

From: Ricker, Monique T. EOP/USTR Monique_T_Ricker@ustr.eop.gov
Subject: RE: FOIA Request (MULTI-19-0211-0236)
Date: March 11, 2019 at 12:44 PM
To: American Oversight FOIA foia@americanoversight.org
Cc: FN-USTR-FOIA FN-USTR-FOIA@ustr.eop.gov



Mr. McGrath,

This email is the final response of the Office of the United States Trade Representative (USTR) to Freedom of Information Act (FOIA) No. FY19-52 submitted on February 14, 2019 requesting "all records reflecting communications between any political appointees and any employee or representative of Ballard Partners with the email address ending in ballardfl.com." We previously, partially responded on February 14, 2019 with emails responsive to a similar request for all USTR political appointees' and career employees' communications exchanged with the email domain ending in @ballardfl.com or @ballardpartners.com from January 20, 2017 to March 19, 2018. We conducted a new eDiscovery search for emails exchanged between USTR political appointees (current and departed) and the email domain ending in @ballardfl.com or @ballardpartners.com between March 20, 2018 and February 14, 2019.

We have located 128 pages of responsive records which we are releasing in part. You may download the document from here: <https://drive.max.gov/share/c93e8a56da173e56>

We redacted non-USG, non-public contact information because we reasonably foresee that disclosure would harm an interest protected by FOIA Exemption 6, which protects personal information the release of which would not shed light on the performance of the agency's statutory duties.

This constitutes a complete response to your request. You may contact me or my colleague Melissa Keppel by email at FOIA@ustr.eop.gov or 202-395-3419 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

If you are not satisfied with the response to this request, you may also administratively appeal by writing to: FOIA Office, GSD/RDF; ATTN: Janice Kaye, Anacostia Naval Annex, Bldg. 410/Door 123, 250 Murray Lane, S.W., Washington, D.C. 20509.

Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal" and should include a reference to the FOIA Case File number listed above. Heightened security in force may delay mail delivery; therefore we suggest that you also email any such appeal to foia@ustr.eop.gov.

In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you requested.

where we searched for the records you requested.

Thank you,
Monique

Monique T. Ricker
FOIA Program Manager/Attorney

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON DC 20508

From: American Oversight FOIA <foia@americanoversight.org>
Sent: Thursday, February 14, 2019 11:09 AM
To: MBX OMB FOIA <MBX.OMB.FOIA@OMB.eop.gov>; FN-USTR-FOIA <FN-USTR-FOIA@ustr.eop.gov>
Subject: [EXTERNAL] FOIA Request (MULTI-19-0211-0236)

Dear FOIA Officers:

Please find attached and pasted below a request for records under the Freedom of Information Act.

Sincerely,

Clay M. Goode
Paralegal
American Oversight
foia@americanoversight.org
>www.americanoversight.org< | @weareoversight

FOIA: MULTI-19-0211-0236

[EXTERNAL] Republic of Turkey

From: Brian Ballard <ballard@ballardfl.com>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Tue, 20 Mar 2018 12:32:34 -0400

Dear Payne,

I appreciate you taking the time to visit with me earlier today. As we discussed, we respectfully request your assistance in helping facilitate a meeting between Turkish Ambassador to the US, Sedar Kalic and Ambassador Lighthizer regarding Section 232 measures concerning steel and aluminum.

In 2017, the US enjoyed an overall trade surplus with Turkey in excess of 3.5 billion. The cumulative US trade surplus with Turkey over the past 10 years exceeds 67 billion. Ambassador Kalic hopes to discuss ways to avoid an unhelpful application of Section 232 measures and a deterioration of bilateral US-Turkey relations.

I very much appreciate your kind assistance in this regard.

Sincerely,

Brian Ballard

[EXTERNAL] Re: Greetings

From: Sylvester Lukis <syl@ballardfl.com>
To: "Bacak, Abigail R. EOP/USTR" <abigail.r.bacak@ustr.eop.gov>
Cc: Robert Wexler <robert@ballardfl.com>, Brian Ballard <ballard@ballardfl.com>, Hannah Walters <hannah@ballardfl.com>
Date: Tue, 20 Mar 2018 09:24:11 -0400

Abby, I hope you are well. My firm Ballard Partners represents the government of Turkey. My partners former Florida Congressman Robert Wexler, Brian Ballard and I have been asked by Turkey's U.S. Ambassador Serder Kilic to assist him in arranging a meeting with Ambassador Lighthizer to discuss aluminum and steel tariffs. Could you please assist me with this effort? Ambassador Kilic is willing to meet at Ambassador Lighthizer's earliest convenience. Thank you in advance for your help. Syl Lukis

Sent from my iPhone

> On Jun 6, 2017, at 4:50 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:
>
> My COS is on travel with the boss but I will check and get back to you ASAP .
>
> -----Original Message-----
> From: Sylvester Lukis [mailto:syl@ballardfl.com]
> Sent: Tuesday, June 6, 2017 4:48 PM
> To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>
> Subject: Re: Greetings
>
> Thanks Abby. Can your Chief of Staff meet with the Mosaic guys? They are big in FL and close to Governor Scott. It would be very much appreciated. Or Payne? Syl
>
> Sent from my iPhone
>
>> On Jun 6, 2017, at 4:11 PM, Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov> wrote:
>>
>> Mr. Lukis--
>>
>> The Ambassador is unable to meet on 6/21.
>>
>> Thank you,
>> Abby
>>
>>
>> Abigail Bacak
>> Director of Scheduling and Advance
>> The Office of the United States Trade Representative
>> Executive Office of the President
>> Abigail.R.Bacak@ustr.eop.gov
>> (O) 202-395-9503 |(C) (b) (6)
>>
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>> -----Original Message-----
>> From: Griffin, Payne P. EOP/USTR
>> Sent: Tuesday, June 6, 2017 7:51 AM
>> To: Bacak, Abigail R. EOP/USTR <Abigail.R.Bacak@ustr.eop.gov>
>> Subject: FW: Greetings
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>> From: Sylvester Lukis [mailto:syl@ballardfl.com]
>> Sent: Tuesday, June 6, 2017 6:30 AM
>> To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
>> Cc: Gray, Alexander B. EOP/WHO (b) (6) who.eop.gov>; Brian Ballard
<ballard@ballardfl.com>
>> Subject: Re: Greetings
>>
>>
>>
>> Thanks Payne. Before or after our 11am with Alex and Peter would be ideal. Syl
>>
>> Sent from my iPhone
>>
>>
>> On Jun 5, 2017, at 5:11 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov
<mailto:Garrison.P.Griffin@ustr.eop.gov> > wrote:
>>
>> Thank you Syl. I have copied the Ambassador's scheduler, Abby Bacak.
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>>
>> G. Payne Griffin
>>
>> Deputy Chief of Staff
>>
>> The Office of the United States Trade Representative
>>
>> Executive Office of the President
>>
>> Garrison.P.Griffin@USTR.eop.gov <mailto:Garrison.P.Griffin@USTR.eop.gov>
>>
>> (O) 202-395-5869 (C) (b) (6)
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>> From: Sylvester Lukis [mailto:syl@ballardfl.com]
>> Sent: Monday, June 5, 2017 4:17 PM
>> To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov <mailto:Garrison.P.Griffin@ustr.eop.gov>
>

>> Cc: Gray, Alexander B. EOP/WHO <(b) (6) who.eop.gov
<mailto:(b) (6) who.eop.gov> >; Brian Ballard <ballard@ballardfl.com
<mailto:ballard@ballardfl.com> >
>> Subject: Greetings
>>
>>
>>
>> Garrison,
>>
>>
>>
>> Alex Gray referred me to you. I hope you are doing well. Our firm, Ballard Partners, is a Florida based firm with offices in DC. We represent the Mosaic Company, which is a multinational mining company in the agriculture nutrient business, such as phosphates, with significant holdings in Florida. Joc O'Reilly, the company's CEO and his colleague, Walt Precourt, a Senior Vice President for phosphate production, will be in DC the morning of June 21. They have a meeting scheduled with Alex and Peter Navarro that morning at 11:00 a.m. and we're hoping to get on Ambassador Lighthizer's calendar as well the morning of June 21. There are some International Trade issues they would like to discuss regarding Moroccan phosphate production but the meeting primarily would be a meet and greet and shouldn't take more than a half hour.
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>>
>> Thank you in advance for your assistance. I look forward to hearing from you.
>>
>> Syl Lukis
>>
>>
>>
>> Managing Partner
>>
>> Washington, DC <x-apple-data-detectors://0/0>
>>
>> Ballard Partners
>>
>> M: (b) (6)
>>
>> syl@ballardfl.com <mailto:syl@ballardfl.com>
>>
>>
>>
>> DC Office
>>
>> 601 Thirteenth St, NW, Suite #200 N <x-apple-data-detectors://1/1>
>> Washington <x-apple-data-detectors://1/1> , DC 20005
>> P: 202.800.5620 <tel:202.800.5620>
>> F: 202.800.5623 <tel:202.800.5623>
>>
>>
>>
>> Miami Office
>>
>> 2 Alhambra Plaza Suite 102 <x-apple-data-detectors://2/1>
>>
>> Coral Gables, FL 33134 <x-apple-data-detectors://2/1>
>>
>> P: 305.456.8479 <tel:305.456.8479>

>>
>> F: 786.542.6997 <tel:786.542.6997>
>>
>>
>>

[EXTERNAL] Re: DR

From: Brian Ballard <ballard@ballardfl.com>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Cc: Rebecca Benn <rebecca@ballardfl.com>
Date: Wed, 21 Mar 2018 14:33:27 -0400

Thank you. We will be in touch.

On Mar 21, 2018, at 2:14 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Hey Brian, I'd give them the head of our Industry Office, Jim Sanford:

Sanford, Jim C. EOP/USTR James_Sanford@ustr.eop.gov

Thanks!

Payne

From: Brian Ballard [<mailto:ballard@ballardfl.com>]
Sent: Wednesday, March 21, 2018 2:06 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: [EXTERNAL] DR

The Dominican Republic would like to make a case for a tariff exemption but they do not have a good contact in the Western Hemisphere office. Who is the best contact for the DR? Thanks for your help.

All the best,
Brian

[EXTERNAL] Re: 232 Conversation with Deputy USTR Ambassador Jeff Gerrish

From : Brian Ballard <ballard@ballardfl.com>
To: "Christensen, Benjamin B. EOP/USTR" <benjamin.b.christensen@ustr.eop.gov>
Cc: "Mullaney, Dan D. EOP/USTR" <daniel_mullaney@ustr.eop.gov>, "Morris, Rachel M. EOP/USTR" <rachel.m.morris@ustr.eop.gov>, "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>, "Motwane, Jai Y. EOP/USTR" <jai_motwane@ustr.eop.gov>, "Sanford, Jim C. EOP/USTR" <james_sanford@ustr.eop.gov>
Date: Wed, 21 Mar 2018 19:31:17 -0400

Benjamin, Friday at 1030 am will work. Ambassador Kalic's office is connecting directly with your office.

With Warmest Regards,

Brian Ballard

On Mar 21, 2018, at 4:05 PM, Christensen, Benjamin B. EOP/USTR <Benjamin.B.Christensen@ustr.eop.gov> wrote:

Dear Brian,

Thank you very much for your request for a meeting for Ambassador Sedar Kalic with Ambassador Lighthizer regarding Section 232 measures. Ambassador Lighthizer has requested that the newly confirmed Deputy U.S. Trade Representative, Ambassador Jeffrey Gerrish, respond to your request.

Due to the pressing time constraints of the issue, I am unfortunately unable to arrange a meeting; however, I will gladly set up a phone call for Ambassador Kalic to speak with Ambassador Gerrish. Will Friday morning at 10:30 work for you?

Thank you very much,

Benjamin Christensen
Confidential Assistant
Office of the U.S. Trade Representative
O: 202-395-9495 C: (b) (6)

[EXTERNAL] Re: DR

From: Brian Ballard <ballard@ballardfl.com>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Wed, 25 Apr 2018 12:20:24 -0400

Thank you

On Apr 25, 2018, at 11:48 AM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Thanks brian. We will take a look at this and be in touch.

From: Brian Ballard <ballard@ballardfl.com>
Sent: Wednesday, April 25, 2018 11:39 AM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: [EXTERNAL] DR

Payne,

Attached is the Dominican Republic's response to USTR's additional questions.

All the best,

Brian



República Dominicana
Ministerio de Industria, Comercio y Mipymes
Santo Domingo, R. D.

"Año del Fomento de las Exportaciones"

0289

24 ABR 2018

Honorable Embajador,
Robert Lighthizer,
Representante de Comercio de los
Estados Unidos de América
Washington, Distrito de Columbia
Su Despacho.

Atención: **Sr. John M. Melle**,
Assistant U.S. Trade Representative para el Hemisferio Occidental

Honorable Embajador Melle:

Cortésmente, tengo a bien dirigirme a Usted, en seguimiento al intercambio telefónico sostenido el 18 de abril y la comunicación enviada el pasado 21 de marzo del 2018, referente a la solicitud de exclusión de los aranceles sobre ciertos productos siderúrgicos impuestos por la Proclamación firmada por el Presidente Trump en fecha 8 de marzo del 2018.

Como es de su conocimiento, las exportaciones de origen dominicano de la industria de acero y aluminio con destino a los Estados Unidos de América, se rigen por el Tratado de Libre Comercio entre la República Dominicana-Centroamérica-Estados Unidos de América (DR-CAFTA) que se encuentra vigente desde el año 2007.

Este Tratado de Libre Comercio ha trabajado para fortalecer los intereses económicos y de seguridad de ambos países. Esto se ha visto reflejado en el hecho de que nos hemos convertido en el trigésimo noveno (39) país de mayor intercambio comercial con los EEUU¹, y en el hecho de que ustedes han mantenido un gran superávit comercial con la República Dominicana desde la implementación del DR-CAFTA.

¹ United States Internal Trade Commission, U.S. Merchandise trade balance, by partner country 2017. [acceso en: https://dataweb.usitc.gov/scripts/cy_m3_run.asp]



República Dominicana
Ministerio de Industria, Comercio y Mipymes
Santo Domingo, R. D.

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Es importante resaltar que en el marco de este Acuerdo, las exportaciones en ambas vías de productos de la industria de acero y aluminio accedan nuestro mercado con un trato preferencial, es decir con un arancel de 0%. Sin embargo, desde la aplicación de las proclamaciones presidenciales que se encuentran vigentes desde el 23 de marzo, nuestras exportaciones están siendo sujetas al pago del 25% de arancel en el caso de acero y de 10% en el caso de aluminio, lo cual representa un aumento de costos para el exportador local.

En términos comerciales, destacamos que a la fecha la mayoría de las exportaciones dominicanas, especialmente las barras de acero para reforzar el concreto, se exportan hacia Puerto Rico, y no al territorio continental norteamericano, como parte de los esfuerzos en ayudar a la reconstrucción de la hermana isla de Puerto Rico.

De acuerdo a datos de Trade Map, para todos los productos cubiertos bajo el alcance de las proclamaciones, resaltamos que las medidas arancelarias propuestas por el gobierno de los Estados Unidos afectarían directa y negativamente las exportaciones dominicanas, las cuales registraron para el 2017 un monto conjunto de USD 37.54 millones. Este monto ha sido bastante estable en los últimos cinco años. De hecho, en el último lustro, el año en el cual se exportaron más estos productos fue en el 2013 por valor de USD 39.07 millones. En general, el valor de las exportaciones dominicanas se ha mantenido entre USD 28.36 millones y USD 39.6 millones para el período citado.

Dicho lo anterior, y tomando en consideración que dichas exportaciones de acero y aluminio registran para el año 2017 volúmenes de USD 27.90 millones y USD 9.63 millones respectivamente, equivalentes al 0.086%² y 0.041%³ de la demanda mundial de los Estados Unidos, cantidades con efecto neutro en la industria estadounidense, y en razón de que la aplicación permanente de estas medidas sacaría del mercado a la industria dominicana, nuevamente nos acercamos a Usted para solicitar la exclusión de nuestro país de esta medida.

² Subpartidas: 7206.10 a 7216.50, 7216.99 a 7301.10, 7302.10, 7302.40 a 7302.90 y 7304.10 al 7306.90

³ Partidas y Códigos: 7601, 7604, 7605, 7606, 7607, 7608, 7609, 7616.99.51.60 y 7616.99.51.70



República Dominicana
Ministerio de Industria, Comercio y Mipymes
Santo Domingo, R. D.

"Año del Fomento de las Exportaciones"

0289

24 ABR 2018

En conclusión, entendemos que con los datos presentados y la relación histórica que han presentado nuestras exportaciones de acero y aluminio al mercado estadounidense, podemos afirmar que la República Dominicana no representa una amenaza a la seguridad nacional de los Estados Unidos en este sentido, por lo que apelamos a su colaboración para solicitarle nueva vez la exclusión de nuestro país de esta medida.

Nos encontramos en toda la disposición de entablar un diálogo de manera inmediata para lograr cualquier acuerdo que sea necesario para solucionar esta situación.

Sin otro particular por el momento, le saludamos con alta estima y consideración.

Muy atentamente,


Arq. Nelson Toca Simó
Ministro



NTS
YSM/MAS/km/mh

Courtesy translation

Honorable Ambassador,
Robert Lighthizer,
United States Trade Representative
Washington, District of Columbia

Att: **Mr. John M. Melle**,
Assistant U.S. Trade Representative for Western Hemisphere

Honorable Ambassador Melle:

I am glad to write to you to follow up on the telephone conversation held on April 18th and the communication sent on March 21st 2018, regarding our request for the exclusion of the tariffs imposed on certain metallurgic products by the Proclamations signed by President Trump on March 8th, 2018.

As you know, Dominican steel and aluminum exports to the United States are regulated and included in the Dominican Republic-Central American Free Trade Agreement (DR-CAFTA) which has been in force since 2007.

This Free Trade Agreement has worked to strengthen the economic and security interests of both our countries. This is reflected in the fact that we have become the thirty-ninth (39th) largest trading partner for the United States,¹ and you have maintained a great trade surplus with the Dominican Republic since the implementation of DR-CAFTA.

It is worth noting that within the Agreement, steel and aluminum exports in both directions access our markets with preferential treatment, meaning their tariffs are set at 0%. Since the implementation of the Presidential Proclamations on March 23rd, however, our exports have been subject to tariffs set at 25% for steel products and 10% for aluminum products, which represents a rise in cost for the local exporter.

In commercial terms, we'd like to highlight how, to date, the majority of Dominican exports, especially steels bars used to reinforce concrete, are exported to Puerto Rico and not to the continental United States, as part of our efforts to aid in the reconstruction of our sister island, Puerto Rico.

We'd like to add that, according to Trade Map, Dominican exports of the products included in the Presidential Proclamations mentioned above would be directly and negatively affected. In 2017, their export to the United States was worth USD 37.54 million. This amount has been stable in the past five years. In fact, in the past half-decade, they were exported the most in 2013, when they were valued at USD 39.07 million. In general, the value of Dominican exports has stood between USD 28.36 million and USD 39.6 million during said period.

¹ United States Internal Trade Commission, U.S. Merchandise trade balance, by partner country 2017 [accessed on: http://dataweb.usitc.gov/scripts/cy_m3_run.asp]

Having said that, and taking into account how our exports of steel and aluminum in 2017 registered volumes of USD 27.90 million and USD 9.63 million respectively, which is equivalent to 0.086%² and 0.041%³ of the United States' global demand, quantities with a neutral effect on American industry, and reason why the permanent application of these tariffs would force Dominican industry out of the market, we approach you once again to request that our country is exempted from these tariffs.

In conclusion, we understand that the information presented and given the historical trends of our exports of steel and aluminum exports to the American market, we can affirm that the Dominican Republic does not represent a threat to the national security of the United States, reason why we appeal for your collaboration and request that our country is excluded from these tariffs once again.

We are more than willing and able to have an immediate dialogue to achieve any agreement necessary to solve this situation.

With nothing else to add at this time, we send you greetings with high respect and consideration.

Sincerely,

(Original signed)

Arq. Nelson Toca Simó
Minister

NTS
YSM/MAS/km/mh

² Subheadings: 7206.10 through 7216.50, 7216.99 through 7301.10, 7302.10, 7302.40 through 7302.90, and 7304.10 through 7306.90

³ Headings: 7601, 7604, 7605, 7606, 7607, 7608, and 7609; and codes: 7616.99.51.60, and 7616.99.51.70

[EXTERNAL] Re: DR

From: Brian Ballard <ballard@ballardfl.com>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Fri, 04 May 2018 14:40:51 -0400

850. 491 6700

On May 4, 2018, at 2:35 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Brian,

What is a good number to reach you?

Thanks

Payne

From: Brian Ballard <ballard@ballardfl.com>
Sent: Tuesday, April 24, 2018 5:59 PM
To: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: [EXTERNAL] DR

Payne,

As I mentioned this afternoon, a high-ranking delegation of public and private officials from the Dominican Republic will be in town on Thursday and Friday of this week and would like to meet with a high level USTR official to discuss 232 exemptions. Thank you again for all of your help.

All the best,
Brian

[EXTERNAL] Re: Connecting

From: Sylvester Lukis <syl@ballardfl.com>
To: "Griffin, Payne P. EOP/USTR" <garrison.p.griffin@ustr.eop.gov>
Date: Thu, 28 Jun 2018 11:24:01 -0400

Thanks Payne.

Syl Lukis



Managing Partner

[Washington, DC](#)

Ballard Partners

M: (b) (6)

syl@ballardfl.com

DC Office

[601 Thirteenth St, NW, Suite #450 N](#)

[Washington, DC 20005](#)

P: [202.800.5620](tel:202.800.5620)

F: [202.800.5623](tel:202.800.5623)

Miami Office

[2 Alhambra Plaza Suite 102](#)

[Coral Gables, FL 33134](#)

P: [305.456.8479](tel:305.456.8479)

F: [786.542.6997](tel:786.542.6997)

On Jun 27, 2018, at 3:38 PM, Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov> wrote:

Hi Syl,

My apologies for getting to this late. Just spoke to Brian. If you guys are looking to schedule a meeting with Amb. Gerrish, his scheduler is Christensen, Benjamin B. EOP/USTR
Benjamin.B.Christensen@ustr.eop.gov

Thanks

Payne

G. Payne Griffin

Deputy Chief of Staff

The Office of the United States Trade Representative

Executive Office of the President
Garrison.P.Griffin@USTR.eop.gov
(O) 202-395-5869 | (C) (b) (6)

From: Sylvester Lukis <syl@ballardfl.com>
Sent: Monday, June 25, 2018 12:55 PM
To: Gray, Alexander B. EOP/WHO <(b) (6) who.eop.gov>
Cc: Griffin, Payne P. EOP/USTR <Garrison.P.Griffin@ustr.eop.gov>
Subject: [EXTERNAL] Re: Connecting

Thanks Alex. Payne, hope you are well. Please call me at (b) (6) when you get a chance.

Syl Lukis



Managing Partner
[Washington, DC](#)
Ballard Partners
M: (b) (6)
syl@ballardfl.com

DC Office
[601 Thirteenth St, NW, Suite #450 N](#)
[Washington, DC 20005](#)
P: [202.800.5620](tel:202.800.5620)
F: [202.800.5623](tel:202.800.5623)

Miami Office
[2 Alhambra Plaza Suite 102](#)
[Coral Gables, FL 33134](#)
P: [305.456.8479](tel:305.456.8479)
F: [786.542.6997](tel:786.542.6997)

On Jun 25, 2018, at 12:33 PM, Gray, Alexander B. EOP/WHO <(b) (6) who.eop.gov> wrote:

Payne,

You probably know Syl Lukis. He works with Brian Ballard. He briefed me on a trade-related topic with particular resonance in FL. I thought you might be able to point him in the right direction.

Thanks

Alex

Alexander B. Gray
Special Assistant to the President for the Defense Industrial Base
White House Office of Trade & Manufacturing Policy

(b) (6) @who.eop (b) (6)

(b) (6) @who.eop (b) (6)

Phone: (b) (6)

RE: Varian 301 Request.pdf

From: "Young, Stewart B. EOP/USTR" (b) (6)
To: Sylvester Lukis <syl@ballardfl.com>
Cc: "Tsao, Arthur N. EOP/USTR" <arthur_n_tsao@ustr.eop.gov>
Date: Tue, 03 Jul 2018 17:37:09 -0400

Mr. Lukis –

Thank you for your note, unfortunately we are unable to take meetings specific to the ongoing 301 process, but I can assist in making sure you've got the right process information needed for your client (FRN, Hearing Dates, and other items).

Let me know,

Stewart

From: Sylvester Lukis <syl@ballardfl.com>
Sent: Wednesday, June 27, 2018 10:07 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Cc: Brian Ballard <ballard@ballardfl.com>; Hannah Walters <Hannah@ballardfl.com>; Shanna Crawley <skcrawley@ballardfl.com>
Subject: [EXTERNAL] Varian 301 Request.pdf

Stewart,

I hope you are well. It's been awhile since we last spoke. I would appreciate your assistance in arranging a meeting with Ambassador Lighthizer or Ambassador Gerrish on July 9 for Dow Wilson, the CEO of Varian Medical Systems, a company based in California that is the world's leading producer of cancer killing radio therapy equipment. Although the equipment is wholly produced in America by American workers, certain essential parts of the equipment are imported from China and are subject to proposed tariffs that will become effective July 6. Mr. Wilson would greatly appreciate an opportunity to discuss this issue with either Ambassador Lighthizer or Gerrish and appropriate staff while he is in DC on the 9th. Thank you in advance for your assistance.

Varian Requests Removal of Key Healthcare HTS Codes from USTR Section 301 Action

U.S. manufacturer Varian Medical Systems is the global leader in the development, manufacture, and support of cancer care solutions, including medical linear accelerators.

Varian requests medical technology HTS codes (specifically 9022.90.6000, 9022.14.0000, 8504.90.9650) to be removed from the list of products subject to additional duties under the proposed USTR Section 301 action.

Proposed Tariffs Will Negatively Impact Varian's U.S. Manufacturing Operations

- Varian, a U.S.-based global medical device company, employs 3000 people in the U.S., with nearly 400 jobs in the manufacturing sector
- Varian manufactures 70% of its products in the U.S., and exports more than 50% of its products outside the U.S.
- Proposed tariffs would increase Varian input costs significantly
- Certain key components used in medical linear accelerators are sourced from China due to consideration of cost and quality, including:
 - More than 85% of Varian's printed circuit board assemblies (PCBAs), and
 - More than 50% of Varian's multi-leaf collimators; this component shapes the beam and is critical to ensuring accurate delivery of radiation dose to spare healthy tissue
 - Varian cannot shift sourcing of these manufacturing inputs and still remain competitive globally
- Increased input costs could increase system prices and thus reduce demand for U.S. manufactured medical linear accelerators, thereby harming Varian's domestic manufacturing,

Proposed Tariffs Create Unlevel Playing Field and Impair Varian's Ability to Compete Globally

- Varian's ability to compete against foreign-based competitors would be impaired – contrary to the intention of 301 tariffs
- Radiotherapy market consists primarily of Varian (56% of global market) and a foreign company (29% of global market)
- Radiotherapy market is extremely competitive and sensitive to price
- Proposed tariffs would provide significant market advantage to our foreign competitor
 - Competitor would not be exposed to tariff impact because they do not manufacture in U.S.
 - Competitor could take market share from Varian due to lower input costs

Proposed Tariffs Could Negatively Impact Cancer Patients' Access to Care

- Historically, US policy has been to exempt medical technology from trade sanctions due to patient concerns
 - Trade Sanctions Reform and Export Enhancement Act of 2000 (TSRA) specifically exempts medical devices, including medical linear accelerators, in the sanctions context
- Increasing input costs on medical devices may increase the price of these products, which could delay or even restrict providers' ability to acquire life-saving medical technology
- Increased costs of medical technology disproportionately harm rural and underserved populations, where providers are more sensitive to price fluctuations and could increase costs to government healthcare programs, including Medicare.
- Consistent with previous US policy on access to medical technology, medical devices and component parts should not be subject to tariffs under Section 301

Re: [EXTERNAL]

From: Brian Ballard <ballard@ballardfl.com>
To: "Greer, Jamieson L. EOP/USTR" <jamieson.l.greer@ustr.eop.gov>
Cc: "Walters, Gregory M. EOP/USTR" <gregory.m.walters@ustr.eop.gov>
Date: Fri, 03 Aug 2018 20:50:44 -0400

Thank you. Appreciate your timely reply. Let me know if we can help with any additional information. Have a nice weekend.

All the best.

Brian

On Aug 3, 2018, at 8:24 PM, Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov> wrote:

Brian,

Thanks for reaching out on this. I know this is an important issue for the industry both domestically and internationally. I will certainly relay your views to the Ambassador.

Best,

Jamieson

Sent from my iPhone

On Aug 3, 2018, at 12:01 PM, Brian Ballard <ballard@ballardfl.com> wrote:

Dear Jamieson,

I understand that negotiations are moving quickly on the IP issue on NAFTA, and I hope you could help me with a few questions.

My client, the Motion Picture Association of America (MPAA), understands from colleagues in Mexico and Canada that the U.S. continues to oppose the inclusion of secondary liability in NAFTA. Is this true?

For MPAA, secondary liability is vital to online enforcement. Without secondary liability, Grokster and Napster would still be online.

I understand that USTR told them that secondary liability is common law and therefore cannot be included in a trade agreement. But, I am told by their lawyers that it is in fact statutory law. Congress, in enacting the Copyright Act of 1976, explicitly endorsed the doctrine by providing that the "owner of copyright under this title has the exclusive right[] to ... authorize" any of the rights specified in §106 of the Copyright Act. The House of Representatives report accompanying the 1976

Act explains that the “to authorize” language in the statute was an endorsement of secondary liability:

“The exclusive rights accorded to a copyright owner under section 106 are “to do and to authorize” any of the activities specified in the five numbered clauses. Use of the phrase “to authorize” is intended to avoid any questions as to the liability of contributory infringers. For example, a person who lawfully acquires an authorized copy of a motion picture would be an infringer if he or she engages in the business of renting it to others for purposes of unauthorized public performance. H.R.Rep. No. 1476, 94th Cong., 2d Sess. 61, reprinted in 1976 U.S.C.C.A.N. 5659, 5674; see also *Subafilms, Ltd. v. MGM-Pathe Commc’ns Co.*, 24 F.3d 1088, 1093 (9th Cir. 1994); Peter S. Menell & David Nimmer, *Unwinding Sony*, 95 Cal. L. Rev. 941, 995 (2007).”

I think ramping up the online enforcement of IP in NAFTA could be a real win for President Trump as it exemplifies his commitment to fair trade and enforcement for a 21st century agreement. For too long, our trading partners have ripped off American IP without any real remedy for Americans. We can turn this around with NAFTA.

I know you are extremely busy at this time, and here is my cell (b) (6), if you prefer to reach me by phone. MPAA CEO, Amb. Charlie Rivkin may reach out to Amb. Lighthizer on this issue as well. Thank you.

All the best,

Brian Ballard

RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

From: Hannah Walters <hannah@ballardfl.com>
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>
Date: Tue, 11 Sep 2018 11:41:55 -0400

Thank you for the clarification!

Hannah Walters

BALLARD | PARTNERS

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Tuesday, September 11, 2018 11:39 AM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

They won't need a room number- they'll have to wait in the security room at the Winder Building for escort.

From: Hannah Walters <Hannah@ballardfl.com>
Sent: Tuesday, September 11, 2018 11:36 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Good Morning Stewart,

When you have a chance this morning, will you send me the room number this meeting will be held in?

Thank you!

Hannah Walters

BALLARD | PARTNERS

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Hannah Walters
Sent: Monday, September 10, 2018 1:05 PM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Brian Ballard
Dan McFaul
Steven Soderbergh

Do we have a list of names they will be meeting with yet? Also, what room number with the meeting be held in?

Thank you!

Hannah Walters

BALLARD | PARTNERS

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Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Monday, September 10, 2018 11:52 AM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

All attendee names would be great.

Thank you!

From: Hannah Walters <Hannah@ballardfl.com>
Sent: Monday, September 10, 2018 9:04 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Thank you Stewart! Is there anything I need to send in for the attendees to be cleared for the meeting?

Hannah Walters

BALLARD | PARTNERS

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005

P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Friday, September 7, 2018 5:05 PM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

It will be the Winder Building 600 17th Street NW.

Thank you.

From: Hannah Walters <Hannah@ballardfl.com>
Sent: Friday, September 7, 2018 2:08 PM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Also, could you please send me the location/room number for this meeting?

Hannah Walters

BALLARD | PARTNERS

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Hannah Walters
Sent: Friday, September 7, 2018 2:04 PM
To: 'Young, Stewart B. EOP/USTR' <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Great, we are confirmed for 11:00 AM on September 13th. Is there any information I need to send you for the attendees to be cleared for the meeting?

Hannah Walters

BALLARD | PARTNERS

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Thursday, September 6, 2018 2:53 PM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: Re: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Thanks Hannah, unfortunately Payne has departed USTR. Appreciate the kind words.

Sent from my iPhone

On Sep 6, 2018, at 2:50 PM, Hannah Walters <Hannah@ballardfl.com> wrote:

Great, thank you Stewart. I will look forward to receiving that list.

Mr. Ballard mentioned that the Deputy Chief of Staff, Payne Griffin, has been helpful in the past. Is there any way he could also join the meeting?

Thank you again for your help.

Hannah Walters

<image001.jpg>

Executive Assistant
Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Thursday, September 6, 2018 11:18 AM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

It will be staff from the Western Hemisphere office, and the Agricultural office. Can send you a list when I have it.

From: Hannah Walters <Hannah@ballardfl.com>
Sent: Thursday, September 6, 2018 11:17 AM
To: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Good morning Stewart,

11:00 AM September 13th works on our side.

For clarification purposes, who will Mr. Ballard, Mr. Soderbergh, and Mr. McFaul be meeting with? Just want to make sure our team is prepared properly.

We greatly appreciate your help in setting this up.

Hannah Walters

<image004.jpg>

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Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Sent: Thursday, September 6, 2018 10:11 AM
To: Hannah Walters <Hannah@ballardfl.com>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Hannah –

How does 11am on the 13th look?

We will set up with staff – as Jamieson’s schedule is fairly limited with possible official travel.

Let me know if that works,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: Hannah Walters <Hannah@ballardfl.com>
Sent: Tuesday, September 4, 2018 2:21 PM
To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>
Cc: Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Good Afternoon,

I wanted to follow up on the meeting request below. Does this Wednesday or Thursday work for a meeting with Brian Ballard, Dan McFaul, and Steven Soderbergh? If this week does not work on your end we are also available September 12th and 13th.

Thank you for your time and consideration!

Hannah Walters

<image004.jpg>

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Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Hannah Walters

Sent: Friday, August 31, 2018 2:19 PM

To: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>

Cc: Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>

Subject: RE: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Thank you for the follow up! Next Wednesday or Thursday works on our end. If those days do not work, September 12th and 13th also look available.

Please let me know what time works best for you.

I hope you have a wonderful Labor Day Weekend!

Hannah Walters

<image004.jpg>

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Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Greer, Jamieson L. EOP/USTR <Jamieson.L.Greer@ustr.eop.gov>

Sent: Friday, August 31, 2018 11:08 AM

To: Hannah Walters <Hannah@ballardfl.com>

Cc: Walters, Gregory M. EOP/USTR <Gregory.M.Walters@ustr.eop.gov>; Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>

Subject: Re: [EXTERNAL] RE: Meeting with Ballard Partners and Steven Soderbergh

Hannah,

I am looping in our public engagement team. My schedule is a pretty fluid right now and I have some travel coming up. Happy to work with you all to see what makes sense.

Jamieson

Sent from my iPhone

On Aug 31, 2018, at 10:55 AM, Hannah Walters <Hannah@ballardfl.com> wrote:

Good Morning Mr. Greer,

I wanted to follow up on the meeting request below. Are you available in the next couple of weeks for a meeting with Brian Ballard, Dan McFaul, and Steven Soderbergh?

Thank you!

Hannah Walters

<image001.jpg>

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Ballard Partners
601 Thirteenth St, NW, Suite #450 N
Washington, DC 20005
P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

From: Hannah Walters

Sent: Wednesday, August 29, 2018 3:13 PM

To: 'jamieson.l.greer@ustr.eop.gov' <jamieson.l.greer@ustr.eop.gov>

Subject: Meeting with Ballard Partners and Steven Soderbergh

Good Afternoon Mr. Greer,

Brian Ballard asked me to reach out to you to see when you are available for a meeting with himself, Dan McFaul, and Steven Soderbergh who is the owner of Singani 63. This meeting would be about expanding US spirit markets into OAS countries.

Please let me know what time you are available to meet in the next coming weeks.

Thank you!

Hannah Walters

<image003.png>

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P: 202.800.5620
F: 202.800.5623
hannah@ballardfl.com

Re: [EXTERNAL] Confirm Tomorrow's Meeting

From: stewart.b.young@ustr.eop.gov
To: Hannah Walters <hannah@ballardfl.com>
Date: Wed, 12 Sep 2018 14:26:21 -0400

Yes - the meeting is confirmed.

I don't have the list yet as teams are getting pulled into ongoing negotiations. Will try to get you something shortly.

Sent from my iPhone

On Sep 12, 2018, at 2:25 PM, Hannah Walters <Hannah@ballardfl.com> wrote:

Good Afternoon Stewart,

Sorry for all of the questions this afternoon. Mr. Soderbergh will be flying in tomorrow morning and I wanted to confirm that the meeting is still set for tomorrow at 11:00 AM with the impending weather.

If so, please send me a list of staff Mr. Soderbergh and Mr. McFaul will be meeting with.

Thank you!

Hannah Walters

<image001.jpg>

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Ballard Partners**

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Washington, DC 20005

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F: 202.800.5623

hannah@ballardfl.com

RE: [EXTERNAL] as discussed

From: "Hurtado, Rufino EOP/USTR" <rufino.hurtado@ustr.eop.gov>
To: "Krissek, Patrick J. EOP/USTR" <patrick.j.krissek@ustr.eop.gov>, Steven XIV (b) (6) @gmail.com>
Cc: Dan McFaul <dan@ballardfl.com>, "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>
Date: Thu, 13 Sep 2018 12:46:23 -0400

Also enjoyed meeting you both, Steven and Dan, and learning more about your efforts.

Please don't hesitate to reach out if we can be of assistance in the future.

Thanks.

Rufino Hurtado
Director for Agricultural Affairs
Office of the U.S. Trade Representative

(202) 395 - 6871 direct
(b) (6) cell

From: Krissek, Patrick J. EOP/USTR
Sent: Thursday, September 13, 2018 12:26 PM
To: Steven XIV (b) (6) @gmail.com>; Hurtado, Rufino EOP/USTR <Rufino.Hurtado@ustr.eop.gov>
Cc: Dan McFaul <dan@ballardfl.com>; Young, Stewart B. EOP/USTR <Stewart.B.Young@ustr.eop.gov>
Subject: RE: [EXTERNAL] as discussed

Many thanks Steven, and Dan.

Appreciate you coming in to speak with us and please be in touch if we can be helpful in the future.

Best,
Patrick

Patrick J. Krissek
Director, Chile and Peru
Western Hemisphere
Office of the U.S. Trade Representative
Patrick.J.Krissek@ustr.eop.gov
O: (202) 395-5230 | C: (b) (6)

From: Steven XIV (b) (6) @gmail.com>

Sent: Thursday, September 13, 2018 12:09 PM

To: Hurtado, Rufino EOP/USTR <Rufino.Hurtado@ustr.eop.gov>; Krissek, Patrick J. EOP/USTR <Patrick.J.Krissek@ustr.eop.gov>

Cc: Dan McFaul <dan@ballardfl.com>

Subject: [EXTERNAL] as discussed

thanks again for your time, it was extremely helpful. attached please find the link to my latest work, which EVERYONE agrees is emotionally devastating.

also i'm attaching our classics booklet so you can explore your favorite drinks S63 style. and if you go to singani63.com and plug in your zip code, a map will appear showing where it's available.

cheers

the steven s. who has never directed a dinosaur

<https://vimeo.com/257381949/a3818f84f5>

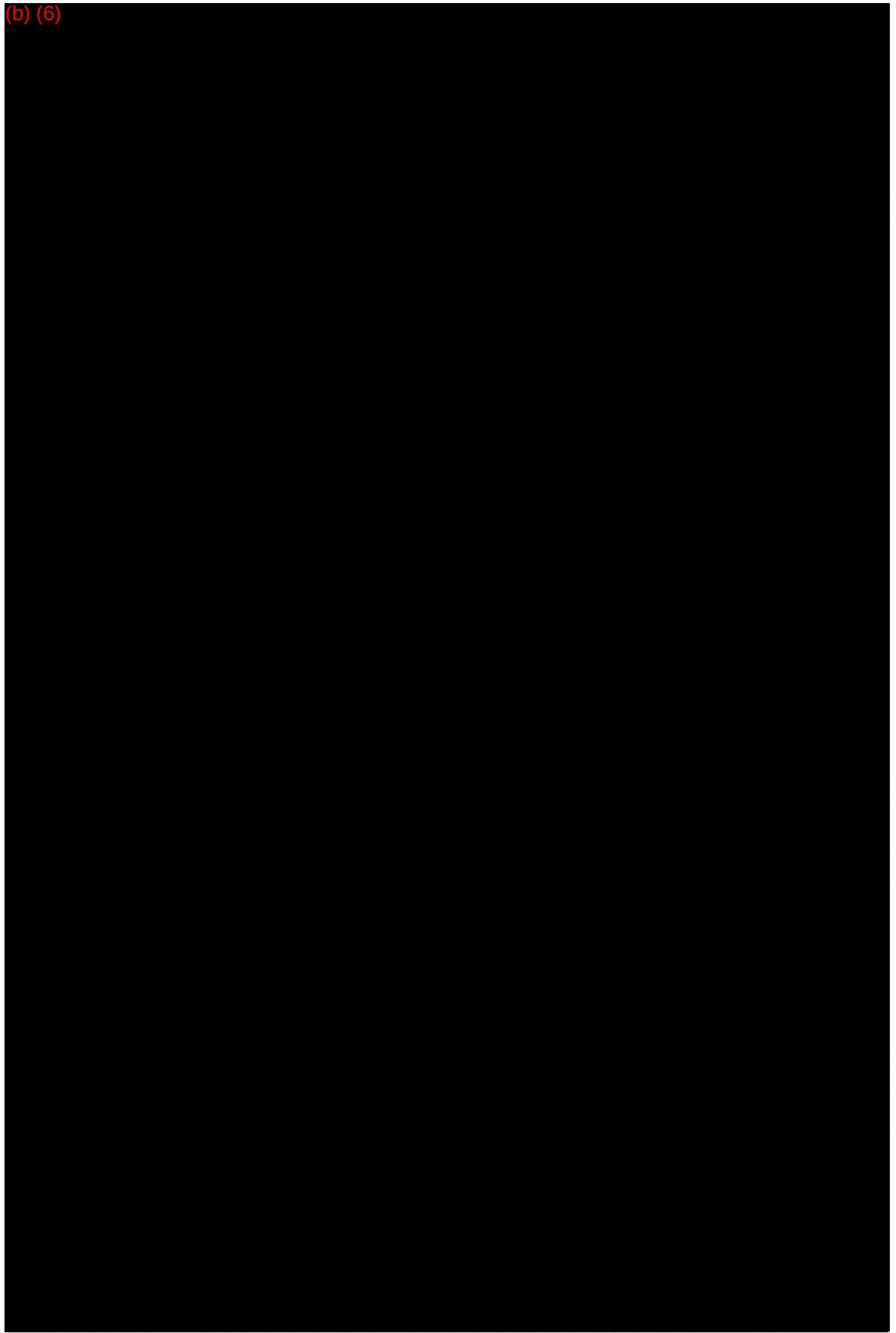
Stakeholder Alert: USTR Finalizes Tariffs on \$200 Billion of Chinese Imports in Response to China's Unfair Trade Practices

From: "Young, Stewart B. EOP/USTR" (b) (6)

To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>
(b) (6)

Bcc:

(b) (6)



(b) (6)

[REDACTED]

(b) (6)
(b) (6)

[REDACTED] dan@ballardfl.com,

[REDACTED]

(b) (6)

(b) (6)

FOR IMMEDIATE RELEASE

September 17, 2018

Contact: USTR Public & Media Affairs

media@ustr.eop.gov

USTR Finalizes Tariffs on \$200 Billion of Chinese Imports in Response to China's Unfair Trade Practices

Washington, DC – As part of the United States' continuing response to China's theft of American intellectual property and forced transfer of American technology, the Office of the United States Trade Representative (USTR) today released a list of approximately \$200 billion worth of Chinese imports that will be subject to additional tariffs. In accordance with the direction of President Trump, the additional tariffs will be effective starting September 24, 2018, and initially will be in the amount of 10 percent. Starting January 1, 2019, the level of the additional tariffs will increase to 25 percent.

The list contains 5,745 full or partial lines of the original 6,031 tariff lines that were on a proposed list of Chinese imports announced on July 10, 2018. Changes to the proposed list were made after USTR and the interagency Section 301 Committee sought and received comments over a six-week period and testimony during a six-day public hearing in August. USTR engaged in a thorough process to rigorously examine the comments and testimony and, as a result, determined to fully or partially remove 297 tariff lines from the original proposed list. Included among the products removed from the proposed list are certain consumer electronics products such as smart watches and Bluetooth devices; certain chemical inputs for manufactured goods, textiles and agriculture; certain health and safety products such as bicycle helmets, and child safety furniture such as car seats and playpens.

In March 2018, USTR released the [findings of its exhaustive Section 301 investigation](#) that found China's acts, policies and practices related to technology transfer, intellectual property and innovation are unreasonable and discriminatory and burden or restrict U.S. commerce. Specifically, the Section 301 investigation revealed:

- China uses joint venture requirements, foreign investment restrictions, and administrative review and licensing processes to require or pressure technology transfer from U.S. companies.
- China deprives U.S. companies of the ability to set market-based terms in licensing and other technology-related negotiations.
- China directs and unfairly facilitates the systematic investment in, and acquisition of, U.S. companies and assets to generate large-scale technology transfer.
- China conducts and supports cyber intrusions into U.S. commercial computer networks to gain unauthorized access to commercially valuable business information.

After separate notice and comment proceedings, in June and August USTR released two lists of Chinese imports, with a combined annual trade value of approximately \$50 billion, with the goal of obtaining the elimination of China's harmful acts, policies and practices. Unfortunately, China has been unwilling to change its policies involving the unfair acquisition of U.S. technology and intellectual property. Instead, China responded to the United States' tariff action by taking further steps to harm U.S. workers and businesses. In these circumstances, the President has directed the U.S. Trade Representative to increase the level of trade covered by the additional duties in order to obtain elimination of China's unfair policies. The Administration will continue to encourage China to allow for fair trade with the United States.

A formal notice of the \$200 billion tariff action will be published shortly in the Federal Register.

[Click here to view the final tariff list.](#)

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THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 17, 2018

Statement from the President

Today, following seven weeks of public notice, hearings, and extensive opportunities for comment, I directed the United States Trade Representative (USTR) to proceed with placing additional tariffs on roughly \$200 billion of imports from China. The tariffs will take effect on September 24, 2018, and be set at a level of 10 percent until the end of the year. On January 1, the tariffs will rise to 25 percent. Further, if China takes retaliatory action against our farmers or other industries, we will immediately pursue phase three, which is tariffs on approximately \$267 billion of additional imports.

We are taking this action today as a result of the Section 301 process that the USTR has been leading for more than 12 months. After a thorough study, the USTR concluded that China is engaged in numerous unfair policies and practices relating to United States technology and intellectual property – such as forcing United States companies to transfer technology to Chinese counterparts. These practices plainly constitute a grave threat to the long-term health and prosperity of the United States economy.

For months, we have urged China to change these unfair practices, and give fair and reciprocal treatment to American companies. We have been very clear about the type of changes that need to be made, and we have given China every opportunity to treat us more fairly. But, so far, China has been unwilling to change its practices. To counter China's unfair practices, on June 15, I announced that the United States would impose tariffs of 25 percent on \$50 billion worth of Chinese imports. China, however, still refuses to change its practices – and indeed recently imposed new tariffs in an effort to hurt the United States economy.

As President, it is my duty to protect the interests of working men and women, farmers, ranchers, businesses, and our country itself. My Administration will not remain idle when those interests are under attack.

China has had many opportunities to fully address our concerns. Once again, I urge China's leaders to take swift action to end their country's unfair trade practices. Hopefully, this trade situation will be resolved, in the end, by myself and President Xi of China, for whom I have great respect and affection.

###

[EXTERNAL] thanks and checking in

From: Dan McFaul <dan@ballardfl.com>
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>
Date: Tue, 18 Sep 2018 10:29:18 -0400

Stewart,

Thanks again for your time last week. Enjoyed seeing you and catching up.

I have a question I'm hoping you can help me get some clarity on. It seems like there might be an error in what USTR published last night with respect to China tariffs. USTR excepted some devices from 8517.62.00 – under line 8517.62.00.90. That tariff line doesn't exist as far as I can see in my quick checking. I think that they meant 8517.62.00.50, which is the line for smart watches.

Can you help provide some clarity?

Dan McFaul

BALLARD | PARTNERS

Ballard Partners
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P: 202.800.5620
F: 202.800.5623
dan@ballardfl.com

Stakeholder Alert: FACT SHEET ON U.S.-KOREA FREE TRADE AGREEMENT OUTCOMES

From : "Young, Stewart B. EOP/USTR" (b) (6)

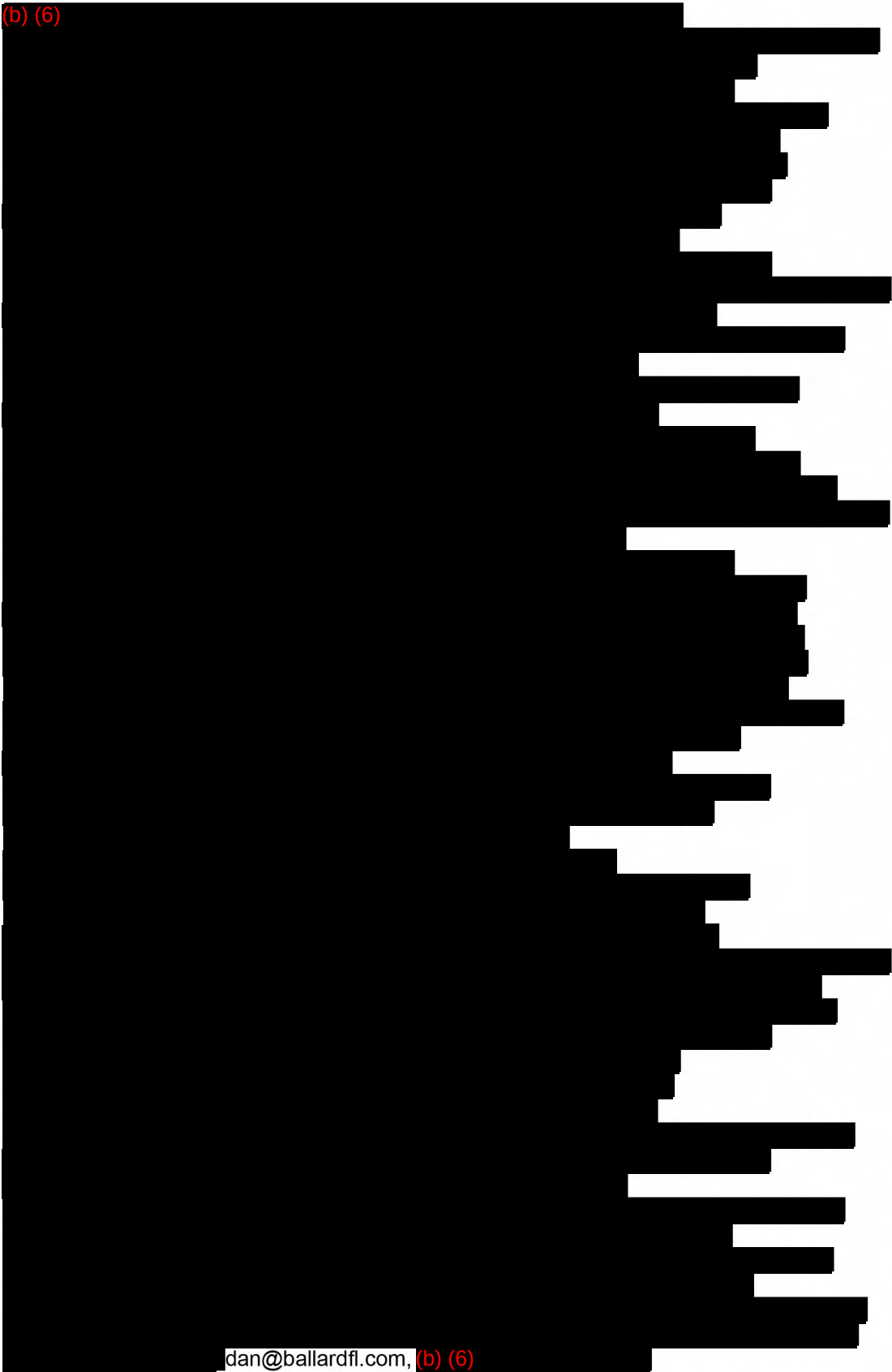
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

(b) (6)

Bcc:

(b) (6)

(b) (6)



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Date: Mon, 24 Sep 2018 16:52:36 -0400

Good Afternoon Stakeholders:

Please see the newly released Fact Sheet on US-Korea FTA Outcomes.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
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From: FN-USTR-Media

Sent: Monday, September 24, 2018 4:49 PM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: FACT SHEET ON U.S.-KOREA FREE TRADE AGREEMENT OUTCOMES



FOR IMMEDIATE RELEASE

September 24, 2018

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

FACT SHEET ON U.S.-KOREA FREE TRADE AGREEMENT OUTCOMES

President Trump continues to fulfill one of his key promises to the American people: to secure free, fair and reciprocal trade deals for the American worker.

The Republic of Korea is an important ally and key trading partner. Improving U.S.-Korea trade by rebalancing our trade and reducing the trade deficit will strengthen our economic and national security relationship.

Since the United States – Korea Free Trade Agreement (KORUS) went into effect in 2012, the U.S. trade deficit in goods with Korea increased by 75 percent from \$13.2 billion to \$23.1 billion (2017), while the overall deficit increased by 57 percent from \$6.3 billion to \$9.8 billion (2017).

Through negotiations to improve KORUS, the United States has secured changes that will reduce the trade deficit and ensure that KORUS is a good deal for American workers, farmers and businesses.

KEY NEW OUTCOMES FOR U.S. EXPORTERS

- The United States achieved important steps to improve the large trade deficit in industrial goods and to address KORUS implementation concerns that have hindered U.S. export growth.
 - **U.S. Truck Tariffs:** Korea will extend the phase out of the 25% U.S. tariff on trucks until 2041, or a total of 30 years following the implementation of the KORUS FTA in 2012 (*currently scheduled to phase out by 2021*).
 - **Growing U.S. Auto Exports:** Exports of U.S. motor vehicles to Korea will be improved through the following steps:
 - **Greater Access for U.S. Exports:** Korea will double the number of U.S. automobile exports, to 50,000 cars per manufacturer per year that can meet U.S. safety standards (in lieu of Korean standards) and enter the Korean market without further modification.
 - **Harmonization of Testing Requirements:** U.S. gasoline engine vehicle exports will be able to show compliance with Korea’s emission standards using the same tests they conduct to show compliance with U.S. regulations, without additional or duplicative testing for the Korean market.
 - **Recognition of U.S. Standards for Auto Parts:** Korea will recognize U.S. standards for auto parts necessary to service U.S. vehicles, and reduce labeling burdens for parts.
 - **Improvements to CAFE Standards:** Korea will expand the amount of “eco-credits” available to help meet fuel economy and greenhouse gas requirements under the regulations currently in force, while also ensuring that fuel economy targets in future regulations will be set taking U.S. regulations into account and will continue to

include more lenient targets for manufacturers that sell small volumes of cars in Korea.

- **Customs Improvement:** Korea will address long-standing concerns with onerous and costly verification procedures through agreement on principles for conducting verification of origin of exports under KORUS and establish a working group to monitor and address future issues that arise.
- **Pharmaceutical Reimbursements:** Within 2018, Korea will amend its Premium Pricing Policy for Global Innovative Drugs to make it consistent with Korea's commitments under KORUS to ensure non-discriminatory and fair treatment for U.S. pharmaceutical exports.

###

Stakeholder Alert: Joint Statement on Trilateral Meeting of the Trade Ministers of the United States, Japan, and the European Union

From "Young, Stewart B. EOP/USTR" (b) (6)

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Date: Tue, 25 Sep 2018 16:17:18 -0400

Good Afternoon Stakeholders –

Flagging the Joint Statement on Trilateral Meeting of the Trade Ministers of the United States, Japan, and the European Union.

Please let me know if you have any further questions.

Best,

Stewart

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From: FN-USTR-Media

Sent: Tuesday, September 25, 2018 4:14 PM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Joint Statement on Trilateral Meeting of the Trade Ministers of the United States, Japan, and the European Union



FOR IMMEDIATE RELEASE
September 25, 2018

Contact: USTR Public & Media Affairs

Joint Statement on Trilateral Meeting of the Trade Ministers of the United States, Japan, and the European Union

Mr. Hiroshige Seko, Minister of Economy, Trade and Industry of Japan, Ambassador Robert E. Lighthizer, United States Trade Representative, and Mrs. Cecilia Malmström, European Commissioner for Trade, met in New York on 25 September 2018.

Statement on Concerns with Non-Market-Oriented Policies and Practices of Third Countries

The Ministers reiterated their concern with and confirmed their shared objective to address non market-oriented policies and practices of third countries that lead to severe overcapacity, create unfair competitive conditions for their workers and businesses, hinder the development and use of innovative technologies, and undermine the proper functioning of international trade, including where existing rules are not effective.

The Ministers recalled that market-oriented conditions are fundamental to a fair, mutually advantageous global trading system and that their citizens and businesses operate under market-oriented conditions. They discussed actions being taken and possible measures that could be undertaken in the near future.

Accordingly, they directed their staff to further their discussion on various elements or indications that signal that non-market oriented policies and practices exist for businesses and industries, to enhance information sharing on non-market-oriented policies and practices of third countries, to engage with other trading partners on identifying means to maintain market-oriented conditions, and to deepen discussions on enforcement and rule-making as tools to address these problems.

Statement on Industrial Subsidies and State Owned Enterprises

The Ministers reviewed and confirmed progress regarding possible new rules on industrial subsidies and State Owned Enterprises so as to promote a more level playing field for their workers and businesses. The Ministers highlighted the importance of securing a level playing field given the challenges posed by third parties developing State Owned Enterprises into national champions and setting them loose in global markets – resulting in distortions that negatively affect farmers, industrial producers, and workers in the Ministers’ home countries. The Ministers recognized the progress of their work, and the continued need to deepen their shared understanding, on the basis for strengthening rules on industrial subsidies and State Owned Enterprises, including how to develop effective rules to address market-distorting behavior of state enterprises and confront particularly harmful subsidy practices such as: state-owned bank lending incompatible with a company’s creditworthiness, including due to implicit government guarantees; government or government-controlled investment fund equity investment on non-commercial terms; non-commercial debt-to-equity swaps; preferential input

pricing, including dual pricing; subsidies to an ailing enterprise without a credible restructuring plan; and subsidies leading to or maintaining overcapacity.

The trilateral partners continue exploring how to increase the costs of transparency and notification failures and how to strengthen the ability to obtain information on subsidies.

The Ministers also confirmed their commitment to continue working together to maintain the effectiveness of existing WTO disciplines.

On that basis, they agreed to intensify discussions among themselves and expressed their intention to advance their respective internal steps before the end of 2018 with the aim of initiating a negotiation on more effective subsidy rules soon thereafter. The Ministers emphasized the need to ensure the participation of key trading partners in these future negotiations.

Statement on Concerns with Forced Technology Transfer Policies and Practices of Third Countries

The Ministers recalled their shared view that no country should require or pressure technology transfer from foreign companies to domestic companies, including, for example, through the use of joint venture requirements, foreign equity limitations, administrative review and licensing processes, or other means. The Ministers found such practices to be deplorable.

The Ministers again condemned government actions that support the unauthorized intrusion into, and theft from, the computer networks of foreign companies to access their sensitive commercial information and trade secrets and use that information for commercial gain. Recalling that forced technology transfer policies and practices create unfair competitive conditions for their workers and businesses, hinder the development and use of innovative technologies, and undermine the proper functioning of international trade, the Ministers will reach out to and build consensus with other like-minded partners. The Ministers also agreed to deepen their investigation and analysis of the full range of harmful technology transfer policies and practices and their effects.

The Ministers affirmed their commitment to effective means to stop harmful forced technology transfer policies and practices, and to this end, deepen discussions on enforcement and rule-making as tools to address these problems.

Statement on Discussions on WTO Reform

The Ministers shared a common view on the need for the reform of the WTO, and, with respect to its monitoring and surveillance function, agreed as a first step to co-sponsor a transparency and notification proposal for consideration at the next meeting of the WTO Council on Trade in Goods.

They also agreed to promote the strengthening of the regular committees' activities and instructed their experts to discuss the development of a potential joint proposal by the three

members focusing on the promotion of best practices and increasing efficiencies across committees.

Overly broad classifications of development, combined with self-designation of development status, inhibits the WTO's ability to negotiate new, trade-expanding agreements and undermines their effectiveness. The Ministers called on advanced WTO Members claiming developing country status to undertake full commitments in ongoing and future WTO negotiations.

Statement on Digital Trade and E-Commerce

The Ministers shared growing concerns about proliferation of digital protectionism and agreed to cooperate in facilitating digital trade and the growth of the digital economy and to enhance business environments through the promotion of data security.

The Ministers welcome the progress of exploratory work under the WTO Joint Statement Initiative on Electronic Commerce. They agreed to intensify and accelerate this process to deepen understanding among members on possible elements to be included in a future agreement on digital trade aiming at updating the WTO rulebook, as well as the significant economic benefits of such an agreement. The Ministers agreed to continue work toward the timely launch of negotiations of a high standard agreement with the participation of as many members as possible.

Statement on Cooperation on Other Issues

The Ministers confirmed the importance of coordination among themselves to mitigate risks to their national security from trade and foreign investment, including the continued cooperation between appropriate authorities of the three partners to share best practices and exchange information on foreign investment review mechanisms.

The Ministers welcomed trilateral cooperation for the International Working Group on Export Credits to develop a new set of guidelines for government-supported export credits as soon as possible in 2019.

The Ministers reaffirmed their cooperation in international fora, such as the G7, G20 and the OECD and in sectoral initiatives such as the Global Forum on Steel Excess Capacity and Governments/Authorities Meeting on Semiconductors, to address market-distorting measures.

###

Stakeholder Alert: Joint Statement of the United States and Japan

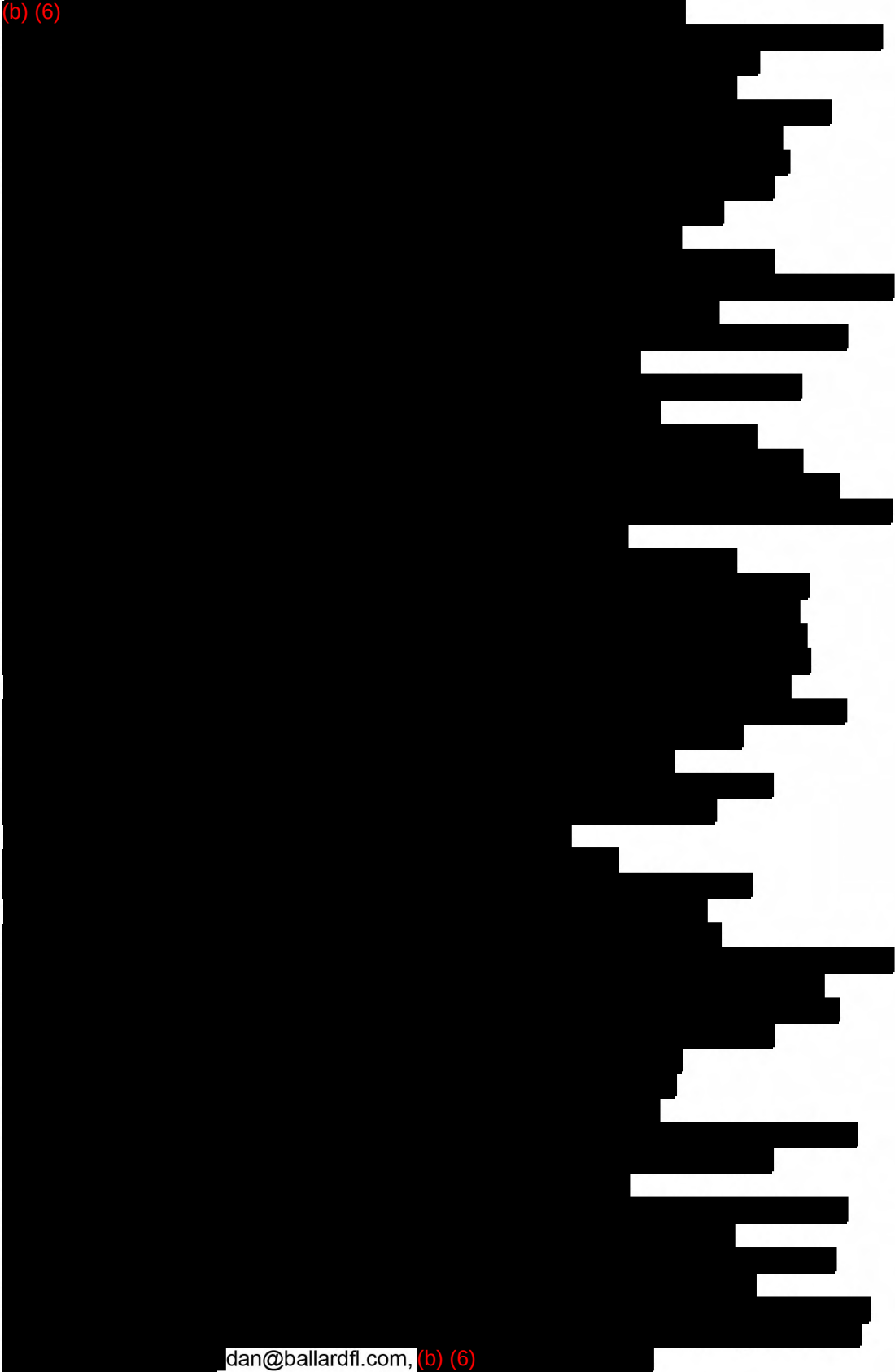
From : "Young, Stewart B. EOP/USTR" (b) (6)

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Date: Wed, 26 Sep 2018 15:27:47 -0400

Good Afternoon Stakeholders:

Flagging the joint statement of the U.S. and Japan below.

Please let us know if you have any questions.

Best,

Stewart

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THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
September 26, 2018

Joint Statement of the United States and Japan

1. On the occasion of our Summit Meeting in New York on September 26, 2018, we, President Donald J. Trump and Prime Minister Shinzo Abe, affirmed the importance of a strong, stable, and mutually beneficial trade and economic relationship between the United States and Japan, recognizing that our economies together represent approximately 30 percent of global Gross Domestic Product. The President reiterated the importance of reciprocal trade, as well as reducing the trade deficit with Japan and other countries. The Prime Minister emphasized the importance of free, fair, and rules-based trade.
2. Against this backdrop, we reaffirmed our determination to further expand trade and investment between the United States and Japan in a mutually beneficial manner, including through further concrete steps, as well as to realize free, fair, and open development of the global economy.

3. The United States and Japan will enter into negotiations, following the completion of necessary domestic procedures, for a United States–Japan Trade Agreement on goods, as well as on other key areas including services, that can produce early achievements.
4. The United States and Japan also intend to have negotiations on other trade and investment items following the completion of the discussions of the agreement mentioned above.
5. The agreement mentioned above is designed to be mutually beneficial, and, in conducting those negotiations, the United States and Japan will respect positions of the other government:
 - For the United States, market access outcomes in the motor vehicle sector will be designed to increase production and jobs in the United States in the motor vehicle industries; and
 - For Japan, with regard to agricultural, forestry, and fishery products, outcomes related to market access as reflected in Japan’s previous economic partnership agreements constitute the maximum level.
6. The United States and Japan will also strengthen cooperation to better protect American and Japanese companies and workers from non-market oriented policies and practices by third countries. We will therefore work closely together, through United States–Japan as well as United States–Japan–European Union cooperation, to promote discussions on World Trade Organization reform and e-commerce and to address unfair trading practices including intellectual property theft, forced technology transfer, trade-distorting industrial subsidies, distortions created by state-owned enterprises, and overcapacity.
7. The United States and Japan will conduct these discussions based on mutual trust, and refrain from taking measures against the spirit of this joint statement during the process of these consultations. In addition, we will make efforts for the early solution of other tariff-related issues.

###

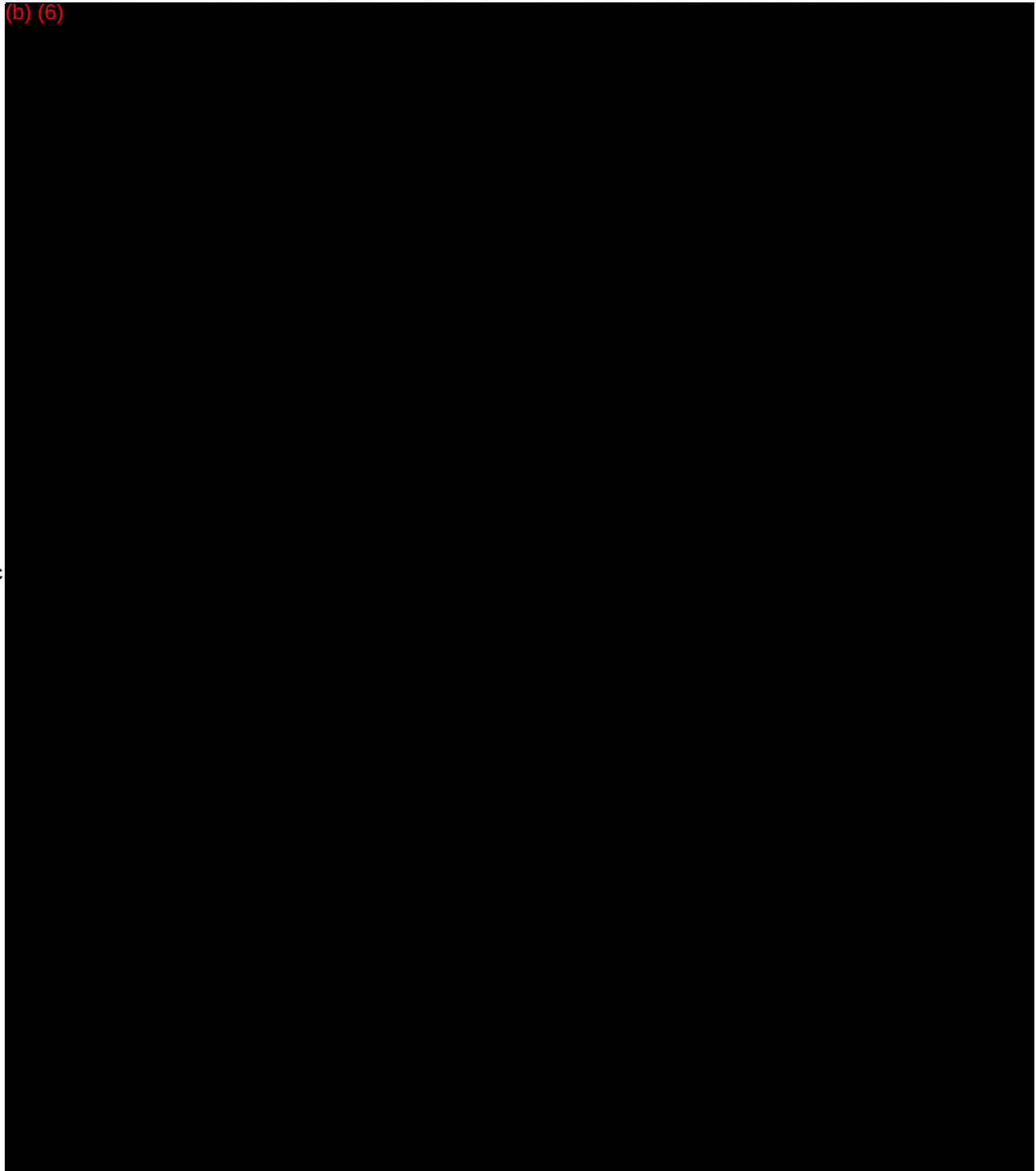
Stakeholder Alert: USMCA FACT SHEET: Modernizing NAFTA into a 21st Century Trade Agreement

From "Young, Stewart B. EOP/USTR" (b) (6)

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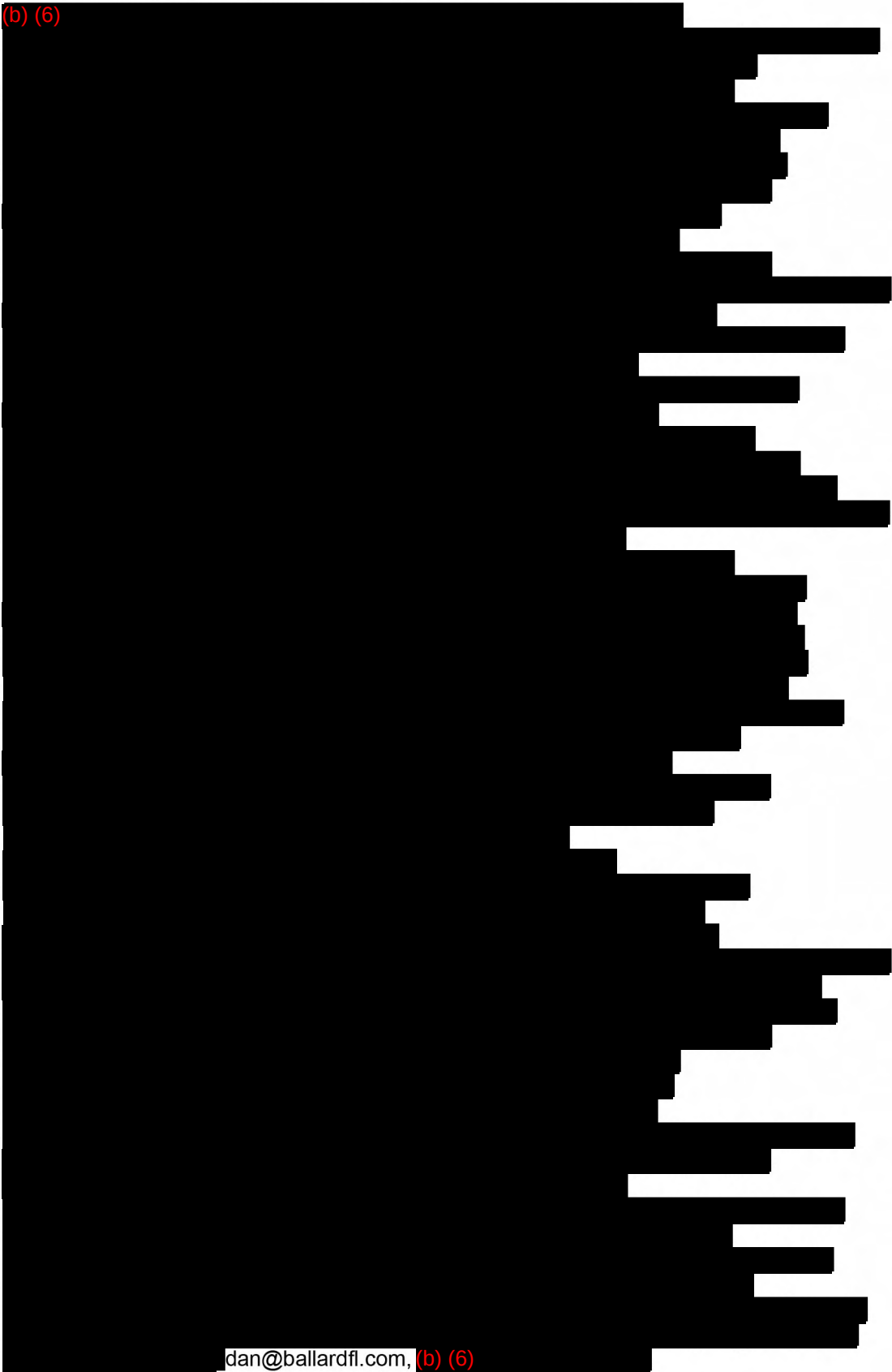
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Date: Mon, 01 Oct 2018 10:18:02 -0400

Good Morning Stakeholders:

Pleased to share the fact sheet below.

Please let me know if you have any questions.

Best,

Stewart

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From: FN-USTR-Media

Sent: Monday, October 1, 2018 10:15 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: USMCA FACT SHEET: Modernizing NAFTA into a 21st Century Trade Agreement



USTR NEWS

UNITED STATES TRADE REPRESENTATIVE

www.ustr.gov

Washington, D.C. 20508

202-395-3230

FOR IMMEDIATE RELEASE

October 1, 2018

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

UNITED STATES–MEXICO–CANADA TRADE FACT SHEET

Modernizing NAFTA into a 21st Century Trade Agreement

The United States, Mexico, and Canada have reached an agreement to modernize the 24-year-old NAFTA into a 21st century, high-standard agreement. The new United States-Mexico-Canada Agreement (USMCA) will support mutually beneficial trade leading to freer markets, fairer trade, and robust economic growth in North America.

INTELLECTUAL PROPERTY

The United States, Mexico, and Canada have reached an agreement on a modernized, high-standard Intellectual Property (IP) chapter that provides strong and effective protection and enforcement of IP rights critical to driving innovation, creating economic growth, and supporting American jobs.

Key Highlights: Protections for United States Innovators and Creators

The new IP Chapter will:

- Include 10 years of data protection for biologic drugs and a robust scope of products eligible for protection.
- Require full national treatment for copyright and related rights so United States creators are not deprived of the same protections that domestic creators receive in a foreign market.
- Continue to provide strong patent protection for innovators by enshrining patentability standards and patent office best practices to ensure that United States innovators, including small- and medium-sized businesses, are able to protect their inventions with patents.
- Include strong protection for pharmaceutical and agricultural innovators.
- Require a minimum copyright term of life of the author plus 70 years, and for those works with a copyright term that is not based on the life of a person, a minimum of 75 years after first authorized publication.
- Require strong standards against the circumvention of technological protection measures that often protect works such as digital music, movies, and books.
- Establish appropriate copyright safe harbors to provide protection for IP and predictability for legitimate enterprises that do not directly benefit from the infringement, consistent with United States law.
- Provide important procedural safeguards for recognition of new geographical indications (GIs), including strong standards for protection against issuances of GIs that would prevent United States producers from using common names, as well as establish a mechanism for consultation between the Parties on future GIs pursuant to international agreements.

- Enhance provisions for protecting trademarks, including well-known marks, to help companies that have invested effort and resources into establishing goodwill for their brands.

Key Achievement: Most Comprehensive Enforcement Provisions of Any Trade Agreement

For the first time, a trade agreement will require all of the following:

- *Ex officio* authority for law enforcement officials to stop suspected counterfeit or pirated goods at every phase of entering, exiting, and transiting through the territory of any Party.
- Express recognition that IP enforcement procedures must be available for the digital environment for trademark and copyright or related rights infringement.
- Meaningful criminal procedures and penalties for unauthorized camcording of movies, which is a significant source of pirated movies online.
- Civil and criminal penalties for satellite and cable signal theft.
- Broad protection against trade secret theft, including against state-owned enterprises.

Key Achievement: Strongest Standards of Protection for Trade Secrets of Any Prior FTA

In particular, the Chapter has the most robust protection for trade secrets of any prior United States trade agreement. It includes all of the following protections against misappropriation of trade secrets, including by state-owned enterprises: civil procedures and remedies, criminal procedures and penalties, prohibitions against impeding licensing of trade secrets, judicial procedures to prevent disclosure of trade secrets during the litigation process, and penalties for government officials for the unauthorized disclosure of trade secrets.

DIGITAL TRADE

The new Digital Trade chapter contains the strongest disciplines on digital trade of any international agreement, providing a firm foundation for the expansion of trade and investment in the innovative products and services where the United States has a competitive advantage.

Key Highlights of the Digital Trade Chapter

The new Digital Trade chapter will:

- Prohibit customs duties and other discriminatory measures from being applied to digital products distributed electronically (e-books, videos, music, software, games, etc.).
- Ensure that data can be transferred cross-border, and that limits on where data can be stored and processed are minimized, thereby enhancing and protecting the global digital ecosystem.
- Ensure that suppliers are not restricted in their use of electronic authentication or electronic signatures, thereby facilitating digital transactions.

- Guarantee that enforceable consumer protections, including for privacy and unsolicited communications, apply to the digital marketplace.
- Limit governments' ability to require disclosure of proprietary computer source code and algorithms, to better protect the competitiveness of digital suppliers.
- Promote collaboration in tackling cybersecurity challenges while seeking to promote industry best practices to keep networks and services secure.
- Promote open access to government-generated public data, to enhance innovative use in commercial applications and services.
- Limit the civil liability of Internet platforms for third-party content that such platforms host or process, outside of the realm of intellectual property enforcement, thereby enhancing the economic viability of these engines of growth that depend on user interaction and user content.

DE MINIMIS

Key Achievement: Increased *De Minimis* Shipment Value Level

To facilitate greater cross-border trade, the United States has reached an agreement with Mexico and Canada to raise their *de minimis* shipment value levels. Canada will raise its *de minimis* level for the first time in decades, from C\$20 to C\$40 for taxes. Canada will also provide for duty free shipments up to C\$150. Mexico will continue to provide USD \$50 tax free *de minimis* and also provide duty free shipments up to the equivalent level of USD \$117. Shipment values up to these levels would enter with minimal formal entry procedures, making it easier for more businesses, especially small- and medium-sized ones, to be a part of cross-border trade. Canada will also allow a period of 90 days after entry for the importer to make payment of taxes.

Increasing the *de minimis* level with key trading partners like Mexico and Canada is a significant outcome for United States small- and medium-sized enterprises (SMEs). These SMEs often lack resources to pay customs duties and taxes, and bear the increased compliance costs that low, trade-restrictive *de minimis* levels place on lower-value shipments, which SMEs often have due to their smaller trade volumes.

New traders, just entering Mexico's and Canada's markets, will also benefit from lower costs to reach consumers. United States express delivery carriers, who carry many low-value shipments for these traders, also stand to benefit through lower costs and improved efficiency.

FINANCIAL SERVICES

U.S. financial services firms provide services critical to every sector of the economy, including small- and medium-sized businesses. The United States exported about \$115 billion in financial services in 2016, generating around a \$41 billion surplus in trade in financial services.

The updated Financial Services chapter includes commitments to liberalize financial services markets and facilitate a level playing field for U.S. financial institutions, investors and

investments in financial institutions, and cross-border trade in financial services. The chapter also preserves the discretion of financial regulators to ensure financial stability.

Key Achievement: Core Obligations to Prevent Discrimination Against U.S. Financial Services Suppliers

The chapter includes core obligations, such as:

- National treatment, to ensure that U.S. financial service suppliers receive the same treatment as local suppliers.
- Most-favored-nation treatment, to ensure that U.S. financial service suppliers receive the same treatment as those from other countries.
- Market access, which prohibits imposition of certain quantitative and numerical restrictions that would limit the business of U.S. financial services suppliers.

Key Achievement: First Provision Against Local Data Storage Requirements

For the first time in any U.S. trade agreement, this deal includes a prohibition on local data storage requirements in circumstances where a financial regulator has the access to data that it needs to fulfill its regulatory and supervisory mandate.

Key Highlights Supporting Financial Services

The new Financial Services chapter will include:

- Updated provisions to allow for the cross-border transfer of data and an updated market access obligation.
- The most robust transparency obligations of any U.S. trade agreement, to ensure good regulatory practices in government licensing and other market access authorizations.
- A separate annex on commitments relating to cross-border trade, including application of the national treatment and market access obligation to an expanded list of cross-border services, such as portfolio management, investment advice, and electronic payment services.
- Specific procedures related to investor-State dispute settlement claims with Mexico, including provisions regarding expertise of arbitrators and a special procedural mechanism to facilitate the application of the prudential exception and other exceptions.

CURRENCY

Key Achievements: High-Standard Policy and Transparency Commitments, with Robust Accountability Mechanisms

The renegotiated agreement includes a chapter on Macroeconomic Policies and Exchange Rate Matters, with new policy and transparency commitments on currency issues. The chapter will address unfair currency practices by requiring high-standard commitments to refrain from competitive devaluations and targeting exchange rates, while significantly increasing

transparency and providing mechanisms for accountability. This approach is unprecedented in the context of a trade agreement, and will help reinforce macroeconomic and exchange rate stability.

LABOR

One of President Trump's principal objectives in the renegotiation is to ensure the agreement benefits American workers. The United States, Mexico, and Canada have agreed to a Labor chapter that brings labor obligations into the core of the agreement, makes them fully enforceable, and represents the strongest provisions of any trade agreement.

Key Achievement: Worker Representation in Collective Bargaining

The Labor chapter includes an Annex on Worker Representation in Collective Bargaining in Mexico, under which Mexico commits to specific legislative actions to provide for the effective recognition of the right to collective bargaining.

Key Achievement: Labor Rights Recognized by the International Labor Organization

The Labor chapter requires the Parties to adopt and maintain in law and practice labor rights as recognized by the International Labor Organization, to effectively enforce their labor laws, and not to waive or derogate from their labor laws.

Additionally, the chapter includes new provisions to take measures to prohibit the importation of goods produced by forced labor, to address violence against workers exercising their labor rights, and to ensure that migrant workers are protected under labor laws.

Key Achievement: New Labor Value Content Rule

To support North American jobs, the deal contains new trade rules of origin to drive higher wages by requiring that 40-45 percent of auto content be made by workers earning at least USD \$16 per hour.

ENVIRONMENT

The United States, Mexico, and Canada have agreed to the most advanced, most comprehensive, highest-standard chapter on the Environment of any trade agreement. Like the Labor chapter, the Environment chapter brings all environmental provisions into the core of the agreement and makes them enforceable.

Key Achievement: Most Comprehensive Set of Enforceable Environmental Obligations

The Environment chapter includes the most comprehensive set of enforceable environmental obligations of any previous United States agreement, including obligations to combat trafficking in wildlife, timber, and fish; to strengthen law enforcement networks to stem such trafficking; and to address pressing environmental issues such as air quality and marine litter.

Environment obligations include:

- Prohibitions on some of the most harmful fisheries subsidies, such as those that benefit vessels or operators involved in illegal, unreported, and unregulated (IUU) fishing.
- New protections for marine species like whales and sea turtles, including a prohibition on shark-finning and commitment to work together to protect marine habitat.
- Obligations to enhance the effectiveness of customs inspections of shipments containing wild fauna and flora at ports of entry, and ensure strong enforcement to combat IUU fishing.
- First-ever articles to improve air quality, prevent and reduce marine litter, support sustainable forest management, and ensure appropriate procedures for environmental impact assessments.
- Robust and modernized mechanisms for public participation and environmental cooperation.

###

FW: USMCA FACT SHEET: Rebalancing Trade to Support Manufacturing

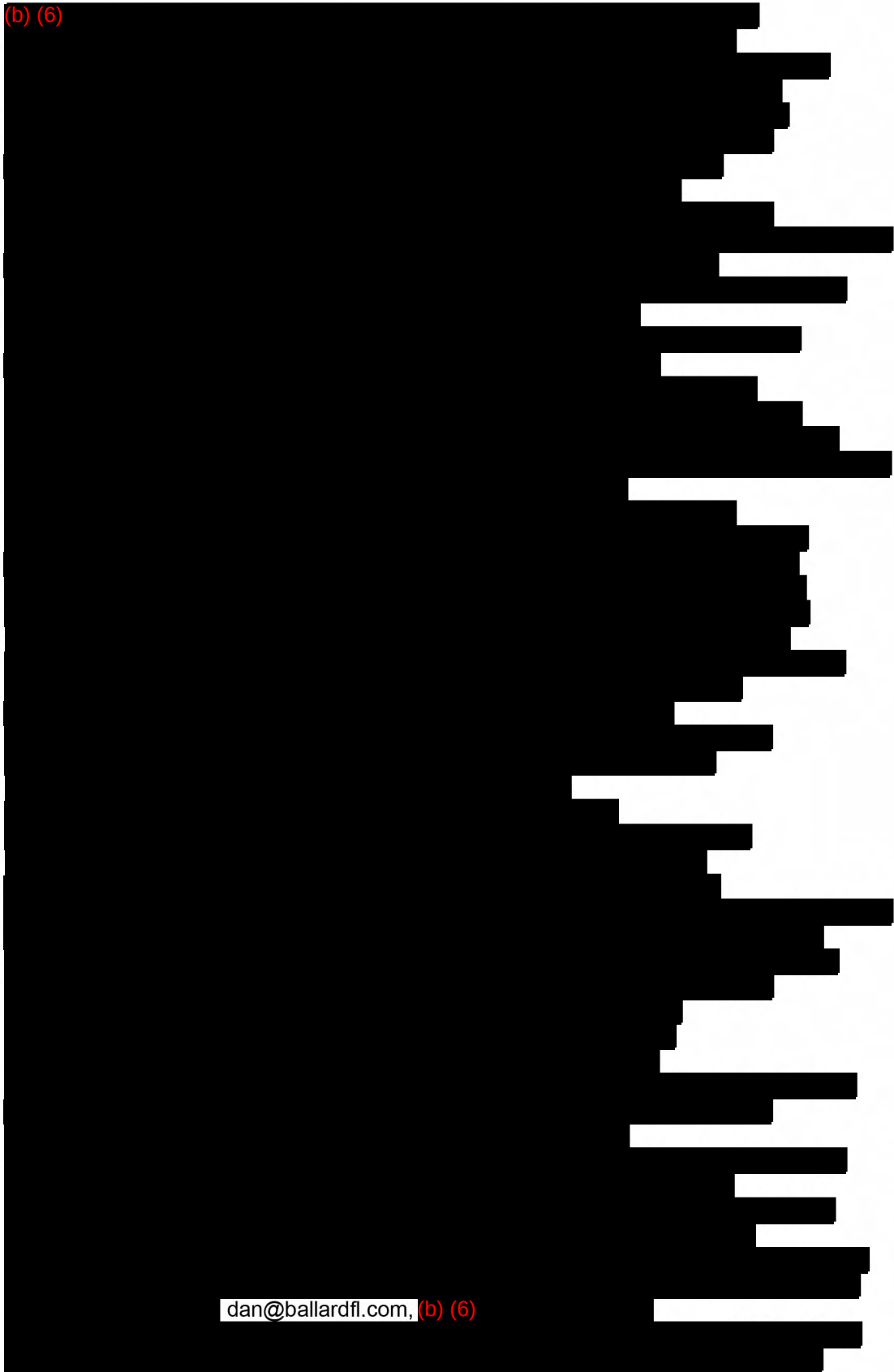
From "Young, Stewart B. EOP/USTR" (b) (6)
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Date: Mon, 01 Oct 2018 10:11:56 -0400

From: FN-USTR-Media

Sent: Monday, October 1, 2018 10:11 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: USMCA FACT SHEET: Rebalancing Trade to Support Manufacturing



FOR IMMEDIATE RELEASE

October 1, 2018

Contact: USTR Public & Media Affairs

media@ustr.eop.gov

Rebalancing Trade to Support Manufacturing

The United States, Mexico, and Canada have reached an agreement that supports North American manufacturing and mutually beneficial trade. The new United States-Mexico-Canada Agreement (USMCA) will create more balanced, reciprocal trade that supports high-paying jobs for Americans and grows the North American economies.

RULES OF ORIGIN AND ORIGIN PROCEDURES

The United States, Mexico, and Canada have concluded substantive discussions on new rules of origin and origin procedures, including product-specific rules for passenger vehicles, light trucks, and auto parts. This update to the rules of origin will provide greater incentives to source goods and materials in the United States and North America.

Key Achievement: Increasing Regional Value Content Rule

This deal encourages United States manufacturing and regional economic growth by requiring that 75 percent of auto content be made in North America.

The rules will:

- Help to incentivize up to billions annually in additional United States vehicle and auto parts production.
- Help to preserve and re-shore vehicle and parts production in the United States.
- Transform supply chains to use more United States content, especially content that is key to future automobile production and high-paying jobs.
- Close gaps in the current NAFTA agreement that incentivized low wages in automobile and parts production.

Key Achievement: Creating New Labor Value Content Rule

This deal uses trade rules to drive higher wages by requiring that 40-45 percent of auto content be made by workers earning at least \$16 per hour.

The rules will:

- Support better jobs for United States producers and workers by requiring that a significant portion of vehicle content be made with high-wage labor.
- Ensure that United States producers and workers are able to compete on an even playing field, and incentivize new vehicle and parts investments in the United States.
- Encourage more investment by auto companies in research and development in the region.

Key Achievement: Exceeding NAFTA 1.0 and TPP Standards with Stronger Rules of Origin and Enforcement

The United States, Mexico, and Canada have agreed to stronger rules of origin that exceed those of both NAFTA 1.0 and the Trans-Pacific Partnership (TPP), including for autos and automobile parts and other industrial products such as chemicals, steel-intensive products, glass, and optical fiber.

This deal exceeds NAFTA 1.0 and the TPP by establishing procedures that streamline certification and verification of rules of origin and that promote strong enforcement. This includes new cooperation and enforcement provisions that help to prevent duty evasion before it happens.

The new rules will help ensure that only producers using sufficient and significant North American parts and materials receive preferential tariff benefits.

GOODS MARKET ACCESS

New commitments have been included in the Market Access chapter to reflect developments in United States trade agreements that address non-tariff barriers related to trade in remanufactured goods, import licensing, and export licensing.

Key Achievement: Exceeding NAFTA 1.0 and TPP Standards to More Effectively Support Trade in Manufactured Goods

The new Market Access chapter will more effectively support trade in manufactured goods between the United States, Mexico, and Canada by removing provisions that are no longer relevant, updating key references, and affirming commitments that have phased in from the original agreement.

Specifically, the Market Access chapter:

- Maintains duty-free treatment for originating goods.
- Maintains the prohibition on export duties, taxes, and other charges and the waiver of specific customs processing fees.
- Adds new provisions for transparency in import licensing and export licensing procedures.
- Prohibits Parties from applying: (a) requirements to use local distributors for importation; (b) restrictions on the importation of commercial goods that contain cryptography; (c) import restrictions on used goods to remanufactured goods; and (d) requirements for consular transactions and their associated fees and charges.
- Updates provisions for duty-free temporary admission of goods to cover shipping containers or other substantial holders used in the shipment of goods.

TEXTILES

The new provisions on textiles incentivize greater North American production in textiles and apparel trade, strengthen customs enforcement, and facilitate broader consultation and cooperation among the Parties on issues related to textiles and apparel trade.

Key Achievement: Strengthening Supply Chains to Provide New Market Opportunities for the Textile and Apparel Sector

The provisions will:

- Promote greater use of Made-in-the-USA fibers, yarns, and fabrics by:
 - Limiting rules that allow for some use of non-NAFTA inputs in textile and apparel trade.
 - Requiring that sewing thread, pocketing fabric, narrow elastic bands, and coated fabric, when incorporated in most apparel and other finished products, be made in the region for those finished products to qualify for trade benefits.
- Establish a Textiles chapter for North American trade, including textile-specific verification and customs cooperation provisions that provide new tools for strengthening customs enforcement and preventing fraud and circumvention in this important sector.

The new Textiles chapter provisions are stronger than those in NAFTA 1.0 with respect to both enforcement and incentivizing North American production of textiles.

SECTORAL ANNEXES

The United States, Mexico, and Canada have also reached agreement on new provisions covering trade in specific manufacturing sectors, including Information and Communication Technology, Pharmaceuticals, Medical Devices, Cosmetic Products, and Chemical Substances. Each of the annexes includes provisions that exceed NAFTA 1.0 and TPP that promote enhanced regulatory compatibility, best regulatory practices, and increased trade among the countries.

###

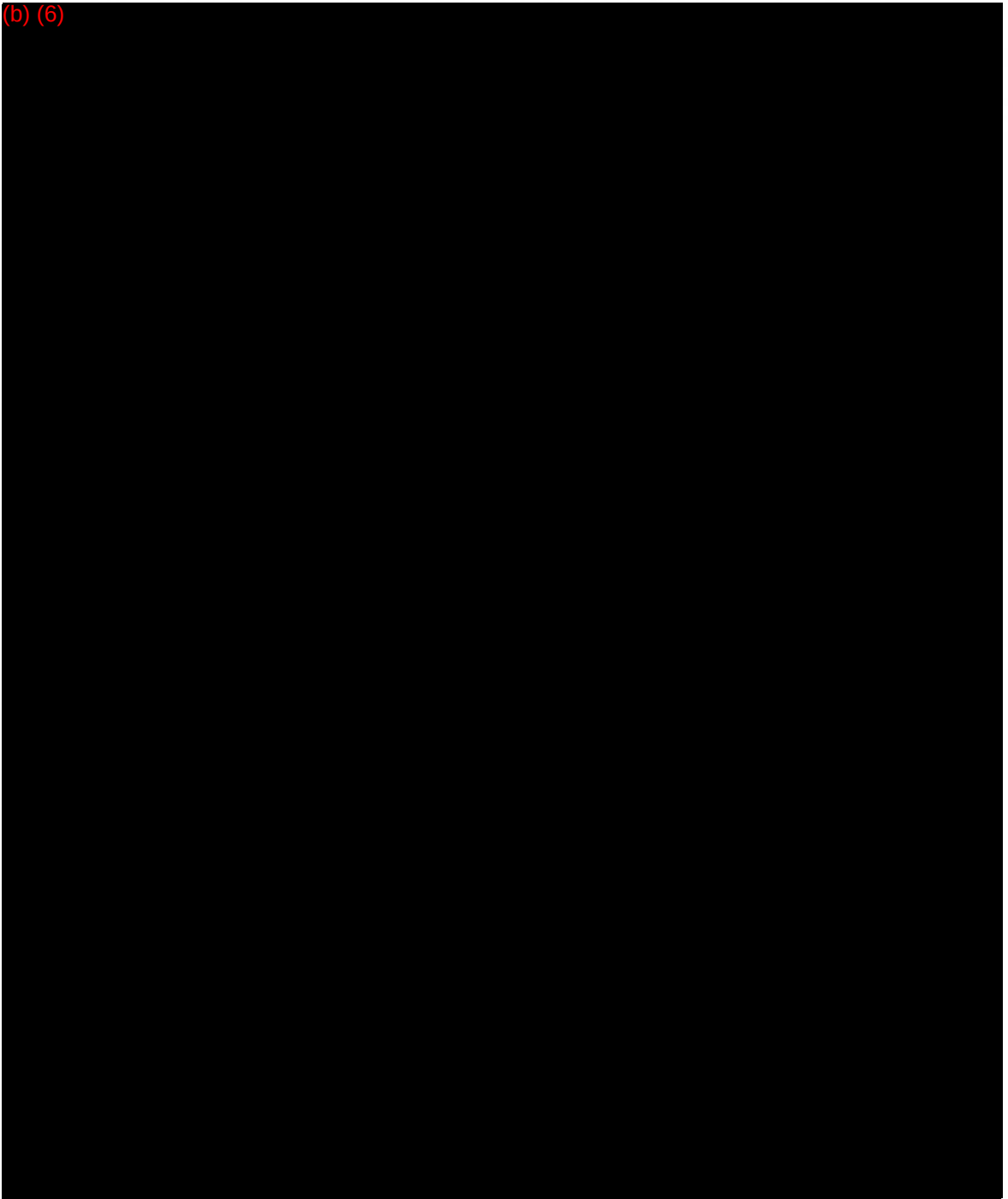
Stakeholder Alert: Joint Statement from United States Trade Representative Robert Lighthizer and Canadian Foreign Affairs Minister Chrystia Freeland

From "Young, Stewart B. EOP/USTR" (b) (6)

:

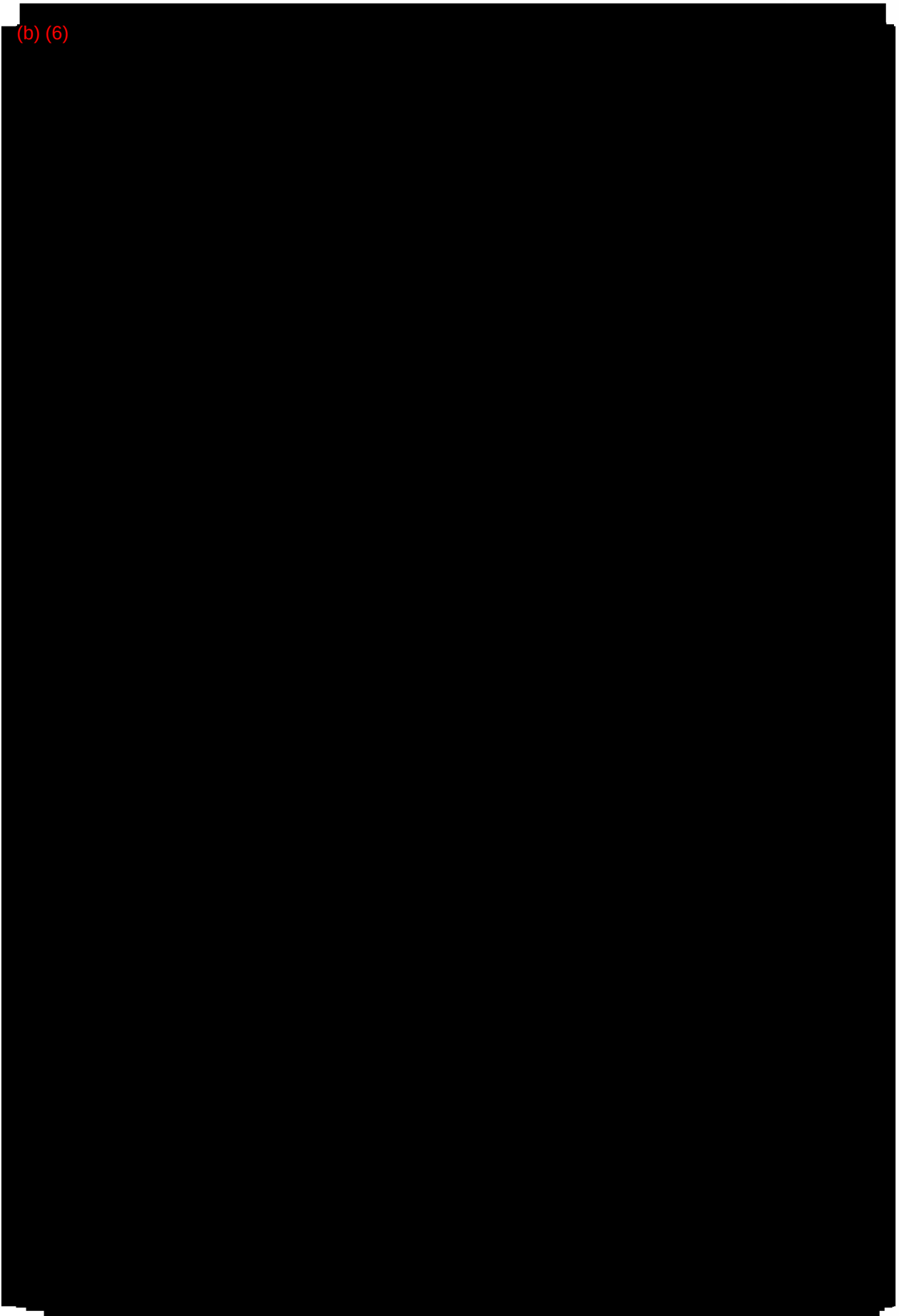
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)
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Date: Mon, 01 Oct 2018 04:45:38 -0400

Stakeholders:

We are pleased to share the following statement regarding the announcement of the U.S. – Mexico – Canada agreement (USMCA).

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media

Sent: Sunday, September 30, 2018 11:32 PM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Joint Statement from United States Trade Representative Robert Lighthizer and Canadian Foreign Affairs Minister Chrystia Freeland



USTR NEWS

UNITED STATES TRADE REPRESENTATIVE

www.ustr.gov

Washington, D.C. 20508

202-395-3230

FOR IMMEDIATE RELEASE
September 30, 2018

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

**Joint Statement from United States Trade Representative Robert Lighthizer
and Canadian Foreign Affairs Minister Chrystia Freeland**

“Today, Canada and the United States reached an agreement, alongside Mexico, on a new, modernized trade agreement for the 21st Century: the United States-Mexico-Canada Agreement (USMCA). USMCA will give our workers, farmers, ranchers and businesses a high-standard trade agreement that will result in freer markets, fairer trade and robust economic growth in our region. It will strengthen the middle class, and create good, well-paying jobs and new opportunities for the nearly half billion people who call North America home.

“We look forward to further deepening our close economic ties when this new agreement enters into force.

“We would like to thank Mexican Economy Secretary Ildefonso Guajardo for his close collaboration over the past 13 months.”

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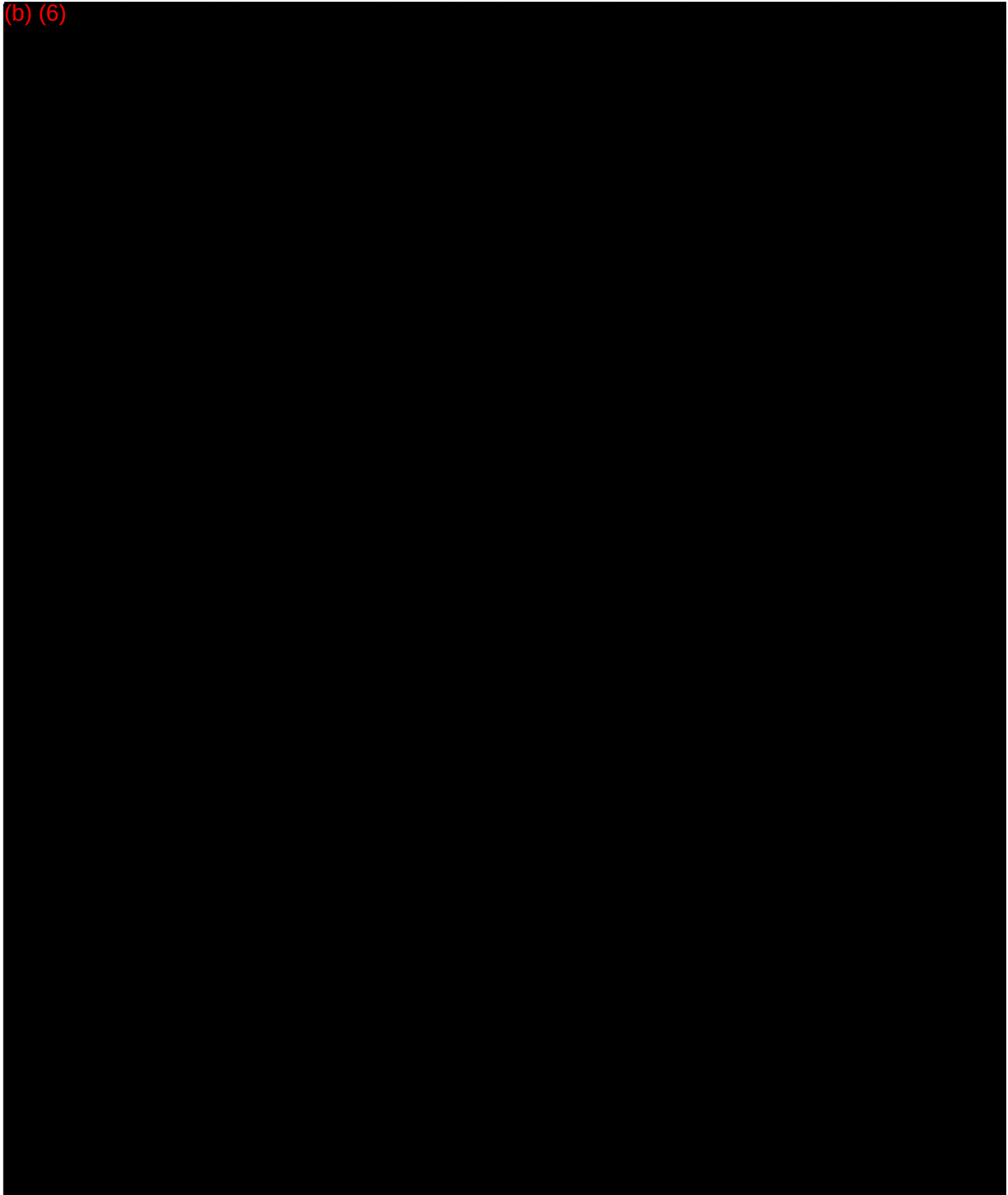
Stakeholder Alert: Trump Administration Announces Intent to Negotiate Trade Agreements with Japan, the European Union and the United Kingdom

From "Young, Stewart B. EOP/USTR" (b) (6)

:

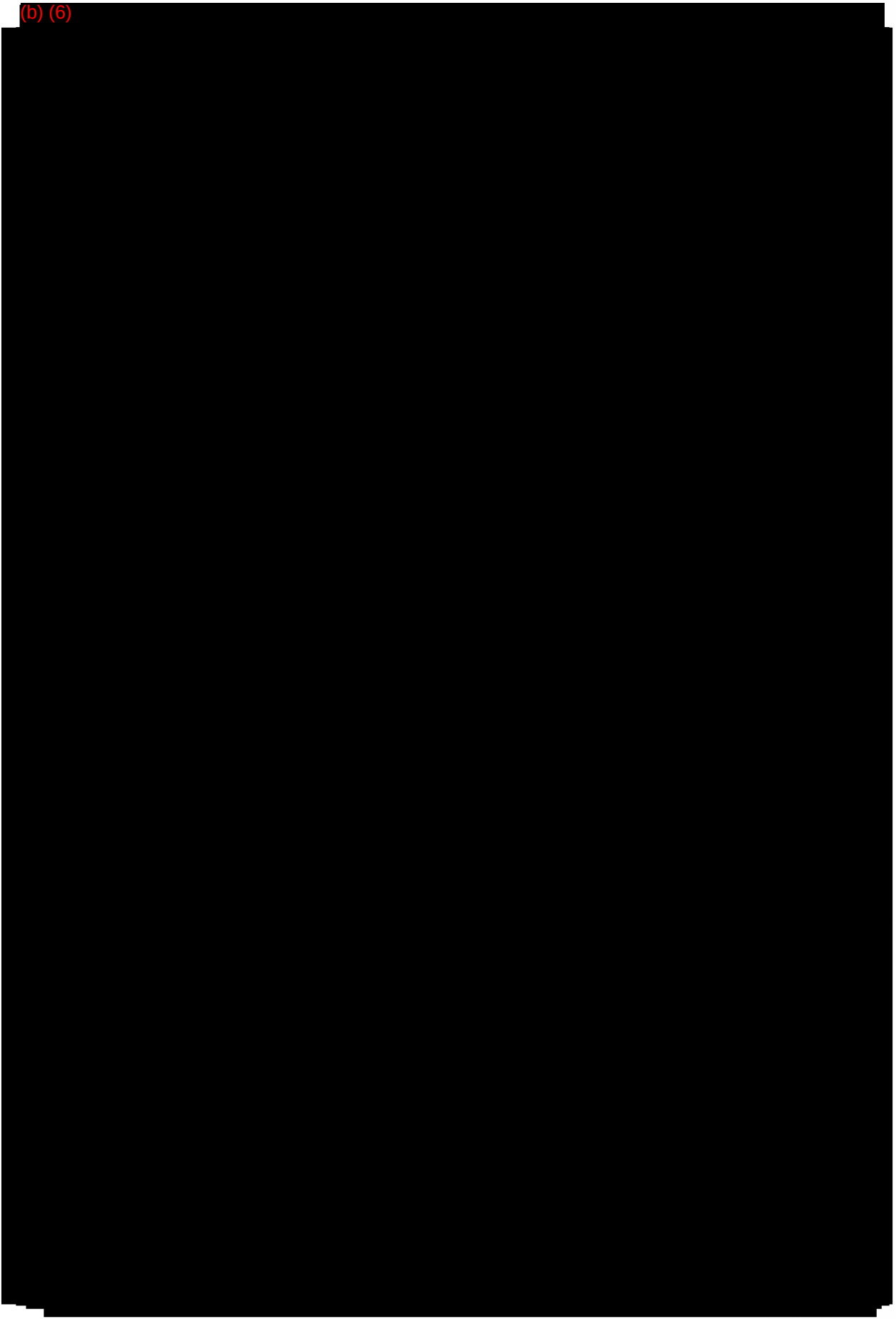
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)
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Date: Tue, 16 Oct 2018 16:18:28 -0400

Good Afternoon Stakeholders:

Flagging the announcement below re: Japan, the EU, and the United Kingdom.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media

Sent: Tuesday, October 16, 2018 4:09 PM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Trump Administration Announces Intent to Negotiate Trade Agreements with Japan, the European Union and the United Kingdom



FOR IMMEDIATE RELEASE

October 16, 2018

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

Trump Administration Announces Intent to Negotiate Trade Agreements with Japan, the European Union and the United Kingdom

Washington, DC – At the direction of the President, United States Trade Representative Robert Lighthizer today notified Congress that the Trump Administration intends to negotiate three separate trade agreements with Japan, the European Union and the United Kingdom.

“Under President Trump’s leadership, we will continue to expand U.S. trade and investment by negotiating trade agreements with Japan, the EU and the United Kingdom,” said Ambassador Lighthizer. “Today’s announcement is an important milestone in that process. We are committed to concluding these negotiations with timely and substantive results for American workers, farmers, ranchers, and businesses.”

In officially notifying Congress, the U.S. Trade Representative (USTR) is following the procedures set out in the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 – often referred to as Trade Promotion Authority (TPA) – which requires ongoing consultations with Congress. These consultations ensure that USTR develops negotiating positions with the benefit of Congress’ views. USTR will also publish notices in the Federal Register requesting the public’s input on the direction, focus and content of the trade negotiations.

In accordance with TPA, USTR will publish objectives for the negotiations at least 30 days before formal trade negotiations begin.

To read the notification letters sent to Congress regarding Japan, [click here](#).

To read the notification letters sent to Congress regarding the European Union, [click here](#).

To read the notification letters sent to Congress regarding the United Kingdom, [click here](#).

Background Information

U.S.-Japan Trade

The United States and Japan are the world’s first and third largest economies, respectively. U.S. goods and services trade with Japan totaled an estimated \$283.6 billion in 2017. Exports were \$114 billion; imports were \$169.5 billion. The U.S. goods and services trade deficit with Japan was \$55.5 billion in 2017.

U.S.-EU Trade

U.S. goods and services trade with the EU totaled nearly \$1.1 trillion in 2016. Exports totaled \$501 billion; Imports totaled \$592 billion. The U.S. goods and services trade deficit with the EU was \$151.4 billion in 2017.

U.S.-UK Trade

The United States and the United Kingdom are the first and fifth largest economies in the world, respectively. U.S. goods and services trade with United Kingdom totaled an estimated \$231.9 billion in 2017. Exports were \$123.0 billion; imports were \$108.9 billion. The U.S. goods and services trade surplus with United Kingdom was \$14.2 billion in 2017.

###

Stakeholder Alert: Joint Statement by U.S. Trade Representative Robert E. Lighthizer and Philippine Secretary of Trade and Industry Ramon M. Lopez

From "Young, Stewart B. EOP/USTR" (b) (6)

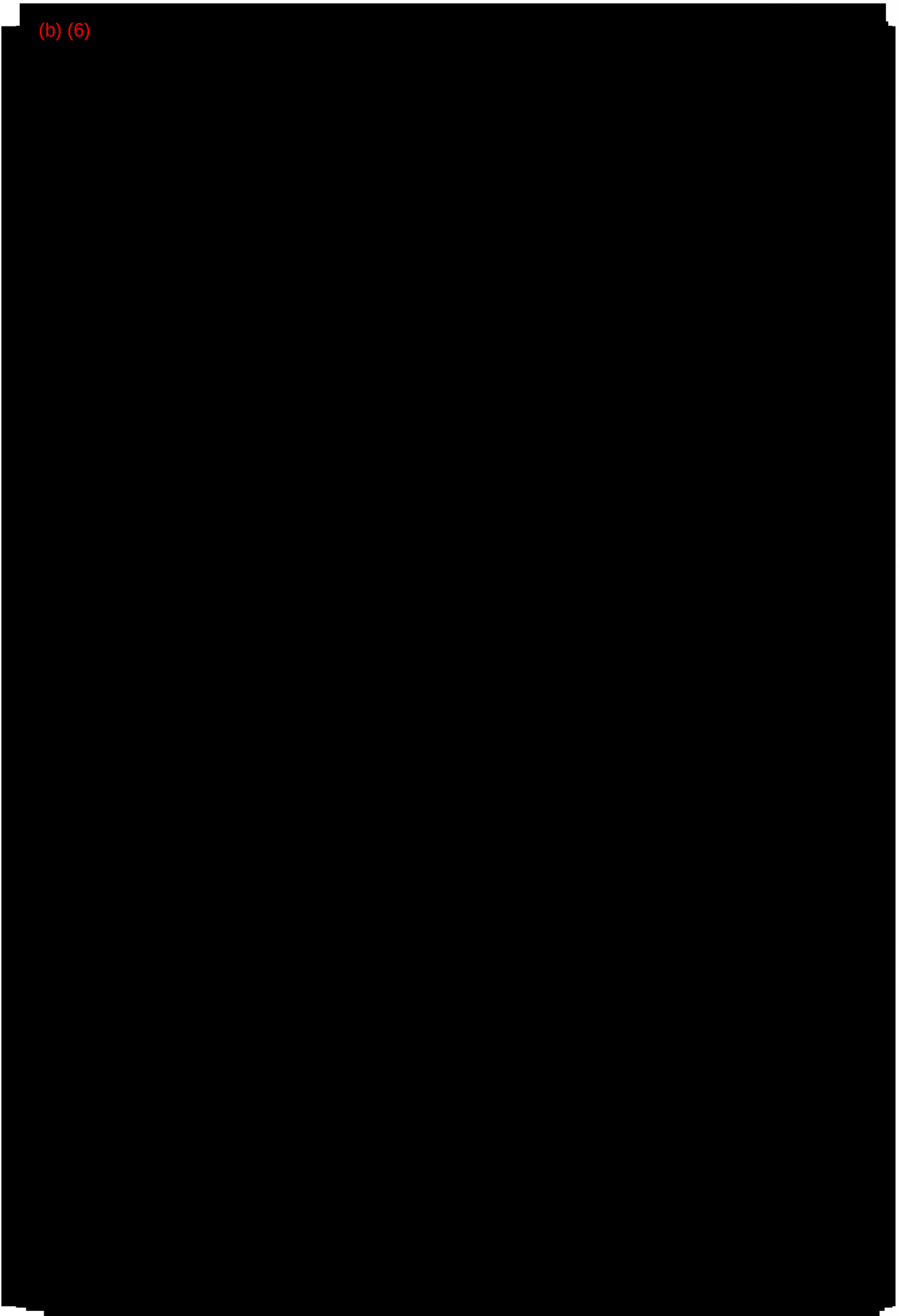
:

To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

Date: Mon, 22 Oct 2018 09:27:58 -0400

Good Morning Stakeholders:

Flagging this morning's joint statement by U.S. Trade Representative Robert E. Lighthizer and Philippine Secretary of Trade and Industry Ramon M. Lopez.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media

Sent: Monday, October 22, 2018 8:06 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Joint Statement by U.S. Trade Representative Robert E. Lighthizer and Philippine Secretary of Trade and Industry Ramon M. Lopez



USTR NEWS

UNITED STATES TRADE REPRESENTATIVE

www.ustr.gov

Washington, D.C. 20508

202-395-3230

FOR IMMEDIATE RELEASE

October 22, 2018

Contact: USTR Public & Media Affairs

media@ustr.eop.gov

Joint Statement by U.S. Trade Representative Robert E. Lighthizer and Philippine Secretary of Trade and Industry Ramon M. Lopez

October 22, 2018

Following the bilateral meeting between the United States and the Philippines on August 31, 2018 in Singapore, during the Association of Southeast Asian Nations Economic Ministers Meeting, and recalling the Joint Statement Between the United States of America and the Republic of the Philippines issued on November 13, 2017, U.S. Trade Representative Robert E. Lighthizer and Philippine Secretary of Trade and Industry Ramon M. Lopez are pleased to announce several recent achievements resolving bilateral trade issues under their bilateral Trade and Investment Framework Agreement (“TIFA”).

Both Governments agree that enhanced bilateral engagement on trade under the TIFA should include work that yields benefits for agricultural producers, importers, exporters and consumers, and intend to work together in a number of areas. Specifically, the United States and the Philippines intend to collaborate on the development of cold chain requirements and best practices in the Philippines, taking into account international guidelines and codes of practice regarding food hygiene adopted by the Codex Alimentarius Commission. This work will build on private sector and local efforts already underway in the Philippines to improve the existing cold chain. The United States agrees to make best efforts, subject to availability of U.S. resources, to provide technical assistance to enhance cold chain development and management in the Philippines.

The United States welcomes the Philippines’ efforts to ensure the WTO-consistent valuation of agricultural imports for duty collection purposes, including the enforcement of laws, regulations, and policies prohibiting the use of reference pricing.

The Philippines recognizes the U.S. interest in the extension of Philippine tariff rates on certain agricultural products. The Philippines further recognizes that said rates would help contribute to stable prices for food products. The Philippines commits to expeditious consideration of petitions for the extension of such rates, consistent with established procedural rules.

The United States notes that the Philippines is continuing to protect geographical indications (GIs) in a manner mutually beneficial to both countries by ensuring transparency, due process, and fairness in the laws, regulations, and practices that provide for the protection of GIs, including by respecting prior trademark rights and not restricting the use of common names. The United States welcomes the commitment of the Philippines to further discuss ways to ensure that Philippine laws, regulations, and policies do not restrict or prohibit entry of U.S. products in the Philippine market. The Philippines confirms to the United States that it will not provide automatic GI protection, including to terms exchanged as part of a trade agreement.

The Philippines welcomes the progress made with the United States on a number of agricultural trade issues related to access to the U.S. market for mango, young green coconuts, and

carrageenan, as well as the expansion of the Generalized System of Preferences Program to include travel goods.

Both Governments pledge to cooperate on the implementation of a U.S. work program in the context of the ASEAN-United States Trade and Investment Framework Arrangement on automotive standards issues. The United States recognizes the Philippines' commitment to the continued acceptance of vehicles that meet multiple high-standard automotive standards, including, among others, the U.S. Federal Motor Vehicle Safety Standards (FMVSS).

Both Governments agree to continue technical dialogue and policy discussions on the National Retail Payments System ("NRPS") and other measures related to electronic payment services, including domestic retail debit and credit electronic payment transactions. The United States recognizes the Philippines' goal of increasing Philippine consumers' use of electronic payments for domestic retail transactions and further welcomes the Philippines commitment to policies that permit cross-border supply of electronic payment services, do not restrict the total number of service suppliers, and do not favor any domestic suppliers over international suppliers.

Both governments agree to a continued dialogue on priority issues of interest to both countries, including for the Philippines, discussions on seeking relief from U.S. safeguard measures on solar cells and Section 232 tariffs on steel and aluminum.

###

Background

The United States and Philippines have long enjoyed a close bilateral relationship, sharing a common language and extensive cultural linkages, including more than four million Filipinos and Filipino-Americans living and studying in the United States. Trade and investment have connected the Philippines and the United States for over a century and continue to underscore the close ties between the two countries. The U.S.-Philippines Trade and Investment Framework Agreement ("TIFA"), concluded in 1989, has served as an important vehicle for the United States to engage with the Philippines and make measurable progress on a number of key issues.

Total bilateral trade has grown over the decades to an estimated \$27.0 billion in 2016, comprising just over \$18 billion in goods trade and nearly \$9 billion in services. The Philippines is also a leading beneficiary of the U.S. Generalized System of Preferences program, with roughly \$1.5 billion of Philippine goods exports to the United States entering the U.S. market duty free every year. Two-way investment stock stands at around \$7 billion.

Stakeholder Alert: The United States Signs a Stronger Trade Agreement with Mexico and Canada

From "Young, Stewart B. EOP/USTR" (b) (6)

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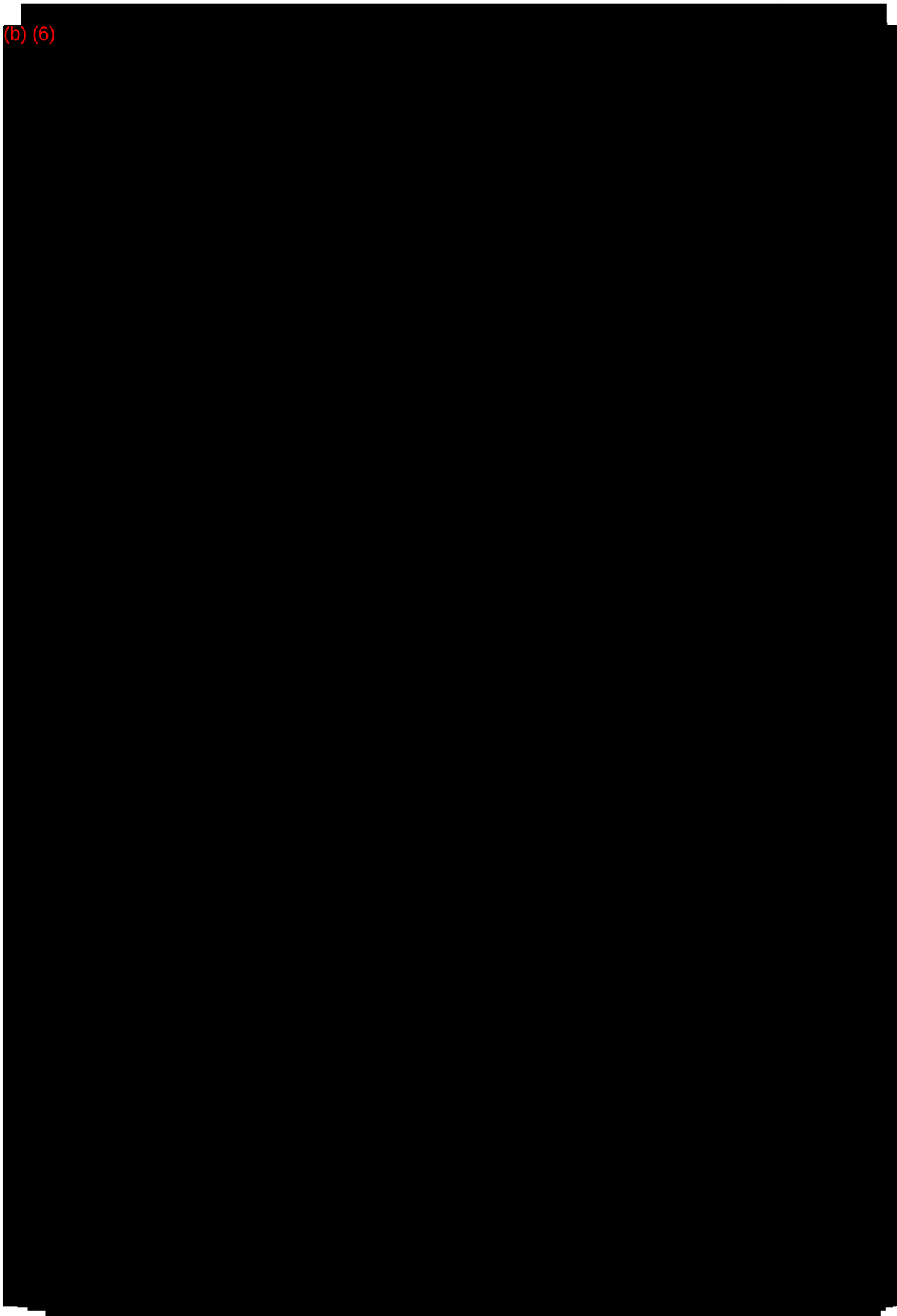
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)
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Date: Fri, 30 Nov 2018 09:22:29 -0500

Good Morning Stakeholders:

I am pleased to share the release below following this morning's signing of the USMCA Agreement in Argentina.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: White House Press Office <info@mail.whitehouse.gov>
Sent: Friday, November 30, 2018 8:38 AM
To: Hoelscher, Douglas L. EOP/WHO (b) (6) @who.eop.gov>
Subject: The United States Signs a Stronger Trade Agreement with Mexico and Canada



Office of the Press Secretary

FOR IMMEDIATE RELEASE

November 30, 2018

THE UNITED STATES SIGNS A STRONGER TRADE AGREEMENT WITH MEXICO AND CANADA

“This new deal will be the most modern, up-to-date, and balanced trade agreement in the history of our country, with the most advanced protections for workers ever developed.” – President Donald J. Trump

REBALANCING OUR TRADE RELATIONSHIP: President Donald J. Trump kept his promise to deliver a modern and rebalanced trade deal to replace NAFTA.

- Today in Argentina, the United States is joining Canada and Mexico to sign a new trade agreement that will better serve the interests of American workers and businesses.
 - This follows the President’s announcement in October that a deal had been reached.
- The new United States–Mexico–Canada Agreement (USMCA) will replace the outdated, failed North American Free Trade Agreement (NAFTA).
- With the signing of this agreement, President Trump has delivered on his promise to renegotiate NAFTA and protect American farmers, ranchers, businesses, and workers.

SECURING A STRONGER DEAL FOR AMERICAN INDUSTRIES AND WORKERS: USMCA is a stronger deal for American farmers, ranchers, businesses, and workers.

- USMCA will help incentivize billions of dollars in additional vehicle and auto parts production in the United States.
- The agreement includes updated rules of origin that require 75 percent of auto content to be produced in North America.
- American autoworkers will benefit from rules that incentivize the use of high-wage manufacturing labor in the auto sector.
 - This includes a requirement that 40-45% of a vehicle consist of content manufactured by North American workers making at least \$16 per hour.

- USMCA’s labor and environment chapters are fully enforceable and represent the strongest labor and environmental provisions of any trade agreement ever negotiated.
 - Mexico agreed to historic labor reforms to provide for genuine collective bargaining.
 - The agreement prohibits the importation of goods produced by forced labor.
- The agreement includes provisions that allow agriculture products to be traded more fairly.
 - Canada will end its “Class 6” and “Class 7” programs that allow low-priced dairy products to undersell American dairy producers.
 - Canada will increase market access for United States dairy products, eggs, and poultry.

REFORMING TRADE FOR THE 21ST CENTURY: USMCA modernizes our trade relationship with Canada and Mexico to reflect the realities of the 21st century.

- The new agreement includes a modernized chapter that provides stronger and more comprehensive intellectual property protections than any prior United States trade agreement.
 - These protections are vital to promoting innovation and economic growth.
 - USMCA includes robust copyright protection, 10 years of data protection for biologic drugs, and new protections against the theft of trade secrets.
- USMCA includes the strongest digital trade and financial services provisions of any United States trade agreement.
 - New rules ensure that data can be transferred cross-border and that limits on where data can be stored are minimized.
- USMCA will cut red tape at the border, streamline trade, and reduce regulatory uncertainty.

- The agreement includes a currency chapter that will help reinforce transparency and stability.

###

[Unsubscribe](#)

The White House · 1600 Pennsylvania Ave NW · Washington, DC 20500-0003 · USA · 202-456-1111

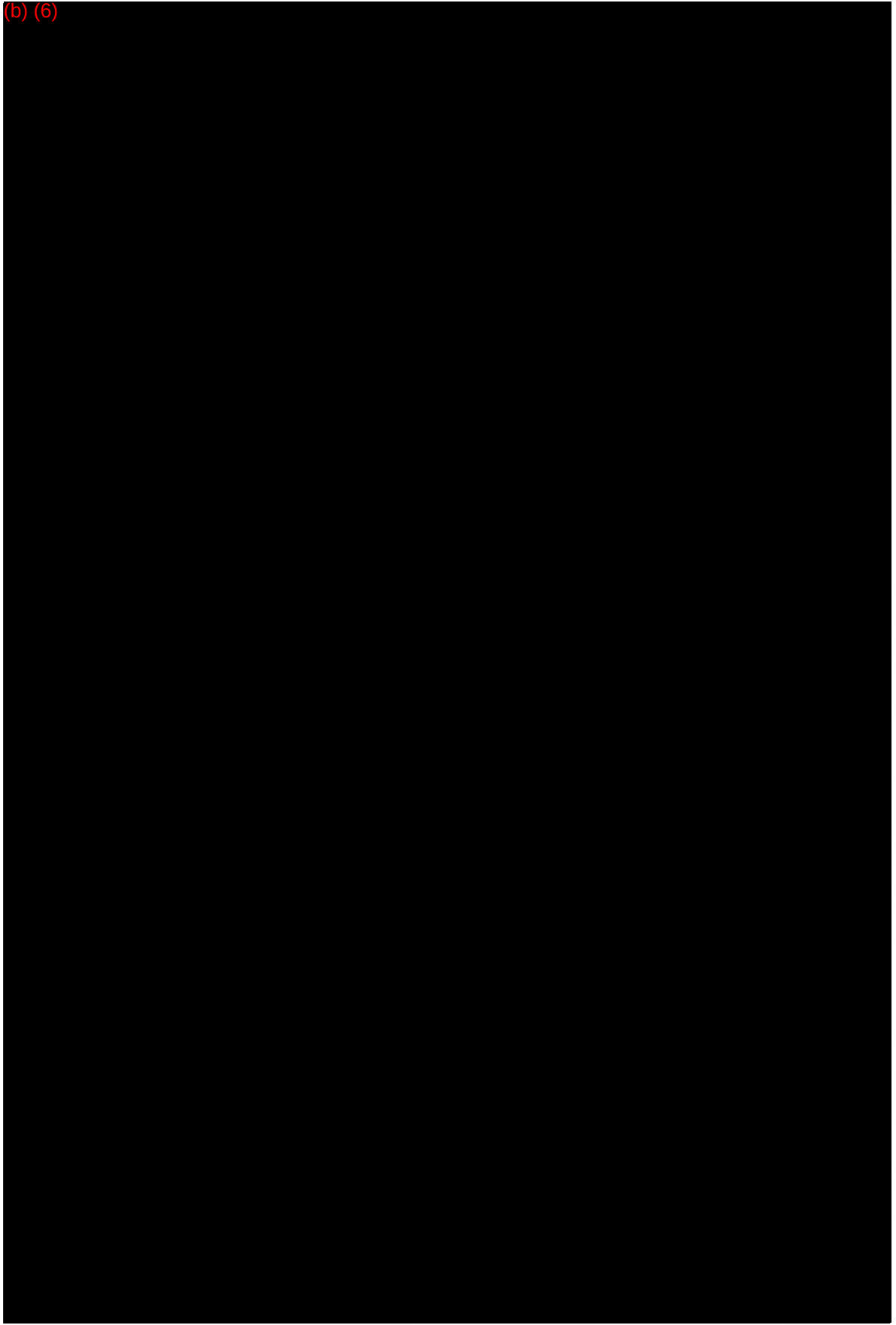
Stakeholder Alert: Joint Statement on Signing the Bilateral Agreement on Prudential Measures Regarding Insurance and Reinsurance

From: "Young, Stewart B. EOP/USTR" (b) (6)
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>
Cc: "Foley, Molly L. EOP/USTR" <molly.l.foley@ustr.eop.gov>

Bcc:

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dan@ballardfl.com,

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Date: Wed, 19 Dec 2018 18:32:57 -0500

Attachments: Treasury, USTR Sign Bilateral Agreement with the UK on Prudential Measures Regarding Insurance and Reinsurance.pdf (85.12 kB)

Good Evening Stakeholders –

Flagging the US -UK Joint Statement on Signing the Bilateral Agreement on Prudential Measures Regarding Insurance and Reinsurance.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>
Sent: Wednesday, December 19, 2018 4:32 PM
To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>
Subject: Joint Statement on Signing the Bilateral Agreement on Prudential Measures Regarding Insurance and Reinsurance



FOR IMMEDIATE RELEASE
December 19, 2018

Contact:
USTR Public & Media Affairs, media@ustr.eop.gov
Treasury Public Affairs, (202) 622-2960

Joint Statement on Signing the Bilateral Agreement on Prudential Measures Regarding Insurance and Reinsurance

Washington – The United States and the United Kingdom (UK) signed the Bilateral Agreement between the United States of America and the United Kingdom on Prudential Measures

Regarding Insurance and Reinsurance (U.S.-UK Covered Agreement) on December 18, 2018. The U.S.-UK Covered Agreement is an important step in providing regulatory certainty and market continuity as the United Kingdom prepares to leave the European Union (EU).

The U.S.-UK Covered Agreement, like the covered agreement with the EU, will benefit the U.S. and UK economies and consumers by reducing burdens on insurers and reinsurers while maintaining prudential standards and will enable customers to protect themselves more efficiently against risks. At the same time, it affirms the U.S. state-based system of insurance regulation while increasing growth opportunities for insurers in both the United States and United Kingdom.

The U.S.-UK Covered Agreement will ensure continuity for UK insurers and reinsurers accessing the U.S. market consistent with the terms of the U.S.-EU Covered Agreement. In order to achieve this continuity, the Parties plan to bring the U.S.-UK Covered Agreement into force once the UK is no longer subject to the U.S.-EU Covered Agreement and domestic processes are complete.

Click [here](#) to view the text of the U.S.-UK Covered Agreement and [here](#) for the U.S.-UK Covered Agreement Letters to Congress.

###

FOR IMMEDIATE RELEASE

December 19, 2018

Contact:

USTR Public & Media Affairs, media@ustr.eop.gov

Treasury Public Affairs, (202) 622-2960

Treasury, USTR Sign Bilateral Agreement with the United Kingdom on Prudential Measures Regarding Insurance and Reinsurance

Washington – The U.S. Department of the Treasury and the Office of the U.S. Trade Representative signed the Bilateral Agreement between the United States of America and the United Kingdom on Prudential Measures Regarding Insurance and Reinsurance (U.S.-UK Covered Agreement) on December 18, 2018. Consistent with steps taken when this Administration signed the U.S.-EU Covered Agreement in 2017, the Administration is also issuing a U.S. policy statement regarding implementation of the U.S.-UK Covered Agreement.

The U.S.-UK Covered Agreement, negotiated and concluded through a process involving significant engagement with U.S. stakeholders and the state regulatory community, is an important step in maintaining regulatory certainty and market continuity as the United Kingdom prepares to leave the European Union (EU). The U.S.-UK Covered Agreement also is an important step in affirming the competitiveness of U.S. companies in domestic and foreign markets and making regulations more efficient, effective, and appropriately tailored.

“We look forward to working with the UK to continue to deepen our bilateral regulatory cooperation with a view to the promotion of financial stability, investor protection, and fair, orderly, and efficient markets post Brexit,” said Treasury Secretary Steven T. Mnuchin. “By building on the U.S.-EU Covered Agreement signed by this administration in 2017, the Agreement with the UK will keep in place important benefits for the United States, its insurance industry, and U.S. policyholders.”

United States Trade Representative Robert Lighthizer said, “We are pleased to work with the United Kingdom to ensure continuity and to address barriers in the insurance sector. Our efforts

will allow U.S. insurers and reinsurers to maximize business opportunities and cut red tape for their cross-border operations.”

The U.S.-UK Covered Agreement, like the covered agreement with the EU, also benefits the U.S. economy and consumers by affirming the U.S. state-based system of insurance regulation and increasing growth opportunities for U.S. insurers.

Click [here](#) to view the text of the U.S.-UK Covered Agreement and [here](#) for the text of the U.S. Policy Statement.

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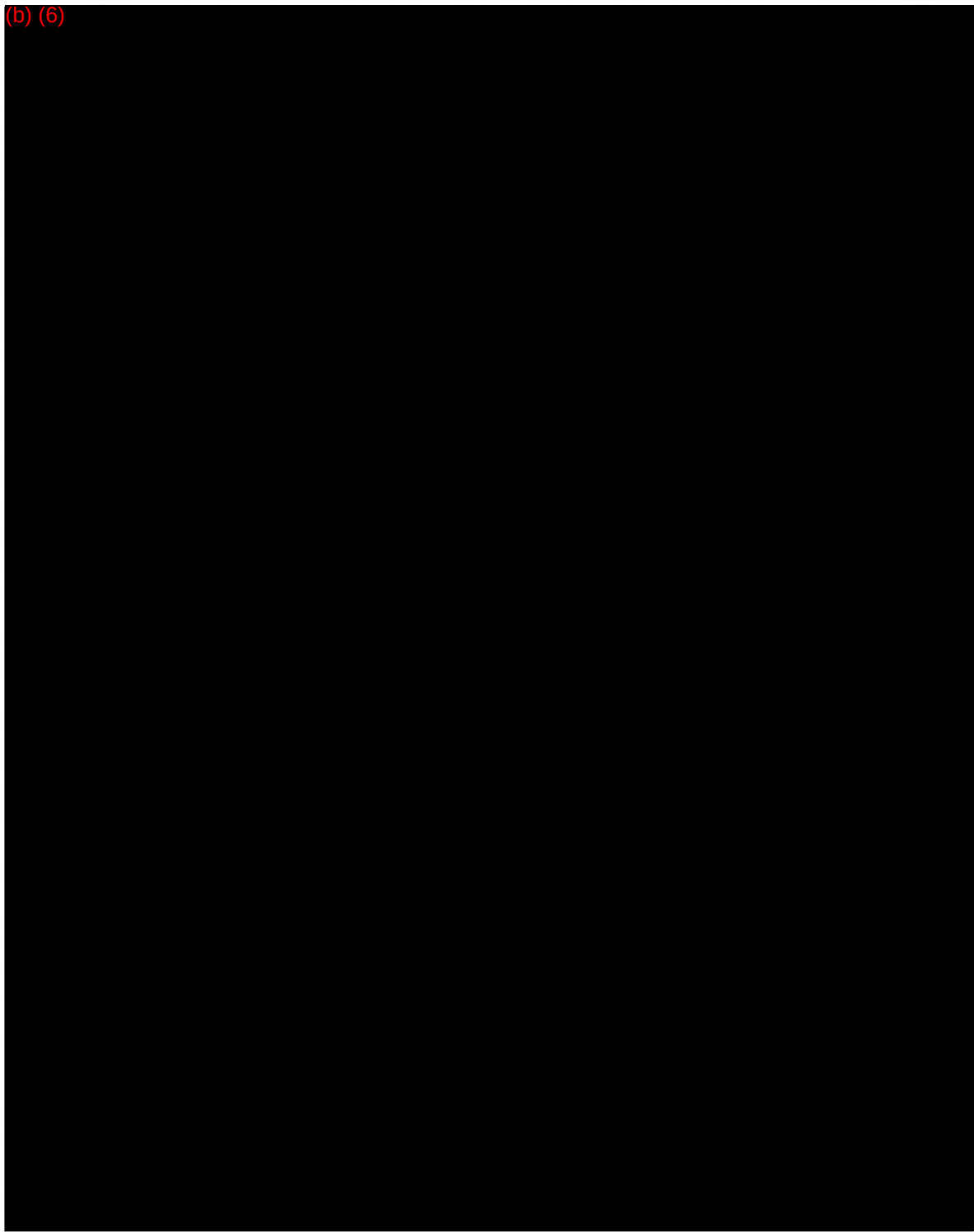
Stakeholder Alert: US-Japan Objectives

From "Young, Stewart B. EOP/USTR" (b) (6)

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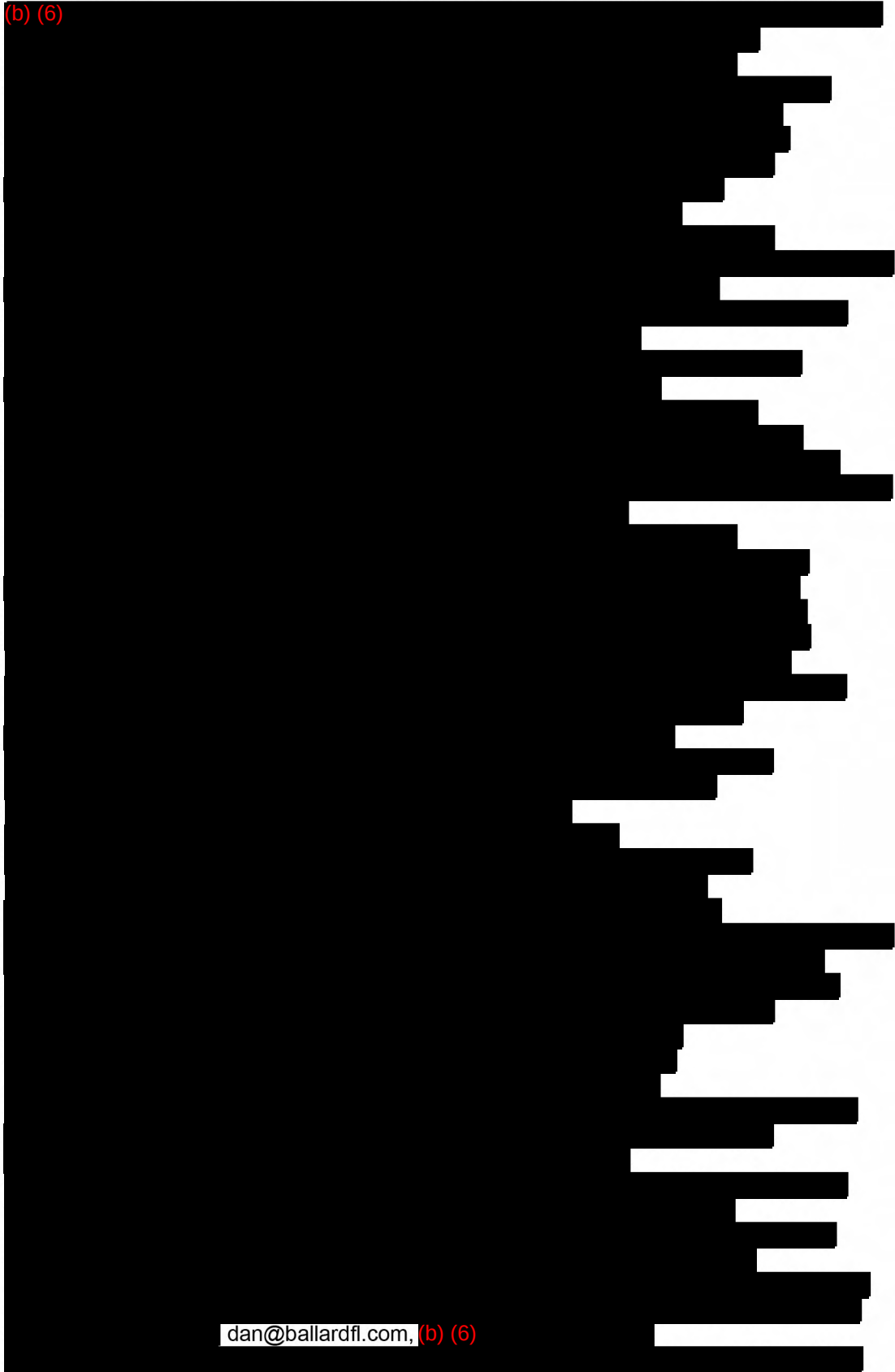
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

(b) (6)



Date: Fri, 21 Dec 2018 17:08:30 -0500

Good Evening Stakeholders:

I am pleased to inform you that the U.S.-Japan Objectives are now posted on our website:
https://ustr.gov/sites/default/files/2018.12.21_Summary_of_U.S.-Japan_Negotiating_Objectives.pdf

The document is linked on our 'U.S.-Japan Trade Agreement Negotiations' webpage:
<https://ustr.gov/countries-regions/japan-korea-apec/japan/us-japan-trade-agreement-negotiations>

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

Stakeholder Alert: USTR Requests First-Ever Environment Consultations Under the U.S.-Peru Trade Promotion Agreement (PTPA)

From "Young, Stewart B. EOP/USTR" (b) (6)

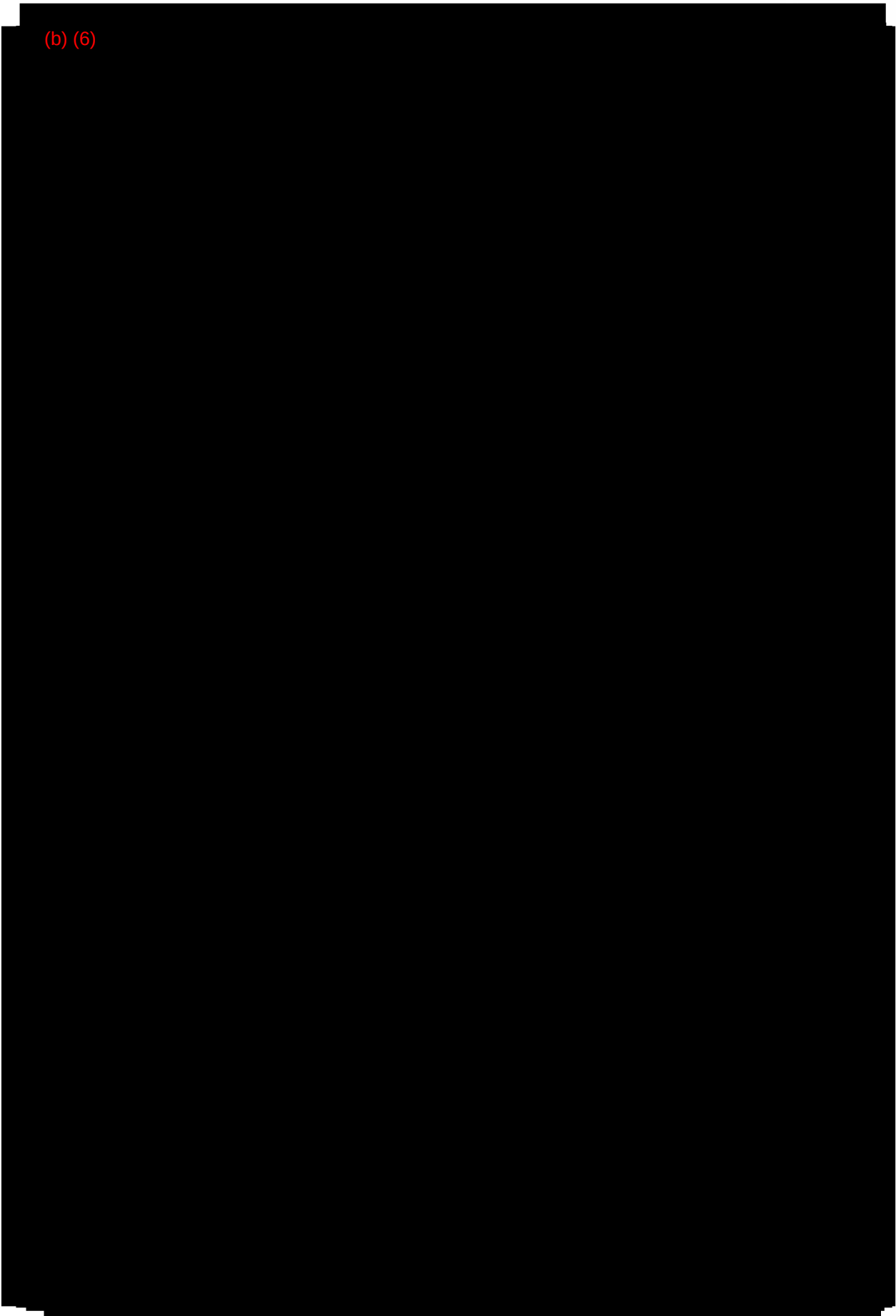
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To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

(b) (6)

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, dan@ballardfl.com, (b) (6)

January 4, 2019

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

USTR Requests First-Ever Environment Consultations Under the U.S.-Peru Trade Promotion Agreement (PTPA)

Washington, DC - The Office of the U.S. Trade Representative (USTR) today requested consultations with Peru under the Environment Chapter of the United States – Peru Trade Promotion Agreement (PTPA). Through these environment consultations, the United States and Peru will discuss and attempt to resolve concerns regarding a recent Peruvian action to move the Agency for the Supervision of Forest Resources and Wildlife (OSINFOR) from its position as a separate and independent agency to a subordinate position within Peru's Ministry of Environment (MINAM). This is the first request for consultations made under the PTPA.

The PTPA's Annex on Forest Sector Governance states: "OSINFOR shall be an independent and separate agency and its mandate shall include supervision of verification of all timber concessions and permits." Peru's Supreme Decree 122-2018-PCM, published on December 14, 2018, appears to conflict with this provision.

"By taking this unprecedented step, the Trump Administration is making clear that it takes monitoring and enforcement of U.S. trade agreements seriously, including obligations to strengthen forest sector governance," said Ambassador Robert Lighthizer. "Since its creation in 2008, OSINFOR has played a critical role in Peru detecting and combatting illegal logging, and we are gravely concerned that its independence is threatened. I urge Peru to abide by its obligations and restore OSINFOR's separateness and independence, as called for in the PTPA."

Background:

OSINFOR was established in 2008 as an independent forest oversight body responsible at the national level for monitoring and enforcing the sustainable use and conservation of forest and wildlife resources in Peru, including by conducting post-harvest inspections of forestry titles and by sanctioning those that harvest timber illegally. The United States sought and achieved in the PTPA an obligation for OSINFOR to be a separate and independent agency to ensure a strong and independent body with sufficient resources to safeguard Peru's forest oversight from undue political influence.

Article 18.12.1 of the PTPA (Environment Consultations and Panel Procedure) provides that a Party may request consultations with another Party regarding any matter arising under the Environment Chapter (Chapter 18), including the Annex on Forest Sector Governance (Annex 18.3.4). Article 18.12 of the PTPA calls for the consultations to begin promptly after a request has been delivered, and provides the Parties 60 days to resolve the matter before the complaining Party may request separate consultations under Article 21.4 (Consultations) or a meeting of the PTPA Commission under Article 21.5 (Intervention of the Commission), as provided for in

Chapter 21 (Dispute Settlement). USTR will continue to confer with Members of Congress, interested agencies, and stakeholders on the results of these consultations before considering any further actions.

Click [here](#) to read the PTPA Environment Chapter and Forest Annex.

Click [here](#) to read more about efforts to implement and enforce the PTPA Environment Chapter and Forest Annex.

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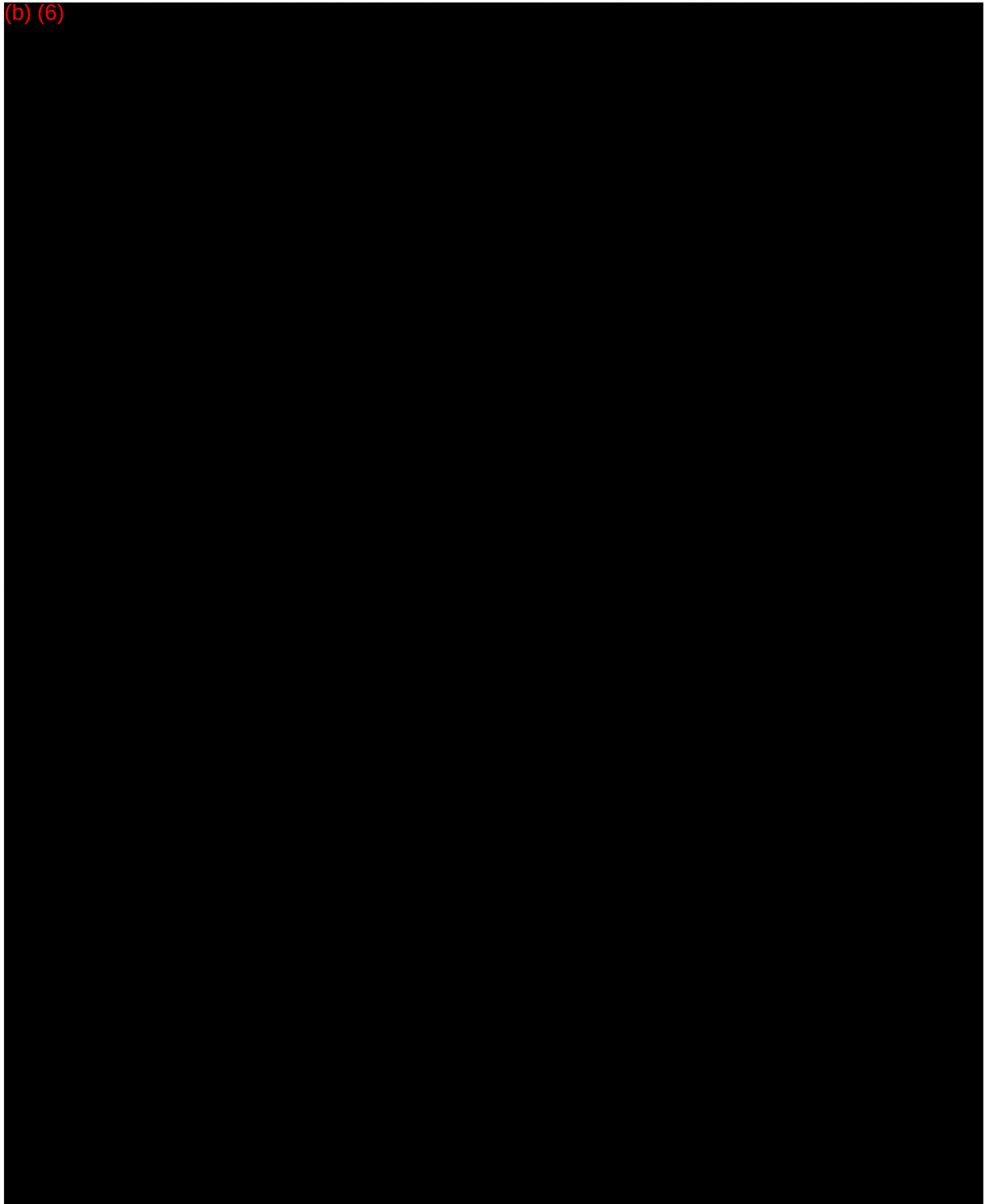
Stakeholder Alert: Statement Regarding the United States Delegation to China

From "Young, Stewart B. EOP/USTR" (b) (6)

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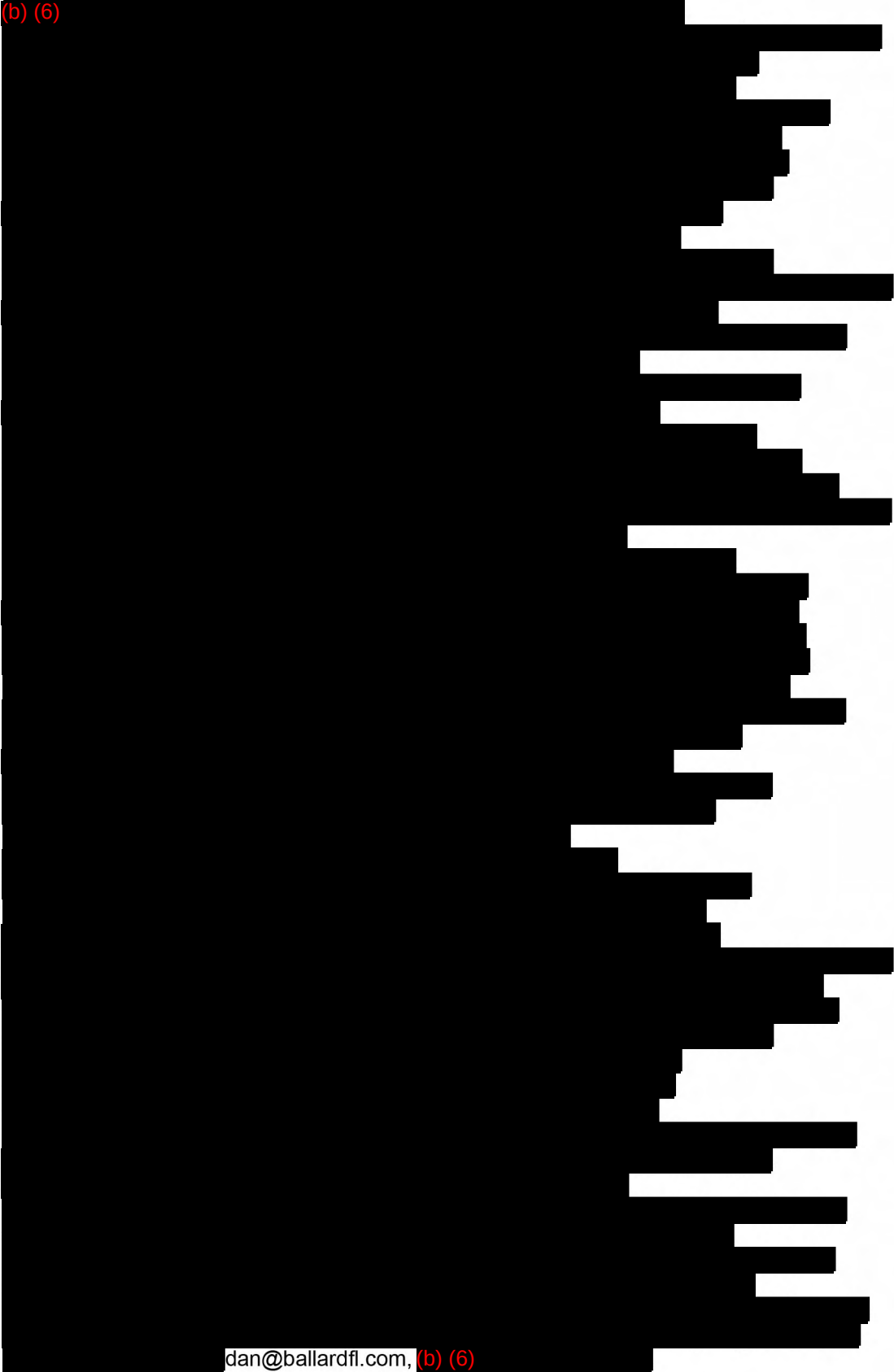
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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<molly.l.foley@ustr.eop.gov>

"Foley, Molly L. EOP/USTR"

Date: Fri, 04 Jan 2019 09:43:41 -0500

Good Morning Stakeholders:

I am pleased to share USTR's statement regarding the U.S. delegation to China.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Sent: Friday, January 4, 2019 9:39 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Statement Regarding the United States Delegation to China



USTR NEWS

UNITED STATES TRADE REPRESENTATIVE

www.ustr.gov

Washington, D.C. 20508

202-395-3230

FOR IMMEDIATE RELEASE

January 4, 2019

Contact: USTR Public & Media Affairs

Statement Regarding the United States Delegation to China

Washington, DC – The Office of the U.S. Trade Representative (USTR) today announced the members of an official delegation from the United States to China to discuss the trade relationship between the two countries beginning Monday, January 7, 2019.

Members of the United States Delegation:

- Ambassador Jeffrey Gerrish, Deputy U.S. Trade Representative
- Ambassador Gregg Doud, USTR Chief Agricultural Negotiator
- Under Secretary for Trade and Foreign Agricultural Affairs Ted McKinney, U.S. Department of Agriculture
- Under Secretary of Commerce for International Trade Gilbert B. Kaplan, U.S. Department of Commerce
- Assistant Secretary for Fossil Energy Steven Winberg, U.S. Department of Energy
- Under Secretary for International Affairs David Malpass, U.S. Department of the Treasury

The delegation will be accompanied by senior officials from the White House, USTR, and the U.S. departments of Agriculture, Commerce, Energy, State, and Treasury.

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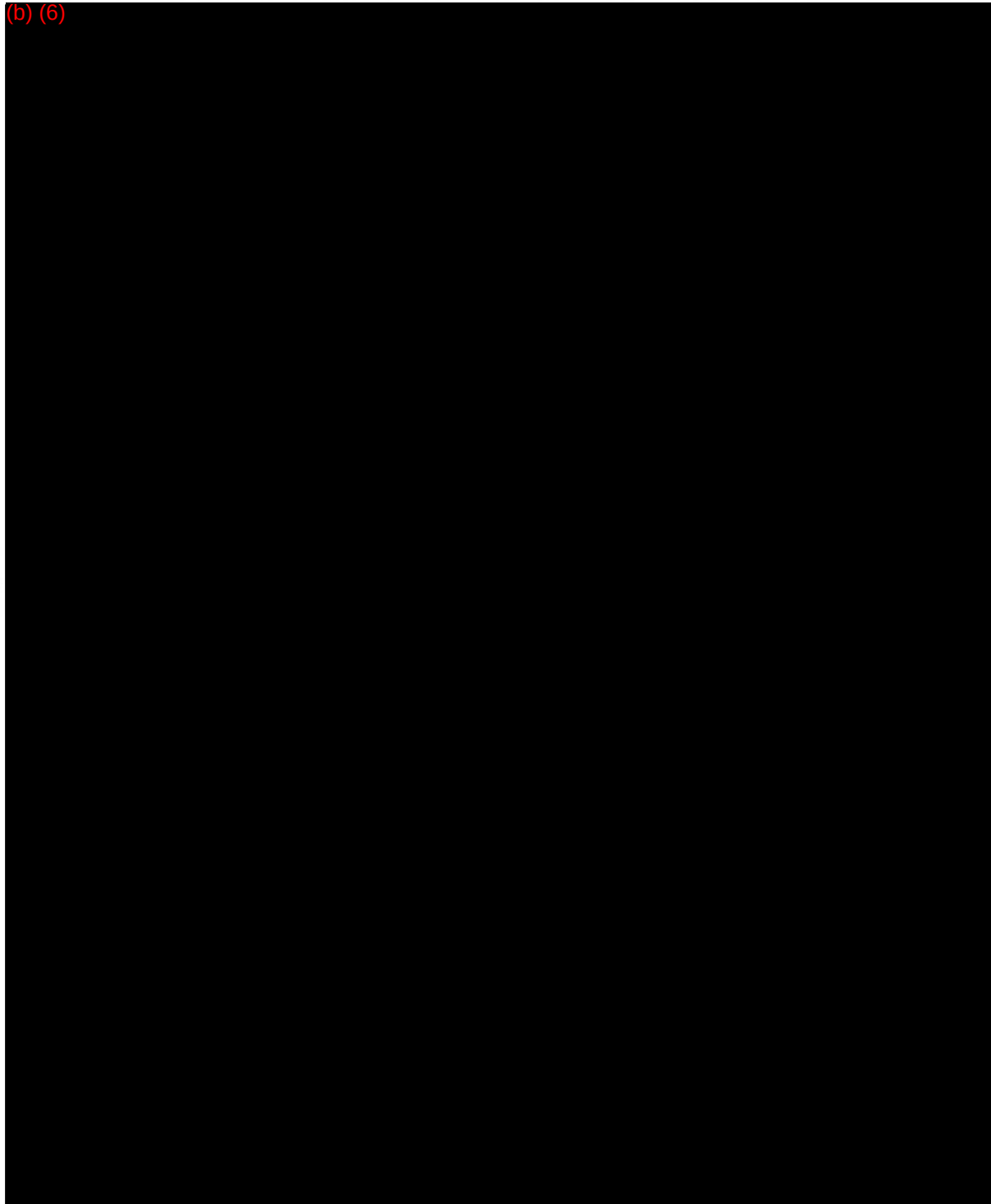
Stakeholder Alert: Statement on the United States Trade Delegation's Meetings in Beijing

From "Young, Stewart B. EOP/USTR" (b) (6)

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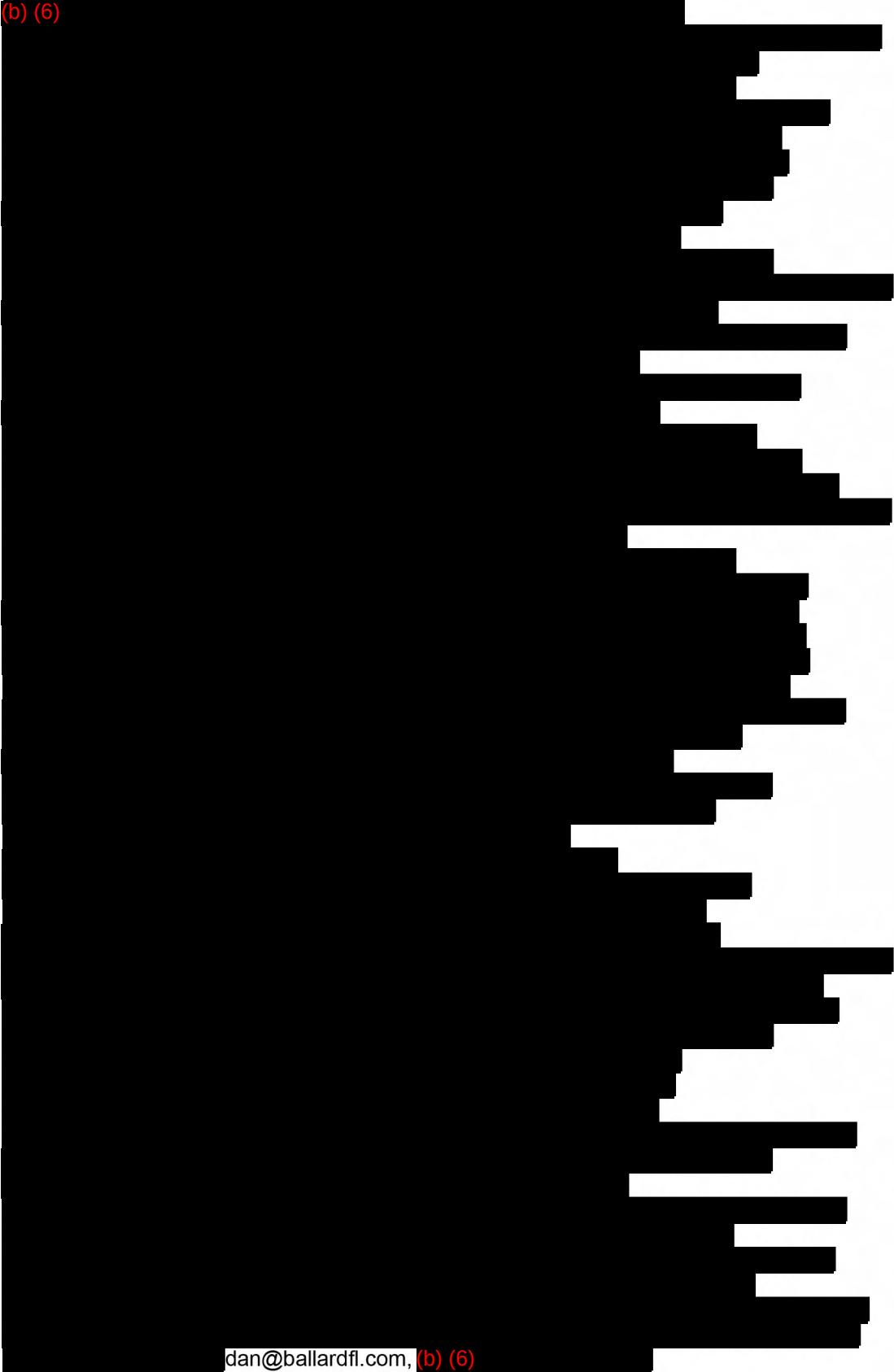
To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

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Date: Wed, 09 Jan 2019 10:06:18 -0500

Stakeholders:

Please see the USTR statement on the US Trade Delegation Meetings in Beijing.

Please let me know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
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From: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Sent: Wednesday, January 9, 2019 10:04 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Statement on the United States Trade Delegation's Meetings in Beijing



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FOR IMMEDIATE RELEASE

January 9, 2019

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

Statement on the United States Trade Delegation's Meetings in Beijing

On January 7-9, an official delegation from the United States led by Deputy U.S. Trade Representative Jeffrey Gerrish held meetings in Beijing with Chinese officials to discuss ways to achieve fairness, reciprocity, and balance in trade relations between our two countries. The officials also discussed the need for any agreement to provide for complete implementation subject to ongoing verification and effective enforcement. The meetings were held as part of the agreement reached by President Donald J. Trump and President Xi Jinping in Buenos Aires to engage in 90 days of negotiations with a view to achieving needed structural changes in China with respect to forced technology transfer, intellectual property protection, non-tariff barriers, cyber intrusions and cyber theft of trade secrets for commercial purposes, services, and agriculture. The talks also focused on China's pledge to purchase a substantial amount of agricultural, energy, manufactured goods, and other products and services from the United States. The United States officials conveyed President Trump's commitment to addressing our persistent trade deficit and to resolving structural issues in order to improve trade between our countries.

The delegation will now report back to receive guidance on the next steps.

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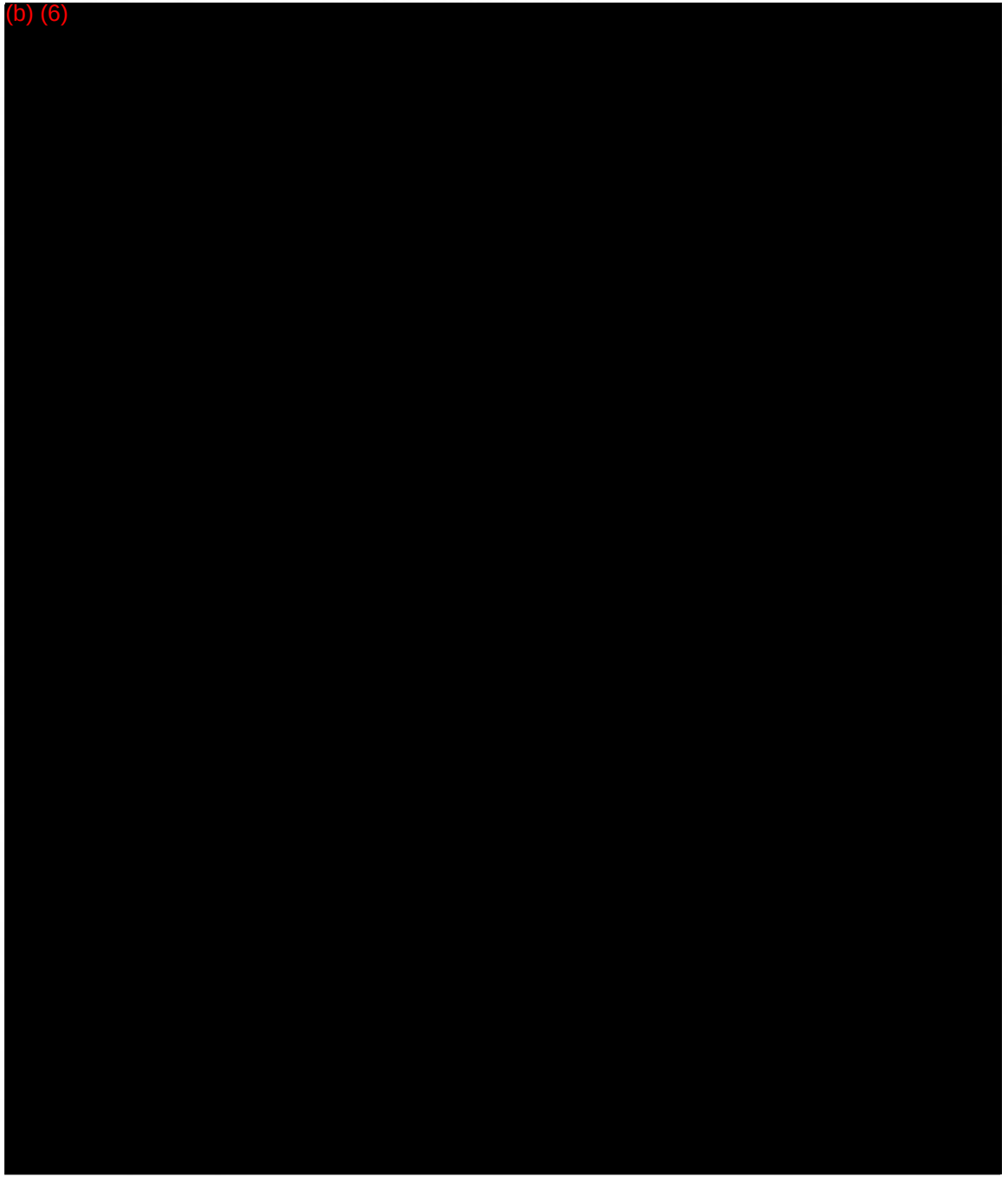
Stakeholder Alert: Joint Statement of the Trilateral Meeting of the Trade Ministers of the European Union, Japan and the United States

From : "Young, Stewart B. EOP/USTR" (b) (6)

To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

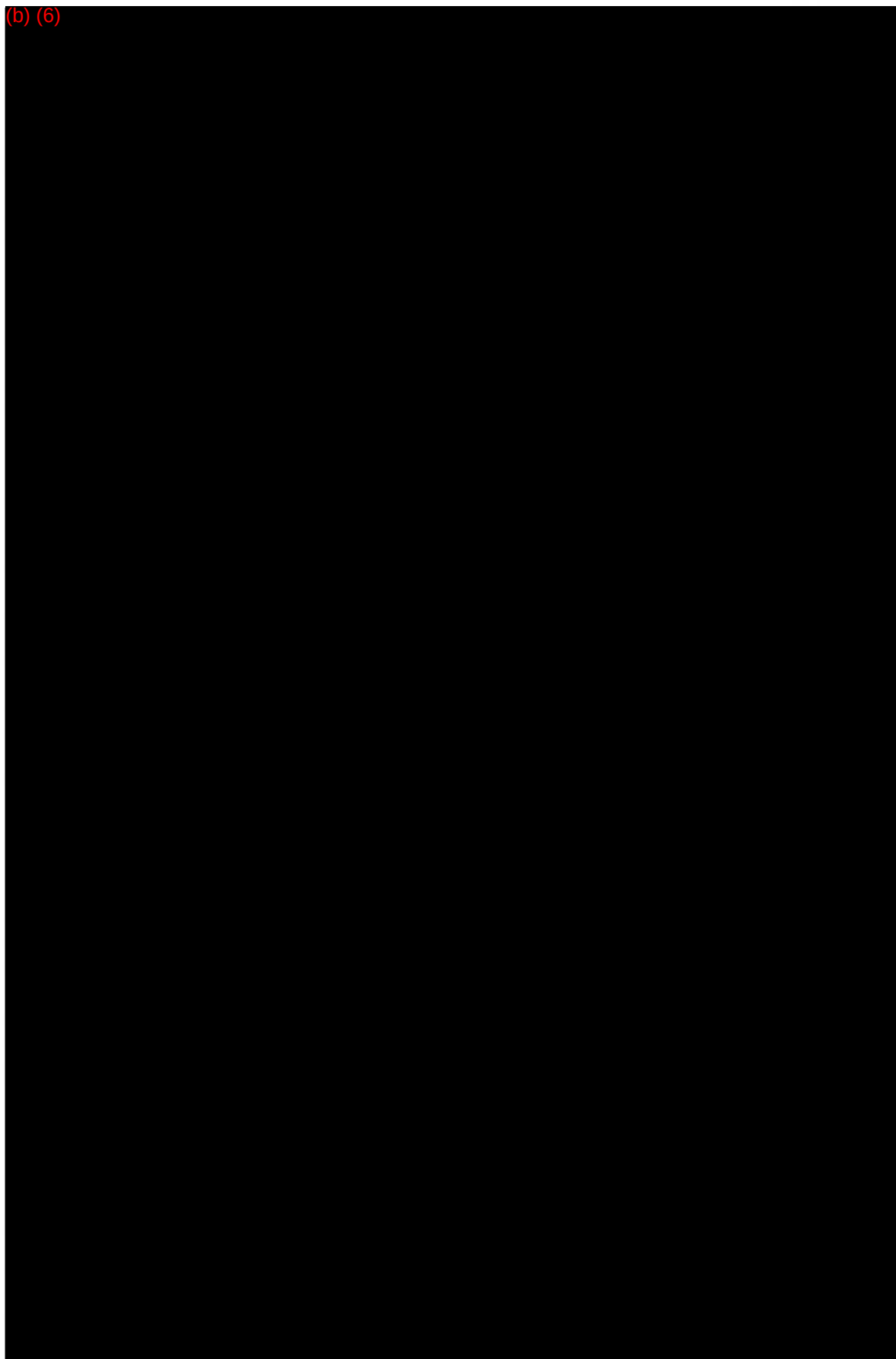
Cc: "Foley, Molly L. EOP/USTR" <molly.l.foley@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

Date: Wed, 09 Jan 2019 16:07:45 -0500

Good Afternoon Stakeholders –

I'm pleased to share with you the Joint Statement of the Trilateral Meeting of the Trade Ministers of the European Union, Japan and the U.S.

Please let us know if you have any questions.

Best,

Stewart

Stewart B. Young
Deputy Assistant U.S. Trade Representative
Office of Intergovernmental Affairs and Public Engagement
202-395-2864 (Office) (b) (6) (Cell)
Stewart.B.Young@ustr.eop.gov

From: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Sent: Wednesday, January 9, 2019 4:05 PM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: Joint Statement of the Trilateral Meeting of the Trade Ministers of the European Union, Japan and the United States



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Washington, D.C. 20508

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FOR IMMEDIATE RELEASE

January 9, 2019

Contact: USTR Public & Media Affairs
media@ustr.eop.gov

Joint Statement of the Trilateral Meeting of the Trade Ministers of the European Union, Japan and the United States

Washington, D.C., 9 January 2019

Mrs. Cecilia Malmström, European Commissioner for Trade, Mr. Hiroshige Seko, Minister of Economy, Trade and Industry of Japan, and Ambassador Robert E. Lighthizer, United States Trade Representative, met in Washington, D.C. on 9 January 2019.

The Ministers advanced discussions on their shared objective to address non market-oriented policies and practices of third countries that lead to severe overcapacity, create unfair competitive conditions for their workers and businesses, hinder the development and use of innovative technologies, and undermine the proper functioning of international trade, including where existing rules are not effective.

They reiterated their concerns, reviewed ongoing work, and agreed to deepen their cooperation in all areas covered by the Ministerial Statements issued in New York and Paris, including nonmarket policies and practices, market-oriented conditions, industrial subsidies and state-owned enterprises, forced technology transfer policies and practices, WTO reform and digital trade and e-commerce.

In today's meeting, the Ministers discussed in particular:

On concerns with non-market oriented policies and practices, Ministers took stock of the intensification of the exchange of information between them, the identification of additional criteria indicating market-oriented conditions, and confirmed that market-oriented conditions are fundamental to a fair, mutually advantageous global trading system and that their citizens and businesses operate under market-oriented conditions. The Ministers also confirmed their commitment to continue working together to maintain the effectiveness of existing WTO disciplines, including through ongoing WTO disputes.

On industrial subsidies, Ministers instructed their staff to finalize trilateral text-based work in this area by spring in order to engage other key WTO Members after that, as appropriate.

In the area of forced technology transfers, Ministers confirmed their agreement to cooperate on enforcement, on the development of new rules, on investment review for national security purposes and on export controls and further take stock of this cooperation by spring.

On the reform of the WTO, the three partners submitted a joint transparency and notification proposal to the Council for Trade in Goods last November with other co-sponsors, and the Ministers agreed to intensify engagement with other trading partners to advance this proposal. They confirmed their agreement to work towards strengthening the regular committees' activities. They also reiterated their call on advanced WTO Members claiming developing country status to undertake full commitments in ongoing and future WTO negotiations.

The Ministers reaffirmed the importance of cooperating in facilitating digital trade and the growth of the digital economy and to enhance business environments through the promotion of data security. The Ministers confirmed their support for the timely initiation of WTO negotiations on trade-related aspects of electronic commerce that seek to achieve a high standard agreement with the participation of as many WTO members as possible.

The Ministers look forward to further cooperation for the G20 Ministerial Meeting on Trade and the Digital Economy under the Japanese G20 Presidency.

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Stakeholder Alert: U.S.-European Union Negotiating Objectives

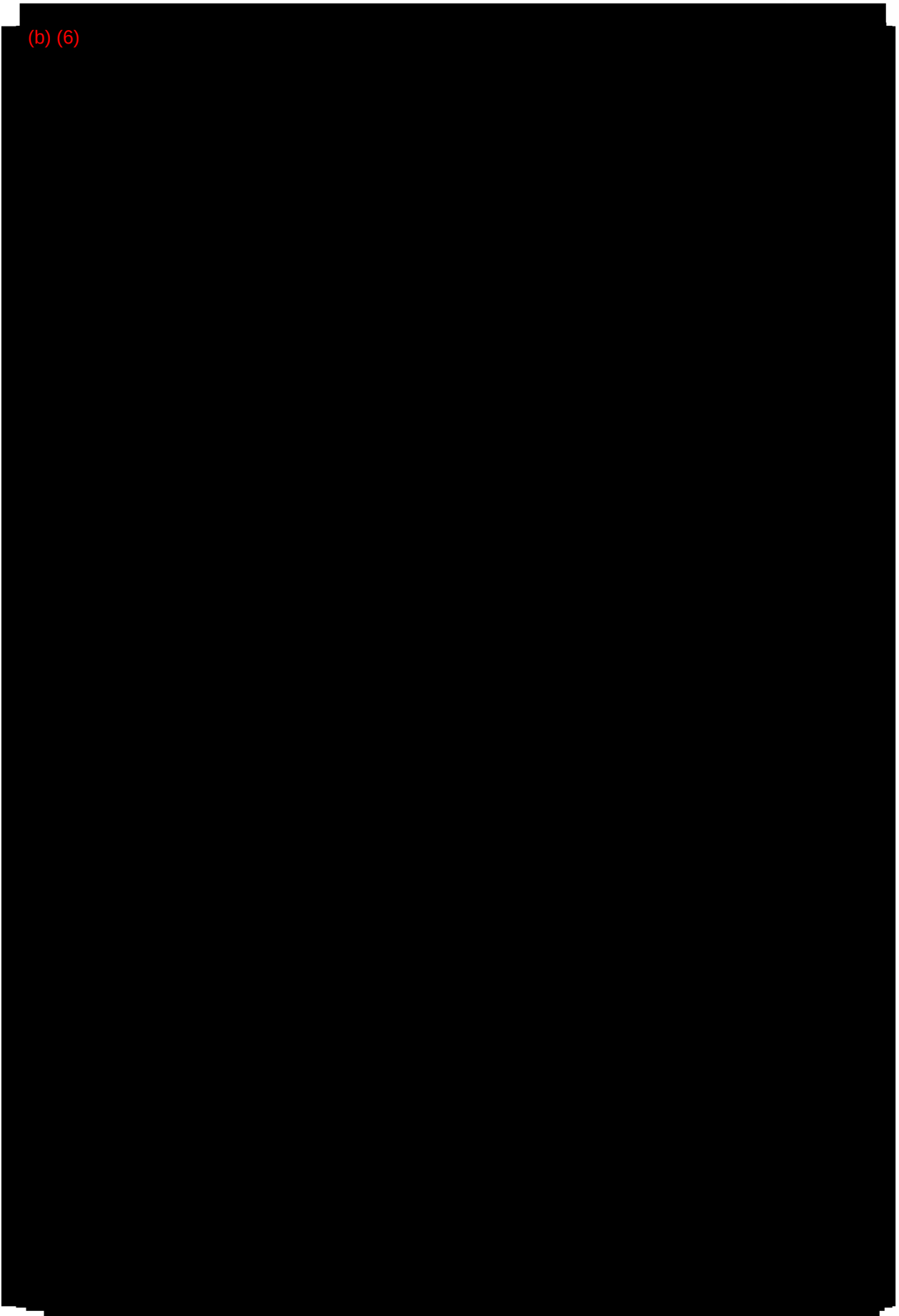
From : "Foley, Molly L. EOP/USTR" (b) (6)
To: "Foley, Molly L. EOP/USTR" <molly.l.foley@ustr.eop.gov>
Cc: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

Date: Fri, 11 Jan 2019 17:23:52 -0500

USTR released the U.S.-EU Negotiating Objectives today.

https://ustr.gov/sites/default/files/01.11.2019_Summary_of_U.S.-EU_Negotiating_Objectives.pdf

The document is linked on our 'U.S.-EU Trade Agreement Negotiations' webpage:

<https://ustr.gov/countries-regions/europe-middle-east/europe/european-union/us-eu-trade-agreement-negotiations>

Please let me know if you have any questions.

Thanks,
Molly

Molly Foley

Director, Intergovernmental Affairs & Public Engagement

Office of the United States Trade Representative

Executive Office of the President

Molly.L.Foley@ustr.eop.gov

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Stakeholder Alert: USTR Robert Lighthizer on the Joint Statement on Electronic Commerce

From "Young, Stewart B. EOP/USTR" (b) (6)

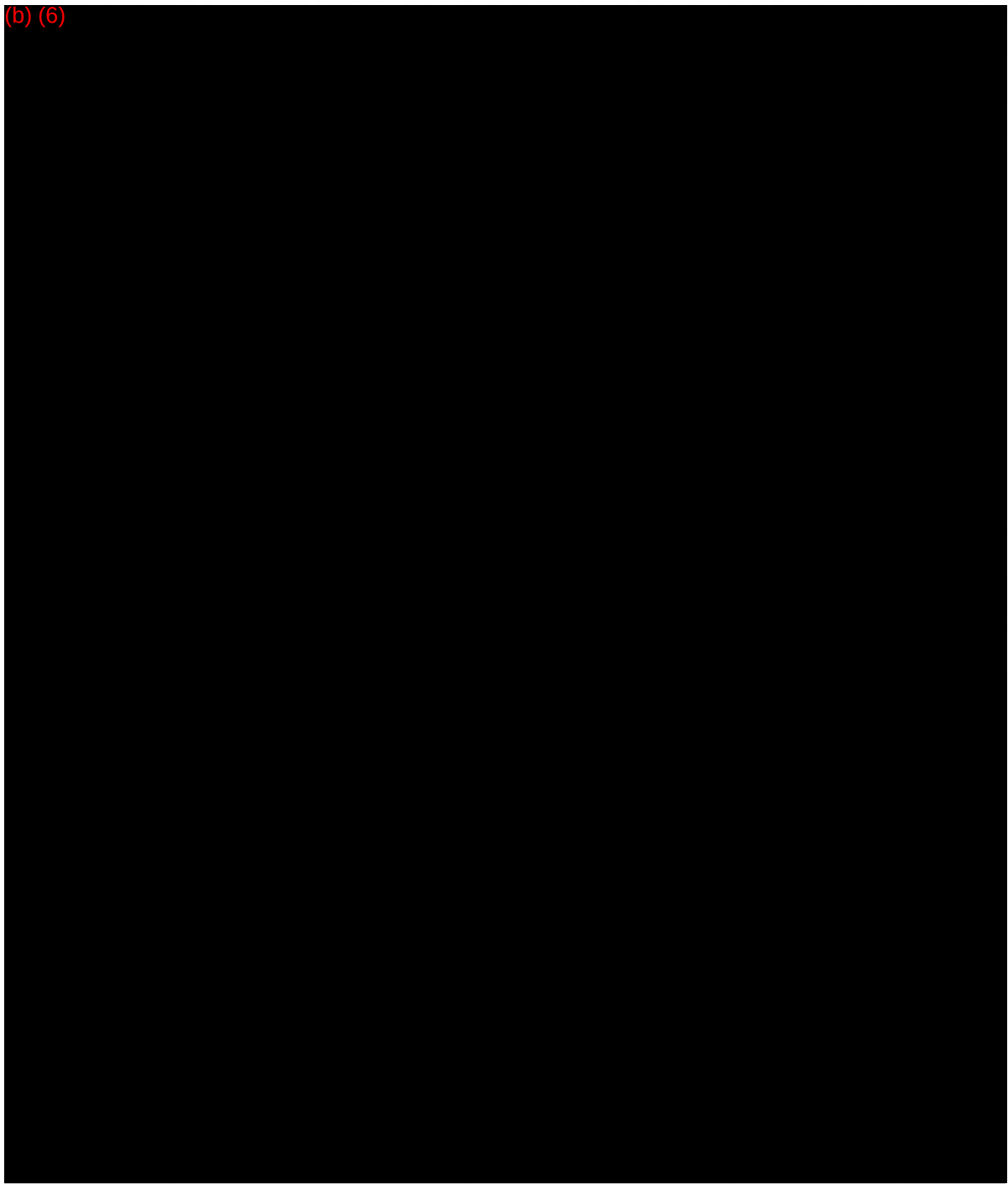
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To: "Young, Stewart B. EOP/USTR" <stewart.b.young@ustr.eop.gov>

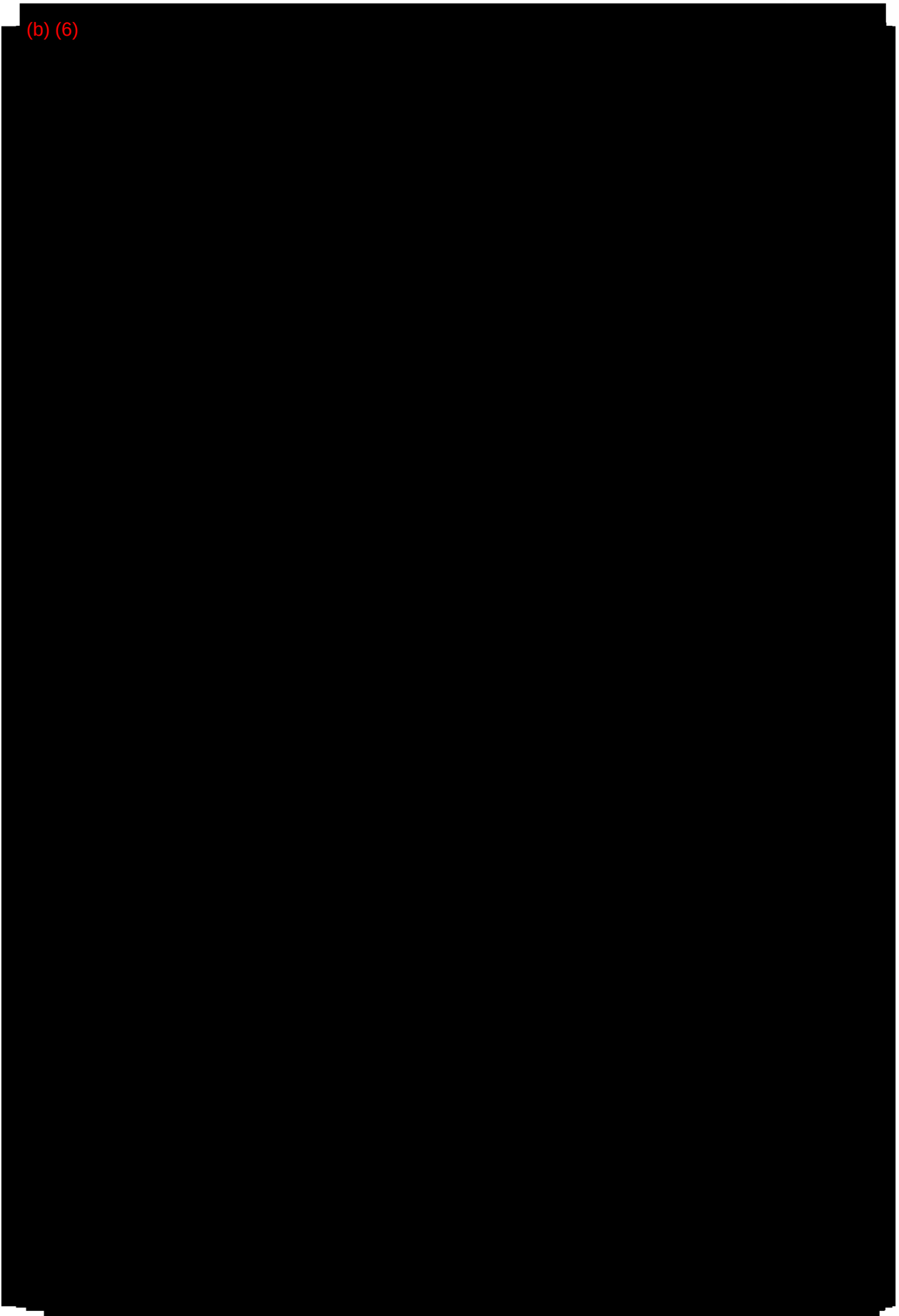
Cc: "Foley, Molly L. EOP/USTR" <molly.l.foley@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

Date: Fri, 25 Jan 2019 10:48:13 -0500

Good Morning Stakeholders –

I am pleased to share the Joint Statement on Electronic Commerce agreed to and issued by 76 World Trade Organization (WTO) Member.

Please let me know if you have any questions.

Best,

Stewart

From: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Sent: Friday, January 25, 2019 10:31 AM

To: FN-USTR-Media <USTRPressOffice@ustr.eop.gov>

Subject: USTR Robert Lighthizer on the Joint Statement on Electronic Commerce



USTR NEWS

UNITED STATES TRADE REPRESENTATIVE

www.ustr.gov

Washington, D.C. 20508

202-395-3230

FOR IMMEDIATE RELEASE

January 25, 2019

Contact: USTR Public & Media Affairs

media@ustr.eop.gov

USTR Robert Lighthizer on the Joint Statement on Electronic Commerce

Washington, DC – U.S. Trade Representative Robert Lighthizer today issued the following statement regarding the Joint Statement on Electronic Commerce agreed to and issued by 76 World Trade Organization (WTO) Members, including the United States, on the margins of the World Economic Forum Annual Meeting in Davos, Switzerland:

“The United States is pleased that the initial exploratory work on digital trade issues at the WTO in 2018 was productive. The digital economy is a powerful force for global economic growth. The United States is committed to seeking a high-standard agreement that creates strong, market-based rules in this area and reduces the barriers around the world that threaten to undermine the growth of the digital economy, including restrictions on cross-border data flows and data localization requirements. The United States strongly believes that to be successful these talks must lead to an ambitious, high-standard agreement that is enforceable and has the same obligations for all participants.”

[Text of Joint Statement on Electronic Commerce](#)

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FW: Statement by the Press Secretary Regarding China Talks

From
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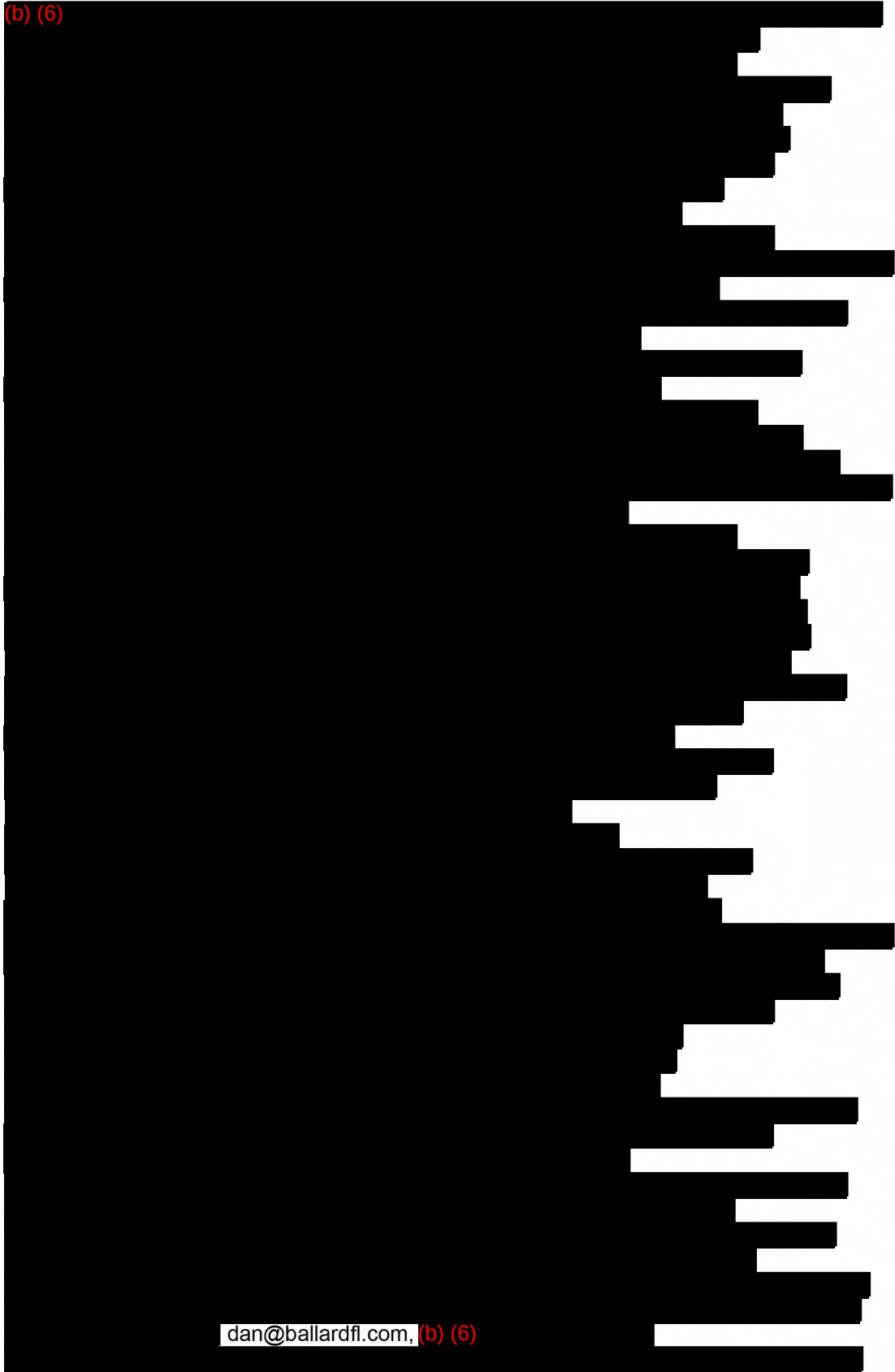
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To: "Foley, Molly L. EOP/USTR" <molly.l.foley@ustr.eop.gov>

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dan@ballardfl.com, (b) (6)

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Date: Fri, 15 Feb 2019 09:31:37 -0500

Good Morning Stakeholders,

I am pleased to share a statement from the White House regarding China Talks.
Please let me know if you have any questions.

Best,
Molly

Molly Foley

Director, Intergovernmental Affairs & Public Engagement
Office of the United States Trade Representative
Executive Office of the President

Molly.L.Foley@ustr.eop.gov

office (202) 395-9486 | cell (b) (6)



From: White House Press Office <info@mail.whitehouse.gov>

Sent: Friday, February 15, 2019 7:21 AM

To: Emerson, Jeffrey W. EOP/USTR <Jeffrey.W.Emerson@ustr.eop.gov>

Subject: Statement by the Press Secretary Regarding China Talks



Office of the Press Secretary

FOR IMMEDIATE RELEASE

February 15, 2019

Statement by the Press Secretary Regarding China Talks

This week, at the direction of President Donald J. Trump, officials from the United States traveled to Beijing to continue negotiations on the trade relationship between the United States and China. On the United States side, the talks were led by Ambassador Robert E. Lighthizer, the United States Trade Representative, and the Honorable Steven T. Mnuchin, the Secretary of the Treasury. On the Chinese side, the talks were led by Vice Premier Liu He. On Friday, both delegations had the opportunity to meet with President Xi Jinping regarding their discussions. The talks also featured extensive technical exchanges between the professional staffs of both countries.

These detailed and intensive discussions led to progress between the two parties. Much work remains, however. Both sides will continue working on all outstanding issues in advance of the March 1, 2019, deadline for an increase in the 10 percent tariff on certain imported Chinese goods. United States and Chinese officials have agreed that any commitments will be stated in a Memoranda of Understanding between the two countries.

During the talks, the United States delegation focused on structural issues, including forced technology transfer, intellectual property rights, cyber theft, agriculture, services, non-tariff barriers, and currency. The two sides also discussed China's purchases of United States goods and services intended to reduce the United States' large and persistent bilateral trade deficit with China.

Next week, discussions will continue in Washington at the ministerial and vice-ministerial levels. The United States looks forward to these further talks and hopes to see additional progress.

###

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