



Mr. Dino Delgado Gutiérrez
Executive Director
Secretariat for Submissions on Environmental Enforcement Matters

June 17, 2019

Dear Mr. Delgado:

With this letter, the United States of America confirms receipt of SACA-SEEM/PE/002/2018/N1, submitted to the Environmental Affairs Council by the Secretariat for Submissions on Environmental Enforcement Matters (Secretariat) pursuant to Article 18.9.1 of the United States-Peru Trade Promotion Agreement (PTPA). In accordance with Article 18.9.2 of the PTPA, the United States instructs the Secretariat to prepare a factual record for the public submission SACA-SEEM/PE/002/2018.

Sincerely,

Marcia S. Bernicat
Principal Deputy Assistant Secretary of State
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State

Jennifer Prescott
Assistant U.S. Trade Representative
for Environment and Natural Resources
Office of the U.S. Trade Representative

U.S. Representatives on the United States-Peru Trade Promotion Agreement
Environmental Affairs Council

Instruction to the United States-Peru Trade Promotion Agreement Secretariat for Submissions on Environmental Enforcement Matters Regarding Submission SACA-SEEM/PE/002/2018 Asserting that the Government of Peru is Failing to Effectively Enforce its Environmental Laws in the Drafting, Deliberation, Approval and Enactment of Law 30723 that Declares the Construction of Roads in Border Areas and Maintenance of Truck Paths in the Ucayali Region a Priority and National Interest.

THE UNITED STATES OF AMERICA:

SUPPORTIVE of the process provided for in Articles 18.8 and 18.9 of the *United States-Peru Trade Promotion Agreement* (PTPA) regarding Submissions on Enforcement Matters and the preparation of factual records;

CONSIDERING Submission SACA-SEEM/PE/002/2018 (the "Submission") filed by the Native Federation of the Madre de Dios River and its Tributaries (FENAMAD) on July 9, 2018, and the Responses provided by the Government of Peru on February 5, 2019, and March 12, 2019;

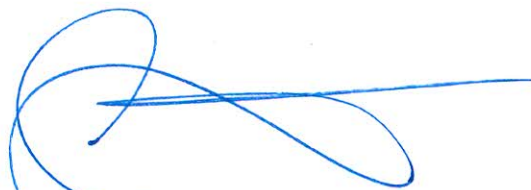
HAVING REVIEWED the Secretariat's May 24, 2019 Notification in accordance with Article 18.9(1) of the PTPA, informing the Environmental Affairs Council that the Secretariat considers the Submission to warrant the development of a Factual Record; and

PURSUANT to Article 18.9(2) of the PTPA,

HEREBY INSTRUCTS the Secretariat to prepare a factual record concerning the Submission.



Marcia Bernicat
Principal Deputy Assistant Secretary
of State
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State



Jennifer Prescott
Assistant U.S. Trade Representative
Office of Environment and Natural
Resources
Office of the U.S. Trade
Representative

U.S. Representatives on the PTPA Environmental Affairs Council