

From: [Winter Casey](#)
To: [McHale, Jonathan R. EOP/USTR](#)
Subject: Fwd: U.S. Chamber's International Policy Update (October 25)
Date: Friday, October 25, 2013 5:23:08 PM

Trade ministers for the 12 Trans-Pacific Partnership (TPP) countries will meet in Singapore on December 7-9 as they seek "to resolve all outstanding issues with the objective of completing this year a comprehensive and balanced, regional agreement," as articulated by the Leaders of the TPP countries in their October 8 statement. This latest ministerial meeting will be an opportunity for the countries to address difficult issues identified for political-level deliberation. The meeting will be held immediately after the 9th Ministerial Conference of the World Trade Organization (WTO) in Bali, Indonesia, on December 3-6. For further information, please contact Catherine Mellor, Director, Asia (cmellor@uschamber.com <<mailto:cmellor@uschamber.com>>).

----- Forwarded message -----

From: Overby, Tami <TOverby@uschamber.com <<mailto:TOverby@uschamber.com>> >
Date: Fri, Oct 25, 2013 at 2:56 PM
Subject: U.S. Chamber's International Policy Update (October 25)
To: "Overby, Tami" <TOverby@uschamber.com <<mailto:TOverby@uschamber.com>> >

Please let me know if you have questions or want to discuss further.

Cheers,

Tami

Tami Overby

U.S. Chamber of Commerce

Vice President, Asia Division

President, U.S. Korea Business Council

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International Policy Update

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U.S., Chinese CEOs Discuss Trade, Investment, Infrastructure

The U.S. Chamber and the China Center for International Economic Exchanges (CCIEE), one of China's most influential think tanks, on October 21-22 held the fifth meeting of the U.S.-China CEO and Former Senior Officials' Dialogue <<http://click.uschamber.com/?qs=17f90ed794fb330475041867a67087d55eab675d92ee656e818541ebdd400e50>> . The dialogue, led by Chamber President and CEO Thomas J. Donohue and CCIEE Chairman and Former Vice Premier of China Zeng Peiyan, is a unique platform for top U.S. and Chinese CEOs, supported by former senior government officials, to discuss the most important economic policy issues in U.S.-China relations. Vice President Joseph Biden, Commerce Secretary Penny Pritzker, and U.S. Trade Representative Michael Froman took part in the meeting for roundtable sessions.

"The rapid development of economic and trade relations between China and the United States has brought tangible benefits to both peoples and economies," said Donohue. "In the last three years, this CEO forum has accomplished a great deal to advance our shared goal of strengthening bilateral commercial ties. We have successfully created a mechanism for candid, substantive, and forward-leaning discussions on the challenges and opportunities in the relationship."

Donohue continued: "The Chamber has two ambitious and important goals: increase two-way investment through a high-standard bilateral investment treaty (BIT), and develop a long-term roadmap for achieving a more open and balanced commercial relationship through a comprehensive U.S.-China trade and investment agreement. Increased cooperation and commerce between China and the United States can help each country to spur growth and support needed economic reforms. Our relationship will be stronger and more enduring if we are each successful in reforming and rebalancing our economies."

The following day (October 23), the U.S. Chamber released a landmark report commissioned by the Dialogue assessing the opportunities for Chinese investors in U.S. infrastructure. As the second-largest U.S. trading partner, China is well positioned to participate in U.S. infrastructure expansion and modernization. The report, From International to Interstates: Assessing the Opportunity for Chinese Investment in U.S. Infrastructure <<http://click.uschamber.com/?qs=17f90ed794fb33040f4dd5f6612a8bc942debb2ec8484a7db5bc8cb44cd27dd4>> , identifies the benefits and complexities of pursuing such investment opportunities and provides practical advice for potential participants.

The report shows that the pressing need for resources to modernize U.S. infrastructure is creating new opportunities for Chinese investors to act as providers of capital, goods, and services in areas such as civil engineering, architecture, construction, and contract and life-cycle management. At a minimum, more than \$8 trillion in new investment will likely be needed in U.S. transportation, energy, and wastewater and drinking water infrastructure from 2013 through 2030 -- totaling some \$455 billion per year. However, making the most of these opportunities will require careful navigation of the legal, regulatory, and political landscape in the United States. For further information, please contact Jeremie Waterman, Executive Director, China (jwaterman@uschamber.com) <<mailto:jwaterman@uschamber.com>>).

Chamber Hosts Pakistani Prime Minister Sharif

The U.S. Chamber and its affiliated U.S.-Pakistan Business Council (USPBC) hosted Pakistani Prime Minister Nawaz Sharif on October 21 during his official visit to the United States. Sharif's message <<http://click.uschamber.com/?qs=17f90ed794fb33043ef93e94b4180b1a7379ee05c0ae781230fb1fc5bb004763>> to the senior business executives assembled for the event was that American investment is welcomed in Pakistan.

Prime Minister Sharif explained <<http://click.uschamber.com/?qs=17f90ed794fb3304ceb098875dd7975bf361d0de9b926e52a053010dce6f31c9>> that his government has taken steps to encourage investment and improve the business environment. So far, his government has devised a new National Power Policy to deal with the country's energy crisis; issued a budget that includes a three-year macroeconomic stabilization program; launched a fiscal austerity drive to curb non-developmental expenditures; negotiated a \$6.6 billion IMF support package; and concluded a number of major agreements designed to promote regional connectivity.

USPBC Chairman Miles Young, Worldwide CEO of Ogilvy & Mather, noted that the new government's growth-oriented reform proposals have attracted the attention of U.S. businesses. As Pakistan seeks to attract additional investment, the USPBC hopes the two governments can reach agreement on the bilateral investment treaty (BIT) negotiations to further improve investor confidence.

In his welcoming remarks, Chamber Executive Vice President and Head of International Affairs Myron Brilliant noted that it is gratifying to see the improvement in U.S.-Pakistan relations as reflected by the prime minister's visit to Washington and the renewed "Strategic Dialogue" between the two countries. Brilliant said the Chamber will continue to enhance bilateral commercial ties through the work of the USPBC, which for 11 years has provided a key forum for dialogue on economic, commercial, humanitarian, and political issues of interest to American companies doing business in Pakistan. For further information, please contact Esperanza Jelalian, Director, South Asia (ejelalian@uschamber.com <<mailto:ejelalian@uschamber.com>>).

Roundup: TPP, TTIP, TPA

Trade ministers for the 12 Trans-Pacific Partnership (TPP) countries will meet in Singapore on December 7-9 as they seek "to resolve all outstanding issues with the objective of completing this year a comprehensive and balanced, regional agreement," as articulated by the Leaders of the TPP countries in their October 8 statement. This latest ministerial meeting will be an opportunity for the countries to address difficult issues identified for political-level deliberation. The meeting will be held immediately after the 9th Ministerial Conference of the World Trade Organization (WTO) in Bali, Indonesia, on December 3-6. For further information, please contact Catherine Mellor, Director, Asia (cmellor@uschamber.com <<mailto:cmellor@uschamber.com>>).

The Senate Finance Committee will hold a hearing on "The Transatlantic Trade and Investment Partnership: Achieving the Potential," on Wednesday, October 30, beginning at 11:00 a.m. The hearing will be held in 215 Dirksen Senate Office Building. Among the witnesses are representatives of two companies serving as co-chairs of the Business Coalition for Transatlantic Trade (BCTT) as well as other organizations. For further information, please contact Marjorie "Go Cardinals!" Chorlins, Senior Director, Europe (mchorlins@uschamber.com <<mailto:mchorlins@uschamber.com>>).

Separately, Treasury Secretary Jack Lew addressed <<http://click.uschamber.com/?qs=17f90ed794fb33046c12afecd98540cc4eab2071825e569115fe00647c6d5a4f>> the Center for American Progress on October 24, listing renewal of Trade Promotion Authority (TPA) as one of several legislative initiatives that he said could lift the American economy. For further information on the Chamber's work on TPA, please contact Christopher Wenk, Senior Director, International Policy (cwenk@uschamber.com <<mailto:cwenk@uschamber.com>>).

47 Global Associations Voice Concern Over Data Localization in Brazil

The U.S. Chamber and its affiliate, the Brazil-U.S. Business Council (U.S. Section), spearheaded an October 22 letter <<http://click.uschamber.com/>>

[qs=17f90ed794fb33045a321e45ce4f957b378b7ca88dda55c42324bc17c11350c7](http://click.uschamber.com/?qs=17f90ed794fb33045a321e45ce4f957b378b7ca88dda55c42324bc17c11350c7)> to the Brazilian Congress signed by a total of 47 U.S. and international business associations voicing concern "regarding proposals before the Brazilian Congress to require data relating to the Brazilian operations of both domestic and international companies as well as Brazilian citizens to be stored in Brazil ('in-country data storage requirements')." Partly in response to recent allegations relating to NSA surveillance, Brazilian President Dilma Rousseff has pressured Brazil's Congress to amend a general Internet framework bill currently under consideration to include provisions that would require all businesses operating in Brazil to use servers located in-country and to store all data domestically.

The letter explains that localization requirements are not the appropriate method to alleviate President Rousseff's concerns but will instead result in higher costs and fewer choices for consumers. The letter also notes that forced localization measures focusing on data and servers affect businesses across all sectors, not just so-called "Internet companies," and would present new costs and reduced competitiveness for the Brazilian economy. The Brazilian Congress held a public hearing on this issue on October 22; no amendments have yet been proposed. For further information, please contact Adam Schlosser, Director, U.S. Chamber Center for Global Regulatory Cooperation (aschlosser@uschamber.com <<mailto:aschlosser@uschamber.com>>), or Renata Vasconcellos, Policy Director, Brazil-U.S. Business Council (U.S. Section)(rvasconcellos@uschamber.com <<mailto:rvasconcellos@uschamber.com>>).

Chamber Comments on U.S.-Canada Regulatory Cooperation

The Chamber on October 18 submitted two sets of comments in response to a Federal Register notice seeking input on how to advance the U.S.-Canada Regulatory Cooperation Council (RCC) <<http://click.uschamber.com/?qs=17f90ed794fb3304eda0a012c46023923bc3fa994e653d64b386417190260caa>> . The first set of comments <<http://click.uschamber.com/?qs=17f90ed794fb3304a7f0a8a044170a0895f75571f0e8b22752ea95a1fa67d387>> was signed by the Chamber and over 30 other associations, and it offered general suggestions on how to improve stakeholder engagement in the RCC. The Chamber currently leads a "Stakeholder Coordination Council" connecting interested stakeholders to the relevant regulators overseeing each RCC initiative and facilitating the sharing of information. These comments also emphasized the need to develop a routine and transparent communication plan.

The Chamber provided more detailed input in its own, second set of comments <<http://click.uschamber.com/?qs=17f90ed794fb330466e2da3b4f6e86a7aeebe02c2b0c925e11a3adb8bf449e57>> . This submission offered ideas on how to better institutionalize regulatory cooperation between the United States and Canada. The document emphasized the need to develop common methodology for regulators and enable the RCC to address new regulatory barriers on a continuous basis.

The RCC was launched in 2011 with a goal of eliminating unnecessary regulatory divergences between the United States and Canada. There are currently 29 sector-specific work plans, addressing non-tariff barriers to trade in a variety of industries, including automotive, personal care products, agriculture, and transportation and the U.S. and Canadian governments are engaging with stakeholders to develop new initiatives. For further information, please contact Adam Schlosser, Director, Center for Global Regulatory Cooperation (aschlosser@uschamber.com <<mailto:aschlosser@uschamber.com>>).

Export Control Reform Reaches Milestone

In an October 15 fact sheet <<http://click.uschamber.com/?qs=17f90ed794fb33047dcec7705e82bf8b35c4920b66dfd3d3d7ee5da0733e7bea>> , the White House announced it had reached "the most significant milestone of the President's Export Control Reform Initiative (ECR) <<http://click.uschamber.com/?qs=17f90ed794fb3304b2c888d03cd8672168490a3b939d12b57a8fda8b8720c21b>> with the nation's first set of revised export control lists going into effect. With these revisions in place, the Administration has successfully implemented the first parts of its new export control system in all four areas of the current export control system: what we control, how we control it, and how we enforce and manage our controls."

The document continues: "The changes to the U.S. Munitions List (USML) and the Commerce Control List (CCL) that become effective today pertain to controls on aircraft and gas turbine engines. Taken together, these two control categories account for the largest volume of U.S. export licenses and represent the highest percentage of licensed exports from 43 states, with licensed shipments of almost \$21 billion a year. These two categories also account for the largest amount (75 percent) of USML export licenses approved solely for parts and components. These changes are being made to address the increasing challenges posed by an outmoded export control system created during the Cold War." For further information, please contact John Murphy, Vice President, International Affairs (jmurphy@uschamber.com <<mailto:jmurphy@uschamber.com>>).

Chamber, Other Associations Back Customs Reauthorization

On October 24, the Chamber joined with 44 other associations to send a letter <<http://click.uschamber.com/?qs=17f90ed794fb3304edf08bb74951384db42ad34f2498702e7e53edf92d1c0b6e>> to the Senate Finance Committee supporting S. 662, the "Trade Facilitation and Trade Enforcement Reauthorization Act of 2013." This customs reauthorization legislation would facilitate trade, improve enforcement of customs and trade laws, advance cooperation among government agencies, enhance enforcement of U.S. intellectual property laws, and set a global standard for border management. For further information, please contact Adam Salerno, Senior Director, National Security & Emergency Preparedness (asalerno@uschamber.com <<mailto:asalerno@uschamber.com>>).

Commerce Department Reorganization Implemented

The Commerce Department's International Trade Administration (ITA) recently completed <<http://click.uschamber.com/?qs=17f90ed794fb3304509167c52da4fd144e0eec4b98278c46f51b8e220f0b0bba>> its first reorganization in 30 years. ITA consolidated its four business divisions into three functional units: Global Markets, Industry and Analysis, and Enforcement and Compliance. ITA officials explain the consolidation will improve operations and the delivery of assistance to U.S. business trying to compete abroad. For further information, please contact Christopher Wenk, Senior Director, International Policy (cwenk@uschamber.com <<mailto:cwenk@uschamber.com>>).

This Week in Trade: FreeEnterprise.com

Reinforcing the U.S.-Pakistan Commercial Partnership <<http://click.uschamber.com/?qs=17f90ed794fb3304bc46c55e6ea28ce5793fceb0f7014b9a3151761be646eec5>> by Esperanza Jelalian

President Obama on October 23 welcomed Pakistani Prime Minister Nawaz Sharif at the White House. The meeting is one of a number of stops during the prime minister's official visit this week that signals a renewed effort between the two countries to strengthen the U.S.-Pakistan relationship and improve cooperation on issues from security to energy and economic growth.

The Pacific Alliance: Anything But Boring <<http://click.uschamber.com/?qs=17f90ed794fb3304b3270e20fe35c3ad1ce8ef1bdf47f20fd187f8f5d78ccfd0>> by Reuben Smith-Vaughan

Myron Brilliant, Executive Vice President and Head of International at the U.S. Chamber, hosted the four finance ministers from the Pacific Alliance last week. During the conversation Colombian Finance Minister Mauricio Cárdenas said something that startled the packed room: "We are boring countries," he chuckled. "We are predictable, but that means the rules are clear.... We share the same principles: democracy, free trade, fiscal sustainability, innovation, and free enterprise."

<<http://click.uschamber.com/?qs=17f90ed794fb33044dad032d13ec1fb998a0d6e7bd8fa2063e5599052f97cece>>

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Winter Casey
Google Public Policy
202 (b) (6)

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From: [Jennifer Sanford \(jennsanf\)](mailto:jennsanf)
To: [McHale, Jonathan R. EOP/USTR](mailto:Jonathan.McHale@ustr.eop.gov); [Finton, Timothy C](mailto:Finton.Timothy.C@state.gov); [Erickson, Markham \(merickson@Steptoe.com\)](mailto:merickson@steptoe.com)
Subject: Re: FSI Course - just checking in
Date: Wednesday, July 16, 2014 12:09:29 PM

Sure. I'd also like to talk about how much IS covered by the WTO, despite government claims that these re "new" issues. E.g., forced localization mandates could be challenged under existing WTO rules on nondiscrimination, TRIMs, etc., depending on the facts. They just need to know that governments are making all kinds of assertions about what's covered and what's not, what's new and what's not, etc., but it's a debate, not a foregone conclusion...

From: <McHale>, Jonathan <Jonathan_McHale@ustr.eop.gov <mailto:Jonathan_McHale@ustr.eop.gov> >
Date: Wednesday, July 16, 2014 at 11:32 AM
To: Cisco Employee <jennsanf@cisco.com <<mailto:jennsanf@cisco.com>> >, "Finton, Timothy C" <FintonTC@state.gov <<mailto:FintonTC@state.gov>> >, "Erickson, Markham (merickson@Steptoe.com <[mailto:merickson@Steptoe.com](mailto:merickson@steptoe.com)>)" <merickson@Steptoe.com <[mailto:merickson@Steptoe.com](mailto:merickson@steptoe.com)> >
Subject: RE: FSI Course - just checking in

OK why don't we start out with me presenting a schedule (China's, attached) and after looking at what this does/does not provide for, focus on emerging issues that we continue to work on, that neither the WTO nor, yet, FTAs, address:

Data flows, technological neutrality, server location possibly intermediary liability. Then, Markam and Jen focus on some of the practical impacts of rules/lack of rules; and I can talk about how we are trying to build new rules in TiSa, TPP, and T-TiP.

Sound like a plan?

From: Jennifer Sanford (jennsanf) [<mailto:jennsanf@cisco.com>]
Sent: Wednesday, July 16, 2014 9:56 AM
To: Finton, Timothy C; Mchale, Jonathan; Erickson, Markham (merickson@Steptoe.com <[mailto:merickson@Steptoe.com](mailto:merickson@steptoe.com)>)
Subject: Re: FSI Course - just checking in

Thanks for the discussion. Strikes me that we should cover both the substance of the issues, as well as the vehicles, then talk about how we build support.

For telecom equipment, the issues are varied, not only "goods" issue, per se, but also "services" issues, since ultimately our products are used by Service Providers and enterprise customers to provide various types of connectivity. That's where we see the "telecom" issues getting blurred with "cloud" and other types of services – either because there's a fundamental misunderstanding about the technology or a purposefully blurring of the issues in order for certain governments to assert more control over "communications."

This is happening in a variety of fora – including the WTO, but also bilaterally, regionally and plurilaterally. We can talk about how we're addressing those issues in the various fora.

Then, I think there should be at least a short discussion of how we build support among governments and within global industry to build momentum and shape outcomes.

I'm sure all of us could comment extensively on each of these areas, so yes, while I think it would be good to walk through a GATS Schedule so these folks are oriented to the types of issues and commitments, we may also want to go beyond the WTO and talk about "new" issues, current initiatives and impacting negotiating dynamics.

That's my thought anyway. Happy to entertain other ideas or another approach, but if I'm speaking about the telecom equipment sector, that's probably how I'd approach for the sector, anyway.

Jen

From: <Finton>, Timothy C <FintonTC@state.gov <<mailto:FintonTC@state.gov>> >
Date: Wednesday, July 16, 2014 at 9:28 AM
To: "McHale, Jonathan" <Jonathan_McHale@ustr.eop.gov <mailto:Jonathan_McHale@ustr.eop.gov> >, Cisco Employee <jennsanf@cisco.com <<mailto:jennsanf@cisco.com>> >, "Erickson, Markham (merickson@Steptoe.com <<mailto:merickson@Steptoe.com>>)" <merickson@Steptoe.com <<mailto:merickson@Steptoe.com>> >
Subject: RE: FSI Course - just checking in

Jonathan, Jenifer, Markham,

First, the students need to know about the WTO.

Then, the range of discussions held under the WTO and the kinds of trade impediments in the ICT sector that these negotiations are attempting to address.

Promoting free flow of information obviously is key and showing the barriers that countries can and do attempt to erect that hinder that free flow.

Be sure to explain all acronyms and give the students the “buzzwords” that they need to know.

The key in the end will be what do they need to remember so when they hear something at post they knew that they need to report to Washington on that.

Tim

This email is UNCLASSIFIED.

From: McHale, Jonathan [mailto:Jonathan_McHale@ustr.eop.gov]
Sent: Tuesday, July 15, 2014 6:25 PM
To: Jennifer Sanford (jennsanf); Finton, Timothy C; Erickson, Markham (merickson@Steptoe.com <<mailto:merickson@Steptoe.com>>)
Subject: RE: FSI Course - just checking in

I was not planning on any powerpoint. I had thought of a cheat sheet of a GATS schedule to provide some context.

I thought I would frame issues generally, turn the floor over to you and Markham for practical examples of trade impediments, and then circle back to how DC folks, Embassies and companies work to develop responses.

I was going to put this all down on paper as a script, but wanted a reality check from Tim on what you, Tim, think is most useful: substance of policy/problems, or process?

From: Jennifer Sanford (jennsanf) [<mailto:jennsanf@cisco.com>]
Sent: Monday, July 14, 2014 3:00 PM
To: Finton, Timothy C; McHale, Jonathan; Erickson, Markham (merickson@Steptoe.com <<mailto:merickson@Steptoe.com>>)
Subject: Re: FSI Course - just checking in

Hey, Jonathan – do we need Powerpoint? What’s the format? Panel discussion with opening 5 minutes each? Or sequential presentations with questions at end? I was planning to talk about the telecom equipment trade agenda and linkages to services. That work? Pls advise. Thanks. Jennifer

From: <Finton>, Timothy C <FintonTC@state.gov <<mailto:FintonTC@state.gov>> >
Date: Monday, July 14, 2014 at 2:15 PM
To: "McHale, Jonathan (Jonathan_McHale@ustr.eop.gov <mailto:Jonathan_McHale@ustr.eop.gov>)" <Jonathan_McHale@ustr.eop.gov <mailto:Jonathan_McHale@ustr.eop.gov> >, Cisco Employee <jennsanf@cisco.com <<mailto:jennsanf@cisco.com>> >, "Erickson, Markham (merickson@Steptoe.com <<mailto:merickson@Steptoe.com>>)" <merickson@Steptoe.com <<mailto:merickson@Steptoe.com>> >
Subject: FSI Course - just checking in

Hello Trade Panel,

I am just checking in to make sure that you three have connected and are prepared/preparing for the panel at 10:15 am on Friday morning.

If you are planning to use a powerpoint, I will need that ahead of time to have loaded on the course computer – no thumb drives.

Thank you.

Tim Finton

Timothy C. Finton

Senior Counselor for

International Communications and Information Policy

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