

digital trade lang

From: "Coppola, Maria" <mcoppola@ftc.gov>

To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>

Date: Tue, 14 Mar 2023 19:31:18 -0400

In October, USTR put forward a competition article in the digital chapter. EXEMPTION 5 why

EXEMPTION 5

USTR explained EXEMPTION 5

We replied EXEMPTION 5

USTR indicated EXEMPTION 5

We EXEMPTION 5

EXEMPTION 5

On March 6 in "Tranche 2" of the Digital Trade Chapter, USTR suggested the following language:

EXEMPTION 5

Correspondence

From: "Lawrence, David (ATR)" [REDACTED] usdoj.gov>
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Cc: "Coppola, Maria" <mcoppola@ftc.gov>, "Goodlander, Margaret (ATR)"
[REDACTED] usdoj.gov>
Date: Thu, 23 Mar 2023 07:48:31 -0400
Attachments Kanter Khan letter to Tai March 22 2023.doc (78.34 kB)

:

Hi Beth –

I hope this finds you well. Please see the attached correspondence for Ambassador Tai from AAG Kanter and Chair Khan. We're happy to discuss further if you have any questions.

Best regards,
-Dave

David Lawrence (he/him/his)
Policy Director
U.S. Department of Justice, Antitrust Division

UNITED STATES OF AMERICA



DEPARTMENT OF JUSTICE
Washington, DC 20530



FEDERAL TRADE COMMISSION
Washington, DC 20580

March 22, 2023

Ambassador Katherine Tai
United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Tai,

We write to bring your attention to **EXEMPTION 5**

[REDACTED]

EXEMPTION 5

[REDACTED]

EXEMPTION 5

[REDACTED]

EXEMPTION 5

EXEMPTION 5

EXEMPTION 5

EXEMPTION 5

EXEMPTION 5

Thank you for your consideration and we look forward to our meeting.

Sincerely,

EXEMPTION 6

Lina M. Khan
Chair
Federal Trade Commission

EXEMPTION 6

Jonathan Kanter
Assistant Attorney General
U.S. Department of Justice,
Antitrust Division

RE: Set up a USTR-FTC/DOJ call this week

From "Valentine, Rebecca (ATR)" [REDACTED] usdoj.gov>
:
To: "Coppola, Maria" <mcoppola@ftc.gov>, "Tanner, Robb S. EOP/USTR" <robert_tanner@ustr.eop.gov>, "Heimert, Andrew J." <aheimert@ftc.gov>, "Lawrence, David (ATR)" [REDACTED] usdoj.gov>
Cc: "Schagrin, Kenneth A. EOP/USTR" <kenneth_schagrin@ustr.eop.gov>, "Roschke, Guilherme" <groschke@ftc.gov>, "Tata, Shantanu S. EOP/USTR" <shantanu.s.tata@ustr.eop.gov>, "McAbee, Scott (ATR)" [REDACTED] usdoj.gov>, "Harrop, Caldwell (ATR)" [REDACTED] usdoj.gov>
Date: Tue, 28 Mar 2023 12:17:25 -0400

That could work, depending on the window. Robb, are there 4 or so you can propose over the course of those two days? Sorry for all the cat-herding!

Becky

Rebecca Valentine

International Counsel

Antitrust Division | U.S. Department of Justice

[REDACTED] | [REDACTED] [usdoj.gov](mailto:[REDACTED]@usdoj.gov)

From: Coppola, Maria <mcoppola@ftc.gov>
Sent: Tuesday, March 28, 2023 12:13 PM
To: Valentine, Rebecca (ATR) [REDACTED] usdoj.gov>; Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Lawrence, David (ATR) [REDACTED] usdoj.gov>
Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>; Roschke, Guilherme <groschke@ftc.gov>; Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; McAbee, Scott (ATR) [REDACTED] usdoj.gov>; Harrop, Caldwell (ATR) [REDACTED] usdoj.gov>
Subject: [EXTERNAL] RE: Set up a USTR-FTC/DOJ call this week

Should we try for Monday or Tuesday?

From: Valentine, Rebecca (ATR) [REDACTED] [usdoj.gov](mailto:[REDACTED]@usdoj.gov)>
Sent: Tuesday, March 28, 2023 12:11 PM

To: Coppola, Maria <mcoppola@ftc.gov>; Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Lawrence, David (ATR) **EXEMPTION 6** <usdoj.gov>
Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>; Roschke, Guilherme <groschke@ftc.gov>; Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; McAbee, Scott (ATR) **EXEMPTION 6** <usdoj.gov>; Harrop, Caldwell (ATR) **EXEMPTION 6** <usdoj.gov>
Subject: RE: Set up a USTR-FTC/DOJ call this week

All –

Wednesday at 3:00 won't work for us. The Friday at 11 am window would, and I can see about Friday afternoon for our participants (myself, Scott McAbee, and Caldwell Harrop).

Becky

Rebecca Valentine

International Counsel

Antitrust Division | U.S. Department of Justice

EXEMPTION 6 | **EXEMPTION 6** <usdoj.gov>

From: Coppola, Maria <mcoppola@ftc.gov>
Sent: Tuesday, March 28, 2023 11:59 AM
To: Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** <usdoj.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Lawrence, David (ATR) **EXEMPTION 6** <usdoj.gov>
Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>; Roschke, Guilherme <groschke@ftc.gov>; Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>
Subject: [EXTERNAL] RE: Set up a USTR-FTC/DOJ call this week

Hi, Robb

Apologies for the delay. This is about the busiest week of the year for us.

My suggestion is **EXEMPTION 5**, and so for FTC it would be me and Andrew Heimert.

We can do Wednesday at 3pm. The other times are impossible.

Thanks much

Maria

From: Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>
Sent: Tuesday, March 28, 2023 11:54 AM
To: Coppola, Maria <mcoppola@ftc.gov>; Valentine, Rebecca (ATR) <[EXEMPTION 6 \[REDACTED\]@usdoj.gov](mailto:EXEMPTION 6 [REDACTED]@usdoj.gov)>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Lawrence, David (ATR) <[EXEMPTION 6 \[REDACTED\]@usdoj.gov](mailto:EXEMPTION 6 [REDACTED]@usdoj.gov)>
Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>; Roschke, Guilherme <groschke@ftc.gov>; Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>
Subject: RE: Set up a USTR-FTC/DOJ call this week

Maria, Becky:

If it would be helpful I'm happy to jump on the phone for a quick phone call with you, but I wanted to refresh the request to set up a call this week to discuss IPEF. Subject to confirmation I think we would be available Wednesday at 3 or 4; Thursday at 1 PM and Friday at 11 AM and in the afternoon..

On our side I think we would have at least myself, AUSTR Ken Schagrin, and Shantanu Tata, our Deputy Chief of Staff on the call.

Thanks and look forward to speaking,

Robb Tanner
Office of the United States Trade Representative
Deputy Assistant USTR for ICT Services & Digital Trade
[EXEMPTION 6 \[REDACTED\]@ustr.eop.gov](mailto:EXEMPTION 6 [REDACTED]@ustr.eop.gov)
Email: rtanner@ustr.eop.gov

This email contains confidential Indo-Pacific Economic Framework information, classified CONFIDENTIAL, Modified Handling Authorized (C/FGI-MOD). Per the classification authorization issued on April 13, 2022, the contents must be handled in a manner to avoid unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

From: Tanner, Robb S. EOP/USTR
Sent: Monday, March 27, 2023 5:21 PM
To: 'Coppola, Maria' <mcoppola@ftc.gov>; 'Valentine, Rebecca (ATR)'

EXEMPTION 6 [REDACTED] usdoj.gov>

Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>

Subject: Set up a USTR-FTC/DOJ call this week?

Maria, Becky:

We wanted to see if we could set up a call this week to follow up on the last call that I had with you and your colleagues and EXEMPTION 5 [REDACTED] Ambassador Tai by Chair Khan and Assistant AG Kanter. If either of you have a couple minutes today or tomorrow morning it might be helpful to connect on who to include on this.

Robb Tanner
Office of the United States Trade Representative
Deputy Assistant USTR EXEMPTION 6 [REDACTED]
Mobile: EXEMPTION 6 [REDACTED]
Email: rtanner@ustr.eop.gov



RE: Scheduling a DOJ-USTR Call Early Next Week

From: "Tata, Shantanu S. EOP/USTR" <shantanu.s.tata@ustr.eop.gov>
To: "McAbee, Scott (ATR)" [EXEMPTION 6] usdoj.gov>, "Tzucker, Joshua (ATR)" [EXEMPTION 6] usdoj.gov>, "Goodlander, Margaret (ATR)" [EXEMPTION 6] usdoj.gov>, "Haynes, Campbell (ATR)" [EXEMPTION 6] usdoj.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Miller, Sarah" <smiller@ftc.gov>
Date: Thu, 06 Apr 2023 12:29:18 -0400
Attachments Draft Negotiating Text Tranche 2 - 6 April 2023.docx (50.7 kB)

:

Hi Scott, thanks very much for your reply. [EXEMPTION 5]

To that end, I am attaching the [EXEMPTION 5]

Tuesday, April 11 at 2 pm works for us so I will send around a calendar invite. I look forward to speaking with you then.

Best,
Shantanu

From: McAbee, Scott (ATR) [EXEMPTION 6] usdoj.gov>
Sent: Thursday, April 6, 2023 11:47 AM
To: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; Tzucker, Joshua (ATR) [EXEMPTION 6] usdoj.gov>; Goodlander, Margaret (ATR) [EXEMPTION 6] usdoj.gov>; Haynes, Campbell (ATR) [EXEMPTION 6] usdoj.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Scheduling a DOJ-USTR Call Early Next Week

Shantanu, thanks for reaching out.

+ Deputy AAG Goodlander who will run point with me in the ATR FO.
+ Sarah Miller who will run point in the FTC's FO.

As expressed to Amb. Tai and Heather, we would appreciate **EXEMPTION 5**

Tuesday April 11 at 2pm works for ATR.

Scott McAbee

Counsel to the AAG

U.S. Department of Justice, Antitrust Division

From: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>

Sent: Wednesday, April 5, 2023 2:28 PM

To: Tzucker, Joshua (ATR) **EXEMPTION 6** usdoj.gov>; McAbee, Scott (ATR)

EXEMPTION 6 usdoj.gov>

Cc: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Subject: [EXTERNAL] Scheduling a DOJ-USTR Call Early Next Week

Josh and Scott, it is nice to meet you. I am Ambassador Tai's Deputy Chief of Staff for Policy.

As a follow-up to the conversation between AAG Kanter and Ambassador Tai, my colleague Beth Baltzan and I wanted to reach out to you to set up a meeting between our two teams. On our side it would be myself, Beth, Robb Tanner, Ken Schagrin and Sarah Ellerman (IPEF Chief Negotiator). We currently have the following windows open on Monday (April 10) and Tuesday (April 11) next week:

Monday: After 3:30 PM

Tuesday: Anytime before noon; between 2-3 pm or between 4-5 pm.

Could you please check with your teams and let me know if any of these windows work for you. I can then send a calendar invite.

Thank you very much for your assistance.

Best,
Shantanu

Shantanu Tata
Deputy Chief of Staff
Office of the U.S. Trade Representative
O: 202-395-6123 | M: **EXEMPTION 6**

shantanu.s.tata@ustr.eop.gov

Re: [EXTERNAL] RE: Scheduling a DOJ-USTR Call Early Next Week

From: "McAbee, Scott (ATR)" [EXEMPTION 6] usdoj.gov>
:
To: "Tata, Shantanu S. EOP/USTR" <shantanu.s.tata@ustr.eop.gov>, "Tzucker, Joshua (ATR)" [EXEMPTION 6] usdoj.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, Sarah Miller <smiller@ftc.gov>
Date: Thu, 13 Apr 2023 23:14:50 -0400

Hi Shantanu, [EXEMPTION 5]

[REDACTED] Thanks for your patience.

Sent from my iPhone

On Apr 13, 2023, at 10:57 AM, Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov> wrote:

Thanks Scott.

From: McAbee, Scott (ATR) [EXEMPTION 6] usdoj.gov>
Sent: Thursday, April 13, 2023 10:54 AM
To: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Tzucker, Joshua (ATR) [EXEMPTION 6] usdoj.gov>; Lawrence, David (ATR) [EXEMPTION 6] usdoj.gov>; Miller, Sarah <smiller@ftc.gov>; Haynes, Campbell (ATR) [EXEMPTION 6] usdoj.gov>; Goodlander, Margaret (ATR) [EXEMPTION 6] usdoj.gov>
Subject: RE: Scheduling a DOJ-USTR Call Early Next Week

Hi Shantanu, we are **EXEMPTION 5**

From: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>

Sent: Thursday, April 13, 2023 9:47 AM

To: McAbee, Scott (ATR) **EXEMPTION 6** <usdoj.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Tzucker, Joshua (ATR) **EXEMPTION 6** <usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** <usdoj.gov>; Miller, Sarah <smiller@ftc.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** <usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** <usdoj.gov>

Subject: [EXTERNAL] RE: Scheduling a DOJ-USTR Call Early Next Week

Hi Scott, it was nice to talk to you the other day.

I just wanted to follow up to see when you expect to send us your suggested edits. We would like to be able to set up a meeting for our teams to discuss as soon as possible.

Thanks,

Shantanu

From: McAbee, Scott (ATR) **EXEMPTION 6** <usdoj.gov>

Sent: Tuesday, April 11, 2023 1:48 PM

To: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Tzucker, Joshua (ATR) **EXEMPTION 6** <usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** <usdoj.gov>; Miller, Sarah <smiller@ftc.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** <usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** <usdoj.gov>

Subject: RE: Scheduling a DOJ-USTR Call Early Next Week

Dear Beth and Shantanu,

We are looking forward to meeting at 2pm. EXEMPTION 5 [REDACTED]
[REDACTED] To that end, we're interested in addressing the following substantive provisions:

EXEMPTIONS 1 and 5 [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

We appreciate your engagement and attention to our concerns and look forward to working together to make IPEF a success.

Scott McAbee

Counsel to the AAG

U.S. Department of Justice, Antitrust Division

From: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>
Sent: Wednesday, April 5, 2023 2:28 PM
To: Tzucker, Joshua (ATR) EXEMPTION 6 @usdoj.gov>; McAbee, Scott (ATR) EXEMPTION 6 @usdoj.gov>
Cc: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: [EXTERNAL] Scheduling a DOJ-USTR Call Early Next Week

Josh and Scott, it is nice to meet you. I am Ambassador Tai's Deputy Chief of Staff for Policy.

As a follow-up to the conversation between AAG Kanter and Ambassador Tai, my colleague Beth Baltzan and I wanted to reach out to you to set up a meeting between our two teams. On our side it would be myself, Beth, Robb Tanner, Ken Schagrin and Sarah Ellerman (IPEF Chief Negotiator). We currently have the following windows open on Monday (April 10) and Tuesday (April 11) next week:

Monday: After 3:30 PM

Tuesday: Anytime before noon; between 2-3 pm or between 4-5 pm.

Could you please check with your teams and let me know if any of these windows work for you. I can then send a calendar invite.

Thank you very much for your assistance.

Best,

Shantanu

Shantanu Tata

Deputy Chief of Staff

Office of the U.S. Trade Representative

O: 202-395-6123 **EXEMPTION 6**

shantanu.s.tata@ustr.eop.gov



IPEF Digital Chapter Text ATR FTC

From: "McAbee, Scott (ATR)" [REDACTED] usdoj.gov>
To: "Tata, Shantanu S. EOP/USTR" <shantanu.s.tata@ustr.eop.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Tzucker, Joshua (ATR)" [REDACTED] usdoj.gov>, "Miller, Sarah" <smiller@ftc.gov>, "Goodlander, Margaret (ATR)" [REDACTED] usdoj.gov>, "Hubbard, Sally (ATR)" [REDACTED] usdoj.gov>
Date: Thu, 20 Apr 2023 19:15:18 -0400
Attachments 2023.04.20 USTR Digital Chapter - Tranche 1 ATR FTC Edits.docx (84.4 kB);
: 2023.04.20 USTR Digital Chapter - Tranche 2 ATR FTC Edits.docx (47.51 kB)

Shantanu and Beth,

Please find attached the IPEF Digital Chapter [REDACTED]

[REDACTED] As discussed at our April 11 meeting, we believe [REDACTED]
[REDACTED] We draw your attention to the following Articles:

- Tranche 1 [REDACTED]
- Tranche 1 [REDACTED]
- Tranche 1 [REDACTED]
- Tranche 2 – [REDACTED]

[REDACTED]

Scott McAbee
Counsel to the AAG
U.S. Department of Justice, Antitrust Division

RE: Response to the Chamber letter

From: "Morales, Arlen M. (OPA)" **EXEMPTION 6** usdoj.gov>
:
To: "Michel, Sam B. EOP/USTR" <samuel.b.michel@ustr.eop.gov>, "Barmore, Heather L. EOP/USTR" <heather.l.barmore@ustr.eop.gov>
Cc: "Hurlburt, Heather F. EOP/USTR" <heather.f.hurlburt@ustr.eop.gov>, "Tzucker, Joshua (ATR)" **EXEMPTION 6** usdoj.gov>
Date: Thu, 27 Apr 2023 17:13:07 -0400

Sounds good. Thanks everyone!

From: Michel, Sam B. EOP/USTR <Samuel.B.Michel@ustr.eop.gov>
Sent: Thursday, April 27, 2023 5:12 PM
To: Barmore, Heather L. EOP/USTR <Heather.L.Barmore@ustr.eop.gov>
Cc: Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>; Morales, Arlen M. (OPA) **EXEMPTION 6** usdoj.gov>; Tzucker, Joshua (ATR) **EXEMPTION 6** usdoj.gov>
Subject: [EXTERNAL] Re: Response to the Chamber letter

Bloomberg reached out to me as well. For consistency, I'll send the same statement we gave to Politico. Thanks for flagging Arlen!

On Apr 27, 2023, at 1:31 PM, Barmore, Heather L. EOP/USTR
<Heather.L.Barmore@ustr.eop.gov> wrote:

Thanks for flagging.

Heather L. Barmore
Deputy Assistant US Trade Representative for Digital
EXEMPTION 6

On Apr 27, 2023, at 15:29, Hurlburt, Heather F. EOP/USTR
<Heather.F.Hurlburt@ustr.eop.gov> wrote:

Thanks for the heads-up, Arlen. Heather B, flagging for the press team while Sam is traveling.

From: Morales, Arlen M. (OPA) [EXEMPTION 6 usdoj.gov](#)
Sent: Thursday, April 27, 2023 3:02 PM
To: Michel, Sam B. EOP/USTR <Samuel.B.Michel@ustr.eop.gov>; Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>
Cc: Tzucker, Joshua (ATR) [EXEMPTION 6 usdoj.gov](#)
Subject: RE: Response to the Chamber letter

Hi Sam/Heather,

For your awareness, Bloomberg is working on a story re Sen. Warren's/Chamber letters on the IPEF. We intend to provide a brief comment, pls see below. The story will publish today.

"The Department of Justice has a long history of working with the United States Trade Representative to ensure that trade negotiations protect competition. We appreciate USTR's partnership and look forward to our continued collaboration on the Indo-Pacific Economic Framework."

Best,
Arlen Morales
DOJ OPA
[EXEMPTION 6](#)

From: Michel, Sam B. EOP/USTR <Samuel.B.Michel@ustr.eop.gov>
Sent: Monday, April 17, 2023 7:22 PM
To: Morales, Arlen M. (OPA) [EXEMPTION 6 usdoj.gov](#)
Cc: Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>; Tzucker, Joshua (ATR) [EXEMPTION 6 usdoj.gov](#)
Subject: [EXTERNAL] Re: Response to the Chamber letter

Thanks for letting us know and keeping us updated.

On Apr 17, 2023, at 7:12 PM, Morales, Arlen M. (OPA) [EXEMPTION 6 usdoj.gov](#) wrote:

Josh- thanks for looping me in.

Hi Sam/Heather,

Great to connect and thanks for sharing! FYSA, we will likely decline to comment. We may have another chance in a broader piece that Politico's antitrust reporter may work on. I'm happy to loop back with more information when he loops back.

Thanks again,

Arlen Morales

EXEMPTION 6

From: Michel, Sam B. EOP/USTR <Samuel.B.Michel@ustr.eop.gov>

Sent: Monday, April 17, 2023 7:01 PM

To: Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>

Cc: Tzucker, Joshua (ATR) **EXEMPTION 6** usdoj.gov; Morales, Arlen M. (OPA)

EXEMPTION 6 usdoj.gov>

Subject: [EXTERNAL] Re: Response to the Chamber letter

Thanks Heather. Hi Arlen and Joshua - here's the statement we will send to Politico tonight. Let us know if you have any edits or flags.

"The Biden Administration is committed to pursuing a high-standard framework with our Indo-Pacific partners across a range of 21st century trade and economic issues. In the Trade Pillar, USTR aims to negotiate provisions that can spur inclusive growth and resilience while strengthening and deepening our engagement in this region. The U.S. is committed to building trust and promoting confidence in the digital economy and seeks to include provisions designed to avoid unfair trade practices, while recognizing the need to be able to address legitimate public policy objectives in the digital trade area."

On Apr 17, 2023, at 6:16 PM, Hurlburt, Heather F. EOP/USTR

<Heather.F.Hurlburt@ustr.eop.gov> wrote:

Arlen, please meet Sam Michel, who is leading response on this for USTR Comms.

Sent from my iPhone

On Apr 17, 2023, at 6:04 PM, Tzucker, Joshua (ATR)

EXEMPTION 6 usdoj.gov> wrote:

I am cc'ing Arlen Morales who is with DOJ public affairs. She should be the main point of contact in our comms.

Arlen, Heather is the Chief of Staff at USTR.

From: Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>

Sent: Monday, April 17, 2023 6:02 PM

To: Tzucker, Joshua (ATR) **EXEMPTION 6** usdoj.gov>

Subject: [EXTERNAL] Response to the Chamber letter

Josh,

POLITICO's Morning Trade is doing a piece on the Chamber letter. Is there a preferred contact in DOJ comms that we should synch up with our team and NSC comms? Our team's line is that interagency comment is normal and welcome. But with NSC Comms also involved we may have this whole fight in miniature, I don't know. (Note we probably have only a couple hours to work with.)

Heather

RE: Singapore **EXEMPTION 5**

From: "Heimert, Andrew J." <aheimert@ftc.gov>
:
To: "Morgan, Colette M. EOP/USTR" <colette.m.morgan@ustr.eop.gov>, "Mroczka, Victor S. EOP/USTR" <victor_s_mroczka@ustr.eop.gov>, "Tanner, Robb S. EOP/USTR" <robert_tanner@ustr.eop.gov>
Cc: "Tanner, Robb S. EOP/USTR" <robert_tanner@ustr.eop.gov>, "Tata, Shantanu S. EOP/USTR" <shantanu.s.tata@ustr.eop.gov>, "Ellerman, Sarah C. EOP/USTR" <sarah_c_ellerman@ustr.eop.gov>
Date: Mon, 15 May 2023 17:09:15 -0400

Thank you both for the update.

Andrew

From: Morgan, Colette M. EOP/USTR <Colette.M.Morgan@ustr.eop.gov>
Sent: Monday, May 15, 2023 5:08 PM
To: Mroczka, Victor S. EOP/USTR <Victor_S_Mroczka@ustr.eop.gov>; Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>
Cc: Heimert, Andrew J. <AHEIMERT@ftc.gov>; Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>; Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; Ellerman, Sarah C. EOP/USTR <Sarah_C_Ellerman@ustr.eop.gov>
Subject: RE: Singapore **EXEMPTION 5**

Hi Andrew,

EXEMPTIONS 1 and 5

[REDACTED]

Best,

Colette

Colette Morgan

T: +1-202-395-9535 | M: **EXEMPTION 6**

From: Mroczka, Victor S. EOP/USTR <Victor_S_Mroczka@ustr.eop.gov>
Sent: Monday, May 15, 2023 4:58 PM
To: Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>
Cc: Heimert, Andrew J. <AHEIMERT@ftc.gov>; Morgan, Colette M. EOP/USTR <Colette.M.Morgan@ustr.eop.gov>
Subject: Re: Singapore/EXEMPTION 5

Andrew,

EXEMPTIONS 1 and 5

I believe EXEMPTION 5 I will let you know.

Regards,

Victor

This email contains confidential Indo-Pacific Economic Framework information, classified CONFIDENTIAL, Modified Handling Authorized (C/FGI-MOD). Per the classification authorization issued on April 13, 2022, the contents must be handled in a manner to avoid unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

Sent from my iPhone

On May 15, 2023, at 3:48 PM, Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov> wrote:

Andrew,

I had not heard anything on that in Singapore. But I'm not the lead EXEMPTION 5 so that's not something I would be tracking.

Copying Colette and Victor -

Robb Tanner (he/him)
Office of the United States Trade Representative
Deputy Assistant USTR for ICT Services & Digital Trade
Mobile: EXEMPTION 6
Email: rtanner@ustr.eop.gov

This email contains confidential Indo-Pacific Economic Framework information, classified CONFIDENTIAL, Modified Handling Authorized (C/FGI-MOD). Per the classification authorization issued on April 13, 2022, the contents must be handled in a manner to avoid unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

From: Heimert, Andrew J. EXEMPTION 6@ftc.gov>
Sent: Monday, May 15, 2023 2:40 PM
To: Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>
Subject: Singapore EXEMPTION 5

Hi Robb – Hope you made it back okay (if not totally wiped from 24 hours of flying).

I think it came around to you on the ground, EXEMPTIONS 1 and 5

Was wondering if you had received something or knew any more about what might be coming and when. (I didn't see anything on Max, but perhaps I'm not in right place or it hasn't made it there yet).

Thanks,

Andrew

RE: Follow and request for views

From: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
:
To: "Heimert, Andrew J." <aheimert@ftc.gov>, "Harrop, Caldwell (ATR)"
EXEMPTION 6 usdoj.gov>, "Hubbard, Sally (ATR)" EXEMPTION 6 usdoj.gov>
Cc: "Hoeck, Matthew J. EOP/USTR" <matthew.j.hoeck@ustr.eop.gov>, "McAbee, Scott (ATR)"
EXEMPTION 6 usdoj.gov>, "Marshall, Lynda (ATR)" EXEMPTION 6 usdoj.gov>, "Haynes,
Campbell (ATR)" EXEMPTION 6 usdoj.gov>, "Goodlander, Margaret (ATR)"
EXEMPTION 6 usdoj.gov>, "Valentine, Rebecca (ATR)"
EXEMPTION 6 usdoj.gov>, "Lawrence, David (ATR)" EXEMPTION 6 usdoj.gov>,
"Coppola, Maria" <mcoppola@ftc.gov>, "Miller, Sarah" <smiller@ftc.gov>
Date: Thu, 24 Aug 2023 16:43:40 -0400

Thanks, Andrew. Given where we are at this stage of the discussions, yes, we would propose to
EXEMPTION 5
[REDACTED]

We could EXEMPTION 5
[REDACTED]

We could EXEMPTION 5
[REDACTED]

Best,
Beth

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Thursday, August 24, 2023 4:34 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; 'Harrop, Caldwell (ATR)'
EXEMPTION 6 usdoj.gov>; Hubbard, Sally (ATR) EXEMPTION 6 usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR)
EXEMPTION 6 usdoj.gov>; Marshall, Lynda (ATR) EXEMPTION 6 usdoj.gov>; Haynes, Campbell
(ATR) EXEMPTION 6 usdoj.gov>; Goodlander, Margaret (ATR)
EXEMPTION 6 usdoj.gov>; Valentine, Rebecca (ATR) EXEMPTION 6 usdoj.gov>;
Lawrence, David (ATR) EXEMPTION 6 usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller,
Sarah <smiller@ftc.gov>
Subject: RE: Follow and request for views

Hi Beth – One followup as we consider this, regarding EXEMPTION 5. Is the idea that we would EXEMPTION 5

Note that in USMCA EXEMPTION 5

EXEMPTION 5

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Sent: Thursday, August 24, 2023 2:26 PM

To: Heimert, Andrew J. <AHEIMERT@ftc.gov>; 'Harrop, Caldwell (ATR)'

EXEMPTION 6 <usdoj.gov>; Hubbard, Sally (ATR) EXEMPTION 6 <usdoj.gov>

Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR)

EXEMPTION 6 <usdoj.gov>; Marshall, Lynda (ATR) EXEMPTION 6 <usdoj.gov>; Haynes, Campbell

(ATR) EXEMPTION 6 <usdoj.gov>; Goodlander, Margaret (ATR)

EXEMPTION 6 <usdoj.gov>; Valentine, Rebecca (ATR) EXEMPTION 6 <usdoj.gov>;

Lawrence, David (ATR) EXEMPTION 6 <usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller,

Sarah <smiller@ftc.gov>

Subject: Follow and request for views

Thanks all.

We have a proposal going forward.

1. Since all the Hill staff wanted EXEMPTION 5 we would like to know by COB Tuesday, August 29th, whether you would be ok with having us circulate the following EXEMPTION 5

EXEMPTION 5

2. According to the team, EXEMPTION 5 [REDACTED]
[REDACTED] Given that, we would similarly like
to know by COB Tuesday August 29th whether you would be ok having us circulate the
EXEMPTION 5 [REDACTED]
[REDACTED]

EXEMPTION 5

EXEMPTION 5

Best,
Beth

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Thursday, August 24, 2023 1:23 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; 'Harrop, Caldwell (ATR)' <EXEMPTION 6@usdoj.gov>; Hubbard, Sally (ATR) <EXEMPTION 6@usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR) <EXEMPTION 6@usdoj.gov>; Marshall, Lynda (ATR) <EXEMPTION 6@usdoj.gov>; Haynes, Campbell (ATR) <EXEMPTION 6@usdoj.gov>; Goodlander, Margaret (ATR) <EXEMPTION 6@usdoj.gov>; Valentine, Rebecca (ATR) <EXEMPTION 6@usdoj.gov>; Lawrence, David (ATR) <EXEMPTION 6@usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

A followup on [EXEMPTION 5](#) question at the end of the call . . .

[EXEMPTION 5](#)
[REDACTED]
[REDACTED] it seems to me [EXEMPTION 5](#)
[REDACTED]

Andrew

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unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Thursday, August 24, 2023 12:11 PM
To: 'Harrop, Caldwell (ATR)' <[REDACTED]@usdoj.gov>; Hubbard, Sally (ATR) <[REDACTED]@usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) <[REDACTED]@usdoj.gov>; Marshall, Lynda (ATR) <[REDACTED]@usdoj.gov>; Haynes, Campbell (ATR) <[REDACTED]@usdoj.gov>; Goodlander, Margaret (ATR) <[REDACTED]@usdoj.gov>; Valentine, Rebecca (ATR) <[REDACTED]@usdoj.gov>; Lawrence, David (ATR) <[REDACTED]@usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC
Importance: High

Hi all. I've just chatted with our legislative team. It seems [REDACTED]

If [REDACTED] I may [REDACTED]

[REDACTED] if this issue comes up [REDACTED]

Thank you!

From: Harrop, Caldwell (ATR) <[REDACTED]@usdoj.gov>
Sent: Tuesday, August 22, 2023 5:14 PM
To: Hubbard, Sally (ATR) <[REDACTED]@usdoj.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) <[REDACTED]@usdoj.gov>; Marshall, Lynda (ATR) <[REDACTED]@usdoj.gov>; Haynes, Campbell (ATR) <[REDACTED]@usdoj.gov>; Goodlander,

Margaret (ATR) [EXEMPTION 6 usdoj.gov](#); Valentine, Rebecca (ATR) [EXEMPTION 6 usdoj.gov](#); Lawrence, David (ATR) [EXEMPTION 6 usdoj.gov](#); Coppola, Maria mcoppola@ftc.gov; Miller, Sarah smiller@ftc.gov
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Suggest you call in if sound not working.

From: Hubbard, Sally (ATR) [EXEMPTION 6 usdoj.gov](#)
Sent: Tuesday, August 22, 2023 5:10 PM
To: Baltzan, Elizabeth V. EOP/USTR Elizabeth.V.Baltzan@ustr.eop.gov
Cc: Harrop, Caldwell (ATR) [EXEMPTION 6 usdoj.gov](#); Hoeck, Matthew J. EOP/USTR Matthew.J.Hoeck@ustr.eop.gov; Heimert, Andrew J. AHEIMERT@ftc.gov; McAbee, Scott (ATR) [EXEMPTION 6 usdoj.gov](#); Marshall, Lynda (ATR) [EXEMPTION 6 usdoj.gov](#); Haynes, Campbell (ATR) [EXEMPTION 6 usdoj.gov](#); Goodlander, Margaret (ATR) [EXEMPTION 6 usdoj.gov](#); Valentine, Rebecca (ATR) [EXEMPTION 6 usdoj.gov](#); Lawrence, David (ATR) [EXEMPTION 6 usdoj.gov](#); Coppola, Maria mcoppola@ftc.gov; Miller, Sarah smiller@ftc.gov
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Hi Beth,
Is this meeting happening? The DOJ side is stuck in the waiting room.

Sally

From: Baltzan, Elizabeth V. EOP/USTR Elizabeth.V.Baltzan@ustr.eop.gov
Sent: Monday, August 21, 2023 4:26 PM
To: Hubbard, Sally (ATR) [EXEMPTION 6 usdoj.gov](#)
Cc: Harrop, Caldwell (ATR) [EXEMPTION 6 usdoj.gov](#); Hoeck, Matthew J. EOP/USTR Matthew.J.Hoeck@ustr.eop.gov; Heimert, Andrew J. AHEIMERT@ftc.gov; McAbee, Scott (ATR) [EXEMPTION 6 usdoj.gov](#); Marshall, Lynda (ATR) [EXEMPTION 6 usdoj.gov](#); Haynes, Campbell (ATR) [EXEMPTION 6 usdoj.gov](#); Goodlander, Margaret (ATR) [EXEMPTION 6 usdoj.gov](#); Valentine, Rebecca (ATR) [EXEMPTION 6 usdoj.gov](#); Lawrence, David (ATR) [EXEMPTION 6 usdoj.gov](#); Coppola, Maria mcoppola@ftc.gov; Miller, Sarah smiller@ftc.gov
Subject: [EXTERNAL] Re: Briefing on IPEF DS and Competition w/ SFC

Great. Let's do 5. I'll send a link.

Sent from my iPhone

On Aug 21, 2023, at 4:13 PM, Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov> wrote:

Also, DOJ can do 4:30 or 5 tomorrow.

From: Harrop, Caldwell (ATR) **EXEMPTION 6** usdoj.gov>
Sent: Monday, August 21, 2023 3:25 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>
Cc: Heimert, Andrew J. <AHEIMERT@ftc.gov>; Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov>; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov>; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Beth – just to confirm as we prepare – **EXEMPTION 5**

[REDACTED]

[REDACTED]

[REDACTED]

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Monday, August 21, 2023 1:50 PM
To: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>
Cc: Harrop, Caldwell (ATR) **EXEMPTION 6** usdoj.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov>; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov>; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: [EXTERNAL] Re: Briefing on IPEF DS and Competition w/ SFC

Thanks Matthew!

DOJ and FTC, could we do a call in advance to talk about how to approach the briefings? I have time from 4 on tomorrow. I could also chat at 9 am Wednesday.

Best,
Beth

Sent from my iPhone

On Aug 21, 2023, at 11:05 AM, Hoeck, Matthew J. EOP/USTR
<Matthew.J.Hoeck@ustr.eop.gov> wrote:

Hey Team,

Briefing on IPEF Competition Text with W&M landed **Wednesday, August 23rd at 9:30am.**
Link below and calendar invite has been sent.

When it's time, join your Webex meeting here.

Join meeting

More ways to join:

Join from the meeting link

EXEMPTION 6

Join by meeting number

EXEMPTION 6

If you are a host, [click here](#) and login site to view host information.

Need help? Go to <https://help.webex.com>

From: Hoeck, Matthew J. EOP/USTR

Sent: Friday, August 18, 2023 1:12 PM

To: 'Caldwell (ATR)' <[REDACTED]@usdoj.gov>; 'Heimert, Andrew J.' <AHEIMERT@ftc.gov>; 'Hubbard, Sally (ATR)' <[REDACTED]@usdoj.gov>; 'McAbee, Scott (ATR)' <[REDACTED]@usdoj.gov>; 'Marshall, Lynda (ATR)' <[REDACTED]@usdoj.gov>; 'Haynes, Campbell (ATR)' <[REDACTED]@usdoj.gov>; 'Goodlander, Margaret (ATR)' <[REDACTED]@usdoj.gov>; 'Valentine, Rebecca (ATR)' <[REDACTED]@usdoj.gov>; 'Lawrence, David (ATR)' <[REDACTED]@usdoj.gov>; 'Coppola, Maria' <mcoppola@ftc.gov>; 'Miller, Sarah' <smiller@ftc.gov>
Cc: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: Briefing on IPEF DS and Competition w/ SFC

Hey Team,

Team USTR has landed a briefing with Senate Finance Committee to review the updated IPEF DS and Competition text for **Thursday, August 24th at 12:15pm**. An invite will be sent shortly but see below WebEx link. If there are any questions let me know! Appreciate all your help in this endeavor.

[REDACTED]
Thursday, August 24, 2023 12:15 PM | 45 minutes | (UTC-04:00) Eastern Time (US & Canada)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Matthew Hoeck
Special Assistant to the U.S. Trade Representative
Office of the U.S. Trade Representative
[REDACTED]
Matthew.J.Hoeck@ustr.eop.gov

NDA for IPEF

From "Harrop, Caldwell (ATR)" EXEMPTION 6 usdoj.gov>

:

To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Morgan, Colette M. EOP/USTR" <colette.m.morgan@ustr.eop.gov>

Cc: "Haynes, Campbell (ATR)" EXEMPTION 6 usdoj.gov>

Date: Wed, 30 Aug 2023 11:22:46 -0400

Beth, Colette – Campbell Haynes, copied, will cover digital trade for us in Bangkok. He needs to sign an NDA so he can review the docs. Can you help us arrange this?

Thanks - Caldwell

Re: Follow and request for views

From: "Miller, Sarah" <smiller@ftc.gov>
:
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Heimert, Andrew J." <aheimert@ftc.gov>, "Harrop, Caldwell (ATR)" [REDACTED] usdoj.gov>, "Hubbard, Sally (ATR)" [REDACTED] usdoj.gov>
Cc: "Hoeck, Matthew J. EOP/USTR" <matthew.j.hoeck@ustr.eop.gov>, "McAbee, Scott (ATR)" [REDACTED] usdoj.gov>, "Marshall, Lynda (ATR)" [REDACTED] usdoj.gov>, "Haynes, Campbell (ATR)" [REDACTED] usdoj.gov>, "Goodlander, Margaret (ATR)" [REDACTED] usdoj.gov>, "Valentine, Rebecca (ATR)" [REDACTED] usdoj.gov>, "Lawrence, David (ATR)" [REDACTED] usdoj.gov>, "Coppola, Maria" <mcoppola@ftc.gov>
Date: Fri, 01 Sep 2023 18:58:51 -0400

Hi Beth — I can represent that FTC and DOJ are comfortable changing [REDACTED]

We aren't able to move forward with additional changes until we've had adequate time to consider substantive ramifications/carry out additional Hill engagement.

Thank you, and happy Labor Day weekend everyone!

Sarah

[REDACTED]

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Sent: Thursday, August 31, 2023 8:39 PM

To: Heimert, Andrew J. <AHEIMERT@ftc.gov>; 'Harrop, Caldwell (ATR)'

[REDACTED] usdoj.gov>; Hubbard, Sally (ATR) [REDACTED] usdoj.gov>

Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR)

[REDACTED] usdoj.gov>; Marshall, Lynda (ATR) [REDACTED] usdoj.gov>; Haynes,

Campbell (ATR) [REDACTED] usdoj.gov>; Goodlander, Margaret (ATR)

[REDACTED] usdoj.gov>; Valentine, Rebecca (ATR) [REDACTED] usdoj.gov>;

Lawrence, David (ATR) [REDACTED] usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller,

Sarah <smiller@ftc.gov>

Subject: RE: Follow and request for views

This email contains IPEF Confidential Information.

Hi all! Following on our principals' conversation, please find attached three documents. We are meeting with Ambassador Tai at noon because we will need to send text to our negotiating partners ASAP.

The first includes the suggested edits on **EXEMPTIONS 1 and 5**

The second is what we would send through the TPSC on **EXEMPTION 5** The goal **EXEMPTION 5**
EXEMPTION 5
EXEMPTION 5

The third is what we would send through the TPSC on **EXEMPTIONS 1 and 5** language. **EXEMPTION 5**
EXEMPTION 5 I believe **EXEMPTION 5**
EXEMPTION 5

Thanks so much,
Beth

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Thursday, August 24, 2023 4:34 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; 'Harrop, Caldwell (ATR)' **EXEMPTION 6** usdoj.gov>; Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov>; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Follow and request for views

Hi Beth – One followup as we consider this, regarding **EXEMPTION 5** Is the idea that we would **EXEMPTION 5**
EXEMPTION 5

Note that in USMCA, **EXEMPTION 5**
EXEMPTION 5

EXEMPTION 5
EXEMPTION 5
EXEMPTION 5
EXEMPTION 5

EXEMPTION 5
[Redacted]

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Thursday, August 24, 2023 2:26 PM
To: Heimert, Andrew J. <EXEMPTION 6@ftc.gov>; 'Harrop, Caldwell (ATR)' <EXEMPTION 6@usdoj.gov>; Hubbard, Sally (ATR) <EXEMPTION 6@usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR) <EXEMPTION 6@usdoj.gov>; Marshall, Lynda (ATR) <EXEMPTION 6@usdoj.gov>; Haynes, Campbell (ATR) <EXEMPTION 6@usdoj.gov>; Goodlander, Margaret (ATR) <EXEMPTION 6@usdoj.gov>; Valentine, Rebecca (ATR) <EXEMPTION 6@usdoj.gov>; Lawrence, David (ATR) <EXEMPTION 6@usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: Follow and request for views

Thanks all.

We have a proposal going forward.

1. Since all the Hill staff wanted EXEMPTION 5, we would like to know by COB Tuesday, August 29th, whether you would be ok with having us circulate the following section, EXEMPTION 5

[Redacted]

EXEMPTION 5

EXEMPTION 5

2. According to the team, EXEMPTION 5 [REDACTED] Given that, we would similarly like to know by COB Tuesday August 29th whether you would be ok having us circulate the EXEMPTION 5 [REDACTED]

EXEMPTION 5

Best,
Beth

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Thursday, August 24, 2023 1:23 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; 'Harrop, Caldwell (ATR)' <EXEMPTION 6 usdoj.gov>; Hubbard, Sally (ATR) <EXEMPTION 6 usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; McAbee, Scott (ATR) <EXEMPTION 6 usdoj.gov>; Marshall, Lynda (ATR) <EXEMPTION 6 usdoj.gov>; Haynes, Campbell (ATR) <EXEMPTION 6 usdoj.gov>; Goodlander, Margaret (ATR) <EXEMPTION 6 usdoj.gov>; Valentine, Rebecca (ATR) <EXEMPTION 6 usdoj.gov>; Lawrence, David (ATR) <EXEMPTION 6 usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

A followup on the EXEMPTION 5 question at the end of the call . . .

EXEMPTION 5
[REDACTED]
[REDACTED] it seems to me EXEMPTION 5
[REDACTED]

Andrew

This email contains confidential Indo-Pacific Economic Framework information, classified CONFIDENTIAL, Modified Handling Authorized (C/FGI-MOD). Per the classification authorization issued on April 13, 2022, the contents must be handled in a manner to avoid unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Thursday, August 24, 2023 12:11 PM
To: 'Harrop, Caldwell (ATR)' <EXEMPTION 6 usdoj.gov>; Hubbard, Sally (ATR) <EXEMPTION 6 usdoj.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) <EXEMPTION 6 usdoj.gov>; Marshall, Lynda (ATR) <EXEMPTION 6 usdoj.gov>; Haynes, Campbell (ATR) <EXEMPTION 6 usdoj.gov>; Goodlander, Margaret (ATR) <EXEMPTION 6 usdoj.gov>; Valentine, Rebecca (ATR) <EXEMPTION 6 usdoj.gov>

EXEMPTION 6 [redacted]@usdoj.gov>; Lawrence, David (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC
Importance: High

Hi all. I've just chatted with our legislative team. It seems EXEMPTION 5 [redacted]
[redacted]

If EXEMPTION 5 [redacted] I may EXEMPTION 5 [redacted]
[redacted]
[redacted]

EXEMPTION 5 [redacted]
[redacted] if this issue comes up
EXEMPTION 5 [redacted]
[redacted]

Thank you!

From: Harrop, Caldwell (ATR) EXEMPTION 6 [redacted]@usdoj.gov>
Sent: Tuesday, August 22, 2023 5:14 PM
To: Hubbard, Sally (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Marshall, Lynda (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Haynes, Campbell (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Goodlander, Margaret (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Valentine, Rebecca (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Lawrence, David (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Suggest you call in if sound not working.

From: Hubbard, Sally (ATR) EXEMPTION 6 [redacted]@usdoj.gov>
Sent: Tuesday, August 22, 2023 5:10 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Harrop, Caldwell (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Marshall, Lynda (ATR) EXEMPTION 6 [redacted]@usdoj.gov>; Haynes, Campbell

(ATR) **EXEMPTION 6** usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Hi Beth,
Is this meeting happening? The DOJ side is stuck in the waiting room.

Sally

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Monday, August 21, 2023 4:26 PM
To: Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov>
Cc: Harrop, Caldwell (ATR) **EXEMPTION 6** usdoj.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Heimert, Andrew J. <AHEIMERT@ftc.gov>; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov>; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov>; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov>; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov>; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov>; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: [EXTERNAL] Re: Briefing on IPEF DS and Competition w/ SFC

Great. Let's do 5. I'll send a link.

Sent from my iPhone

On Aug 21, 2023, at 4:13 PM, Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov> wrote:

Also, DOJ can do 4:30 or 5 tomorrow.

From: Harrop, Caldwell (ATR) **EXEMPTION 6** usdoj.gov>
Sent: Monday, August 21, 2023 3:25 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>
Cc: Heimert, Andrew J. <AHEIMERT@ftc.gov>; Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov>; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov>; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov>; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov>

Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: RE: Briefing on IPEF DS and Competition w/ SFC

Beth – just to confirm as we prepare – **EXEMPTION 5**

[REDACTED]

[REDACTED]

[REDACTED]

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Monday, August 21, 2023 1:50 PM
To: Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>
Cc: Harrop, Caldwell (ATR) **EXEMPTION 6** usdoj.gov; Heimert, Andrew J. <AHEIMERT@ftc.gov>; Hubbard, Sally (ATR) **EXEMPTION 6** usdoj.gov; McAbee, Scott (ATR) **EXEMPTION 6** usdoj.gov; Marshall, Lynda (ATR) **EXEMPTION 6** usdoj.gov; Haynes, Campbell (ATR) **EXEMPTION 6** usdoj.gov; Goodlander, Margaret (ATR) **EXEMPTION 6** usdoj.gov; Valentine, Rebecca (ATR) **EXEMPTION 6** usdoj.gov; Lawrence, David (ATR) **EXEMPTION 6** usdoj.gov; Coppola, Maria <mcoppola@ftc.gov>; Miller, Sarah <smiller@ftc.gov>
Subject: [EXTERNAL] Re: Briefing on IPEF DS and Competition w/ SFC

Thanks Matthew!

DOJ and FTC, could we do a call in advance to talk about how to approach the briefings? I have time from 4 on tomorrow. I could also chat at 9 am Wednesday.

Best,
Beth

Sent from my iPhone

On Aug 21, 2023, at 11:05 AM, Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov> wrote:

Hey Team,

Briefing on IPEF Competition Text with W&M landed **Wednesday, August 23rd** at 9:30am.
Link below and calendar invite has been sent.

When it's time, join your Webex meeting here.

[Join meeting](#)

More ways to join:

Join from the meeting link

EXEMPTION 6 [Redacted]

EXEMPTION 6 [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

If you are a host, [click here](#) and login site to view host information.

Need help? Go to <https://help.webex.com>

From: Hoeck, Matthew J. EOP/USTR
Sent: Friday, August 18, 2023 1:12 PM
To: 'Caldwell (ATR)' <[REDACTED]@usdoj.gov>; 'Heimert, Andrew J.' <AHEIMERT@ftc.gov>; 'Hubbard, Sally (ATR)' <[REDACTED]@usdoj.gov>; 'McAbee, Scott (ATR)' <[REDACTED]@usdoj.gov>; 'Marshall, Lynda (ATR)' <[REDACTED]@usdoj.gov>; 'Haynes, Campbell (ATR)' <[REDACTED]@usdoj.gov>; 'Goodlander, Margaret (ATR)' <[REDACTED]@usdoj.gov>; 'Valentine, Rebecca (ATR)' <[REDACTED]@usdoj.gov>; 'Lawrence, David (ATR)' <[REDACTED]@usdoj.gov>; 'Coppola, Maria' <mcoppola@ftc.gov>; 'Miller, Sarah' <smiller@ftc.gov>
Cc: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: Briefing on IPEF DS and Competition w/ SFC

Hey Team,

Team USTR has landed a briefing with Senate Finance Committee to review the updated IPEF DS and Competition text for **Thursday, August 24th at 12:15pm**. An invite will be sent shortly but see below WebEx link. If there are any questions let me know! Appreciate all your help in this endeavor.

[REDACTED]
Thursday, August 24, 2023 12:15 PM | 45 minutes | (UTC-04:00) Eastern Time (US & Canada)

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Matthew Hoeck
Special Assistant to the U.S. Trade Representative
Office of the U.S. Trade Representative
[REDACTED]
Matthew.J.Hoeck@ustr.eop.gov

Questions about the US-EU TTC

From: "Hubbard, Sally (ATR)" [REDACTED] usdoj.gov>
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Date: Fri, 15 Sep 2023 11:49:45 -0400

Hi Beth,
I write to [REDACTED] on the 9/7 TPSC call. Here is my account of what was said:

Mike Rogers from the EU office of the USTR [REDACTED] digital trade initiative. He said [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] he reported.

Any further details about this initiative would be appreciated.

Best,
Sally


Sally Hubbard
Senior Counsel to the AAG
U.S. Department of Justice, Antitrust Division

RE: Hi! I forget if you're in town....

From: "Heimert, Andrew J." <EXEMPTION 6@ftc.gov>
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Date: Mon, 25 Sep 2023 11:34:36 -0400

WARNING: The content of this email including any and all attachments may contain controlled information as described in 32 CFR Part 2002.

Subject: Follow-Up: Digital Trade Rules and the Indo-Pacific Economic Framework for Prosperity



EVENTS

Thank you for your interest in "Digital Trade Rules and the Indo-Pacific Economic Framework for Prosperity." The event [summary and video](#) are now available. Please feel free to share these with friends or colleagues.

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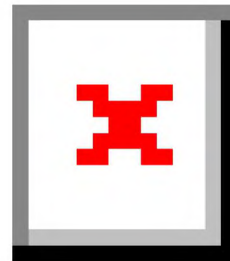
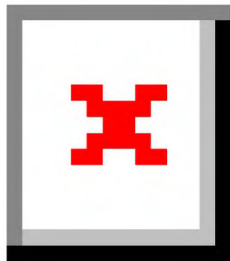
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This message is for: aheimert@ftc.gov | [Manage preferences or unsubscribe](#)

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Sent: Monday, September 25, 2023 10:45 AM

To: Heimert, Andrew J. <AHEIMERT@ftc.gov>

Subject: Hi! I forget if you're in town....

If you are, do you have a second to chat? I wanted to talk about some logistics.

Thanks!

Beth

RE: [EXTERNAL] Draft FRN

From: "Hubbard, Sally (ATR)" [EXEMPTION 6] usdoj.gov>
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Date: Wed, 27 Sep 2023 13:56:31 -0400

Hi Beth,

We are focused [EXEMPTION 5] digital trade
[EXEMPTION 5]

[REDACTED]

Best,
Sally

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Wednesday, September 27, 2023 9:00 AM
To: Hubbard, Sally (ATR) [EXEMPTION 6] usdoj.gov>
Subject: RE: [EXTERNAL] Draft FRN

Here's an idea for you to consider. [EXEMPTION 5]

[REDACTED]

[EXEMPTION 5]

[REDACTED]

In other words, maybe [EXEMPTION 5]

[REDACTED]

From: Hubbard, Sally (ATR) [EXEMPTION 6] usdoj.gov>
Sent: Tuesday, September 26, 2023 3:25 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: RE: [EXTERNAL] Draft FRN

Hi Beth,

What is the timing on this?
Thanks!
Sally

From: Hubbard, Sally (ATR)
Sent: Monday, September 25, 2023 4:56 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: Re: [EXTERNAL] Draft FRN

Thank you, Beth. I will have a look.

Sally Hubbard (she/her)
Senior Counsel to the AAG
U.S. Department of Justice, Antitrust Division

On Sep 25, 2023, at 4:53 PM, Baltzan, Elizabeth V. EOP/USTR
<Elizabeth.V.Baltzan@ustr.eop.gov> wrote:

Hi Sally! As mentioned, attached is the draft FRN. Let's see if there's anything we can do to advance our mutual goals. I'm linking to the TTC statement, and the impetus for this exercise was Working Group 10, Global Trade Challenges. "Consistent with the attached statement on global trade challenges, Working Group 10 is tasked to focus on challenges from non-market economic policies and practices, avoiding new and unnecessary technical barriers in products and services of emerging technology, promoting and protecting labor rights and decent work, and, following further consultations, trade and environment issues."

[U.S.-EU Trade and Technology Council Inaugural Joint Statement | United States Trade Representative \(ustr.gov\)](#)

I think **EXEMPTION 5**

Thank you!

Best,
Beth
<Draft FRN for TTC Digital Trade Related Work_vers 5.evb.docx>

see you at 9:30am

From: "Holmes, Ethan M. EOP/USTR" <ethan.m.holmes@ustr.eop.gov>
To: "Ellerman, Sarah C. EOP/USTR" <sarah_c_ellerman@ustr.eop.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Hancher, Renee S. EOP/USTR" <renee.s.hancher@ustr.eop.gov>, "Miller, Sarah" <smiller@ftc.gov>, "Hubbard, Sally (ATR)" **EXEMPTION 6** usdoj.gov>
Date: Wed, 11 Oct 2023 09:04:21 -0400
Attachments Agenda.231011.docx (26.95 kB)

:

Agenda attached, look forward to seeing everyone at 9:30 am today on Teams.

Ethan Holmes
Senior Agricultural Policy Advisor/ Deputy Assistant U.S. Trade Representative for IAPE
Office of the United States Trade Representative
Executive Office of the President
EXEMPTION 6

**INDUSTRY TRADE ADVISORY COMMITTEE
on Digital Economy (ITAC 6)**

October 11, 2023

Via Conference Call

MS Teams/Dial-in Information:

EXEMPTION 6
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

AGENDA
CLOSED TO THE PUBLIC

- 9:30-9:40 a.m. **Welcome/Roll Call**
- 9:40-10:30 a.m. **Indo-Pacific Economic Framework for Prosperity (IPEF)**
EXEMPTIONS 1 and 3
Sarah Ellerman, Assistant USTR for Southeast Asia and the Pacific
Renee Hancher, USTR
Elizabeth Baltzan, USTR
Sarah Miller, Federal Trade Commissions (FTC)
Sally Hubbard, U.S. Department of Justice (DOJ)
- 10:30-10:35 a.m. **Break**
- 10:35-11:00 a.m. **Committee Business:** **EXEMPTION 3**
Recommendation **EXEMPTION 3**
[REDACTED]
(Committee Members Only and DFOs)
- 11:00 a.m. **Adjourn**



RE: Comp chapter

From: "Heimert, Andrew J." <aheimert@ftc.gov>
 To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
 Cc: "Hubbard, Sally (ATR)" [EXEMPTION 6] usdoj.gov>
 Date: Wed, 18 Oct 2023 08:31:25 -0400
 Attachments IPEF Competition Policy Chapter Consolidated Text 15 Oct + FTC 10-18.docx (47.7
 : kB)

CONTROLLED

Hi Beth - I've attached a marked-up version of the 10-15 text with our draft proposals for edits/additions/attributions. We will need to send this "up the chain" but thought best to get your input/reactions before doing so.

Here are the "highlights":

- 1) We added [EXEMPTIONS 1 and 5]
- 2) We would support [EXEMPTIONS 1 and 5]
 [REDACTED] We have also added [EXEMPTIONS 1 and 5]
- 3) [EXEMPTIONS 1 and 5] - we think [EXEMPTIONS 1 and 5]
- 4) [EXEMPTIONS 1 and 5] We think [EXEMPTIONS 1 and 5]
- 5) Propose [EXEMPTIONS 1 and 5]
 [REDACTED] We also propose [EXEMPTIONS 1 and 5]
- 6) Added [EXEMPTIONS 1 and 5]
- 7) We drafted [EXEMPTIONS 1 and 5] but I note it's a "may include" [EXEMPTION 5]
- 8) We added some other comment bubbles as well.
- 9) [EXEMPTIONS 1 and 5]

This email contains confidential Indo-Pacific Economic Framework information, classified CONFIDENTIAL, Modified Handling Authorized (C/FGI-MOD). Per the classification authorization issued on April 13, 2022, the contents must be handled in a manner to avoid

unauthorized disclosure for five years after the entry into force of an agreement or five years after the completion of negotiations, whichever occurs later.

-----Original Message-----

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Sent: Tuesday, October 17, 2023 10:36 PM

To: Heimert, Andrew J. <AHEIMERT@ftc.gov>

Cc: Hubbard, Sally (ATR) EXEMPTION 6 usdoj.gov>

Subject: Re: Comp chapter

Yes, of course. 10:30 and noon are open, and then 2 to 4.

Sent from my iPhone

> On Oct 17, 2023, at 9:25 PM, Heimert, Andrew J. <AHEIMERT@ftc.gov> wrote:

>

> Hi Beth - Will you have time tomorrow to look at what we'd propose to EXEMPTION 5

[REDACTED]

>

[REDACTED]

>

> Andrew

RE: Examples [REDACTED] creating problems

From: "McCarthy, Daniel M. EOP/USTR" <daniel.m.mccarthy@ustr.eop.gov>
:
To: "Heimert, Andrew J." <aheimert@ftc.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>, "Hubbard, Sally (ATR)" [EXEMPTION 6] usdoj.gov>, "Lawrence, David (ATR)" [EXEMPTION 6] usdoj.gov>
Cc: "Coppola, Maria" <mcoppola@ftc.gov>, "Vandecar, Kim" <kvandecar@ftc.gov>, Slade Bond [EXEMPTION 6] usdoj.gov>, "Showalter, Reed (OLA)" [EXEMPTION 6] usdoj.gov>
Date: Wed, 25 Oct 2023 10:13:17 -0400

I agree with Beth that providing examples is useful, both in response to House Judiciary's specific ask (b)(1)&(5) but also as we look ahead to our next round with Finance/WM on competition and digital. A common question/critique we hear (mostly from Finance) is that we have not shown examples of how competition/digital trade text creates problem for Congress/regulators.

+leg

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Tuesday, October 24, 2023 4:59 PM
To: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hubbard, Sally (ATR) [EXEMPTION 6] usdoj.gov>; Lawrence, David (ATR) [EXEMPTION 6] usdoj.gov>
Cc: Coppola, Maria <mcoppola@ftc.gov>
Subject: RE: Examples [REDACTED] creating problems

It's not classified, [EXEMPTION 5]
[REDACTED]

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Tuesday, October 24, 2023 4:54 PM
To: Heimert, Andrew J. <AHEIMERT@ftc.gov>; McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hubbard, Sally (ATR) [EXEMPTION 6] usdoj.gov>; Lawrence, David (ATR) [EXEMPTION 6] usdoj.gov>
Cc: Coppola, Maria <mcoppola@ftc.gov>
Subject: RE: Examples [REDACTED] creating problems

On that particular issue, could we brief those without security clearances? It might also help if this comes up with W&M/SFC to give the example. They're all talking to each other.

From: Heimert, Andrew J. <AHEIMERT@ftc.gov>
Sent: Tuesday, October 24, 2023 4:46 PM
To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; Hubbard, Sally (ATR) EXEMPTION 6 usdoj.gov;<
Lawrence, David (ATR) EXEMPTION 6 usdoj.gov>
Cc: Coppola, Maria <mcoppola@ftc.gov>
Subject: Examples ^{(b)(1)&(5)} creating problems

As I suspect you all know, I was referring to the example of EXEMPTION 5
There's really not much public EXEMPTION 5
And USTR made public we were [engaging in consultations](#) EXEMPTION 5

[REDACTED]

[REDACTED] I think EXEMPTION 5

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Re: IPC on Cross-Border Data Flows & Digital Regulations

From: "Coppola, Maria" <mcoppola@ftc.gov>
To: "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Date: Fri, 27 Oct 2023 18:02:38 -0400

Thanks - Andrew or I plan to cover.

From: Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Sent: Friday, October 27, 2023 5:50:41 PM
To: Coppola, Maria <mcoppola@ftc.gov>
Subject: FW: IPC on Cross-Border Data Flows & Digital Regulations

FYI – I don't see you on the DL but I see Elizabeth and others. About to send you and Sally H a note.

From: Tanner, Robb S. EOP/USTR <Robert_Tanner@ustr.eop.gov>
Sent: Friday, October 27, 2023 5:07 PM
To: Tata, Shantanu S. EOP/USTR <Shantanu.S.Tata@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>; Hurlburt, Heather F. EOP/USTR <Heather.F.Hurlburt@ustr.eop.gov>; Thanhauser, Bart J. EOP/USTR <Bartholomew_J_Thanhauser@ustr.eop.gov>; Siordia, Matthew T. EOP/USTR <Matthew.T.Siordia@ustr.eop.gov>
Cc: Schagrin, Kenneth A. EOP/USTR <Kenneth_Schagrin@ustr.eop.gov>; Rogers, Michael A. EOP/USTR <Michael.A.Rogers@ustr.eop.gov>
Subject: FW: IPC on Cross-Border Data Flows & Digital Regulations

All,

I wanted to make sure everyone was aware of the invitation to an IPC on Cross-Border Data Flows & Digital Regulations from yesterday (the discussion paper is attached).

Robb Tanner (he/him)
Office of the United States Trade Representative
Deputy Assistant USTR for ICT Services & Digital Trade
EXEMPTION 6
Email: rtanner@ustr.eop.gov

to coordinate your SVTC connections at least 24 hours in advance **EXEMPTION 6**

[REDACTED]). Those in EEOB can join in WHSR Exec.

A discussion paper is attached.

Thank you!

Geoff

Geoffrey Gertz
Director for International Economics
National Security Council

EXEMPTION 6
[REDACTED]

RE: FTC information

From "McCarthy, Daniel M. EOP/USTR" <daniel.m.mccarthy@ustr.eop.gov>
:
To: "Vandecar, Kim" <kvandecar@ftc.gov>, "Coppola, Maria" <mcoppola@ftc.gov>, "Hoeck, Matthew J. EOP/USTR" <matthew.j.hoeck@ustr.eop.gov>, "Baltzan, Elizabeth V. EOP/USTR" <elizabeth.v.baltzan@ustr.eop.gov>
Date: Wed, 01 Nov 2023 16:28:05 -0400

Thank you, Kim, for clearing this up. We will share this with our committees.

From: Vandecar, Kim <KVANDECAR@ftc.gov>
Sent: Wednesday, November 1, 2023 12:44 PM
To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Coppola, Maria <mcoppola@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Subject: RE: FTC information

Sorry for the delay in responding—our OIA team was out of pocket yesterday. See below, and let me know if you have any questions.

-
- There are two different issues we are talking about. One is EXEMPTION 5 [REDACTED] this could include EXEMPTION 5 [REDACTED]. The second EXEMPTION 5 [REDACTED] [REDACTED] [REDACTED]
- EXEMPTION 5 [REDACTED] We thought they were asking EXEMPTION 5 [REDACTED] EXEMPTION 5 [REDACTED]
- EXEMPTION 5 [REDACTED] [REDACTED]
- IPEF tabled text is designated confidential by USTR – only available to people with secret security clearance – but that is their designation. We do not consider EXEMPTION 5 [REDACTED] [REDACTED] but as government-wide protected by specific marking and available only to people with clearance.

From: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>
Sent: Tuesday, October 31, 2023 2:41 PM
To: Coppola, Maria <mcoppola@ftc.gov>; Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew

J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Subject: RE: FTC information

Follow up q: during the call last week, FTC said they considered **EXEMPTION 5**

From: Coppola, Maria <mcoppola@ftc.gov>

Sent: Tuesday, October 31, 2023 1:46 PM

To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Subject: RE: FTC information

EXEMPTION 5 I understood the question about **EXEMPTION 5**

From: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>

Sent: Tuesday, October 31, 2023 1:43 PM

To: Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

Do you have any examples of MOUs **EXEMPTION 5**

From: Vandecar, Kim <KVANDECAR@ftc.gov>

Sent: Tuesday, October 31, 2023 1:24 PM

To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

[International Cooperation Agreements | Federal Trade Commission \(ftc.gov\)](#)

From: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>

Sent: Tuesday, October 31, 2023 1:11 PM

To: Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

Okay, let me know

From: Vandecar, Kim <KVANDECAR@ftc.gov>

Sent: Tuesday, October 31, 2023 1:09 PM

To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

I think so. I am assuming these our public docs.

From: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>

Sent: Tuesday, October 31, 2023 1:06 PM

To: Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

Finance Dems have also asked for a sample of the MOUs w/foreign competition agencies/countries. Is that something we can share?

From: Vandecar, Kim <KVANDECAR@ftc.gov>
Sent: Tuesday, October 31, 2023 1:01 PM
To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Coppola, Maria <mcoppola@ftc.gov>
Subject: RE: FTC information

That works Dan. Happy to edit in a way that does not limit our conversations.

From: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>
Sent: Tuesday, October 31, 2023 12:58 PM
To: Vandecar, Kim <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>
Cc: Coppola, Maria <mcoppola@ftc.gov>
Subject: RE: FTC information

Hey Kim,

EXEMPTION 5
[REDACTED] as we discussed, we'd like **EXEMPTION 5** [REDACTED] Are we able to clarify that **EXEMPT**
[REDACTED]

EXEMPTION 5
[REDACTED] [REDACTED]
[REDACTED]

From: McCarthy, Daniel M. EOP/USTR
Sent: Friday, October 27, 2023 4:26 PM
To: 'Vandecar, Kim' <KVANDECAR@ftc.gov>; Hoeck, Matthew J. EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR <Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: RE: FTC information

Kim and Maria – we appreciate this very much. We can take next steps with our committees.

From: Vandecar, Kim <KVANDECAR@ftc.gov>

Sent: Friday, October 27, 2023 3:57 PM

To: McCarthy, Daniel M. EOP/USTR <Daniel.M.McCarthy@ustr.eop.gov>; Hoeck, Matthew J.

EOP/USTR <Matthew.J.Hoeck@ustr.eop.gov>; Baltzan, Elizabeth V. EOP/USTR

<Elizabeth.V.Baltzan@ustr.eop.gov>

Cc: Coppola, Maria <mcoppola@ftc.gov>

Subject: FTC information

Good afternoon,

We have written responses to the questions from committee staff, **EXEMPTION 5**

[REDACTED]

[REDACTED]

[REDACTED] we propose **EXEMPTION 5**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXEMPTION 5

[REDACTED]

[REDACTED]

EXEMPTION 5

As always, we are happy to discuss further if helpful.

Best,
Kim

Kim Vandecar Office of Congressional Relations Federal Trade Commission EXEMPTION 6