. Services include, but are not limited to: - electronic mail - voice mail - on line Information and/or data base retrieval - Electronic Data Interchange (EDI) - Enhanced/Value added Facsimile Services 	<ul style="list-style-type: none"> 1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section 		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
- Code and Protocol conversion - on line information and/or Data processing; - packet-switched information services			
2 D AUDIOVISUAL SERVICES			
2 D a 1 Motion Picture and Video Tape Production and Distribution - Promotion or Advertising Services (theatrical and non- theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 2 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Production Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 3 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Distribution Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 4 Motion Picture and Video Tape Production and Distribution - Other services in connection with motion pictures and video tape production and distribution (theatrical and non-theatrical	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector		Mode Market Access Commitments		Obligations Concerned
motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)				
2 D b	Motion Picture Projection Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 1	Radio & Television Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 2	Radio and Television distribution services, excluding transmission (For greater clarity, distribution services in this context may include the licensing of radio and television programs to other service providers for exhibition, broadcast or other transmission, rental, sale or other use. Transmission services for radio and television programs are listed under “Other Communication Services: Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services.”	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D e	Sound Recording Services	1 None		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 D f Other services in connection with radio and television production and distribution	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F OTHER COMMUNICATIONS SERVICES				
2 F a Cable services provided over cable systems	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F b One-way satellite transmission of DTH and DBS television services and of digital audio services.	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F c Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services	1	None	NT (Article I-4)	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country. US citizenship is required to obtain radio and television licenses.
	2	None		
	3	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.		
	4	Unbound, except as indicated in the horizontal section		
3 CONSTRUCTION & RELATED ENGINEERING SERVICES (except Marine Dredging)	1	Unbound		
	2	None		
	3	None, except an in-state office must be maintained by all contractors in Michigan.		
	4	Unbound, except as indicated in the horizontal section		
4 DISTRIBUTION SERVICES				
4 A Commission Agents' Services				
4 A Commission Agents' Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
4 B Wholesale Trade 4 B 1 Wholesale Trade (except wholesale trade of alcoholic beverages, firearms and military equipment)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
4 C Retailing 4 C Retailing (except retail sale of alcoholic beverages, firearms and military equipment)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
4 D Franchising 4 D Franchising	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
5 EDUCATION SERVICES			
5 C Higher Education Services (except flying instruction) ⁶	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
5 D Adult Education (except flying instruction)	1 None 2 None 3 None 4 None, except as indicated in the horizontal section		
5 E Other Education Services			

⁶ For transparency purposes, individual U.S. institutions maintain autonomy in admission policies, in setting tuition rates, and in the development of curricula or course content. Educational and training entities must comply with requirements of the jurisdiction in which the facility is established. In some jurisdictions, accreditation of institutions or programs may be required. Institutions maintain autonomy in selecting the jurisdiction in which they will operate, and institutions and programs maintain autonomy in choosing to meet standards set by accrediting organizations as well as to continue accredited status. Accrediting organizations maintain autonomy in setting accreditation standards. Tuition rates vary for in-state and out-of-state residents. Additionally, admissions policies include considerations of equal opportunity for students (regardless of race, ethnicity, or gender), as permitted by domestic law, as well as recognition by regional, national, and/or specialty organizations; and required standards must be met to obtain and maintain accreditation. To participate in the U.S. student loan program, foreign institutions established in the United States are subject to the same requirements as U.S. institutions.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
5 E Other Education Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 ENVIRONMENTAL SERVICES⁷				
6 A Wastewater Management, excluding Water for Human Use: Wastewater services (contracted by private industry)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B a Solid/hazardous waste management (contracted by private industry): Refuse disposal services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B b Solid/hazardous waste management (contracted by private industry): Sanitation and Similar Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 C Protection of ambient air and climate: Services to reduce exhaust gases and other emissions to improve air quality	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 D Remediation and cleanup of soil and water: Treatment, remediation of contaminated/ polluted soil and water	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 E Noise and vibration abatement: Noise abatement services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 F Protection of biodiversity and landscape: Nature and landscape protection services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 G Other environmental and ancillary services: Other services not classified elsewhere	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁷ Nothing in this offer related to transportation should be construed to supersede the existing US commitments on transportation or related MFN exemptions.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
7 FINANCIAL SERVICES				
7 A INSURANCE SERVICES				
<p>1. The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(a) and 1(b) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p> <p>2. National treatment commitments in this subsector are subject to the following limitation: national treatment with respect to services and service suppliers will be provided according to a non-U.S. service supplier's state of domicile, where applicable, in the United States. State of domicile is defined by individual states, and is generally the state in which an insurer either is incorporated, is organized or maintains its principal office in the United States.</p>				
7 A a/b Life, Accident, and Health Insurance Services (except workers compensation insurance)	1	<p>With regard to non-life insurance services, government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p>	NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)	<p>With regard to non-life insurance services, a four percent federal excise tax is imposed on all non-life insurance premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States.</p> <p>When more than 50 percent of the value of a maritime vessel whose hull was built under federally guaranteed mortgage funds is insured by a non-US insurer, the insured must demonstrate that the risk was substantially first offered in the US market.</p>
7 a/b Non-Life Insurance Services	2	<p>With regard to non-life insurance services, none.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p>		<p>Branches are not permitted to provide surety bonds for US federal government contracts.</p>
	3	<p>Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p>		<p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three-quarters</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p> <p>4 Unbound except as indicated in the horizontal section</p>		<p>in Washington (mutual life companies with the majority of the board being resident in the state); two-thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one-fourth resident in the state), Idaho (for stock and mutual insurers), Indiana, Mississippi, Oregon, New York, South Dakota (except if more than 1000 persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents), Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies, three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident).</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two-thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers). State residency is required in the following states for the organizing members of the following types of mutual insurance companies: Arkansas (farm mutual insurers), California (county mutual fire insurer); Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals), Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
			<p>4</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p>
7 A c Reinsurance and retrocession	<p>1 Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p>	NT (Article I-4) LP (Article X.1)	<p>A one percent federal excise tax is imposed on all premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States. In Texas, total direct reinsurance of mutual life insurance companies may not be entered into with non-US companies.</p> <p>The provision of reinsurance for workers' compensation may be limited in Maine.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned
	2	Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.	permitted. The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.
	3	Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming. The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted. The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.	
	4	Unbound except as indicated in the horizontal section	
7 A d Services Auxiliary to Insurance (Applicable to sub-sectors i-iii below)			NT (Article I-4) LP (Article X.1) Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary, California (agents/brokers), Delaware (broker, agent, reinsurance intermediary),

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
			Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).
7 A d i Brokerage Services ⁸	<p>1 Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>2 None</p>	NT (Article I-4) LP (Article X.1)	<p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>Higher license fees for non-residents may be charged in:</p>

⁸ For transparency purposes, it should be noted that brokerage firms can generally offer services in most states by obtaining licenses as "brokers" and in other states by obtaining licenses to operate as "agents". Brokerage licenses are not issued in Florida, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Oregon, Tennessee, Texas, Virginia, West Virginia, Wisconsin

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>3 Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>		Alaska, California, Colorado, Georgia, Indiana, Louisiana, Maine, Montana, New Hampshire, North Dakota, Oklahoma, Rhode Island, Vermont.
7 A d ii Agency Services	<p>1 Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>2 None</p> <p>3 Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	NT (Article I-4) LP (Article X.1)	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
7 A d ii Consultancy, Actuarial, Risk i Assessment, and Claim Settlement Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	NT (Article I-4)	Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster). In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters). US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).
7 B BANKING AND OTHER FINANCIAL SERVICES AND EXCLUDING INSURANCE <ol style="list-style-type: none"> The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(c) through 1(f) and 2(c) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken. National treatment commitments in these subsectors are subject to the following limitation: National treatment with respect to banking will be provided based upon the foreign bank's "home state" in the United States, as that term is defined under the International Banking Act, where that Act is applicable. A domestic bank subsidiary of a foreign firm will have its own "home state," and national treatment will be provided based upon the subsidiary's home state, as determined under applicable law.⁹ To clarify the U.S. commitment with respect to Article I-3 (Market Access) of the Agreement and Article III-2 of the Annex, juridical persons supplying banking or other financial services (excluding insurance) and constituted under the laws of the United States are subject to non-discriminatory limitations on juridical form.¹⁰ 			

⁹ Foreign banking organizations are generally subject to geographic and other limitations in the United States on a national treatment basis. Where such limitations do not conform to national treatment, they have been reserved. For purposes of illustration, under this approach, the following situation does not accord national treatment and would therefore be scheduled as a limitation: a foreign bank from a particular home state is accorded less favorable treatment than that accorded to a domestic bank from that state with respect to expansion by branching.

¹⁰ For example, partnerships and sole proprietorships are generally not acceptable juridical forms for depository financial institutions in the United States.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
7 B a All subsectors except as specifically provided below	1	<p>Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.</p> <p>2 Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.</p> <p>3 Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.</p> <p>Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991. Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Unbound with respect to paragraph 2(e) of Article I-3 of the Agreement, in relation to the expansion, by a foreign bank into another state from its “home state,” as that term is defined under applicable law, via:</p> <ul style="list-style-type: none"> • The establishment of a “de novo” branch in another state; • The establishment of branches by merger with a bank in another state; or 	<p>NT (Article I-4) LP (Article X.1) SMBD (Article X.13, FS Annex)</p>	<p>Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors.</p> <p>Foreign banks are required to register as investment advisers under the Investment Advisers Act of 1940 to engage in securities advisory and investment management services in the United States, while domestic banks¹¹ (or a separately identifiable department or division of the bank) do not have to register unless they advise registered investment companies. The registration requirement involves record maintenance, inspections, submission of reports and payment of a fee. Foreign banks cannot be members of the Federal Reserve System, and thus may not vote for directors of a Federal Reserve Bank. Foreign-owned bank subsidiaries are not subject to this measure.</p> <p>Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.</p> <p>Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that</p>

¹¹ For greater clarity, “domestic banks” include U.S. bank subsidiaries of foreign banks.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>• The acquisition of one or more branches of a bank in another state without the acquisition of the entire bank if not permitted by the state in which the resulting branch is or would be located. Except as specifically set forth elsewhere in this schedule, such expansion shall be accorded on a national treatment basis in accordance with headnote 2.</p> <p>Unbound for initial entry by establishment or acquisition of state chartered banks or state licensed offices of foreign banks as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹⁴</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁵</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or</p>		<p>was engaged in insured deposit taking activities on December 19, 1991.</p> <p>Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Establishment or acquisition of state chartered banks or state licensed offices of foreign banks is prohibited or otherwise limited as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹²</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹³</p>

¹⁴ The limitations in this paragraph reflect state reciprocity measures.

¹⁵ The limitations in this paragraph reflect state reciprocity measures.

¹² The limitations in this paragraph reflect state reciprocity measures.

¹³ The limitations in this paragraph reflect state reciprocity measures.

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>otherwise limited in the following states: Alabama; Arizona; California (limit on foreign non-bank ownership of international banking corporation); Indiana; Kansas; Louisiana; Maryland; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Pennsylvania; South Carolina; Tennessee; Virginia; Washington; West Virginia. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States. The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:</p> <ul style="list-style-type: none"> • State branch license subject to certain limitations -- Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches. • State branch license not available, but state agency license is available in Idaho, Oklahoma, and West Virginia. • No state branch or agency license available – Arizona; Arkansas; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Rhode Island; South Carolina; South Dakota; Tennessee; Virginia. These limitations do not apply to Federal offices. • Branch license not available but agency license is, subject to any specified limitations -- Florida (available only to a foreign bank with at least \$40 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); 		<p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; California (limit on foreign non-bank ownership of international banking corporation); Indiana; Kansas; Louisiana; Maryland; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Pennsylvania; South Carolina; Tennessee; Virginia; Washington; West Virginia. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States.</p> <p>The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Missouri (all); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); West Virginia (majority);.</p> <p>Texas allows pre-judgment seizure remedies to be applied against foreign bank agencies, while bank subsidiaries of foreign banks and branches of foreign banks are exempt to the same extent as domestic banks incorporated in Texas.</p> <p>The following states require direct branches or agencies of foreign banks to register under securities broker dealer or</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	<p>Louisiana (limited to parishes with more than 350,000 residents); Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or agency license available --Alabama; Kansas; Maryland; North Dakota.</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Kansas; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Rhode Island; South Carolina; South Dakota; Tennessee; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p> <p>4 Unbound except as indicated in the horizontal section</p>		<p>investment adviser measures, while bank subsidiaries of foreign banks are exempt from such registration to the same extent as domestic banks incorporated in the state: Alabama; Arizona; Arkansas; California; Connecticut; Delaware; District of Columbia; Georgia; Idaho; Iowa; Kansas; Louisiana; Maryland; Missouri; Nebraska; New Hampshire; New Jersey; New Mexico; New York; North Carolina; Pennsylvania; South Dakota; Tennessee; Texas; Vermont. These limitations do not apply to Federally licensed branches or agencies.</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial institutions organized under state law. U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states: • State branch license subject to certain limitations -- Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches.</p> <p>• State branch license not available, but state agency license is available in Idaho, Oklahoma, and West Virginia.</p> <p>• No state branch or agency license available – Arizona; Arkansas; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Rhode Island; South Carolina; South Dakota; Tennessee; Virginia. These limitations do not apply to Federal offices.</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
			<p>• Branch license not available but agency license is, subject to any specified limitations -- Florida (available only to a foreign bank with at least \$40 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions);. Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or agency license available --Alabama; Kansas; Maryland; North Dakota.</p> <p>The following states require direct branches or agencies of foreign banks, but not bank subsidiaries of foreign banks, to register or obtain licenses in order to engage in the following activities: Arkansas (selling checks; mortgage transactions); California (selling payment instruments); Delaware (sale or cashing of checks, drafts, money orders; motor vehicle financing; transportation of money/valuables); Georgia (mortgage lending/brokerage, check selling/cashing); Indiana (money transmission; loan brokerage); Kansas (money transmission); Maryland (selling payment instruments, traveler's checks); Massachusetts (check selling/cashing; foreign transmittal agencies; motor vehicle financing; insurance premium financing; retail installment sales/ servicing; residential real estate mortgage financing -- license requirement applies only to agencies); North Carolina (selling checks); Oklahoma (selling checks); Pennsylvania (mortgage banking/ brokerage); Tennessee (money transmission; residential lending/brokerage; industrial loan and thrift activities); Virginia (mortgage lending/brokerage; money transmission; sale of money orders; check cashing); Wisconsin (selling checks).</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
				<p>The following states restrict various commodities transactions by foreign bank branches and agencies, but not by other depository financial institutions: Arizona; California; Idaho; Indiana; Iowa; Missouri; Nebraska; Washington.</p> <p>Offers and sales of securities to foreign bank branches and agencies in the following states are subject to registration/disclosure requirements that do not apply if the transaction involves other financial institutions: Illinois; Indiana; Louisiana; Montana; Nebraska; New Jersey; North Dakota; Tennessee; Texas (applies to branches and agencies of all foreign financial institutions).</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Kansas; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Rhode Island; South Carolina; South Dakota; Tennessee; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p>
7 B b Trading of Securities and Derivative Products and Services Related Thereto; Participation in Securities Issues	1	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.	NT (Article I-4)	<p>The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.</p> <p>The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.</p>
	2	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.		
	3	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.		
	4	Unbound except as indicated in the horizontal section		
7 B c Participation in Issues of Government Debt Securities	1	None	NT (Article I-4)	Designation as a primary dealer in US government debt securities is subject to reciprocity.
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
8 HEALTH RELATED & SOCIAL SERVICES				
8 A Hospital and Other Health Care Facilities - Direct ownership and management and operation by contract of such facilities on a "for fee" basis	1 2 3	<p>None</p> <p>None</p> <p>Establishment of hospitals or other health care facilities, procurement of specific types of medical equipment, or provision of specific types of medical procedures may be subject to needs based quantitative limits.</p> <p>In New York, corporate ownership of an operating corporation for, and limited partnerships as operators of, hospitals, nursing homes (including long term health care centers) or diagnostic and treatment centers is prohibited. If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>	LP (Article X.1)	<p>If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>
	4	Unbound except as indicated in the horizontal section		
9 TOURISM AND TRAVEL RELATED SERVICES				
9 A Hotels and restaurants (including catering)	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		
9 B Travel agencies and tour operators services	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		
9 C Tourist guide services	1 2 3 4	<p>None</p> <p>None</p> <p>The number of concessions available for commercial operations in federal, state and local facilities is limited</p> <p>Unbound except as indicated in the horizontal section</p>		
9 D Other tourism and travel related services	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
10 RECREATIONAL, CULTURAL, & SPORTING SERVICES				
10 A Entertainment services (including theater, live bands and circus services) ¹⁶	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
10 B News agency services	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
10 C Libraries, archives, museums and other cultural services	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
10 D Other Recreational Services (except sporting and gambling and betting services)	1 2 3 4	None None The number of concessions available for commercial operations in federal, state and local facilities is limited Unbound except as indicated in the horizontal section		
10 E Other services: Physical well-being services ¹⁷	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 TRANSPORT SERVICES				
11 A MARITIME TRANSPORT SERVICES				
11 A d Repair of Vessels	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 A f Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine	1 2 3 4	None None None Unbound except as indicated in the horizontal section		

¹⁶ This sector includes "cinema theater operations"

¹⁷ For transparency purposes, this subsector includes physical well-being services such as delivered by, inter alia, fitness centers, spas, salons, massage (excluding therapeutic massage), and ayurvedics. This subsector does not include regulated medical services. For greater certainty, nothing in this commitment authorizes the provision of unregulated substances or affects the ability of state authorities to regulate substances that may be affiliated with these services.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.				
11 C AIR TRANSPORT SERVICES				
11 C d Aircraft repair and maintenance. (Aircraft repair and maintenance activities, when undertaken on an aircraft or a part thereof, while it is withdrawn from service. Does not include line maintenance or other repair or maintenance activities undertaken by an air carrier (includes its agents or contractors) on aircraft it owns, leases, or operates.)	1	Unbound		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 E RAIL TRANSPORT				
11 E a Passenger Transportation, excluding high speed rail	1	None	NT (Article I-4)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
	2	None	LP (Article X.1)	
	3	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont		
	4	Unbound except as indicated in the horizontal section		
11 E b Freight Transportation	1	None	NT (Article I-4)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
	2	None	LP (Article X.1)	
	3	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont		
	4	Unbound except as indicated in the horizontal section		
11 E d Maintenance and Repair of Rail Transport Equipment	1	None		
	2	None		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Obligations Concerned	Conditions and Limitations
	3 None 4 Unbound except as indicated in the horizontal section		
11 F ROAD TRANSPORT			
11 F a Passenger transport: Interurban regular transport	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section	NT (Article I-4) LP (Article X.1)	<p><u>Passenger and Freight Road Transport:</u> Only persons of the United States, using U.S. registered and either U.S.-built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of the United States.</p> <p>Operating authority from the Department of Transportation is required to provide interstate or cross-border for hire bus or truck services in the territory of the United States. For persons of Mexico, grants of operating authority are subject to certain statutory and regulatory requirements.</p> <p>For truck services supplied through mode 3, grants of authority for the provision of truck services by persons of Mexico between points in the United States for the transportation of goods other than international cargo is subject to reciprocity.</p>
11 F b Freight transport	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
11 F d Maintenance and Repair of Road Transport Equipment	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
11 G PIPELINE TRANSPORT			
11 G a Transportation of fuels	1 None 2 None 3 Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia. 4 Unbound except as indicated in the horizontal section	NT (Article I-4)	<p>Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia.</p> <p>Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands.¹⁸</p>
11 H SERVICES AUXILIARY TO ALL MODES OF TRANSPORT			

¹⁸ For transparency purposes, non-U.S. citizens may own a 100-percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, unless the foreign investor's home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Obligations Concerned	Conditions and Limitations
11 H a Cargo-handling services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H b Storage and warehouse services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H c Freight transport agency services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H d Other Supporting and Auxiliary Transport Services: Customs House Brokers	1	Unbound	NT (Article I-4)	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.
	2	None		
	3	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.		
	4	Unbound except as indicated in the horizontal section		
12 SECTORS NOT LISTED IN PART II, ABOVE	1	Unbound	NT (Article I-4) LP (Article X.1) LMBD (Article X.2)	Any existing measures inconsistent with Article I-4 (National Treatment), Article X.1 (Local Presence), and Article X.2 (Local Management and Boards of Directors) of all states of the United States and the District of Columbia and all local levels of government.
	2	Unbound		
	3	Unbound		
	4	Unbound except as indicated in the horizontal section		

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Movement of Persons	Government issuance of treaty trader or treaty investor non-immigrant visas that extend a special visa category to nationals of treaty partners in executive and other personnel categories engaged: (i) solely to carry on substantial trade, including trade in services or trade in technology, principally between the US and the foreign state of which a natural person is a national; or (ii) solely to develop and direct the operations of an enterprise in which a natural person has invested, or is actively in the process of investing, a substantial amount of capital.	Countries with whom the United States has a qualifying Friendship, Commerce and Navigation Treaty (FCN) or Bilateral Investment Treaty (BIT), or certain countries as described in statutory provisions pertaining to section 101(a)(15)(E)(i) or (ii) of the Immigration and Nationality Act.	Indefinite	To facilitate trade and investment under FCNs and BITs
All sectors: Movement of Persons	Restrictions on performance of longshore work when making US port calls by crews of foreign vessels owned and flagged in countries that similarly restrict US crews on US-flag vessels from longshore work.	Countries that prohibit longshore work by crew members aboard US vessels	Indefinite	Reciprocal restrictions on countries that prohibit longshore work by crew members aboard US vessels
All Sectors: Taxation Measures	Differential treatment under direct tax measures at the federal level. Such measures are: <ul style="list-style-type: none"> • measures under the US Internal Revenue Code (IRC) permitting the residents of countries contiguous to the United States to receive more favorable treatment and permitting certain US taxpayers to receive more favorable treatment as to their contiguous country operations, and providing any other benefits with respect to contiguous countries; • benefits available under the US IRC with respect to US possessions; • benefits available under the US IRC with respect to Caribbean Basin Initiative (CBI) beneficiary countries; • regarding activities covered by the scope of the General Agreement on Trade in Services, reciprocal reduction of taxation on income derived from the international operation of aircraft or of taxation of certain earnings derived from the use of railroad rolling stock; • tax exemption for earnings derived from the ownership or operation of a communications satellite system by a foreign entity designated by a foreign government to participate in such ownership if the United States, through its 	All	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>designated entity, participates in such system pursuant to the Communications Satellite Act of 1962;</p> <ul style="list-style-type: none"> • denial of statutory reduction of double taxation or deferral of US tax on income earned through controlled foreign corporations, because the country participates in or cooperates with an international boycott, or for similar foreign policy reasons; • measures permitting less favorable taxation for citizens, corporations or products of a foreign country based on discriminatory or extraterritorial taxes, more burdensome taxation, or other discriminatory conduct; • allow the deduction for expenses of an advertisement carried by a foreign broadcast undertaking and directed primarily to a US market only where the broadcast undertaking is located in a foreign country that allows a similar deduction for an advertisement placed with a US broadcast undertaking; • in connection with the exclusion of, or deduction relating to, certain foreign earned income from the gross income of individuals, the benefit of a waiver of the required period of stay in a foreign country as determined by the Secretary of the Treasury. The Secretary is empowered to determine that individuals were required to leave a foreign country because of war, civil unrest or similar adverse conditions in such foreign country which precluded the normal conduct of business by such individuals. 			
All Sectors: Taxation Measures, Sub-federal Measures	<p>Sub-federal tax measures affording differential treatment to service suppliers or to services when the differential treatment is based on one of the following criteria:</p> <ul style="list-style-type: none"> • are performed, consumed, or located within different sub-federal entities; • differ based on the size or income of the service supplier or on the scale or methods (including environmental and health and safety measures) of performance; • differ in the extent of ownership or participation by minority or other disadvantaged groups; • differ as to the eligibility for non-profit status for pension, profit-sharing or other employee-benefit regimes; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • are performed or located in countries contiguous to the United States; or • are performed or located in jurisdictions with which sub-federal entities have arrangements for tax cooperation and assistance. 	All	Indefinite	To implement fiscal policies of sub-central governments

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	Sub-federal measures substantively incorporating provisions of federal law subject to an MFN exemption under this agreement.			
All Sectors: Land Use	Non-US citizens in Wyoming may not acquire or inherit land unless the country of which they are a citizen extends a reciprocal right to US citizens	All	Indefinite	Lack of Reciprocity
All	Canadian small businesses, but not small businesses of other countries, may use simplified registration and periodic reporting forms with respect to their securities	Canada	Indefinite	Maintenance of established preference
Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.
Insurance	Measures according differential treatment in regard to the expansion of existing operations, the establishment of a new commercial presence or the conduct of new activities, in a circumstance in which a Member adopts or applies a measure that compels, or has the effect of compelling, a person of the United States, on the basis of its nationality, to reduce its share of ownership in an insurance services provider operating in the Member's territory to a level below that prevailing on 12/12/97.	All Countries	Indefinite	Need to protect existing US ownership of service suppliers operating in other Members.
Banking and other financial services (excluding insurance)	A broker-dealer registered under US law that has its principal place of business in Canada may maintain its required reserves in a bank in Canada subject to the supervision of Canada.	Canada	Indefinite	Maintenance of established preference
Banking and other financial services (excluding insurance)	<p>Permission to establish state-licensed branches, agencies, or representative offices, or to own commercial bank subsidiaries, is based on a reciprocity test in the following States: California (applies also to savings and loan associations), Connecticut (applies also to credit unions), Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, North Carolina, Pennsylvania, Washington.</p> <p>Among the conditions on which agency or agency and representative office licenses may be granted for the following States is that the foreign bank is one of the five largest banks in the home country: Florida, Oklahoma. Permission for a foreign-owned bank or trust company to act as fiduciary, and to use satellite banking terminals, is based on a reciprocity test in Iowa. Iowa also subjects the activities of foreign-owned savings and loan associations to a reciprocity test.</p>	All Countries	Indefinite	Need to protect existing activities of US service suppliers abroad and to ensure substantially full market access and national treatment in international financial markets.

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Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	Authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Designation as a primary dealer in US Government debt securities is conditioned on reciprocity.			
Banking and other financial services (excluding insurance) - Michigan	Michigan permits corporate central credit unions to place deposits in banks chartered in Canada or the European Common Market but not in banks chartered in other foreign countries.	Canada and European Common Market	Indefinite	Maintenance of established preference.
Transport Services: Maritime Transport Services	Measures relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels. The following activities are conditioned on reciprocity: Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.	All countries	Indefinite	
Transport Services: Air Transport Services	Measures relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services. (For transparency purposes, these measures include, but are not limited to, bilateral and multilateral civil aviation agreements, understandings and undertakings and informal comity and reciprocity aviation regimes to which the United States is a party; US laws and regulations, including the International Air Transportation Fair Competitive Practices Act of 1974, as amended, the Federal Aviation Act of 1958, as amended, the International Air Transportation Competition Act of 1979, the International Aviation Facilities Act, as amended, and Title 14, Parts 1 - 399, of the Code of Federal Regulations; and measures of US states and territories and the District of Columbia, and of their agencies and subdivisions).	All partners with which the United States has active aviation relations covered by bilateral or other air services agreements and comity and reciprocity regimes. Also concerned are the co-signatories of the Chicago Convention and various other international aviation agreements, undertakings, and understandings to	Indefinite	The common policy and practice of exchanging rights, settling disputes, and applying laws and other measures pertaining to the operation of civil aircraft and air transportation differentially, with respect to the activities referred to above, on the basis of mutual agreement and balanced exchanges of rights and responsibilities.

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
		which the United States is a party.		
Transport Services: Road Transport	The US government has discretion to limit the issuance of trucking licenses to persons from contiguous countries on the basis of reciprocity. The Bus Regulatory Reform Act of 1982 permits the President to remove or modify in whole or in part the moratorium on a finding that such removal or modification is in the national interest. Domestic and cross-border trucking operations are permitted within designated Interstate Commerce Commission commercial zones. The moratorium was lifted for Canada in October 1982. Without prejudice to the reservation in Part II with respect to passenger and freight road transport, the United States acknowledges the relevant reservation and phase-out in its schedule to Annex I of the North American Free Trade Agreement, located at pages 18-20 of that schedule.	Mexico, Canada	Indefinite	Need to have authority to impose a moratorium on the issuance of new licenses for domestic operations within and cross-border operations into the United States on the basis of reciprocity
Transport Services: Pipeline Transport	Pursuant to the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil. Non-US citizens may own a 100 per cent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investors' home country denies similar or like privileges for the mineral or access in question to US citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs or regulations of their country deny the privilege of leasing public lands to US citizens or corporations.	All	Indefinite	Lack of reciprocity
Transport Services:Space Transportation	Quantitative restrictions and price disciplines in certain bilateral agreements on the launch of satellites in the international commercial space launch market	All	Indefinite	Need to prevent disruption of competition in the international space launch market

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UNITED STATES - SCHEDULE of COMMITMENTS
Trade in Services Agreement (TiSA)
~~May 6~~October 21, 2016

The United States reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations. The United States further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

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PART I. HORIZONTAL COMMITMENTS - SECTION A		
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
Sector	Commitments <u>Obligations</u> Concerned	Conditions and Limitations
		<p><u>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</u></p> <p><u>Article I-4 (National Treatment) ("NT")</u> <u>Article X.1 (Local Presence) ("LP")</u> <u>Article X.2 (Local Management and Boards of Directors) ("LMBD")</u> <u>Article X.3 (Local Content and Other Performance Requirements) ("PR")</u> <u>Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</u></p>
All sectors: Social Services	National Treatment <u>NT</u> (Article I-4) Local Presence <u>LP</u> (Article X.1) Local Management <u>LMBD</u> (Article X.2) Local Content <u>PR</u> (Article X.3)	The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.
All sectors: Minority Affairs	National Treatment <u>NT</u> (Article I-4) Local Presence <u>LP</u> (Article X.1) Local Management <u>LMBD</u> (Article X.2) Local Content <u>PR</u> (Article X.3)	The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the <i>Alaska Native Claims Settlement Act</i> .
All sectors: Subsidies	National	The United States reserves the right to adopt or maintain any measure regarding (1) the grant of research and

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PART I. HORIZONTAL COMMITMENTS - SECTION A		
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
Sector	Commitments Obligations Concerned	Conditions and Limitations
	Treatment NT (Article I-4) Local Presence LP (Article X.1) Local Management LMBD (Article X.2)	development subsidies inconsistent with these commitments obligations; (2) the grant of education-services-related funding, subsidies, scholarship and grants for educational services inconsistent with these obligations; (23) the grant of other subsidies inconsistent with these commitments obligations pertaining to services supplied through modes 1, 2, or 4; and (34) the grant of other subsidies inconsistent with these commitments obligations pertaining to services supplied through mode 3, but only with respect to services for which the United States has not undertaken a market access commitment in Part II.
All sectors: Subsidies	National Treatment NT (Article I-4)	The United States reserves the right to adopt or maintain the measures described below. These subsidies measures described below will not be amended in a way that increases the inconsistency with National Treatment. The Federal Overseas Private Investment Corporation (OPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, and foreign-controlled enterprises established in the United States. Trade and Development Agency financing is limited to: I. individuals 1) who are either US citizens or non-US citizens lawfully admitted for permanent residence in the United States and 2) whose principal places of business are in the United States, or II. privately-owned commercial corporations or partnerships that are incorporated or legally organized under the laws of the United States and whose principal places of business are in the United States and (1) that are more than 50 per cent beneficially owned by individuals who are US citizens or (2) that have been incorporated or legally organized in the United States for more than 3 years, have performed similar services in each of the prior 3 years, and employ US citizens in more than half of their permanent full-time positions in the United States and have the existing capability in the United States to perform the contract.
Gambling and Betting Services	National Treatment NT (Article I-4) Local Presence LP (Article X.1) Local	The United States reserves the right to adopt or maintain any measure relating to gambling and betting services.

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Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
Sector	Commitments Obligations Concerned	Conditions and Limitations
	Management <u>LMBD</u> (Article X.2) Local Content <u>PR</u> (Article X.3)	
All sectors: Taxation	National Treatment <u>NT</u> (Article I-4) Local Presence <u>LP</u> (Article X.1)	<p>The United States reserves the right to adopt or maintain measures with regard to taxation as set out below.</p> <p>At the federal level, with respect to direct taxes:</p> <p>Differential tax treatment may be provided between trusts created or organized in the United States to provide employee benefits and trusts not created or organized in the United States and their respective beneficiaries. Such provisions affect the taxation of the income of the trust or the beneficiary, the availability of deductions to taxpayers for contributions to the trust, and tax administration requirements; these provisions include different rules for allowing deductions to, and determining the earnings of, foreign employee benefit plans.</p> <p>An increase in the rate or a widening of the base of a federal income tax may be imposed on a national, resident or corporation of a foreign country where a national, resident or corporation of the United States is being subjected to discriminatory or extraterritorial taxes (as described in section 891 or section 896 of the Internal Revenue Code).</p> <p>At the federal level, with respect to taxes other than direct taxes:</p> <p>An excise tax may be imposed in connection with transfers of any property by a citizen or resident of the United States, or by a domestic entity (corporations, partnership, estate or trust) to a foreign entity (corporation partnership, estate or trust).</p> <p>An excise tax may be imposed on US source gross investment income of foreign organizations that are private foundations.</p>
All Sectors: Temporary Entry and Stay of Natural Persons	National Treatment <u>NT</u> (Article I-4)	The United States reserves the right to adopt or maintain any measure concerning temporary entry and stay of nationals of another Party. "Temporary entry" means entry without intent to establish permanent residence under immigration laws of the United States and confers no rights with respect to citizenship.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
Communications	National Treatment <u>NT</u> (Article I-4)	The United States reserves the right to: <ul style="list-style-type: none"> a) adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services; and b) prohibit a person of a Party from offering DTH or DBS television and digital audio services into the territory of the United States unless that person establishes that the Party of which it is a person: <ul style="list-style-type: none"> (i) permits U.S. persons to obtain a license for such service in that Party in similar circumstances; and (ii) treats the supply of audio or video content originating in the Party no more favorably than the supply of audio or video content originating in a non-Party or any other Party.¹
Communications: Cable Television	National Treatment <u>NT</u> (Article I-4)	The United States reserves the right to adopt or maintain any measure that prohibits a person of a Party from owning or operating a cable television system in the territory of the United States unless that person establishes that the Party: <ul style="list-style-type: none"> (a) permits U.S. persons to own or operate such systems in the territory of the Party under similar circumstances; and (b) treats the supply of video content originating in the Party no more favorably than the supply of content of any other Party or non-Party.¹

¹ A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.

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PART I. HORIZONTAL COMMITMENTS - SECTION A		
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons		
Sector	Commitments Obligations Concerned	Conditions and Limitations
		A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.
Financial Services: <u>All financial services referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]</u>	National Treatment NT (Article I-4) Local Presence LP (Article X.1) SMBD (Article X.13, FS Annex) {TBD}	For Modes 1 and 2: Except as otherwise provided for in this schedule, the United States reserves the right to adopt or maintain: any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement. Paragraph 3 of Article II 2 of the Agreement [the ratchet] shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement. <u>Mode 1: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</u> <u>Mode 2: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement</u>
<u>Financial Services - All financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list]</u>	National Treatment NT (Article I-4) Local Presence LP (Article X.1) SMBD (Article X.13, FS Annex)	<u>For Modes 1 and 2, the United States reserves the right to adopt any amendment to a measure that does not increase the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</u>
Financial Services: Banking and Other Financial Services (Excluding Insurance)	National Treatment NT (Article I-4) {TBD}	The United States reserves the right to adopt or maintain any measure with respect to housing finance programs.
Transportation: Maritime	National Treatment NT (Article	The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
	<p>I-4) Local Presence<u>LP</u> (Article X.1) Local Management<u>LMBD</u> (Article X.2) Local Content<u>PR</u> (Article X.3)</p>	<p>(a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways;</p> <p>(b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades;</p> <p>(c) requirements for investment in, ownership or control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone;</p> <p>(d) requirements related to documenting a vessel under the U.S. flag;</p> <p>(e) promotional programs, including tax benefits, available for shipowners, operators, and vessels meeting certain requirements;</p> <p>(f) certification, licensing, and citizenship requirements for crew members on U.S.-flagged vessels;</p> <p>(g) manning requirements for U.S.-flagged vessels;</p> <p>(h) all matters under the jurisdiction of the Federal Maritime Commission;</p> <p>(i) negotiation and implementation of bilateral and other international maritime agreements and understandings;</p> <p>(j) limitations on longshore work performed by crew members;</p> <p>(k) tonnage duties and light money assessments for entering U.S. waters; and</p> <p>(l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters.</p> <p>The following activities are not included in this reservation. However, the treatment in (b) is conditioned on reciprocity:</p> <p>(a) vessel construction and repair through cross-border supply and commercial presence; and</p> <p>(b) landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies. For greater certainty, measures relating to the landside aspects of port activities are subject to the application of Article [...] (Essential Security).</p>
<u>Aviation-Related</u>	National	<u>The United States reserves the right to adopt or maintain any measure relating to the supply of services covered by</u>

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PART I. HORIZONTAL COMMITMENTS - SECTION A				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				

Sector	Commitments Obligations Concerned	Conditions and Limitations
<u>Services</u>	Treatment NT (Article I-4) Local Presence LP (Article X.1) Local Management LMBD (Article X.2) Local Content PR (Article X.3)	<u>[Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services and specialty air services.</u> <u>For specialty air services, foreign civil aircraft require authority from the Department of Transportation to conduct specialty air services in the territory of the United States. In determining whether to grant a particular application, the Department will consider, among other factors, the extent to which the country of the applicant's nationality accords U.S. civil aircraft operators effective reciprocity.</u>

PART I. HORIZONTAL COMMITMENTS - SECTION B				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				

Sector / Subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
<u>ALL SECTORS COVERED BY THIS SCHEDULE:</u> For the purpose of this schedule the "United States" is defined as encompassing the 50 states of the United States, plus the District of Columbia.				
All Sectors	3	None	National Treatment NT (Article I-4)	The federal government restricts initial sale of federally owned lands to US citizens. (Preceding restriction does not apply to foreign-owned companies formed under the laws of any state of the United States.)
Acquisition of Land				Acquisition of land reclaimed with federal funds and reclamation of desert land is restricted to individual US citizens. Ownership of land by non-US citizens is limited in: Kentucky (restrictions apply only to individuals, not to foreign-owned

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Commitments <u>Obligations</u> Concerned	Conditions and Limitations
				<p>companies incorporated within the United States) and South Carolina (applies to individuals and foreign-owned corporations).</p> <p>Purchase of land by non-US citizens not resident within the state is restricted in: Oklahoma, Florida, and Wyoming. In Mississippi, non-US citizens may not purchase more than 5 acres for residential property, or more than 320 acres for industrial development.</p> <p>Non-US citizens may not purchase or bid on sales of public lands in: Hawaii, Idaho, Mississippi, Montana, and Oregon.</p>
All Sectors Ownership of Radio Licenses	1, 3	<p><u>No station license may be granted to or held by a foreign government or representative thereof.</u></p> <p><u>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</u></p> <p><u>(i) an alien or its representative;</u></p> <p><u>(ii) a corporation organized under the laws of a foreign government; or</u></p> <p><u>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign</u></p>	<p>National Treatment NT (Article I-4)</p>	<p>The United States reserves the right to restrict ownership of radio licenses:</p> <p>(a) a<u>No</u> station license may be granted to or held by a foreign government or representative thereof;</p> <p>(b) a<u>No</u> broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized under the laws of a foreign government; or</p> <p>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
		<u>government or its representative, or a corporation organized under the laws of a foreign country.</u>		
All Sectors Taxation Measures	1 2 3 4	None None None Unbound, except as indicated in this section under Temporary Entry And Stay of Natural Persons		- - - -
All Sectors Subsidies	1 2 3 4	Unbound Unbound None Unbound, except as indicated in this section under Temporary Entry And Stay of Natural Persons		- - - -
All Sectors			Local Content PR (Article X.3)	The United States reserves the right to maintain all Any existing measures inconsistent with Article X.3 (PR Local Content) of all states of the United States and the District of Columbia and all local levels of government. This limitation also applies to the continuation or prompt renewal of any such measures.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	Commitments under Article I-3 (Market Access) including terms, limitations and conditions are set out below		<p><u>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</u></p> <p><u>Article I-4 (National Treatment) ("NT")</u> <u>Article X.1 (Local Presence) ("LP")</u> <u>Article X.2 (Local Management and Boards of Directors) ("LMBD")</u> <u>Article X.3 (Local Content and Other Performance Requirements) ("PR")</u> <u>Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</u> <u>Article I-4 (National Treatment), X.1 (Local Presence), X.2 (Local Management and Boards of Directors), and X.3 (Local Content and Other Performance Requirements) apply to services and service suppliers of any other Party, except as set out below and in Part I</u></p>
1 BUSINESS SERVICES			
A PROFESSIONAL SERVICES			
a 1 i) Legal services: domestic law	1 None, except services must be supplied by a natural person. 2 None, except services must be supplied by a natural person. 3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers. 4 Unbound, except as indicated in the horizontal section.	Local Presence LP (Article X-1)	<p>In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota),</p> <p>U.S. residency is required to practice before the US Patent and Trademark Office.</p>
a 2 ii) and iii) Legal services:	1 None, except services must be supplied by a natural person.	Local	In-state or US residency is required for licensure in: Iowa,

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
foreign law and international law ²	2 None, except services must be supplied by a natural person. 3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers. 4 Unbound, except as indicated in the horizontal section.	Presence LP (Article X-1)	Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming. An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota), U.S. residency is required to practice before the US Patent and Trademark Office.
b Accounting, Auditing and Bookkeeping Services	1 None 2 None 3 Sole proprietorships or partnerships are limited to persons licensed as accountants. 4 Unbound, except as indicated in the horizontal section.	National Treatment NT (Article I-4) Local Presence LP (Article X-1)	In-state residency is required to receive a license to perform audits in: Arizona, Arkansas, Connecticut, District of Columbia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, and West Virginia. An in-state office must be maintained to receive a license to perform audits in: Arkansas, Connecticut, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, Ohio, Vermont, and Wyoming. US citizenship is required for licensure in North Carolina.
c Taxation Services	1 None 2 None		

² Additional commitment pursuant to Article I-5: Limited license for foreign legal consultancy available in Alaska, Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Texas, Utah, Washington. For this license, in-state residency is required for Michigan and Texas; in-state office is required for Arizona, District of Columbia, Indiana, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Ohio, Utah; association with an in-state law office required for Missouri.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	3 None 4 Unbound, except as indicated in the horizontal section.		
d Architectural Services	1 None 2 None 3 Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors. 4 Unbound, except as indicated in the horizontal section.		
e Engineering Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	Local PresenceLP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
f Integrated Engineering Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	Local PresenceLP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
g Urban Planning & Landscape Services	1 None 2 None 3 Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors. 4 Unbound, except as indicated in the horizontal section.		
B COMPUTER AND RELATED SERVICES ³	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
C RESEARCH AND DEVELOPMENT SERVICES	1 None		

³ Computer Reservation System services, as defined in the Annex on Air Transport Services, are classified under Air Transport Services

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
(excluding R&D financed in whole or in part by public funds)	2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
D REAL ESTATE SERVICES			
	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	National Treatment NT (Article I-4) Local Presence LP (Article X-1)	Corporations that own real estate in Florida must maintain an office and registered agent in Florida. In-state residency or US citizenship is required for licensure as a real estate broker in South Dakota; and US citizenship is required for licensure as a real estate broker in Mississippi and New York.
E RENTAL/LEASING SERVICES WITHOUT OPERATORS			
Rental/Leasing Services without Operators: - Relating to Other Transport Equipment - Relating to Other Machinery and Equipment - Other	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
F OTHER BUSINESS SERVICES			
a Advertising (except aerial advertising and skywriting)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
b Market Research and Public Opinion Polling Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
c Management Consulting Services	1 None 2 None		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
d Services Related to Management Consulting	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
e Technical testing and analysis services, other than government-mandated services or services financed in whole or in part by public funds ⁴	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
f Services Incidental to Agriculture, Hunting and Forestry (except provision of agricultural machinery with drivers and crew, harvesting and related services, services of farm labor contractors, and aerial fire fighting)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
g Services Incidental to Fishing	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
h Services Incidental to Mining	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
j Services Incidental to Energy Distribution	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		

⁴ For greater certainty, vessel and aircraft testing services fall within the relevant transportation service

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access	Commitments Obligations Concerned	Conditions and Limitations
k Placement and Supply Services of Personnel	1	None	National Treatment NT (Article I-4)	In Arkansas, US citizenship is required for ownership of employment agencies, and for licensure as an employment agent, employment agency counselor and employment agency manager.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
l Investigation and Security Services	1	None	National Treatment NT (Article I-4) Local Presence LP (Article X-1)	Permanent resident alien status or US citizenship is required for private investigators and security guards in Maine and New York, and to own contract security companies in Maine. In-state residency is required for private detectives in Michigan.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
m Related Scientific & Technical Consulting (except land surveying for the purpose of establishing legal boundaries, aerial surveying and aerial map-making)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
n Maintenance & Repair of Equipment (except maritime vessels, aircraft, and other transport equipment)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
o Building-Cleaning Services	1	Unbound		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
p Photographic Services (except aerial photographic services)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
q Packaging Services	1	None		
	2	None		
	3	None		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	4	Unbound, except as indicated in the horizontal section		
r Publishing (Only part of MTN.GNS/W/120 category: "r) Printing, Publishing")	1 2 3 4	None None A single company or firm is not permitted to own a combination of newspaper, radio and/or TV broadcast stations serving the same local market. Unbound, except as indicated in the horizontal section		
s Convention Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
t Other business services, except for convention services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
2 COMMUNICATION SERVICES				
2 A/B Postal and Courier Services				
2 A/B Express Delivery	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
2 A/B Other Competitive Delivery Services ⁵	1 2 3	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts None None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts		

⁵ Under U.S. law, the universal service obligation requires the U.S. Postal Service to receive, transmit, and deliver throughout the United States written and printed matter, parcels, and like materials.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	4 Unbound, except as indicated in the horizontal section		
2 C TELECOMMUNICATION SERVICES			
2 C 1 Basic Telecommunications Services - The transmission between or among points specified by the user, of information of the users choosing, without change in the form or content of the information as sent and received, as defined in U.S. law. Services can be supplied on either a public or private basis, regardless of the facilities used. These services may be provided on a facilities basis or non-facilities basis, and encompass local, long-distance, or international services, for public or non-public use, and may be provided through any means of technology. Services include: a) Voice telephone services b) Packet-switched data transmission services (note: packet switched services classified as information services are not considered basic telecommunications services.) c) Circuit-switched data transmission services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
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Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
d) Telex services e) Telegraph services f) Facsimile services g) Private leased circuit services			
2 C 2 Information Services (Value-Added) - The offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications. Services include, but are not limited to: - electronic mail - voice mail - on line Information and/or data base retrieval - Electronic Data Interchange (EDI) - Enhanced/Value added Facsimile Services - Code and Protocol conversion - on line information and/or Data processing; - packet-switched information services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D AUDIOVISUAL SERVICES			
2 D a 1 Motion Picture and Video Tape Production and Distribution - Promotion or Advertising Services (theatrical and non-	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
theatrical motion pictures, whether provided on fixed media or electronically)			
2 D a 2 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Production Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section	National Treatment (Article I 4)	Grants from the National Endowment for the Arts are only available for: individuals with US citizenship or permanent resident alien status, and US established non-profit companies. - -
2 D a 3 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Distribution Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 4 Motion Picture and Video Tape Production and Distribution - Other services in connection with motion pictures and video tape production and distribution (theatrical and non-theatrical motion pictures, whether provided on fixed media or	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)			
2 D b Motion Picture Projection Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 1 Radio & Television Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 2 Radio and Television distribution services, excluding transmission (For greater clarity, distribution services in this context may include the licensing of radio and television programs to other service providers for exhibition, broadcast or other transmission, rental, sale or other use. Transmission services for radio and television programs are listed under “Other Communication Services: Programme Transmission Services; Television Broadcast	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services.”				
2 D e Sound Recording Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 D f Other services in connection with radio and television production and distribution	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F OTHER COMMUNICATIONS SERVICES				
2 F a Cable services provided over cable systems	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F b One-way satellite transmission of DTH and DBS television services and of digital audio services.	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
2 F c Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services	1	None	National Treatment NT (Article I-4)	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.
	2	None		
	3	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	or its representative, or a corporation organized under the laws of a foreign country. 4 Unbound, except as indicated in the horizontal section		US citizenship is required to obtain radio and television licenses.
3 CONSTRUCTION & RELATED ENGINEERING SERVICES (except Marine Dredging)	1 Unbound 2 None 3 None, except an in-state office must be maintained by all contractors in Michigan. 4 Unbound, except as indicated in the horizontal section		
4 DISTRIBUTION SERVICES			
4 A Commission Agents' Services 4 A Commission Agents' Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
4 B Wholesale Trade 4 B 1 Wholesale Trade (except wholesale trade of alcoholic beverages, firearms and military equipment)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
4 B - 2 Wholesale Trade of alcoholic beverages 4 B - 2 beverages 4 B - 2 4 B - 2	1 Unbound 2 Unbound 3 Unbound 4 Unbound, except as indicated in the horizontal section		
4 C Retailing 4 C Retailing (except retail sale of alcoholic beverages, firearms and military equipment)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
4 D Franchising 4 D Franchising	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS					
Modes of Supply:		1) Cross-border supply	2) Consumption abroad	3) Commercial Presence	4) Presence of natural persons
Sector / subsector		Mode Market Access Commitments		Commitments Obligations Concerned	Conditions and Limitations
5 EDUCATION SERVICES					
5 C	Higher Education Services (except flying instruction) ⁶	1	None	National Treatment (Article I 4)	The granting of U.S. federal or state government funding or subsidies may be limited to U.S. owned institutions, including land grants, preferential tax treatment, and any other public benefits; and scholarships and grants may be limited to U.S. citizens and/or residents of particular states. In some cases, such funding, subsidies, scholarships, and grants may only be used at certain state institutions or within certain U.S. jurisdictions.
		2	None		
		3	None		
		4	Unbound, except as indicated in the horizontal section		
5 D	Adult Education (except flying instruction)	1	None	National Treatment (Article I 4)	- Scholarships and grants may be limited to US citizens and/or residents of particular states and may, in some cases, only be used at certain states institutions or within certain US jurisdictions.
		2	None		
		3	None		
		4	None, except as indicated in the horizontal section		
5 E Other Education Services					
5 E	Other Education Services	1	None	National Treatment (Article I 4)	Scholarships and grants may be limited to US citizens and/or residents of particular states and may, in some cases, only be used at certain states institutions or within certain US jurisdictions.
		2	None		
		3	None		
		4	Unbound, except as indicated in the horizontal section		
6 ENVIRONMENTAL SERVICES ^{7,8}					

⁶ For transparency purposes, individual U.S. institutions maintain autonomy in admission policies, in setting tuition rates, and in the development of curricula or course content. Educational and training entities must comply with requirements of the jurisdiction in which the facility is established. In some jurisdictions, accreditation of institutions or programs may be required. Institutions maintain autonomy in selecting the jurisdiction in which they will operate, and institutions and programs maintain autonomy in choosing to meet standards set by accrediting organizations as well as to continue accredited status. Accrediting organizations maintain autonomy in setting accreditation standards. Tuition rates vary for in-state and out-of-state residents. Additionally, admissions policies include considerations of equal opportunity for students (regardless of race, ethnicity, or gender), as permitted by domestic law, as well as recognition by regional, national, and/or specialty organizations; and required standards must be met to obtain and maintain accreditation. To participate in the U.S. student loan program, foreign institutions established in the United States are subject to the same requirements as U.S. institutions.

⁷ In each of the following subsectors, US market access commitments are limited to the following activities: implementation and installation of new or existing systems for environmental cleanup, remediation, prevention and monitoring; implementation of environmental quality control and pollution reduction services; maintenance and repair of environment related systems

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
6 A Wastewater Management, excluding Water for Human Use: Wastewater services (contracted by private industry)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B a Solid/hazardous waste management (contracted by private industry): Refuse disposal services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 B b Solid/hazardous waste management (contracted by private industry): Sanitation and Similar Services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 C Protection of ambient air and climate: Services to reduce exhaust gases and other emissions to improve air quality	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 D Remediation and cleanup of soil and water: Treatment, remediation of contaminated/ polluted soil and water	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 E Noise and vibration abatement: Noise abatement services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 F Protection of biodiversity and landscape: Nature and landscape protection services	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
6 G Other environmental and	1	None		

~~and facilities not already covered by the US commitments on maintenance and repair of equipment; on site environmental investigation, evaluation, monitoring; sample collection services; training on site or at the facility; consulting related to these areas.~~

⁸ Nothing in this offer related to transportation should be construed to supersede the existing US commitments on transportation or related MFN exemptions.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned
ancillary services: Other services not classified elsewhere	2 3 4	None None Unbound, except as indicated in the horizontal section	
7 FINANCIAL SERVICES			
7 A INSURANCE SERVICES			
<p>1. The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(a) and 1(b) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p> <p>2. National treatment commitments in this subsector are subject to the following limitation: national treatment with respect to services and service suppliers will be provided according to a non-U.S. service supplier's state of domicile, where applicable, in the United States. State of domicile is defined by individual states, and is generally the state in which an insurer either is incorporated, is organized or maintains its principal office in the United States.</p>			
7 A a/b Life, Accident, and Health Insurance Services (except workers compensation insurance)	1	With regard to non-life insurance services, government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.	National Treatment NT (Article I-4)
7 a/b Non-Life Insurance Services		Branches are not permitted to provide surety bonds for US federal government contracts.	Local Presence LP (Article X.1) SMD (Article X.13, FS Annex)
	2	With regard to non-life insurance services, none. Branches are not permitted to provide surety bonds for US federal government contracts.	
	3	Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada,	
			With regard to non-life insurance services, a four percent federal excise tax is imposed on all non-life insurance premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States.
			When more than 50 percent of the value of a maritime vessel whose hull was built under federally guaranteed mortgage funds is insured by a non-US insurer, the insured must demonstrate that the risk was substantially first offered in the US market.
			Branches are not permitted to provide surety bonds for US federal government contracts.
			The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.
			The following states have no mechanism for licensing

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>New Jersey (only with respect to surplus lines), New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three quarters in Washington (mutual life companies with the majority of the board being resident in the state); two thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one fourth resident in the state), Idaho (for stock and mutual insurers), Indiana, Mississippi, Oregon, New York, South Dakota (except if more than 1000 </p>		<p>initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three-quarters in Washington (mutual life companies with the majority of the board being resident in the state); two-thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one-fourth resident in the state), Idaho (for stock and mutual insurers), Indiana, Mississippi, Oregon, New York, South Dakota (except if more than 1000 persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents), Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies, three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident).</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two-thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	<p>persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents); Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies, three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident);</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers).State residency is required in the following states for the organizing members of the following types of mutual insurance companies: Arkansas (farm mutual insurers), California (county mutual fire insurer), Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals); Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the</p>		<p>and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers).State residency is required in the following states for the organizing members of the following types of mutual insurance companies: Arkansas (farm mutual insurers), California (county mutual fire insurer); Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals), Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia,</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
		<p>following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p> <p>4 Unbound except as indicated in the horizontal section</p>		Washington and Wyoming.
7 A c Reinsurance and retrocession	1	<p>Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers'</p>	<p>National Treatment NT (Article I-4) Local Presence LP (Article X.1)</p>	<p>A one percent federal excise tax is imposed on all premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States. In Texas, total direct reinsurance of mutual life insurance companies may not be entered into with non-US companies.</p> <p>The provision of reinsurance for workers' compensation may be limited in Maine. The provision of reinsurance for workers' compensation may be limited in Maine.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
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	<p>compensation.</p> <p>2 Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p> <p>3 Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and</p>	<p>National Treatment (Article I 4)</p> <p>National Treatment (Article I 4)</p>	<p>state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
		entry into the states listed above is permitted.		
	4	Unbound except as indicated in the horizontal section		
7 A d Services Auxiliary to Insurance (Applicable to sub-sectors i-iii below)	1	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington	National Treatment NT (Article I-4) Local Presence LP (Article X.1)	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
(Applicable to sub-sectors i-iii below)	<p>(agent/broker)-</p> <p>3 Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker)-</p>	National Treatment (Article I 4)3	<p>(agent/broker).</p> <p>Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned
7 A d i Brokerage Services ⁹	1	<p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p>	<p>National TreatmentNT (Article I-4)</p> <p>Local PresenceLP (Article X.1)</p>
	2	None	
	3	<p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p>	<p>National Treatment (Article I-4)</p> <p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p>
	4	Unbound, except as indicated in the horizontal section.	
7 A d ii Agency Services	1	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health),</p>	<p>National TreatmentNT (Article I-4)</p>

⁹ For transparency purposes, it should be noted that brokerage firms can generally offer services in most states by obtaining licenses as "brokers" and in other states by obtaining licenses to operate as "agents". Brokerage licenses are not issued in Florida, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Oregon, Tennessee, Texas, Virginia, West Virginia, Wisconsin

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>2 None</p> <p>3 Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	<p>Local PresenceLP (Article X.1)</p> <p>National Treatment (Article I 4)</p>	<p>Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p> <p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned
7 A d ii Consultancy, Actuarial, Risk i Assessment, and Claim Settlement Services	1	<p>None Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster).</p> <p>In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters).</p> <p>US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p>	National Treatment ^{NT} (Article I-4)
	2	None	
	3	<p>None Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North</p>	
			<p>Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster).</p> <p>In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters).</p> <p>US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p> <p>Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster). In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters). US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bail bondsmen) and Oklahoma (for bail license).</p> <p>4 Unbound, except as indicated in the horizontal section.</p>		<p>Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster). In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters). US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bail bondsmen) and Oklahoma (for bail license).</p>
<p>7 B BANKING AND OTHER FINANCIAL SERVICES AND EXCLUDING INSURANCE</p> <ol style="list-style-type: none"> The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(c) through 1(f) and 2(c) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken. National treatment commitments in these subsectors are subject to the following limitation: National treatment with respect to banking will be provided based upon the foreign bank's "home state" in the United States, as that term is defined under the International Banking Act, where that Act is applicable. A domestic bank subsidiary of a foreign firm will have its own "home state," and national treatment will be provided based upon the subsidiary's home state, as determined under applicable law.¹⁰ To clarify the U.S. commitment with respect to Article I-3 (Market Access) of the Agreement and Article III-2 of the Annex, juridical persons supplying banking or other financial services (excluding insurance) and constituted under the laws of the United States are subject to non-discriminatory limitations on juridical form.¹¹ 			

¹⁰ Foreign banking organizations are generally subject to geographic and other limitations in the United States on a national treatment basis. Where such limitations do not conform to national treatment, they have been reserved ~~as market access restrictions~~. For purposes of illustration, under this approach, the following situation does not accord national treatment and would therefore be scheduled as a limitation: a foreign bank from a particular home state is accorded less favorable treatment than that accorded to a domestic bank from that state with respect to expansion by branching.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
7 B a All subsectors except as specifically provided below	1	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.	National Treatment NT (Article I-4) Local Presence LP (Article X.1) SMBD (Article X.13, FS Annex)	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors. Foreign banks are required to register as investment advisers under the Investment Advisers Act of 1940 to engage in securities advisory and investment management services in the United States, while domestic banks ¹² (or a separately identifiable department or division of the bank) do not have to register unless they advise registered investment companies. The registration requirement involves record maintenance, inspections, submission of reports and payment of a fee. Foreign banks cannot be members of the Federal Reserve System, and thus may not vote for directors of a Federal Reserve Bank. Foreign-owned bank subsidiaries are not subject to this measure. Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations. Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law. In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in
	2	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.		
	3	Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors.		

¹¹ For example, partnerships and sole proprietorships are generally not acceptable juridical forms for depository financial institutions in the United States.

¹² For greater clarity, “domestic banks” include U.S. bank subsidiaries of foreign banks.

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>insured deposit taking activities on December 19, 1991. Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Unbound with respect to paragraph 2(e) of Article I-3 of the Agreement, in relation to the expansion, by a foreign bank into another state from its “home state,” as that term is defined under applicable law, via:</p> <ul style="list-style-type: none"> • The establishment of a “de novo” branch in another state; • The establishment of branches by merger with a bank in another state; or • The acquisition of one or more branches of a bank in another state without the acquisition of the entire bank if not permitted by the state in which the resulting branch is or would be located. Except as specifically set forth elsewhere in this schedule, such expansion shall be accorded on a national treatment basis in accordance with headnote 2. <p>Unbound for initial entry by establishment or acquisition of state chartered banks or state licensed offices of foreign banks as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Kentucky (subsidiary); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national</p>		<p>under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991.</p> <p>Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Establishment or acquisition of state chartered banks or state licensed offices of foreign banks is prohibited or otherwise limited as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Kentucky (subsidiary); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹⁵</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁶</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; Arkansas; California (limit on foreign non-bank ownership of international banking corporation); Colorado; Delaware; Indiana; Kansas; Louisiana; Maryland; Michigan; Minnesota; Mississippi; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Oregon; Pennsylvania; South Carolina; Tennessee; Vermont; Virginia; Washington; West Virginia; Wisconsin; Wyoming. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States. The</p>		<p>offices.¹³</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁴</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; Arkansas; California (limit on foreign non-bank ownership of international banking corporation); Colorado; Delaware; Indiana; Kansas; Louisiana; Maryland; Michigan; Minnesota; Mississippi; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Oregon; Pennsylvania; South Carolina; Tennessee; Vermont; Virginia; Washington; West Virginia; Wisconsin; Wyoming. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States.</p> <p>The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Delaware (savings and loan</p>

¹⁵ The limitations in this paragraph reflect state reciprocity measures.

¹⁶ The limitations in this paragraph reflect state reciprocity measures.

¹³ The limitations in this paragraph reflect state reciprocity measures.

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**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Delaware (savings and loan associations; savings banks); Ohio (savings and loan associations; savings banks; credit unions); Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); District of Columbia (all); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Mississippi (all); Missouri (all); New Hampshire (majority); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); Vermont (2/3); West Virginia (majority); Wisconsin (2/3).</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial institutions organized under state law. U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency). Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:</p>		<p>associations; savings banks); Ohio (savings and loan associations; savings banks; credit unions); Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); District of Columbia (all); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Mississippi (all); Missouri (all); New Hampshire (majority); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); Vermont (2/3); West Virginia (majority); Wisconsin (2/3).</p> <p>Texas allows pre-judgment seizure remedies to be applied against foreign bank agencies, while bank subsidiaries of foreign banks and branches of foreign banks are exempt to the same extent as domestic banks incorporated in Texas.</p> <p>The following states require direct branches or agencies of foreign banks to register under securities broker dealer or investment adviser measures, while bank subsidiaries of foreign banks are exempt from such registration to the same extent as domestic banks incorporated in the state: Alabama; Arizona; Arkansas; California; Connecticut; Delaware; District of Columbia; Georgia; Idaho; Iowa; Kansas; Louisiana; Maryland; Mississippi; Missouri;</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<ul style="list-style-type: none"> State branch license subject to certain limitations -- California (no trust/ fiduciary powers); Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches. State branch license not available, but state agency license is available in Idaho, <u>Oklahoma</u>, and West Virginia. No state branch or agency license available – Arizona; Arkansas; Colorado; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Oklahoma; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin. These limitations do not apply to Federal offices. Branch license not available but agency license is, subject to any specified limitations -- Delaware (state license limited to one office per bank and cannot operate in a manner likely to result in a substantial detriment to existing bank; no fiduciary powers); Florida (available only to a foreign bank with at least \$4025 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Mississippi; Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Texas (one office only, limited to metropolitan areas with at least 500,000 residents; limited fiduciary powers). Certain restrictions on fiduciary powers 		<p>Nebraska; New Hampshire; New Jersey; New Mexico; New York; North Carolina; Ohio; Oklahoma; Pennsylvania; South Dakota; Tennessee; Texas; Vermont; Washington. These limitations do not apply to Federally licensed branches or agencies.</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial institutions organized under state law. U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:• State branch license subject to certain limitations -- California (no trust/ fiduciary powers); Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches.</p> <ul style="list-style-type: none"> State branch license not available, but state agency license is available in Idaho, <u>Oklahoma</u>, and West Virginia. No state branch or agency license available – Arizona; Arkansas; Colorado; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Oklahoma; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin. These limitations do not apply to

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>apply to federal agencies.</p> <p>• No branch or state agency license available --Wyoming.</p> <p>• No branch or agency license available ---Alabama; Kansas; Maryland; North Dakota.</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Colorado; Kansas; Kentucky; Michigan; Mississippi; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Oregon; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p> <p>4 Unbound except as indicated in the horizontal section</p>		<p>Federal offices.</p> <p>• Branch license not available but agency license is, subject to any specified limitations --Delaware (state license limited to one office per bank and cannot operate in a manner likely to result in a substantial detriment to existing bank; no fiduciary powers); Florida (available only to a foreign bank with at least \$4025 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Mississippi; Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Texas (one office only, limited to metropolitan areas with at least 500,000 residents; limited fiduciary powers). Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or state agency license available --Wyoming.</p> <p>• No branch or agency license available ---Alabama; Kansas; Maryland; North Dakota.</p> <p>The following states require direct branches or agencies of foreign banks, but not bank subsidiaries of foreign banks, to register or obtain licenses in order to engage in the following activities: Arkansas (selling checks; mortgage transactions); California (selling payment instruments); Delaware (sale or cashing of checks, drafts, money orders; motor vehicle financing; transportation of money/valuables); Georgia (mortgage lending/brokerage, check selling/cashing); Indiana (money transmission; loan</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
			<p>brokerage); Kansas (money transmission); Maryland (selling payment instruments, traveler's checks); Massachusetts (check selling/cashing; foreign transmittal agencies; motor vehicle financing; insurance premium financing; retail installment sales/ servicing; residential real estate mortgage financing -- license requirement applies only to agencies); North Carolina (selling checks); Oklahoma (selling checks); Pennsylvania (mortgage banking/ brokerage); Tennessee (money transmission; residential lending/brokerage; industrial loan and thrift activities); Texas (currency exchange or transmission—does not apply to Texas agencies; selling checks); Virginia (mortgage lending/brokerage; money transmission; sale of money orders; check cashing); Wisconsin (selling checks).</p> <p>The following states restrict various commodities transactions by foreign bank branches and agencies, but not by other depository financial institutions: Arizona; California; Idaho; Indiana; Iowa; Mississippi; Missouri; Nebraska; New Hampshire; Washington.</p> <p>Offers and sales of securities to foreign bank branches and agencies in the following states are subject to registration/disclosure requirements that do not apply if the transaction involves other financial institutions: Illinois; Indiana; Louisiana; Montana; Nebraska; New Jersey; North Dakota; Tennessee; Texas (applies to branches and agencies of all foreign financial institutions).</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Colorado; Kansas; Kentucky; Michigan; Mississippi; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia,</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
				be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Oregon ; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont ; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.
7 B b Trading of Securities and Derivative Products and Services Related Thereto; Participation in Securities Issues	1	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.	National Treatment NT (Article I-4)	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.
	2	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.	National Treatment (Article I-4)	The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.
	3	The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.	National Treatment (Article I-4)	The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.
	4	Unbound except as indicated in the horizontal section		
7 B c Participation in Issues of Government Debt Securities	1	None	National Treatment NT (Article I-4)	Designation as a primary dealer in US government debt securities is subject to reciprocity.
	2	None		
	3	None Designation as a primary dealer in US government debt securities is subject to reciprocity.		
	4	Unbound except as indicated in the horizontal section		
8 HEALTH RELATED & SOCIAL SERVICES				
8 A Hospital and Other Health Care Facilities - Direct ownership and management and operation by	1	None	Local Presence LP (Article X.1)	If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be
	2	None		
	3	Establishment of hospitals or other health care facilities,		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
contract of such facilities on a "for fee" basis		<p>procurement of specific types of medical equipment, or provision of specific types of medical procedures may be subject to needs based quantitative limits.</p> <p>In New York, corporate ownership of an operating corporation for, and limited partnerships as operators of, hospitals, nursing homes (including long term health care centers) or diagnostic and treatment centers is prohibited. If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>		<p>established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>
4 Unbound except as indicated in the horizontal section				
9 TOURISM AND TRAVEL RELATED SERVICES				
9 A Hotels and restaurants (including catering)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
9 B Travel agencies and tour operators services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
9 C Tourist guide services	1	None		
	2	None		
	3	The number of concessions available for commercial operations in federal, state and local facilities is limited		
	4	Unbound except as indicated in the horizontal section		
9 D Other tourism and travel related	1	None		

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
services	2 None 3 None 4 Unbound except as indicated in the horizontal section		
10 RECREATIONAL, CULTURAL, & SPORTING SERVICES			
10 A Entertainment services (including theater, live bands and circus services) ¹⁷	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
10 B News agency services	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
10 C Libraries, archives, museums and other cultural services	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
10 D Other Recreational Services (except sporting and gambling and betting services)	1 None 2 None 3 The number of concessions available for commercial operations in federal, state and local facilities is limited 4 Unbound except as indicated in the horizontal section		
10 E Other services: Physical well-being services ¹⁸	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
11 TRANSPORT SERVICES			

¹⁷ This sector includes "cinema theater operations"

¹⁸ For transparency purposes, this subsector includes physical well-being services such as delivered by, inter alia, fitness centers, spas, salons, massage (excluding therapeutic massage), and ayurvedics. This subsector does not include regulated medical services. For greater certainty, nothing in this commitment authorizes the provision of unregulated substances or affects the ability of state authorities to regulate substances that may be affiliated with these services.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
11 A MARITIME TRANSPORT SERVICES				
11 A d Repair of Vessels	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 A f Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 C AIR TRANSPORT SERVICES				
11 C d Aircraft repair and maintenance. (Aircraft repair and maintenance activities, when undertaken on an aircraft or a part thereof, while it is withdrawn from service. Does not include line maintenance or other repair or maintenance activities	1	Unbound		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
undertaken by an air carrier (includes its agents or contractors) on aircraft it owns, leases, or operates.)			
11 E RAIL TRANSPORT			
11 E a Passenger Transportation, excluding high speed rail	1 None 2 None 3 Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont 4 Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4) Local Presence LP (Article X.1)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
11 E b Freight Transportation	1 None 2 None 3 Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont 4 Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4) Local Presence LP (Article X.1)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
11 E d Maintenance and Repair of Rail Transport Equipment	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section		
11 F ROAD TRANSPORT			
11 F a Passenger transport: Interurban regular transport	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4)	<u>Passenger and Freight Road Transport:</u> Only persons of the United States, using U.S. registered and either U.S.-built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of the United States.
11 F b Freight transport	1 None 2 None 3 None 4 Unbound except as indicated in the horizontal section	Local Presence LP (Article X.1)	Operating authority from the Department of Transportation is required to provide interstate or cross-border for hire bus or truck services in the territory of the United States. For

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PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
				persons of Mexico, grants of operating authority are subject to certain statutory and regulatory requirements. For truck services supplied through mode 3, grants of authority for the provision of truck services by persons of Mexico between points in the United States for the transportation of goods other than international cargo is subject to reciprocity.
11 F d Maintenance and Repair of Road Transport Equipment	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 G PIPELINE TRANSPORT				
11 G a Transportation of fuels	1	None	National Treatment (Article I-4)	Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia. Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands. ¹⁹
	2	None		
	3	Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia.		
	4	Unbound except as indicated in the horizontal section		
11 H SERVICES AUXILIARY TO ALL MODES OF TRANSPORT				
11 H a Cargo-handling services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H b Storage and warehouse services	1	None		

¹⁹ For transparency purposes, non-U.S. citizens may own a 100-percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, unless the foreign investor's home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
(except maritime transport services or services to which the Annex on Air Transport Services applies)	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H c Freight transport agency services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H d Other Supporting and Auxiliary Transport Services: Customs House Brokers	1	Unbound	National Treatment NT (Article I-4)	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.
	2	None		
	3	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.		
	4	Unbound except as indicated in the horizontal section		
12 SECTORS NOT LISTED IN PART II, ABOVE	1	Unbound	National Treatment NT (Article I-4) Local Presence LP (Article X.1) Local Management LM BD (Article X.2)	The United States reserves the right to maintain all Any existing measures inconsistent with Article I-4 (National Treatment), Article X.1 (Local Presence), and Article X.2 (Local Management <u>and Boards of Directors</u>) of all states of the United States and the District of Columbia and all local levels of government. This limitation also applies to the continuation or prompt renewal of any such measures.
	2	Unbound		
	3	Unbound		
	4	Unbound except as indicated in the horizontal section		

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Movement of Persons	Government issuance of treaty trader or treaty investor non-immigrant visas that extend a special visa category to nationals of treaty partners in executive and other personnel categories engaged: (i) solely to carry on substantial trade, including trade in services or trade in technology, principally between the US and the foreign state of which a natural person is a national; or (ii) solely to develop and direct the operations of an enterprise in which a natural person has invested, or is actively in the process of investing, a substantial amount of capital.	Countries with whom the United States has a qualifying Friendship, Commerce and Navigation Treaty (FCN) or Bilateral Investment Treaty (BIT), or certain countries as described in statutory provisions pertaining to section 101(a)(15)(E)(i) or (ii) of the Immigration and Nationality Act.	Indefinite	To facilitate trade and investment under FCNs and BITs
<u>All sectors:</u> Movement of Persons	Restrictions on performance of longshore work when making US port calls by crews of foreign vessels owned and flagged in countries that similarly restrict US crews on US-flag vessels from longshore work.	Countries that prohibit longshore work by crew members aboard US vessels	Indefinite	Reciprocal restrictions on countries that prohibit longshore work by crew members aboard US vessels
All Sectors: Taxation Measures	Differential treatment under direct tax measures at the federal level. Such measures are: <ul style="list-style-type: none"> • measures under the US Internal Revenue Code (IRC) permitting the residents of countries contiguous to the United States to receive more favorable treatment and permitting certain US taxpayers to receive more favorable treatment as to their contiguous country operations, and providing any other benefits with respect to contiguous countries; • benefits available under the US IRC with respect to US possessions; • benefits available under the US IRC with respect to Caribbean Basin Initiative (CBI) beneficiary countries; • regarding activities covered by the scope of the General Agreement on 	All	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>Trade in Services, reciprocal reduction of taxation on income derived from the international operation of aircraft or of taxation of certain earnings derived from the use of railroad rolling stock;</p> <ul style="list-style-type: none"> • tax exemption for earnings derived from the ownership or operation of a communications satellite system by a foreign entity designated by a foreign government to participate in such ownership if the United States, through its designated entity, participates in such system pursuant to the Communications Satellite Act of 1962; • denial of statutory reduction of double taxation or deferral of US tax on income earned through controlled foreign corporations, because the country participates in or cooperates with an international boycott, or for similar foreign policy reasons; • measures permitting less favorable taxation for citizens, corporations or products of a foreign country based on discriminatory or extraterritorial taxes, more burdensome taxation, or other discriminatory conduct; • allow the deduction for expenses of an advertisement carried by a foreign broadcast undertaking and directed primarily to a US market only where the broadcast undertaking is located in a foreign country that allows a similar deduction for an advertisement placed with a US broadcast undertaking; • in connection with the exclusion of, or deduction relating to, certain foreign earned income from the gross income of individuals, the benefit of a waiver of the required period of stay in a foreign country as determined by the Secretary of the Treasury. The Secretary is empowered to determine that individuals were required to leave a foreign country because of war, civil unrest or similar adverse conditions in such foreign country which precluded the normal conduct of business by such individuals. 			
All Sectors: Taxation Measures, Sub-federal Measures	<p>Sub-federal tax measures affording differential treatment to service suppliers or to services when the differential treatment is based on one of the following criteria:</p> <ul style="list-style-type: none"> • are performed, consumed, or located within different sub-federal entities; • differ based on the size or income of the service supplier or on the scale or methods (including environmental and health and safety measures) of performance; • differ in the extent of ownership or participation by minority or other 	All	Indefinite	To implement fiscal policies of sub-central governments

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>disadvantaged groups;</p> <ul style="list-style-type: none"> • differ as to the eligibility for non-profit status for pension, profit-sharing or other employee-benefit regimes; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • are performed or located in countries contiguous to the United States; or • are performed or located in jurisdictions with which sub-federal entities have arrangements for tax cooperation and assistance. <p>Sub-federal measures substantively incorporating provisions of federal law subject to an MFN exemption under this agreement.</p>			
All Sectors: Land Use	Non-US citizens in Wyoming may not acquire or inherit land unless the country of which they are a citizen extends a reciprocal right to US citizens	All	Indefinite	Lack of Reciprocity
All	Canadian small businesses, but not small businesses of other countries, may use simplified registration and periodic reporting forms with respect to their securities	Canada	Indefinite	Maintenance of established preference
Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.
Insurance	Measures according differential treatment in regard to the expansion of existing operations, the establishment of a new commercial presence or the conduct of new activities, in a circumstance in which a Member adopts or applies a measure that compels, or has the effect of compelling, a person of the United States, on the basis of its nationality, to reduce its share of ownership in an insurance services provider operating in the Member's territory to a level below that prevailing on 12/12/97.	All Countries	Indefinite	Need to protect existing US ownership of service suppliers operating in other Members.
Banking and other	A broker-dealer registered under US law that has its principal place of	Canada	Indefinite	Maintenance of established

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
financial services (excluding insurance)	business in Canada may maintain its required reserves in a bank in Canada subject to the supervision of Canada.			preference
Banking and other financial services (excluding insurance)	<p>Permission to establish state-licensed branches, agencies, or representative offices, or to own commercial bank subsidiaries, is based on a reciprocity test in the following States: California (applies also to savings and loan associations), Connecticut (applies also to credit unions), Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, North Carolina, Pennsylvania, Washington.</p> <p>Among the conditions on which agency or agency and representative office licenses may be granted for the following States is that the foreign bank is one of the five largest banks in the home country: Florida, Oklahoma. Permission for a foreign-owned bank or trust company to act as fiduciary, and to use satellite banking terminals, is based on a reciprocity test in Iowa. Iowa also subjects the activities of foreign-owned savings and loan associations to a reciprocity test.</p> <p>Authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Designation as a primary dealer in US Government debt securities is conditioned on reciprocity.</p>	All Countries	Indefinite	Need to protect existing activities of US service suppliers abroad and to ensure substantially full market access and national treatment in international financial markets.
Banking and other financial services (excluding insurance) - Michigan	Michigan permits corporate central credit unions to place deposits in banks chartered in Canada or the European Common Market but not in banks chartered in other foreign countries.	Canada and European Common Market	Indefinite	Maintenance of established preference.
Transport Services: Maritime Transport Services	<p><u>Measures relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels.</u></p> <p>The following activities are conditioned on reciprocity: Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of</p>	All countries	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies. For greater certainty, measures relating to the landside aspects of port activities are subject to the application of Article [...] (Essential Security).			
Transport Services: Air Transport Services	<u>Measures relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services. Measures which pertain to selling and marketing of air transport services (including sales, other than by airlines, of passenger charters and forwarding of air freight other than by airlines) and to operation and regulation of computer reservation system (CRS) services, as described in the Annex on Air Transport Services.</u> (For transparency purposes, these measures include, but are not limited to, bilateral and multilateral civil aviation agreements, understandings and undertakings and informal comity and reciprocity aviation regimes to which the United States is a party; US laws and regulations, including the International Air Transportation Fair Competitive Practices Act of 1974, as amended, the Federal Aviation Act of 1958, as amended, the International Air Transportation Competition Act of 1979, the International Aviation Facilities Act, as amended, and Title 14, Parts 1 - 399, of the Code of Federal Regulations; and measures of US states and territories and the District of Columbia, and of their agencies and subdivisions).	All partners with which the United States has active aviation relations covered by bilateral or other air services agreements and comity and reciprocity regimes. Also concerned are the co-signatories of the Chicago Convention and various other international aviation agreements, undertakings, and understandings to which the United States is a party.	Indefinite	The common policy and practice of exchanging rights, settling disputes, and applying laws and other measures pertaining to the operation of civil aircraft and air transportation differentially, with respect to the activities referred to above, on the basis of mutual agreement and balanced exchanges of rights and responsibilities.
Transport Services: Road Transport	The US government has discretion to limit the issuance of trucking licenses to persons from contiguous countries on the basis of reciprocity. The Bus Regulatory Reform Act of 1982 permits the President to remove or modify in whole or in part the moratorium on a finding that such removal or modification is in the national interest. Domestic and cross-border trucking operations are permitted within designated Interstate Commerce Commission commercial zones. The moratorium was lifted for Canada in October 1982. <u>Without prejudice to the reservation in Part II with respect to</u>	Mexico, Canada	Indefinite	Need to have authority to impose a moratorium on the issuance of new licenses for domestic operations within and cross-border operations into the United States on the basis of reciprocity

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<u>passenger and freight road transport, the United States acknowledges the relevant reservation and phase-out in its schedule to Annex I of the North American Free Trade Agreement, located at pages 18-20 of that schedule.</u>			
Transport Services: Pipeline Transport	<p>Pursuant to the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil.</p> <p>Non-US citizens may own a 100 per cent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investors' home country denies similar or like privileges for the mineral or access in question to US citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs or regulations of their country deny the privilege of leasing public lands to US citizens or corporations.</p>	All	Indefinite	Lack of reciprocity
Transport Services:Space Transportation	Quantitative restrictions and price disciplines in certain bilateral agreements on the launch of satellites in the international commercial space launch market	All	Indefinite	Need to prevent disruption of competition in the international space launch market

UNITED STATES - SCHEDULE of COMMITMENTS
Trade in Services Agreement (TiSA)
~~May 6~~October 21, 2016

The United States reserves the right to modify or withdraw this Schedule, in whole or in part, at any time prior to the conclusion of the negotiations. The United States further reserves the right to make technical changes to this Schedule and to correct any errors, omissions, or inaccuracies.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
		<p><u>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</u></p> <p><u>Article I-4 (National Treatment) ("NT")</u> <u>Article X.1 (Local Presence) ("LP")</u> <u>Article X.2 (Local Management and Boards of Directors) ("LMBD")</u> <u>Article X.3 (Local Content and Other Performance Requirements) ("PR")</u> <u>Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</u></p>
All sectors: Social Services	<p>National Treatment<u>NT</u> (Article I-4) Local Presence<u>LP</u> (Article X.1) Local Management<u>LMBD</u> (Article X.2) Local Content<u>PR</u> (Article X.3)</p>	The United States reserves the right to adopt or maintain any measure with respect to the provision of law enforcement and correctional services, and the following services to the extent they are social services established or maintained for a public purpose: income security or insurance, social security or insurance, social welfare, public education, public training, health, and child care.
All sectors: Minority Affairs	<p>National Treatment<u>NT</u> (Article I-4) Local Presence<u>LP</u> (Article X.1) Local Management<u>LMBD</u> (Article X.2) Local Content<u>PR</u> (Article X.3)</p>	The United States reserves the right to adopt or maintain any measure according rights or preferences to socially or economically disadvantaged minorities, including corporations organized under the laws of the State of Alaska in accordance with the <i>Alaska Native Claims Settlement Act</i> .
All sectors: Subsidies	<p>National Treatment<u>NT</u> (Article I-4) Local Presence<u>LP</u> (Article X.1)</p>	The United States reserves the right to adopt or maintain any measure regarding (1) the grant of research and development subsidies inconsistent with these commitments <u>obligations</u> ; (2) the grant of education-services-related funding, subsidies, scholarship and grants for educational services inconsistent with these obligations; (23) the grant of other subsidies inconsistent with these commitments <u>obligations</u> pertaining to services supplied through modes 1, 2, or 4; and (34) the grant of other subsidies inconsistent with these commitments <u>obligations</u> pertaining to services supplied through mode 3, but only with respect to services for which the United States has not undertaken a market access commitment in Part II.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
	Local Management <u>LMBD</u> (Article X.2)	
All sectors: Subsidies	National Treatment <u>NT</u> (Article I-4)	<p>The United States reserves the right to adopt or maintain the measures described below. The<u>se subsidies-measures described below</u> will not be amended in a way that increases the inconsistency with National Treatment.</p> <p>The Federal Overseas Private Investment Corporation (OPIC) insurance and loan guarantees are not available to certain aliens, foreign enterprises, and foreign-controlled enterprises established in the United States.</p> <p>Trade and Development Agency financing is limited to:</p> <p>I. individuals 1) who are either US citizens or non-US citizens lawfully admitted for permanent residence in the United States and 2) whose principal places of business are in the United States, or</p> <p>II. privately-owned commercial corporations or partnerships that are incorporated or legally organized under the laws of the United States and whose principal places of business are in the United States and (1) that are more than 50 per cent beneficially owned by individuals who are US citizens or (2) that have been incorporated or legally organized in the United States for more than 3 years, have performed similar services in each of the prior 3 years, and employ US citizens in more than half of their permanent full-time positions in the United States and have the existing capability in the United States to perform the contract.</p>
Gambling and Betting Services	National Treatment <u>NT</u> (Article I-4) Local Presence <u>LP</u> (Article X.1) Local Management <u>LMBD</u> (Article X.2) Local Content <u>PR</u> (Article X.3)	The United States reserves the right to adopt or maintain any measure relating to gambling and betting services.
All sectors: Taxation	National Treatment <u>NT</u> (Article I-4) Local Presence <u>LP</u> (Article X.1)	<p>The United States reserves the right to adopt or maintain measures with regard to taxation as set out below.</p> <p>At the federal level, with respect to direct taxes:</p> <p>Differential tax treatment may be provided between trusts created or organized in the United States to provide employee benefits and trusts not created or organized in the United States and their respective beneficiaries. Such</p>

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
		<p>provisions affect the taxation of the income of the trust or the beneficiary, the availability of deductions to taxpayers for contributions to the trust, and tax administration requirements; these provisions include different rules for allowing deductions to, and determining the earnings of, foreign employee benefit plans.</p> <p>An increase in the rate or a widening of the base of a federal income tax may be imposed on a national, resident or corporation of a foreign country where a national, resident or corporation of the United States is being subjected to discriminatory or extraterritorial taxes (as described in section 891 or section 896 of the Internal Revenue Code).</p> <p>At the federal level, with respect to taxes other than direct taxes:</p> <p>An excise tax may be imposed in connection with transfers of any property by a citizen or resident of the United States, or by a domestic entity (corporations, partnership, estate or trust) to a foreign entity (corporation partnership, estate or trust).</p> <p>An excise tax may be imposed on US source gross investment income of foreign organizations that are private foundations.</p>
All Sectors: Temporary Entry and Stay of Natural Persons	National Treatment <u>NT</u> (Article I-4)	The United States reserves the right to adopt or maintain any measure concerning temporary entry and stay of nationals of another Party. "Temporary entry" means entry without intent to establish permanent residence under immigration laws of the United States and confers no rights with respect to citizenship.
Communications	National Treatment <u>NT</u> (Article I-4)	<p>The United States reserves the right to:</p> <ul style="list-style-type: none"> a) adopt or maintain any measure that accords differential treatment to persons of other countries due to application of reciprocity measures or through international agreements involving sharing of the radio spectrum, guaranteeing market access, or national treatment with respect to the one-way satellite transmission of direct-to-home (DTH) and direct broadcasting satellite (DBS) television services and digital audio services; and b) prohibit a person of a Party from offering DTH or DBS television and digital audio services into the territory of the United States unless that person establishes that the Party of which it is a person: <ul style="list-style-type: none"> (i) permits U.S. persons to obtain a license for such service in that Party in similar circumstances; and

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
		(ii) treats the supply of audio or video content originating in the Party no more favorably than the supply of audio or video content originating in a non-Party or any other Party. ¹
Communications: Cable Television	National Treatment NT (Article I-4)	<p>The United States reserves the right to adopt or maintain any measure that prohibits a person of a Party from owning or operating a cable television system in the territory of the United States unless that person establishes that the Party:</p> <p>(a) permits U.S. persons to own or operate such systems in the territory of the Party under similar circumstances; and</p> <p>(b) treats the supply of video content originating in the Party no more favorably than the supply of content of any other Party or non-Party.¹ above</p> <p>A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.</p>
Financial Services: <u>All financial services referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement]</u>	National Treatment NT (Article I-4) Local Presence LP (Article X.1) SMBD (Article X.13, FS Annex) {TBD}	<p>For Modes 1 and 2: Except as otherwise provided for in this schedule, the United States reserves the right to adopt or maintain: any measures with respect to all financial services as referred to in [Article X.2 of Annex [X] on Financial Services of the Agreement] other than the financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</p> <p>Paragraph 3 of Article II 2 of the Agreement [the ratchet] shall not apply to financial services referred to in subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement.</p> <p><u>Mode 1: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (b) of Article X.3 of Annex [X] on Financial Services of the Agreement;</u></p> <p><u>Mode 2: Any measure with respect to all financial services other than the financial services referred to in subparagraph 1 (c) of Article X.3 of Annex [X] on Financial Services of the Agreement</u></p>
Financial Services - <u>All financial services referred to in</u>	National Treatment NT (Article I-4)	For Modes 1 and 2, the United States reserves the right to adopt any amendment to a measure that does not increase <u>the inconsistency of that measure with the treatment provided for in Article I-4 (National Treatment) as it existed on the date of entry into force of this Agreement.</u>

¹ A measure may be deemed to treat content of a Party more favorably if it applies preferential treatment on the basis that the director, producer, publisher, actors or owner of such content is a person of that Party, or the production, editing or distribution of such content took place in the territory of that Party, or on any other basis that affords protection to local production.

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PART I. HORIZONTAL COMMITMENTS - SECTION A

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector	Commitments Obligations Concerned	Conditions and Limitations
<u>subparagraphs 1 (b) and (c) of Article X.3 of Annex [X] on Financial Services of the Agreement [short list]</u>	Local Presence LP (Article X.1) SMBD (Article X.13, FS Annex)	
Financial Services: Banking and Other Financial Services (Excluding Insurance)	National Treatment NT (Article I-4) {TBD}	The United States reserves the right to adopt or maintain any measure with respect to housing finance programs.
Transportation: Maritime	National Treatment NT (Article I-4) Local Presence LP (Article X.1) Local Management LMBD (Article X.2) Local Content PR (Article X.3)	<p>The United States reserves the right to adopt or maintain any measure relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels, including the following:</p> <ul style="list-style-type: none"> (a) requirements for investment in, ownership and control of, and operation of vessels and other marine structures, including drill rigs, in maritime cabotage services, including maritime cabotage services performed in the domestic offshore trades, the coastwise trades, U.S. territorial waters, waters above the continental shelf, and in the inland waterways; (b) requirements for investment in, ownership and control of, and operation of U.S.-flagged vessels in foreign trades; (c) requirements for investment in, ownership or control of, and operation of vessels engaged in fishing and related activities in U.S. territorial waters and the Exclusive Economic Zone; (d) requirements related to documenting a vessel under the U.S. flag; (e) promotional programs, including tax benefits, available for shipowners, operators, and vessels meeting certain requirements; (f) certification, licensing, and citizenship requirements for crew members on U.S.-flagged vessels; (g) manning requirements for U.S.-flagged vessels; (h) all matters under the jurisdiction of the Federal Maritime Commission; (i) negotiation and implementation of bilateral and other international maritime agreements and understandings; (j) limitations on longshore work performed by crew members; (k) tonnage duties and light money assessments for entering U.S. waters; and (l) certification, licensing, and citizenship requirements for pilots performing pilotage services in U.S. territorial waters. <p>The following activities are not included in this reservation. However, the treatment in (b) is conditioned on reciprocity:</p> <ul style="list-style-type: none"> (a) vessel construction and repair through cross-border supply and commercial presence; and (b) landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal

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PART I. HORIZONTAL COMMITMENTS - SECTION A				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				

Sector	Commitments Obligations Concerned	Conditions and Limitations
		operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies. For greater certainty, measures relating to the landside aspects of port activities are subject to the application of Article [...] (Essential Security).
<u>Aviation-Related Services</u>	National Treatment NT (Article I-4) Local Presence LP (Article X.1) Local Management LMBD (Article X.2) Local Content PR (Article X.3)	<u>The United States reserves the right to adopt or maintain any measure relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services and specialty air services.</u> <u>For specialty air services, foreign civil aircraft require authority from the Department of Transportation to conduct specialty air services in the territory of the United States. In determining whether to grant a particular application, the Department will consider, among other factors, the extent to which the country of the applicant's nationality accords U.S. civil aircraft operators effective reciprocity.</u>

PART I. HORIZONTAL COMMITMENTS - SECTION B				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				

Sector / Subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
<u>ALL SECTORS COVERED BY THIS SCHEDULE:</u> For the purpose of this schedule the "United States" is defined as encompassing the 50 states of the United States, plus the District of Columbia.				
All Sectors	3	None	National Treatment NT (Article I-4)	The federal government restricts initial sale of federally owned lands to US citizens. (Preceding restriction does not apply to foreign-owned companies formed under the laws of any state of the United States.)
Acquisition of Land				Acquisition of land reclaimed with federal funds and reclamation of desert land is restricted to individual US citizens. Ownership of land by non-US citizens is limited in: Kentucky (restrictions apply only to individuals, not to foreign-owned companies incorporated within the United States) and South

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
				<p>Carolina (applies to individuals and foreign-owned corporations).</p> <p>Purchase of land by non-US citizens not resident within the state is restricted in: Oklahoma, Florida, and Wyoming. In Mississippi, non-US citizens may not purchase more than 5 acres for residential property, or more than 320 acres for industrial development.</p> <p>Non-US citizens may not purchase or bid on sales of public lands in: Hawaii, Idaho, Mississippi, Montana, and Oregon.</p>
<p>All Sectors</p> <p>Ownership of Radio Licenses</p>	1, 3	<p><u>No station license may be granted to or held by a foreign government or representative thereof.</u></p> <p><u>No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</u></p> <p><u>(i) an alien or its representative;</u></p> <p><u>(ii) a corporation organized under the laws of a foreign government; or</u></p> <p><u>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</u></p>	<p>National TreatmentNT (Article I-4)</p>	<p>The United States reserves the right to restrict ownership of radio licenses:</p> <p>(a) No station license may be granted to or held by a foreign government or representative thereof;</p> <p>(b) No broadcast or common carrier or aeronautical en route or aeronautical fixed station license may be granted to or held by:</p> <p>(i) an alien or its representative;</p> <p>(ii) a corporation organized under the laws of a foreign government; or</p> <p>(iii) a corporation of which more than one fifth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</p>
All Sectors	1	None		-
	2	None		-
Taxation Measures	3	None		-

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PART I. HORIZONTAL COMMITMENTS - SECTION B

Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons

Sector / Subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	4	Unbound, except as indicated in this section under Temporary Entry And Stay of Natural Persons		-
All Sectors	1	Unbound		-
Subsidies	2	Unbound		-
	3	None		-
	4	Unbound, except as indicated in this section under Temporary Entry And Stay of Natural Persons		-
All Sectors			Local Content PR (Article X.3)	The United States reserves the right to maintain all Any existing measures inconsistent with Article X.3 (PR Local Content) of all states of the United States and the District of Columbia and all local levels of government. This limitation also applies to the continuation or prompt renewal of any such measures.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	Commitments under Article I-3 (Market Access) including terms, limitations and conditions are set out below		<p><u>The following Articles apply to services and service suppliers of any other Party, except as set out below and in Part II:</u></p> <p><u>Article I-4 (National Treatment) ("NT")</u> <u>Article X.1 (Local Presence) ("LP")</u> <u>Article X.2 (Local Management and Boards of Directors) ("LMBD")</u> <u>Article X.3 (Local Content and Other Performance Requirements) ("PR")</u> <u>Article X.13 of Annex X: Financial Services (Senior Management and Boards of Directors) ("SMBD")</u> <u>Article I-4 (National Treatment), X.1 (Local Presence), X.2 (Local Management and Boards of Directors), and X.3 (Local Content and Other Performance Requirements) apply to services and service suppliers of any other Party, except as set out below and in Part I</u></p>
1 BUSINESS SERVICES			
A PROFESSIONAL SERVICES			
a 1 i) Legal services: domestic law	1 None, except services must be supplied by a natural person. 2 None, except services must be supplied by a natural person. 3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers. 4 Unbound, except as indicated in the horizontal section.	Local Presence LP (Article X-1)	<p>In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota),</p> <p>U.S. residency is required to practice before the US Patent and Trademark Office.</p>
a 2 ii) and iii) Legal services: foreign law and international law ²	1 None, except services must be supplied by a natural person. 2 None, except services must be supplied by a natural person.	Local Presence LP (Article X-1)	In-state or US residency is required for licensure in: Iowa, Kansas, Massachusetts, Michigan, Minnesota (or maintain an office in Minnesota), Mississippi, Nebraska, New

² Additional commitment pursuant to Article I-5: Limited license for foreign legal consultancy available in Alaska, Arizona, California, Connecticut, District of Columbia, Florida, Georgia, Hawaii, Illinois, Indiana, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Texas, Utah, Washington. For this license,

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	<p>3 None, except services must be supplied by a natural person, and partnerships in law firms is limited to persons licensed as lawyers.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>		<p>Hampshire, New Jersey, Oklahoma, Rhode Island, South Dakota, Vermont, Virginia, Wyoming.</p> <p>An in state office must be maintained for licensure in: District of Columbia, Indiana (or an affiliate with an office and with other attorneys in the state), Michigan, Minnesota (or maintain individual residency in Minnesota),</p> <p>U.S. residency is required to practice before the US Patent and Trademark Office.</p>
b Accounting, Auditing and Bookkeeping Services	<p>1 None</p> <p>2 None</p> <p>3 Sole proprietorships or partnerships are limited to persons licensed as accountants.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	<p>National TreatmentNT (Article I-4)</p> <p>Local PresenceLP (Article X-1)</p>	<p>In-state residency is required to receive a license to perform audits in: Arizona, Arkansas, Connecticut, District of Columbia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Carolina, Tennessee, and West Virginia.</p> <p>An in-state office must be maintained to receive a license to perform audits in: Arkansas, Connecticut, Iowa, Kansas, Kentucky, Michigan, Minnesota, Nebraska, New Hampshire, New Mexico, Ohio, Vermont, and Wyoming.</p> <p>US citizenship is required for licensure in North Carolina.</p>
c Taxation Services	<p>1 None</p> <p>2 None</p> <p>3 None</p> <p>4 Unbound, except as indicated in the horizontal section.</p>		
d Architectural Services	<p>1 None</p> <p>2 None</p> <p>3 Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>		
e Engineering Services	<p>1 None</p> <p>2 None</p> <p>3 None</p>	<p>Local PresenceLP (Article X-1)</p>	<p>In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South</p>

in-state residency is required for Michigan and Texas; in-state office is required for Arizona, District of Columbia, Indiana, Massachusetts, Minnesota, New Jersey, New York, North Carolina, Ohio, Utah; association with an in-state law office required for Missouri.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	4 Unbound, except as indicated in the horizontal section.		Carolina, South Dakota, Tennessee, Texas, and West Virginia.
f Integrated Engineering Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	Local Presence LP (Article X-1)	In-state residency is required for licensure in: Idaho, Iowa, Kansas, Maine, Mississippi, Nevada, Oklahoma, South Carolina, South Dakota, Tennessee, Texas, and West Virginia.
g Urban Planning & Landscape Services	1 None 2 None 3 Two-thirds of the officers, partners, and/or directors of an architectural firm in Michigan must be licensed in Michigan as architects, professional engineers and/or land surveyors. 4 Unbound, except as indicated in the horizontal section.		
B COMPUTER AND RELATED SERVICES ³	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
C RESEARCH AND DEVELOPMENT SERVICES (excluding R&D financed in whole or in part by public funds)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.		
D REAL ESTATE SERVICES			
	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section.	National Treatment NT (Article I-4) Local Presence LP (Article X-1)	Corporations that own real estate in Florida must maintain an office and registered agent in Florida. In-state residency or US citizenship is required for licensure as a real estate broker in South Dakota; and US citizenship is required for licensure as a real estate broker in Mississippi and New York.
E RENTAL/LEASING SERVICES WITHOUT OPERATORS	1 None		

³ Computer Reservation System services, as defined in the Annex on Air Transport Services, are classified under Air Transport Services

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
Rental/Leasing Services without Operators: - Relating to Other Transport Equipment - Relating to Other Machinery and Equipment - Other	2 3 4	None None Unbound, except as indicated in the horizontal section.		
F OTHER BUSINESS SERVICES				
a Advertising (except aerial advertising and skywriting)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
b Market Research and Public Opinion Polling Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
c Management Consulting Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
d Services Related to Management Consulting	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
e Technical testing and analysis services, other than government-mandated services or services financed in whole or in part by public funds ⁴	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
f Services Incidental to Agriculture, Hunting and Forestry (except provision of agricultural machinery with drivers and crew, harvesting and related services, services of farm labor contractors, and aerial fire fighting)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section.		
g Services Incidental to Fishing	1	None		

⁴ For greater certainty, vessel and aircraft testing services fall within the relevant transportation service

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
h Services Incidental to Mining	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
j Services Incidental to Energy Distribution	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
k Placement and Supply Services of Personnel	1	None	National Treatment NT (Article I-4)	In Arkansas, US citizenship is required for ownership of employment agencies, and for licensure as an employment agent, employment agency counselor and employment agency manager.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.		
l Investigation and Security Services	1	None	National Treatment NT (Article I-4)	Permanent resident alien status or US citizenship is required for private investigators and security guards in Maine and New York, and to own contract security companies in Maine.
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section.	Local Presence LP (Article X-1)	In-state residency is required for private detectives in Michigan.
m Related Scientific & Technical Consulting (except land surveying for the purpose of establishing legal boundaries, aerial surveying and aerial map-making)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
n Maintenance & Repair of Equipment (except maritime vessels, aircraft, and other transport equipment)	1	None		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
o Building-Cleaning Services	1	Unbound		
	2	None		
	3	None		
	4	Unbound, except as indicated in the horizontal section		
p Photographic Services (except aerial photographic services)	1	None		
	2	None		
	3	None		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned
	4	Unbound, except as indicated in the horizontal section	
q Packaging Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section	
r Publishing (Only part of MTN.GNS/W/120 category: "r) Printing, Publishing")	1 2 3 4	None None A single company or firm is not permitted to own a combination of newspaper, radio and/or TV broadcast stations serving the same local market. Unbound, except as indicated in the horizontal section	
s Convention Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section	
t Other business services, except for convention services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section	
2 COMMUNICATION SERVICES			
2 A/B Postal and Courier Services			
2 A/B Express Delivery	1 2 3 4	None None None Unbound, except as indicated in the horizontal section	
2 A/B Other Competitive Delivery Services ⁵	1 2 3 4	None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts None None, except unbound for services supplied by the U.S. Postal Service in accordance with a universal service obligation as provided under domestic law or the Universal Postal Union Acts Unbound, except as indicated in the horizontal section	
2 C TELECOMMUNICATION SERVICES			

⁵ Under U.S. law, the universal service obligation requires the U.S. Postal Service to receive, transmit, and deliver throughout the United States written and printed matter, parcels, and like materials.

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
2 C 1 Basic Telecommunications Services - The transmission between or among points specified by the user, of information of the users choosing, without change in the form or content of the information as sent and received, as defined in U.S. law. Services can be supplied on either a public or private basis, regardless of the facilities used. These services may be provided on a facilities basis or non-facilities basis, and encompass local, long-distance, or international services, for public or non-public use, and may be provided through any means of technology. Services include: a) Voice telephone services b) Packet-switched data transmission services (note: packet switched services classified as information services are not considered basic telecommunications services.) c) Circuit-switched data transmission services d) Telex services e) Telegraph services f) Facsimile services g) Private leased circuit services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
2 C 2 Information Services (Value-Added) - The offering of a capability for generating, acquiring, storing, transforming, processing,	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
retrieving, utilizing, or making available information via telecommunications. Services include, but are not limited to: - electronic mail - voice mail - on line Information and/or data base retrieval - Electronic Data Interchange (EDI) - Enhanced/Value added Facsimile Services - Code and Protocol conversion - on line information and/or Data processing; - packet-switched information services			
2 D AUDIOVISUAL SERVICES			
2 D a 1 Motion Picture and Video Tape Production and Distribution - Promotion or Advertising Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D a 2 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Production Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section	National Treatment (Article I 4)	Grants from the National Endowment for the Arts are only available for: individuals with US citizenship or permanent resident alien status, and US established non-profit companies. - -
2 D a 3 Motion Picture and Video Tape Production and Distribution - Motion Picture and Video Tape Distribution Services (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments <u>Obligations</u> Concerned	Conditions and Limitations
(distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)			
2 D a 4 Motion Picture and Video Tape Production and Distribution - Other services in connection with motion pictures and video tape production and distribution (theatrical and non-theatrical motion pictures, whether provided on fixed media or electronically) (distribution services in this context may include the licensing of motion pictures or video tapes to other service providers for exhibition, broadcasting, or other transmission, rental, sale or other use)	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D b Motion Picture Projection Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 1 Radio & Television Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		
2 D c 2 Radio and Television distribution services, excluding transmission (For greater clarity, distribution services in this context may include the licensing of radio and television programs to other service	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access	Commitments Obligations Concerned	Conditions and Limitations
providers for exhibition, broadcast or other transmission, rental, sale or other use. Transmission services for radio and television programs are listed under “Other Communication Services: Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services.”				
2 D e Sound Recording Services	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section			
2 D f Other services in connection with radio and television production and distribution	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section			
2 F OTHER COMMUNICATIONS SERVICES				
2 F a Cable services provided over cable systems	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section			
2 F b One-way satellite transmission of DTH and DBS television services and of digital audio services.	1 None 2 None 3 None 4 Unbound, except as indicated in the horizontal section			
2 F c Programme Transmission Services; Television Broadcast Transmission Services; Radio Broadcast Transmission Services; Radio and Television combined program making and broadcasting services	1 None 2 None 3 No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more		National Treatment ^{NT} (Article I-4)	No station license may be granted to or held by a foreign government or representative. Absent a specific finding that the public interest would be served by permitting foreign ownership of a broadcast licenses, no broadcast station license shall be granted to any corporation directly or indirectly controlled by another corporation of which more than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>than one fourth of the capital stock is owned of record or voted by an alien or its representative, a foreign government or its representative, or a corporation organized under the laws of a foreign country.</p> <p>4 Unbound, except as indicated in the horizontal section</p>		<p>or its representative, or a corporation organized under the laws of a foreign country.</p> <p>US citizenship is required to obtain radio and television licenses.</p>
3 CONSTRUCTION & RELATED ENGINEERING SERVICES (except Marine Dredging)	<p>1 Unbound</p> <p>2 None</p> <p>3 None, except an in-state office must be maintained by all contractors in Michigan.</p> <p>4 Unbound, except as indicated in the horizontal section</p>		
4 DISTRIBUTION SERVICES			
4 A Commission Agents' Services			
4 A Commission Agents' Services	<p>1 None</p> <p>2 None</p> <p>3 None</p> <p>4 Unbound, except as indicated in the horizontal section</p>		
4 B Wholesale Trade			
4 B 1 Wholesale Trade (except wholesale trade of alcoholic beverages, firearms and military equipment)	<p>1 None</p> <p>2 None</p> <p>3 None</p> <p>4 Unbound, except as indicated in the horizontal section</p>		
4 B - 2 Wholesale Trade of alcoholic beverages	1 Unbound		
4 B - 2 beverages	2 Unbound		
4 B - 2	3 Unbound		
4 B - 2	4 Unbound, except as indicated in the horizontal section		
4 C Retailing			
4 C Retailing (except retail sale of alcoholic beverages, firearms and military equipment)	<p>1 None</p> <p>2 None</p> <p>3 None</p> <p>4 Unbound, except as indicated in the horizontal section</p>		
4 D Franchising			
4 D Franchising	<p>1 None</p> <p>2 None</p> <p>3 None</p> <p>4 Unbound, except as indicated in the horizontal section</p>		
5 EDUCATION SERVICES			
5 C	<p>1 None</p> <p>2 None</p> <p>3 None</p>		The granting of U.S. federal or state government funding or subsidies may be limited to U.S. owned institutions.

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MODIFIED HANDLING AUTHORIZED**

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Sector / subsector	Mode	Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
Higher Education Services (except flying instruction) ⁶	4	Unbound, except as indicated in the horizontal section	National Treatment (Article I 4)	including land grants, preferential tax treatment, and any other public benefits; and scholarships and grants may be limited to U.S. citizens and/or residents of particular states. In some cases, such funding, subsidies, scholarships, and grants may only be used at certain state institutions or within certain U.S. jurisdictions.
5 D Adult Education (except flying instruction)	1 2 3 4	None None None None, except as indicated in the horizontal section	National Treatment (Article I 4)	- Scholarships and grants may be limited to US citizens and/or residents of particular states and may, in some cases, only be used at certain states institutions or within certain US jurisdictions.
5 E Other Education Services				
5 E Other Education Services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section	National Treatment (Article I 4)	Scholarships and grants may be limited to US citizens and/or residents of particular states and may, in some cases, only be used at certain states institutions or within certain US jurisdictions.
6 ENVIRONMENTAL SERVICES^{7,8}				
6 A Wastewater Management, excluding Water for Human Use: Wastewater services (contracted by private industry)	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 B a Solid/hazardous waste management (contracted by private industry): Refuse disposal services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 B b	1	None		

⁶ For transparency purposes, individual U.S. institutions maintain autonomy in admission policies, in setting tuition rates, and in the development of curricula or course content. Educational and training entities must comply with requirements of the jurisdiction in which the facility is established. In some jurisdictions, accreditation of institutions or programs may be required. Institutions maintain autonomy in selecting the jurisdiction in which they will operate, and institutions and programs maintain autonomy in choosing to meet standards set by accrediting organizations as well as to continue accredited status. Accrediting organizations maintain autonomy in setting accreditation standards. Tuition rates vary for in-state and out-of-state residents. Additionally, admissions policies include considerations of equal opportunity for students (regardless of race, ethnicity, or gender), as permitted by domestic law, as well as recognition by regional, national, and/or specialty organizations; and required standards must be met to obtain and maintain accreditation. To participate in the U.S. student loan program, foreign institutions established in the United States are subject to the same requirements as U.S. institutions.

⁷ ~~In each of the following subsectors, US market access commitments are limited to the following activities: implementation and installation of new or existing systems for environmental cleanup, remediation, prevention and monitoring; implementation of environmental quality control and pollution reduction services; maintenance and repair of environment related systems and facilities not already covered by the US commitments on maintenance and repair of equipment; on site environmental investigation, evaluation, monitoring; sample collection services; training on site or at the facility; consulting related to these areas.~~

⁸ Nothing in this offer related to transportation should be construed to supersede the existing US commitments on transportation or related MFN exemptions.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
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Solid/hazardous waste management (contracted by private industry): Sanitation and Similar Services	2 3 4	None None Unbound, except as indicated in the horizontal section		
6 C Protection of ambient air and climate: Services to reduce exhaust gases and other emissions to improve air quality	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 D Remediation and cleanup of soil and water: Treatment, remediation of contaminated/ polluted soil and water	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 E Noise and vibration abatement: Noise abatement services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 F Protection of biodiversity and landscape: Nature and landscape protection services	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
6 G Other environmental and ancillary services: Other services not classified elsewhere	1 2 3 4	None None None Unbound, except as indicated in the horizontal section		
7 FINANCIAL SERVICES				
7 A INSURANCE SERVICES				
<p>1. The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(a) and 1(b) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p> <p>2. National treatment commitments in this subsector are subject to the following limitation: national treatment with respect to services and service suppliers will be provided according to a non-U.S. service supplier's state of domicile, where applicable, in the United States. State of domicile is defined by individual states, and is generally the state in which an insurer either is incorporated, is organized or maintains its principal office in the United States.</p>				

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

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Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
7 A a/b Life, Accident, and Health Insurance Services (except workers compensation insurance) 7 a/b Non-Life Insurance Services	<p>1 With regard to non-life insurance services, government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p><u>Branches are not permitted to provide surety bonds for US federal government contracts.</u></p> <p>2 With regard to non-life insurance services, none. <u>Branches are not permitted to provide surety bonds for US federal government contracts.</u></p> <p>3 Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New Jersey (only with respect to surplus lines), New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland,</p>	<p>National Treatment (Article I-4) Local Presence (Article X.1) SMBD (Article X.13, FS Annex)</p>	<p>With regard to non-life insurance services, a four percent federal excise tax is imposed on all non-life insurance premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States.</p> <p>When more than 50 percent of the value of a maritime vessel whose hull was built under federally guaranteed mortgage funds is insured by a non-US insurer, the insured must demonstrate that the risk was substantially first offered in the US market.</p> <p>Branches are not permitted to provide surety bonds for US federal government contracts.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Minnesota, Mississippi, and Tennessee.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three-quarters in Washington (mutual life companies with the majority of the board being resident in the state); two-thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one-fourth resident in the state), Idaho (for stock and mutual insurers), Indiana,</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	<p>Minnesota, Nebraska, New Jersey, North Carolina, Tennessee, Vermont, and Wyoming.</p> <p>US citizenship is required for members of the board of directors of locally established and licensed companies in the following states and in the following shares or numbers: 100 percent required in Louisiana; three quarters in Washington (mutual life companies with the majority of the board being resident in the state); two thirds required in Oklahoma (for stock and mutual companies) and Pennsylvania, a majority required in California (for mutual insurers operating as authorized insurers only in the state of California), Florida (for stock and mutual insurers), Georgia (for stock and mutual insurers with one fourth resident in the state), Idaho (for stock and mutual insurers), Indiana, Mississippi, Oregon, New York, South Dakota (except if more than 1000 persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents), Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies, three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident).</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers). State residency is required in the following states for the organizing members of the following types of mutual</p>		<p>Mississippi, Oregon, New York, South Dakota (except if more than 1000 persons are entitled to vote for the board of directors and a majority of the voters reside outside the state, or less than one percent of the shares are owned by state residents), Wyoming (for an insurer operating as an authorized insurer only in Wyoming); seven in Tennessee (for mutual life insurance companies, three resident in Illinois (for stock, mutual, or legal reserve insurers) and Missouri (life and accident).</p> <p>US citizenship for incorporators of insurance companies is required in the following states and in the following percentages or numbers: 100 percent in Hawaii, Idaho (for stock or mutual insurer), Indiana, South Dakota and Washington; two-thirds resident in Georgia (for stock and mutual insurers); a majority in Alaska, Florida (for stock and mutual insurers), Kansas (all life insurance companies and mutual insurers other than life), Kentucky (for mutual or stock insurers); Maine (life, health, and accident and mutual aid assoc with state residency for mutuals), Missouri (minimum 13 with overall majority resident in the state), Montana (stock or mutual insurers), Texas (life, health, accident and mutual aid assoc with state residency for mutuals), Wyoming (for reserve stock and mutual insurers). State residency is required in the following states for the organizing members of the following types of mutual insurance companies: Arkansas (farm mutual insurers), California (county mutual fire insurer); Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals), Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned
		<p>insurance companies: Arkansas (farm mutual insurers); California (county mutual fire insurer); Idaho (all mutuals); Kansas (all mutuals); Minnesota (township mutuals, farmers mutual fire insurance companies); Mississippi (all mutuals); Montana (farm mutual insurer); North Dakota (all mutuals); Vermont (fire cooperatives); Wyoming (farm mutual insurer).</p> <p>Seven or more US citizens, a majority of whom are residents of the state, may organize a fraternal benefit society in the following states: Alaska, Arizona, Arkansas, California, Delaware, Florida, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, North Dakota, Oklahoma (requires 10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p> <p>4 Unbound except as indicated in the horizontal section</p>	<p>10 or more US citizens, a majority of whom are residents of the state), Oregon, Pennsylvania, South Dakota, Virginia, Vermont, Washington, West Virginia, and Wyoming.</p> <p>Twenty-five or more persons domiciled in the state may organize a domestic reciprocal insurer in: Arizona, Arkansas, California, Delaware, Georgia, Idaho, Indiana, Kentucky, Maine, Maryland, Mississippi, Montana, Pennsylvania, South Dakota, Tennessee, Virginia, Washington and Wyoming.</p>
7 A c Reinsurance and retrocession	1	<p>Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota</p>	<p>National TreatmentNT (Article I-4) Local PresenceLP (Article X.1)</p> <p>A one percent federal excise tax is imposed on all premiums covering US risks that are paid to companies not incorporated under US law, except for premiums that are earned by such companies through an office or dependent agent in the United States. In Texas, total direct reinsurance of mutual life insurance companies may not be entered into with non-US companies.</p> <p>The provision of reinsurance for workers' compensation may be limited in Maine. The provision of reinsurance for workers' compensation may be limited in Maine.</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

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Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
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	<p>Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p> <p>2 Insurance companies incorporated in Nevada may purchase reinsurance only from an insurer admitted to Nevada. All insurers writing workers' compensation insurance in Minnesota must purchase reinsurance from the Minnesota Workers' Compensation Reinsurance Authority. Unbound for Maine for the provision of reinsurance for workers' compensation.</p> <p>3 Government-owned or government-controlled insurance companies, whether US or foreign, are not authorized to conduct business in: Alabama, Alaska, Arkansas, Colorado, Connecticut, Delaware, Georgia, Hawaii, Idaho, Kansas, Kentucky, Maine, Maryland, Montana, Nevada, New York (non-life companies are authorized; life and health companies are not), North Carolina, North Dakota, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Dakota, Tennessee, Washington, Wyoming.</p> <p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>4 Unbound except as indicated in the horizontal section</p>	<p>National Treatment (Article I-4)</p> <p>National Treatment (Article I-4)</p>	<p>The following states have no mechanism for licensing initial entry of a non-US insurance company as a subsidiary, unless that company is already licensed in some other US state: Maryland, Minnesota and Mississippi. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p> <p>The following states have no mechanism for licensing initial entry of non-US insurance company as a branch, unless that company is already licensed in some other US state: Arkansas, Arizona, Connecticut, Georgia, Kansas, Maryland, Minnesota, Nebraska, New Jersey, North Carolina, Pennsylvania, Tennessee, Vermont, Wyoming. After a license is obtained in some other US state, licensing and entry into the states listed above is permitted.</p>

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
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Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
7 A d Services Auxiliary to Insurance (Applicable to sub-sectors i-iii below)	1	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).	National TreatmentNT (Article I-4) Local PresenceLP (Article X.1)	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant, reinsurance intermediary), Pennsylvania, (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).
(Applicable to sub-sectors i-iii below)	3	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant,	National Treatment (Article I-4) 3	Nonresident licenses are not issued to individuals not licensed in another US state in Connecticut (producers, adjusters, appraisers, consultants, brokers, reinsurance intermediary), Colorado (producer, adjuster and reinsurance intermediary), California (agents/brokers), Delaware (broker, agent, reinsurance intermediary), Georgia (counselor/adjuster), Florida (agent/broker), Hawaii, Illinois (producers, adjusters, reinsurance intermediaries), Indiana (agent/broker), Kansas (agent), Louisiana (agent/broker), Maine (agent/broker), Maryland (agent, broker, reinsurance agent, reinsurance broker), Mississippi (agent/broker), Montana (producer's license, agent, broker), Nevada (solicitor, adjuster, property bondsman, bail solicitor), New Jersey (producer's agent, broker), North Dakota (agents/brokers), Nebraska (producer's), New York (reinsurance intermediary), North Carolina (reinsurance intermediary), Oregon (agent, adjuster, consultant,

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
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	reinsurance intermediary), Pennsylvania (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).		reinsurance intermediary), Pennsylvania (adjuster/solicitor), South Dakota (agent), Virginia (agents, brokers, consultants), West Virginia (broker, reinsurance intermediary), Texas (agent/broker), Washington (agent/broker).
7 A d i Brokerage Services ⁹	<p>1 Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>2 None</p> <p>3 Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	<p>National TreatmentNT (Article I-4)</p> <p>Local PresenceLP (Article X.1)</p> <p>National Treatment (Article I-4)</p>	<p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Georgia, Indiana, Louisiana, Maine, Montana, New Hampshire, North Dakota, Oklahoma, Rhode Island, Vermont.</p> <p>Brokerage licenses are issued to non-residents for only certain lines of insurance in: Alabama (all except life, accident and health), Arkansas (property, casualty, surety and marine), California, Louisiana (property and casualty).</p> <p>All states require in-state residency for surplus lines brokers except California, Idaho, Maine, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, North Dakota, Ohio, Oregon, South Dakota, Texas, Vermont, West Virginia, and Wyoming.</p>
7 A d ii Agency Services	<p>1 Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p>	<p>National TreatmentNT (Article I-4)</p>	<p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p>

⁹ For transparency purposes, it should be noted that brokerage firms can generally offer services in most states by obtaining licenses as "brokers" and in other states by obtaining licenses to operate as "agents". Brokerage licenses are not issued in Florida, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Oregon, Tennessee, Texas, Virginia, West Virginia, Wisconsin

**This Document Contains TiSA – US CONFIDENTIAL Information
MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>2 None</p> <p>3 Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	<p>Local Presence LP (Article X.1)</p> <p>National Treatment (Article I.4)</p>	<p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p> <p>Agency licenses are issued to non-residents for all or only certain lines of insurance in: California, Florida (general lines, life and health) Kansas, Louisiana (life and health), Oregon, Rhode Island (all except general lines), Texas.</p> <p>All states require in-state residency for surplus lines agents except Alaska, Arkansas, Florida, Idaho, Kentucky, Louisiana, Nevada, New Mexico, Ohio, Oregon, South Dakota, Texas, West Virginia, Wyoming.</p> <p>Higher license fees for non-residents may be charged in: Alaska, California, Colorado, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Mississippi, Montana, New Hampshire, New Jersey, North Dakota, Oklahoma, Rhode Island, South Dakota, Tennessee, Vermont, Wisconsin, Wyoming.</p>
7 A d ii Consultancy, Actuarial, Risk i Assessment, and Claim Settlement Services	<p>1 None Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster).</p>	<p>National Treatment NT (Article I-4)</p>	<p>Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster).</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	<p>In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters).</p> <p>US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p> <p>2 None</p> <p>3 None Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster). In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters). US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p> <p>4 Unbound, except as indicated in the horizontal section.</p>	National Treatment (Article I-4)	<p>In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters).</p> <p>US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p> <p>Licenses are not issued to nonresidents in: Alabama (adjuster, solicitor, services representative), California (insurance analysts, motor club agents, bail bondsman), Florida (customer representative), Georgia (counselor, adjuster), Indiana (bail bondsmen), Kentucky (adjuster), Maryland (adjuster), Michigan (adjuster), Montana (adjuster), Nevada (adjuster, property bondsman), North Carolina (professional bondsmen, runners), Oklahoma (bail license), Oregon, Pennsylvania (motor vehicle damage appraiser), Washington (solicitor, adjuster). In-state residency is required for licensure in: California (for adjusters; and for life and disability insurance analysts), Georgia (for inspection when not accompanied by a licensed resident adjuster), Illinois (for non-resident public adjusters who are licensed in a state which does not permit equal treatment to Illinois residents), Maryland, Mississippi (for independent adjusters), and Nevada (for appraisers and adjusters). US citizenship is required for licensure in: Alabama (for agents, brokers, solicitors, managing general agents and service representatives), Missouri (for brokers), New Mexico (for bailbondsmen) and Oklahoma (for bail license).</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
7 B BANKING AND OTHER FINANCIAL SERVICES AND EXCLUDING INSURANCE			
<p>1. The market access commitments in this subsector in respect of mode 1 and mode 2, as described in paragraphs 2(a) and 2(b) of Article I of the Agreement, are limited to the services indicated in paragraphs 1(c) through 1(f) and 2(c) of Article 4 of the Annex. It is understood that paragraph 2 of Article 4 of the Annex does not require that non-resident financial service suppliers be permitted to solicit business, and no commitment to such solicitation is undertaken.</p> <p>2. National treatment commitments in these subsectors are subject to the following limitation: National treatment with respect to banking will be provided based upon the foreign bank's "home state" in the United States, as that term is defined under the International Banking Act, where that Act is applicable. A domestic bank subsidiary of a foreign firm will have its own "home state," and national treatment will be provided based upon the subsidiary's home state, as determined under applicable law.¹⁰</p> <p>3. To clarify the U.S. commitment with respect to Article I-3 (Market Access) of the Agreement and Article III-2 of the Annex, juridical persons supplying banking or other financial services (excluding insurance) and constituted under the laws of the United States are subject to non-discriminatory limitations on juridical form.¹¹</p>			
7 B a All subsectors except as specifically provided below	<p>1 Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.</p> <p>2 Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits.</p> <p>3 Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors.</p> <p>Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.</p> <p>Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to</p>	<p>National TreatmentNT (Article I-4)</p> <p>Local PresenceLP (Article X.1)</p> <p>SMBD (Article X.13, FS Annex)</p>	<p><u>Michigan limits, according to the country of their home charters, the banks in which corporate credit unions may place deposits. All directors of a national bank must be U.S. citizens except that the Comptroller of the Currency may waive the citizenship requirement for not more than a minority of the total number of directors.</u></p> <p>Foreign banks are required to register as investment advisers under the Investment Advisers Act of 1940 to engage in securities advisory and investment management services in the United States, while domestic banks¹² (or a separately identifiable department or division of the bank) do not have to register unless they advise registered investment companies. The registration requirement involves record maintenance, inspections, submission of reports and payment of a fee. Foreign banks cannot be members of the Federal Reserve System, and thus may not vote for directors of a Federal Reserve Bank. Foreign-owned bank subsidiaries are not subject to this measure.</p>

¹⁰ Foreign banking organizations are generally subject to geographic and other limitations in the United States on a national treatment basis. Where such limitations do not conform to national treatment, they have been reserved ~~as market access restrictions~~. For purposes of illustration, under this approach, the following situation does not accord national treatment and would therefore be scheduled as a limitation: a foreign bank from a particular home state is accorded less favorable treatment than that accorded to a domestic bank from that state with respect to expansion by branching.

¹¹ For example, partnerships and sole proprietorships are generally not acceptable juridical forms for depository financial institutions in the United States.

¹² For greater clarity, "domestic banks" include U.S. bank subsidiaries of foreign banks.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>be established through branches of corporations organized under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991. Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Unbound with respect to paragraph 2(e) of Article I-3 of the Agreement, in relation to the expansion, by a foreign bank into another state from its “home state,” as that term is defined under applicable law, via:</p> <ul style="list-style-type: none"> • The establishment of a “de novo” branch in another state; • The establishment of branches by merger with a bank in another state; or • The acquisition of one or more branches of a bank in another state without the acquisition of the entire bank if not permitted by the state in which the resulting branch is or would be located. Except as specifically set forth elsewhere in this schedule, such expansion shall be accorded on a national treatment basis in accordance with headnote 2. <p>Unbound for initial entry by establishment or acquisition of state chartered banks or state licensed offices of foreign banks as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Kentucky (subsidiary); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or</p> 		<p>Foreign ownership of Edge corporations is limited to foreign banks and U.S. subsidiaries of foreign banks, while domestic non-bank firms may own such corporations.</p> <p>Federal and state laws do not permit a credit union, savings bank, or savings association (both of the latter two entities may be also called thrift institutions) in the United States to be established through branches of corporations organized under a foreign country's law.</p> <p>In order to accept or maintain domestic retail deposits of less than the standard maximum deposit insurance amount, and requiring deposit insurance protection, a foreign bank must establish an insured banking subsidiary. This requirement does not apply to a foreign bank branch that was engaged in insured deposit taking activities on December 19, 1991.</p> <p>Establishment of a federal branch or agency is prohibited where state law prohibits the establishment of a state branch or agency as the case may be.</p> <p>Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>Establishment or acquisition of state chartered banks or state licensed offices of foreign banks is prohibited or otherwise limited as indicated in the following forms: California (branch; also savings and loan association); Connecticut (bank or holding company; also credit union); Georgia (agency); Illinois (branch); Kentucky (subsidiary); Louisiana (agency); Massachusetts (subsidiary or branch); Michigan (agency); North Carolina (subsidiary, branch, agency, or representative office); Pennsylvania (any deposit taking or representative bank office); Washington (branch, agency, or representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>representative office). The limitations in this paragraph do not apply to initial establishment or acquisition of a national bank subsidiary by a foreign person or establishment of a federal branch or agency by a foreign bank that does not already have a banking presence in the United States, or generally to interstate expansion. Such limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹⁵</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁶</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; Arkansas; California (limit on foreign non-bank ownership of international banking corporation); Colorado; Delaware; Indiana; Kansas; Louisiana; Maryland; Michigan; Minnesota; Mississippi; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Oregon; Pennsylvania; South Carolina; Tennessee; Vermont; Virginia; Washington; West Virginia; Wisconsin; Wyoming. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States. The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Delaware (savings and loan associations; savings banks); Ohio (savings and loan associations; savings banks; credit unions); Tennessee (savings and loan associations;</p>		<p>limitations may apply to interstate expansion through state licensed limited branches, agencies, or representative offices.¹³</p> <p>The following states prohibit or otherwise limit the following specified activities: Indiana (establishment of service offices by foreign owned credit unions); Iowa (activities of foreign owned savings and loan associations; foreign owned bank or trust company acting as fiduciary; use of satellite banking terminals).¹⁴</p> <p>Initial entry or expansion by a foreign person (but not a domestic person) through acquisition or establishment of a state chartered commercial bank subsidiary is prohibited or otherwise limited in the following states: Alabama; Arizona; Arkansas; California (limit on foreign non-bank ownership of international banking corporation); Colorado; Delaware; Indiana; Kansas; Louisiana; Maryland; Michigan; Minnesota; Mississippi; Montana; Nebraska; Nevada; North Carolina; North Dakota; Oklahoma; Oregon; Pennsylvania; South Carolina; Tennessee; Vermont; Virginia; Washington; West Virginia; Wisconsin; Wyoming. The limitations in this paragraph do not apply to establishment or acquisition of a national bank subsidiary by a foreign person that does not already have a banking presence in the United States.</p> <p>The following states limit initial entry or expansion by a foreign person through acquisition or establishment of the following entities: Delaware (savings and loan associations; savings banks); Ohio (savings and loan associations; savings banks; credit unions); Tennessee (savings and loan associations; savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p>

¹⁵ The limitations in this paragraph reflect state reciprocity measures.

¹⁶ The limitations in this paragraph reflect state reciprocity measures.

¹³ The limitations in this paragraph reflect state reciprocity measures.

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	<p>savings banks; credit unions; trust companies); Washington (savings and loan associations; savings banks; credit unions; trust companies).</p> <p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); District of Columbia (all); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Mississippi (all); Missouri (all); New Hampshire (majority); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); Vermont (2/3); West Virginia (majority); Wisconsin (2/3).</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial institutions organized under state law. U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency). Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:</p> <ul style="list-style-type: none"> • State branch license subject to certain limitations -- California (no trust/ fiduciary powers); Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches. • State branch license not available, but state agency license is available in Idaho, <u>Oklahoma</u>, and West Virginia. • No state branch or agency license available – Arizona; 		<p>The boards of directors of depository financial institutions organized under the following states' laws are subject to U.S. citizenship requirements of up to the specified proportions: Alabama (all); Colorado (3/4); District of Columbia (all); Florida (majority); Georgia (3/4); Indiana (3/4); Iowa (majority); Kentucky (all); Massachusetts (majority); Mississippi (all); Missouri (all); New Hampshire (majority); New Jersey (all); New Mexico (3/4); New York (1/2; all for trustees of mutual savings banks and directors of mutual savings and loans associations); North Carolina (3/4); North Dakota (majority); Pennsylvania (all, but may be waived); South Dakota (3/4); Tennessee (all); Vermont (2/3); West Virginia (majority); Wisconsin (2/3).</p> <p>Texas allows pre-judgment seizure remedies to be applied against foreign bank agencies, while bank subsidiaries of foreign banks and branches of foreign banks are exempt to the same extent as domestic banks incorporated in Texas.</p> <p>The following states require direct branches or agencies of foreign banks to register under securities broker dealer or investment adviser measures, while bank subsidiaries of foreign banks are exempt from such registration to the same extent as domestic banks incorporated in the state: Alabama; Arizona; Arkansas; California; Connecticut; Delaware; District of Columbia; Georgia; Idaho; Iowa; Kansas; Louisiana; Maryland; Mississippi; Missouri; Nebraska; New Hampshire; New Jersey; New Mexico; New York; North Carolina; Ohio; Oklahoma; Pennsylvania; South Dakota; Tennessee; Texas; Vermont; Washington. These limitations do not apply to Federally licensed branches or agencies.</p> <p>U.S. citizenship is also required for the incorporators or organizers of depository financial institutions organized under state law. Residence within a state may also be required for directors, incorporators, organizers, or executive committee members of depository financial</p>

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	<p>Arkansas; Colorado; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Oklahoma; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin. These limitations do not apply to Federal offices.</p> <p>• Branch license not available but agency license is, subject to any specified limitations -- Delaware (state license limited to one office per bank and cannot operate in a manner likely to result in a substantial detriment to existing bank; no fiduciary powers); Florida (available only to a foreign bank with at least \$4025 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Mississippi; Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Texas (one office only, limited to metropolitan areas with at least 500,000 residents; limited fiduciary powers). Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or state agency license available -- Wyoming.</p> <p>• No branch or agency license available ---Alabama; Kansas; Maryland; North Dakota.</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Colorado; Kansas; Kentucky; Michigan; Mississippi; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Oregon; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p>		<p>institutions organized under state law.U.S. citizenship is required to engage in specified activities in the following states: Arizona (collection agency); Indiana (collection agency); Illinois (safe deposits); Nevada (collection agency).</p> <p>Establishment of a state-licensed branch or agency by a foreign bank is limited as specified in the following states:• State branch license subject to certain limitations -- California (no trust/ fiduciary powers); Hawaii (no trust/ fiduciary powers); Massachusetts; Oregon; Pennsylvania; Utah (no trust/ fiduciary powers); Washington (limited trust/fiduciary powers and restricted to one office per bank). These limitations do not apply to Federal branches.</p> <p>• State branch license not available, but state agency license is available in Idaho, <u>Oklahoma</u>, and West Virginia.</p> <p>• No state branch or agency license available – Arizona; Arkansas; Colorado; Indiana; Iowa; Minnesota; Montana; Nebraska; New Mexico; North Dakota; Oklahoma; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin. These limitations do not apply to Federal offices.</p> <p>• Branch license not available but agency license is, subject to any specified limitations -- Delaware (state license limited to one office per bank and cannot operate in a manner likely to result in a substantial detriment to existing bank; no fiduciary powers); Florida (available only to a foreign bank with at least \$4025 million in capital or that is one of five largest banks in its home country); Georgia (available only to foreign bank with at least \$50 million in excess of liabilities; no fiduciary and limited other powers); Louisiana (limited to parishes with more than 350,000 residents); Mississippi; Missouri (no fiduciary powers); Oklahoma (foreign bank must have at least \$25 million in capital or, inter alia, be one of five largest banks in its home country; special asset maintenance/capital equivalency rules apply, as do other restrictions); Texas (one office only, limited to</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	<u>Commitments Obligations Concerned</u>	Conditions and Limitations
	4 Unbound except as indicated in the horizontal section		<p>metropolitan areas with at least 500,000 residents; limited fiduciary powers). Certain restrictions on fiduciary powers apply to federal agencies.</p> <p>• No branch or state agency license available --- Wyoming.</p> <p>• No branch or agency license available ---Alabama; Kansas; Maryland; North Dakota.</p> <p>The following states require direct branches or agencies of foreign banks, but not bank subsidiaries of foreign banks, to register or obtain licenses in order to engage in the following activities: Arkansas (selling checks; mortgage transactions); California (selling payment instruments); Delaware (sale or cashing of checks, drafts, money orders; motor vehicle financing; transportation of money/valuables); Georgia (mortgage lending/brokerage, check selling/cashing); Indiana (money transmission; loan brokerage); Kansas (money transmission); Maryland (selling payment instruments, traveler's checks); Massachusetts (check selling/cashing; foreign transmittal agencies; motor vehicle financing; insurance premium financing; retail installment sales/ servicing; residential real estate mortgage financing -- license requirement applies only to agencies); North Carolina (selling checks); Oklahoma (selling checks); Pennsylvania (mortgage banking/ brokerage); Tennessee (money transmission; residential lending/brokerage; industrial loan and thrift activities); Texas (currency exchange or transmission -- does not apply to Texas agencies; selling checks); Virginia (mortgage lending/brokerage; money transmission; sale of money orders; check cashing); Wisconsin (selling checks).</p> <p>The following states restrict various commodities transactions by foreign bank branches and agencies, but not by other depository financial institutions: Arizona; California; Idaho; Indiana; Iowa; Mississippi; Missouri; Nebraska; New Hampshire; Washington.</p> <p>Offers and sales of securities to foreign bank branches and agencies in the following states are subject to</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
			<p>registration/disclosure requirements that do not apply if the transaction involves other financial institutions: Illinois; Indiana; Louisiana; Montana; Nebraska; New Jersey; North Dakota; Tennessee; Texas (applies to branches and agencies of all foreign financial institutions).</p> <p>Representative offices of foreign banks are not permitted in the following states, or are limited as specified: Arizona; Arkansas; Colorado; Kansas; Kentucky; Michigan; Mississippi; Montana; North Dakota; Oklahoma (foreign bank must have at least \$10 million in capital or, inter alia, be one of the five largest banks in its home country; special asset maintenance/capital equivalency requirements may apply); Oregon; Rhode Island; South Carolina; South Dakota; Tennessee; Vermont; Virginia; Wisconsin; Wyoming. Other states require incorporation of representative offices.</p>
7 B b Trading of Securities and Derivative Products and Services Related Thereto; Participation in Securities Issues	<p>1 The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.</p> <p>2 The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.</p> <p>3 The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Unbound with respect to the use of simplified registration and periodic reporting forms for securities issued by small business corporations.</p> <p>4 Unbound except as indicated in the horizontal section</p>	<p>National TreatmentNT (Article I-4)</p> <p>National Treatment (Article I-4)</p> <p>National Treatment (Article I-4)</p>	<p>The authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test.</p> <p>The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.</p> <p>The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.</p> <p>The use of simplified registration and periodic reporting forms for securities issued by small business corporations is limited.</p>
7 B c Participation in Issues of Government Debt Securities	<p>1 None</p> <p>2 None</p> <p>3 None Designation as a primary dealer in US government debt securities is subject to reciprocity.</p> <p>4 Unbound except as indicated in the horizontal section</p>	<p>National TreatmentNT (Article I-4)</p>	<p>Designation as a primary dealer in US government debt securities is subject to reciprocity.</p>

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MODIFIED HANDLING AUTHORIZED**

PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
8 HEALTH RELATED & SOCIAL SERVICES				
8 A Hospital and Other Health Care Facilities - Direct ownership and management and operation by contract of such facilities on a "for fee" basis	1 2 3	<p>None</p> <p>None</p> <p>Establishment of hospitals or other health care facilities, procurement of specific types of medical equipment, or provision of specific types of medical procedures may be subject to needs based quantitative limits.</p> <p>In New York, corporate ownership of an operating corporation for, and limited partnerships as operators of, hospitals, nursing homes (including long term health care centers) or diagnostic and treatment centers is prohibited. If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>	<p>Local Presence LP (Article X.1)</p>	<p>If the operator has any members which are not natural persons or is a corporation whose shares of stock are owned by another corporation, a New York corporation must be established as the operator of a licensed home care services agency and a certified home health agency.</p> <p>In Michigan and New York Health Maintenance Organizations must be incorporated in those states.</p>
9 TOURISM AND TRAVEL RELATED SERVICES				
9 A Hotels and restaurants (including catering)	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		
9 B Travel agencies and tour operators services	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		
9 C Tourist guide services	1 2 3 4	<p>None</p> <p>None</p> <p>The number of concessions available for commercial operations in federal, state and local facilities is limited</p> <p>Unbound except as indicated in the horizontal section</p>		
9 D Other tourism and travel related services	1 2 3 4	<p>None</p> <p>None</p> <p>None</p> <p>Unbound except as indicated in the horizontal section</p>		

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access	Commitments Obligations Concerned	Conditions and Limitations
10 RECREATIONAL, CULTURAL, & SPORTING SERVICES				
10 A Entertainment services (including theater, live bands and circus services) ¹⁷	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 B News agency services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 C Libraries, archives, museums and other cultural services	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
10 D Other Recreational Services (except sporting and gambling and betting services)	1	None		
	2	None		
	3	The number of concessions available for commercial operations in federal, state and local facilities is limited		
	4	Unbound except as indicated in the horizontal section		
10 E Other services: Physical well-being services ¹⁸	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 TRANSPORT SERVICES				
11 A MARITIME TRANSPORT SERVICES				
11 A d Repair of Vessels	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 A f Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		

¹⁷ This sector includes "cinema theater operations"

¹⁸ For transparency purposes, this subsector includes physical well-being services such as delivered by, inter alia, fitness centers, spas, salons, massage (excluding therapeutic massage), and ayurvedics. This subsector does not include regulated medical services. For greater certainty, nothing in this commitment authorizes the provision of unregulated substances or affects the ability of state authorities to regulate substances that may be affiliated with these services.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies.			
11 C AIR TRANSPORT SERVICES			
11 C d Aircraft repair and maintenance. (Aircraft repair and maintenance activities, when undertaken on an aircraft or a part thereof, while it is withdrawn from service. Does not include line maintenance or other repair or maintenance activities undertaken by an air carrier (includes its agents or contractors) on aircraft it owns, leases, or operates.)	1 Unbound 2 None 3 None 4 Unbound except as indicated in the horizontal section		
11 E RAIL TRANSPORT			
11 E a Passenger Transportation, excluding high speed rail	1 None 2 None 3 Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont 4 Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4) Local Presence LP (Article X.1)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont
11 E b Freight Transportation	1 None 2 None 3 Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont	National Treatment NT (Article I-4)	Foreign railroads must incorporate in Vermont or in an adjacent state in order to own directly or indirectly the stock of a railroad company incorporated in Vermont

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access	Commitments Obligations Concerned	Conditions and Limitations
	4	Unbound except as indicated in the horizontal section	Local Presence LP (Article X.1)	
11 E d Maintenance and Repair of Rail Transport Equipment	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 F ROAD TRANSPORT				
11 F a Passenger transport: Interurban regular transport	1 2 3 4	None None None Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4)	Passenger and Freight Road Transport: Only persons of the United States, using U.S. registered and either U.S.-built or duty-paid trucks or buses, may provide truck or bus services between points in the territory of the United States.
11 F b Freight transport	1 2 3 4	None None None Unbound except as indicated in the horizontal section	Local Presence LP (Article X.1)	Operating authority from the Department of Transportation is required to provide interstate or cross-border for hire bus or truck services in the territory of the United States. For persons of Mexico, grants of operating authority are subject to certain statutory and regulatory requirements. For truck services supplied through mode 3, grants of authority for the provision of truck services by persons of Mexico between points in the United States for the transportation of goods other than international cargo is subject to reciprocity.
11 F d Maintenance and Repair of Road Transport Equipment	1 2 3 4	None None None Unbound except as indicated in the horizontal section		
11 G PIPELINE TRANSPORT				
11 G a Transportation of fuels	1 2 3 4	None None Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia. Unbound except as indicated in the horizontal section	National Treatment NT (Article I-4)	Applicants for rights of way for pipelines over federal lands must be either US citizens, associations of such citizens, or corporations formed under the laws of any US State, territory or the District of Columbia. Under the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil

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PART II. SECTOR-SPECIFIC COMMITMENTS				
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons				
Sector / subsector	Mode	Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
				or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands. ¹⁹
11 H SERVICES AUXILIARY TO ALL MODES OF TRANSPORT				
11 H a Cargo-handling services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H b Storage and warehouse services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H c Freight transport agency services (except maritime transport services or services to which the Annex on Air Transport Services applies)	1	None		
	2	None		
	3	None		
	4	Unbound except as indicated in the horizontal section		
11 H d Other Supporting and Auxiliary Transport Services: Customs House Brokers	1	Unbound	National Treatment ^{NT} (Article I-4)	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.
	2	None		
	3	Services must be supplied by a corporation, association or partnership. One officer of a corporation or association or one of the members of a partnership must hold a valid customs broker's license in order for the entity to engage in such business. A customs broker's license may only be obtained by a US citizen.		
	4	Unbound except as indicated in the horizontal section		
12 SECTORS NOT LISTED IN PART II, ABOVE	1	Unbound	National Treatment ^{NT} (Article I-4)	The United States reserves the right to maintain all Any existing measures inconsistent with Article I-4 (National Treatment), Article X.1 (Local Presence), and Article X.2
	2	Unbound		
	3	Unbound		

¹⁹ For transparency purposes, non-U.S. citizens may own a 100-percent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, unless the foreign investor's home country denies similar or like privileges for the mineral or access in question to U.S. citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges.

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PART II. SECTOR-SPECIFIC COMMITMENTS			
Modes of Supply: 1) Cross-border supply 2) Consumption abroad 3) Commercial Presence 4) Presence of natural persons			
Sector / subsector	Mode Market Access Commitments	Commitments Obligations Concerned	Conditions and Limitations
	4 Unbound except as indicated in the horizontal section	Local PresenceLP (Article X.1) Local ManagementLM BD (Article X.2)	(Local Management <u>and Boards of Directors</u>) of all states of the United States and the District of Columbia and all local levels of government. This limitation also applies to the continuation or prompt renewal of any such measures.

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
Movement of Persons	Government issuance of treaty trader or treaty investor non-immigrant visas that extend a special visa category to nationals of treaty partners in executive and other personnel categories engaged: (i) solely to carry on substantial trade, including trade in services or trade in technology, principally between the US and the foreign state of which a natural person is a national; or (ii) solely to develop and direct the operations of an enterprise in which a natural person has invested, or is actively in the process of investing, a substantial amount of capital.	Countries with whom the United States has a qualifying Friendship, Commerce and Navigation Treaty (FCN) or Bilateral Investment Treaty (BIT), or certain countries as described in statutory provisions pertaining to section 101(a)(15)(E)(i) or (ii) of the Immigration and Nationality Act.	Indefinite	To facilitate trade and investment under FCNs and BITs
<u>All sectors:</u> Movement of Persons	Restrictions on performance of longshore work when making US port calls by crews of foreign vessels owned and flagged in countries that similarly restrict US crews on US-flag vessels from longshore work.	Countries that prohibit longshore work by crew members aboard US vessels	Indefinite	Reciprocal restrictions on countries that prohibit longshore work by crew members aboard US vessels
All Sectors:Taxation Measures	Differential treatment under direct tax measures at the federal level. Such measures are: <ul style="list-style-type: none"> • measures under the US Internal Revenue Code (IRC) permitting the residents of countries contiguous to the United States to receive more favorable treatment and permitting certain US taxpayers to receive more favorable treatment as to their contiguous country operations, and providing any other benefits with respect to contiguous countries; • benefits available under the US IRC with respect to US possessions; • benefits available under the US IRC with respect to Caribbean Basin Initiative (CBI) beneficiary countries; • regarding activities covered by the scope of the General Agreement on Trade in Services, reciprocal reduction of taxation on income derived from the international operation of aircraft or of taxation of certain earnings derived from the use of railroad rolling stock; • tax exemption for earnings derived from the ownership or operation of a communications satellite system by a foreign entity designated by a foreign government to participate in such ownership if the United States, through its 	All	Indefinite	

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MFN EXEMPTIONS				
Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	<p>designated entity, participates in such system pursuant to the Communications Satellite Act of 1962;</p> <ul style="list-style-type: none"> • denial of statutory reduction of double taxation or deferral of US tax on income earned through controlled foreign corporations, because the country participates in or cooperates with an international boycott, or for similar foreign policy reasons; • measures permitting less favorable taxation for citizens, corporations or products of a foreign country based on discriminatory or extraterritorial taxes, more burdensome taxation, or other discriminatory conduct; • allow the deduction for expenses of an advertisement carried by a foreign broadcast undertaking and directed primarily to a US market only where the broadcast undertaking is located in a foreign country that allows a similar deduction for an advertisement placed with a US broadcast undertaking; • in connection with the exclusion of, or deduction relating to, certain foreign earned income from the gross income of individuals, the benefit of a waiver of the required period of stay in a foreign country as determined by the Secretary of the Treasury. The Secretary is empowered to determine that individuals were required to leave a foreign country because of war, civil unrest or similar adverse conditions in such foreign country which precluded the normal conduct of business by such individuals. 			
All Sectors: Taxation Measures, Sub-federal Measures	<p>Sub-federal tax measures affording differential treatment to service suppliers or to services when the differential treatment is based on one of the following criteria:</p> <ul style="list-style-type: none"> • are performed, consumed, or located within different sub-federal entities; • differ based on the size or income of the service supplier or on the scale or methods (including environmental and health and safety measures) of performance; • differ in the extent of ownership or participation by minority or other disadvantaged groups; • differ as to the eligibility for non-profit status for pension, profit-sharing or other employee-benefit regimes; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • differ based on federal immunity to taxation, for example, exemption from sub-federal tax on US government obligations or contracts; • are performed or located in countries contiguous to the United States; or • are performed or located in jurisdictions with which sub-federal entities have arrangements for tax cooperation and assistance. 	All	Indefinite	To implement fiscal policies of sub-central governments

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Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	Sub-federal measures substantively incorporating provisions of federal law subject to an MFN exemption under this agreement.			
All Sectors: Land Use	Non-US citizens in Wyoming may not acquire or inherit land unless the country of which they are a citizen extends a reciprocal right to US citizens	All	Indefinite	Lack of Reciprocity
All	Canadian small businesses, but not small businesses of other countries, may use simplified registration and periodic reporting forms with respect to their securities	Canada	Indefinite	Maintenance of established preference
Telecommunication services: One-way satellite transmission of DTH and DBS television services and of digital audio services	Differential treatment of countries due to application of reciprocity measures or through international agreements guaranteeing market access or national treatment	All	Indefinite	Need to ensure substantially full market access and national treatment in certain markets.
Insurance	Measures according differential treatment in regard to the expansion of existing operations, the establishment of a new commercial presence or the conduct of new activities, in a circumstance in which a Member adopts or applies a measure that compels, or has the effect of compelling, a person of the United States, on the basis of its nationality, to reduce its share of ownership in an insurance services provider operating in the Member's territory to a level below that prevailing on 12/12/97.	All Countries	Indefinite	Need to protect existing US ownership of service suppliers operating in other Members.
Banking and other financial services (excluding insurance)	A broker-dealer registered under US law that has its principal place of business in Canada may maintain its required reserves in a bank in Canada subject to the supervision of Canada.	Canada	Indefinite	Maintenance of established preference
Banking and other financial services (excluding insurance)	<p>Permission to establish state-licensed branches, agencies, or representative offices, or to own commercial bank subsidiaries, is based on a reciprocity test in the following States: California (applies also to savings and loan associations), Connecticut (applies also to credit unions), Georgia, Illinois, Kentucky, Louisiana, Massachusetts, Michigan, North Carolina, Pennsylvania, Washington.</p> <p>Among the conditions on which agency or agency and representative office licenses may be granted for the following States is that the foreign bank is one of the five largest banks in the home country: Florida, Oklahoma. Permission for a foreign-owned bank or trust company to act as fiduciary, and to use satellite banking terminals, is based on a reciprocity test in Iowa. Iowa also subjects the activities of foreign-owned savings and loan associations to a reciprocity test.</p>	All Countries	Indefinite	Need to protect existing activities of US service suppliers abroad and to ensure substantially full market access and national treatment in international financial markets.

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Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
	Authority to act as a sole trustee of an indenture for a bond offering in the United States is subject to a reciprocity test. Designation as a primary dealer in US Government debt securities is conditioned on reciprocity.			
Banking and other financial services (excluding insurance) - Michigan	Michigan permits corporate central credit unions to place deposits in banks chartered in Canada or the European Common Market but not in banks chartered in other foreign countries.	Canada and European Common Market	Indefinite	Maintenance of established preference.
Transport Services: Maritime Transport Services	<u>Measures relating to the provision of maritime transportation services and the operation of U.S.-flagged vessels.</u> The following activities are conditioned on reciprocity: Landside aspects of port activities, including operation and maintenance of docks; loading and unloading of vessels directly to or from land; marine cargo handling; operation and maintenance of piers; ship cleaning; stevedoring; transfer of cargo between vessels and trucks, trains, pipelines, and wharves; waterfront terminal operations; boat cleaning; canal operation; dismantling of vessels; operation of marine railways for drydocking; marine surveyors, except cargo; marine wrecking of vessels for scrap; and ship classification societies. For greater certainty, measures relating to the landside aspects of port activities are subject to the application of Article [...] (Essential Security).	All countries	Indefinite	
Transport Services: Air Transport Services	<u>Measures relating to the supply of services covered by [Article X: scope] of the Annex on Air Transport Services, except for aircraft repair and maintenance services. Measures which pertain to selling and marketing of air transport services (including sales, other than by airlines, of passenger charters and forwarding of air freight other than by airlines) and to operation and regulation of computer reservation system (CRS) services, as described in the Annex on Air Transport Services.</u> (For transparency purposes, these measures include, but are not limited to, bilateral and multilateral civil aviation agreements, understandings and undertakings and informal comity and reciprocity aviation regimes to which the United States is a party; US laws and regulations, including the International Air Transportation Fair Competitive Practices Act of 1974, as amended, the Federal Aviation Act of 1958, as amended, the International Air Transportation Competition Act of 1979, the International Aviation Facilities Act, as amended, and Title 14, Parts 1 - 399, of the Code of Federal Regulations; and measures of US states and territories and the District of Columbia, and of their agencies and subdivisions).	All partners with which the United States has active aviation relations covered by bilateral or other air services agreements and comity and reciprocity regimes. Also concerned are the co-signatories of the Chicago Convention and various other international aviation agreements, undertakings, and	Indefinite	The common policy and practice of exchanging rights, settling disputes, and applying laws and other measures pertaining to the operation of civil aircraft and air transportation differentially, with respect to the activities referred to above, on the basis of mutual agreement and balanced exchanges of rights and responsibilities.

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Sector or subsector	Description of measure indicating its inconsistency with Article [] (MFN)	Countries to which the measure applies	Intended duration	Conditions creating the need for the exemption
		understandings to which the United States is a party.		
Transport Services: Road Transport	The US government has discretion to limit the issuance of trucking licenses to persons from contiguous countries on the basis of reciprocity. The Bus Regulatory Reform Act of 1982 permits the President to remove or modify in whole or in part the moratorium on a finding that such removal or modification is in the national interest. Domestic and cross-border trucking operations are permitted within designated Interstate Commerce Commission commercial zones. The moratorium was lifted for Canada in October 1982. <u>Without prejudice to the reservation in Part II with respect to passenger and freight road transport, the United States acknowledges the relevant reservation and phase-out in its schedule to Annex I of the North American Free Trade Agreement, located at pages 18-20 of that schedule.</u>	Mexico, Canada	Indefinite	Need to have authority to impose a moratorium on the issuance of new licenses for domestic operations within and cross-border operations into the United States on the basis of reciprocity
Transport Services: Pipeline Transport	Pursuant to the Mineral Lands Leasing Act of 1920, aliens and foreign corporations may not acquire rights-of-way for oil or gas pipelines, or pipelines carrying products refined from oil and gas, across on-shore federal lands or acquire leases or interests in certain minerals on on-shore federal lands, such as coal or oil. Non-US citizens may own a 100 per cent interest in a domestic corporation that acquires a right-of-way for oil or gas pipelines across on-shore federal lands, or that acquires a lease to develop mineral resources on on-shore federal lands, unless the foreign investors' home country denies similar or like privileges for the mineral or access in question to US citizens or corporations, as compared with the privileges it accords to its own citizens or corporations or to the citizens or corporations of other countries. Nationalization is not considered to be denial of similar or like privileges. Foreign citizens, or corporations controlled by them, are restricted from obtaining access to federal leases on Naval Petroleum Reserves if the laws, customs or regulations of their country deny the privilege of leasing public lands to US citizens or corporations.	All	Indefinite	Lack of reciprocity
Transport Services:Space Transportation	Quantitative restrictions and price disciplines in certain bilateral agreements on the launch of satellites in the international commercial space launch market	All	Indefinite	Need to prevent disruption of competition in the international space launch market