



December 11, 2023

Submitted via email

FOIA Office
Office of the US Trade Representative
Anacostia Naval Annex, Building 410/Door 123
250 Murray Lane SW
Washington DC 20509
FOIA@USTR.EOP.GOV

Re: Freedom of Information Act Request; Expedited Treatment Requested

Dear Sir/Madam:

Pursuant to the Freedom of Information Act, 5 U.S.C. § 552, and 15 C.F.R. § 2004, the Chamber of Commerce of the United States of America (“Chamber”) hereby requests the following information:

All records related to the dates of communications between United States Trade Representative or her staff with the Federal Trade Commission or the Antitrust Division of the Department of Justice. The timeframe for the Chamber’s request is January 1, 2023 to the present. The term “records” as used in this request includes emails, handwritten or typed notes, phone calls, meeting minutes, meeting agendas, electronic chats, instant messages, encrypted or self-destructing messages, messages sent via Facebook messenger, text messages, voice messages, and other hard copy documents.

The Chamber further requests that the FOIA officer responsible for the processing of this request issue an immediate hold on all records responsive, or potentially responsive, to this request, so as to prevent their disposal until such time as a final determination has been issued on the request and any administrative remedies for appeal have been exhausted.

In an effort to facilitate document review, please provide the responsive documents in electronic form in lieu of a paper production. If a certain portion of

responsive records can be produced more readily, the Chamber requests that those records be produced first and the remaining records be produced on a rolling basis as circumstances permit.

The Chamber requests a fee waiver because disclosure of this information is in the public interest as it is likely to contribute significantly to public understanding of the operations or activities of the government. The Chamber is a non-profit organization organized under Section 501(c)(6) of the Internal Revenue Code. Disclosure of this information is not primarily in the Chamber's commercial interest because it seeks to use this information to educate itself and the public about the USTR's ongoing activities. See 15 C.F.R. § 2004.9(h)(1). The USTR's activities affect a broad swath of the United States economy and business entities across the country—many of whom are members of the Chamber. The disclosure of these documents will allow the Chamber, its members, and the public to better understand the USTR's recent and future activities and the potential impact of these actions. If this request for a fee waiver is denied, the Chamber is willing to pay fees up to \$2,500.

The Chamber also requests expedited treatment of this request because the Chamber's mission involves disseminating information—to both its membership and the public—regarding economic issues in the United States, especially as they relate to the Federal Government. The USTR's actions impact the Chamber's members and other members of the public. See 15 C.F.R. § 2004.6(d). The Chamber must be able to provide information regarding the USTR's activities to its members given their significant impact—so its members may comply with new regulations and policies, so they may protect their rights, and so they may order their own affairs. The impact of these actions is far-reaching, requiring the urgent release of documents and information related thereto in order to understand the USTR's activities and their potential impact on the Chamber's members. I certify that this statement explaining the basis for the expedited processing request is true and correct. See 15 C.F.R. § 2004.6(d)(1).

Federal law requires that the FTC produce these records within twenty (20) business days or, in unusual circumstances, within thirty (30) business days. See 5 U.S.C. § 552(a)(6)(A)-(B); see also 15 C.F.R. § 2004.6(c)(1). If the Chamber's request is denied in whole or in part, please justify all denials by reference to specific exemptions under the FOIA.

If you have any questions about this request, please contact me by email.
Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sean Heather". The signature is written in a cursive, flowing style.

Sean Heather
Senior Vice President International Regulatory Affairs & Antitrust
U.S. Chamber of Commerce
SHeather@USChamber.com