

Memo on Cabinet Notifications

From: "Zients, Jeffrey D. EOP/WHO" EXEMPTION 6

To: EXEMPTION 6

"Tai, Katherine C. EOP/USTR"

EXEMPTION 6@ustr.eop.gov>, EXEMPTION 6

Cc: "Ryan, Evan M. EOP/WHO" EXEMPTION 6

Date: Tue, 09 Jan 2024 12:52:39 -0500

Attachments: Memo Cabinet Notifications 010924 10am FINAL.docx (21.44 kB)

Please see attached, which requires your immediate attention and response. Thanks, Jeff

MEMORANDUM TO CABINET MEMBERS

January 9, 2024

TO: CABINET SECRETARIES

CC: EVAN RYAN, CABINET SECRETARY

FROM: JEFF ZIENTS, WHITE HOUSE CHIEF OF STAFF

SUBJECT: CABINET NOTIFICATIONS

The White House is conducting a review of agency protocols for a delegation of authority from Cabinet Members. The purpose of this memo is to direct your agencies to submit your existing protocols for a delegation of authority to the White House Office of Cabinet Affairs, and to ensure an updated process for such delegations in the interim. The Office of Cabinet Affairs will convey these protocols to the White House Chief of Staff.

First, while this review is ongoing, Cabinet Agencies must ensure that they adhere to the following procedures in the event that a delegation of authority is required:

- I. Notify the Offices of Cabinet Affairs and White House Chief of Staff in the event of a delegation of authority or potential delegation.
 - a. This notification should occur when agencies anticipate or are preparing for a delegation of authority and again when the delegation occurs.
- II. Activate your agency's existing delegation-of-authority protocols.
- III. Document in writing that the delegation of authority is in effect.
- IV. Upon assumption of delegated authorities, establish contact between the Acting Principal and their White House principal policy counterpart.

Second, agencies must submit their agency-specific delegation of authority protocols by Friday, January 12, 2024, to the Office of Cabinet Affairs. Agency protocols will be reviewed to ensure that they address the following:

- Delegation Criteria – Agencies should ensure that delegations are issued when a Cabinet Member is traveling to areas with limited or no

access to communication, undergoing hospitalization or a medical procedure requiring general anesthesia, or otherwise in a circumstance when he or she may be unreachable.

- **Decision-making Authority** – In addition to the Cabinet Member, agencies should evaluate who else (e.g., a Deputy or Agency Counsel) may be authorized to issue a delegation of authority if a Cabinet Member is unavailable or unable to issue a delegation.
- **Applicable Documentation** – Agencies must properly document any delegations of authority, including both the delegation and rescission.
- **Notification Procedures** – Agencies should consider who must be notified in the event of a delegation, including but not limited to, the Offices of Cabinet Affairs and White House Chief of Staff, intra-agency stakeholders, and other federal agency counterparts.
- **Rescission of Delegation** – Agencies must draft procedures for rescinding or transferring a delegation of authority, including any applicable notification procedures for the rescission itself.

To the extent that your existing protocol does not currently address the above-listed considerations, please update your protocols accordingly.

If you have any questions, please contact the Office of Cabinet Affairs.

Re: Update

From: "Raghavan, Gautam EOP/WHO" EXEMPTION 6
To: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
Cc: "Hubbard, Ryan EOP/WHO" EXEMPTION 6
Date: Tue, 16 Jan 2024 10:52:57 -0500

Yes!

On Jan 16, 2024, at 10:50 AM, Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov> wrote:

Does 12:15 or 12:30 work for you?

Sent from my iPhone

On Jan 16, 2024, at 10:13 AM, Raghavan, Gautam EOP/WHO EXEMPTION 6@who.eop.gov> wrote:

Apologies, I just got pulled into a 1 pm with Jeff. Are you free another time? I'm pretty open between now and 1 pm and then again from 2-3pm.

From: Raghavan, Gautam EOP/WHO EXEMPTION 6
Sent: Saturday, January 13, 2024 1:23 PM
To: Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov>
Cc: Hubbard, Ryan EOP/WHO EXEMPTION 6
Subject: Re: Update

Sounds great. How about Tuesday at 10:30am or 1pm? Safe travels.

On Jan 12, 2024, at 7:43 PM, Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov> wrote:

Thank you Ryan and Gautam. Confirming receipt and that we will get some conversations set up with EXEMPTIONS 5, 6 and I'll circle back EXEMPTIONS 5, 6 shortly - am in Delhi these few days, back at the start of the week.

Could be good to set up a time to check in next week by phone and touch base on a few topics. I know we rolled out Nelson's nom while I've been on the road (and he's been on the road) and we can touch on the Sarah position as well. As a heads up I

expect we will be letting people know v soon that Jamila will be acting for Heather, as we more officially put out Heather's departure statement.

If that sounds like a good idea to you, I have quite a bit of flexibility it looks like on Tuesday 1/16, to get the ball rolling.

Many thanks again,
Katherine

Sent from my iPhone

On Jan 11, 2024, at 5:00 PM, Hubbard, Ryan EOP/WHO
EXEMPTION 6 > wrote:

Good evening,

Following up on your conversation earlier this week with Gautam, **EXEMPTIONS 5, 6**
EXEMPTION 6 are very interested in the potential opportunity.
We are still waiting to hear back from **EXEMPTIONS 5, 6**

In addition, I've attached the resume for **EXEMPTIONS 5, 6** who I believe you also discussed for consideration.

Please let me know if there's anything else I can provide to be helpful.

Best,
Ryan

From: Raghavan, Gautam EOP/WHO **EXEMPTION 6**
Sent: Tuesday, January 9, 2024 1:33 PM
To: Tai, Katherine C. EOP/USTR **EXEMPTION 6** <EXEMPTION 6@ustr.eop.gov>; Hubbard, Ryan EOP/WHO **EXEMPTION 6**
Subject: RE: Update

Terrific! I'm free anytime from 4-5:30 pm, so please feel to call whenever you free up. I'm at **EXEMPTION 6**

From: Tai, Katherine C. EOP/USTR **EXEMPTION 6** <EXEMPTION 6@ustr.eop.gov>
Sent: Tuesday, January 9, 2024 1:31 PM
To: Raghavan, Gautam EOP/WHO **EXEMPTION 6**; Hubbard, Ryan EOP/WHO **EXEMPTION 6**
Subject: RE: Update

Hi Gautam,

Thanks for the check in and for the names; would be delighted to follow up on a couple of them. And would be good to have a chance to chat – any chance you are free between 5 and 5:45 this afternoon? I may free up sooner than 5. I'm back on the road tomorrow for the rest of the week.

Thanks,
Katherine

From: Raghavan, Gautam EOP/WHO EXEMPTION 6
Sent: Tuesday, January 9, 2024 1:01 PM
To: Tai, Katherine C. EOP/USTR EXEMPTION 6 <EXEMPTION 6@ustr.eop.gov>; Hubbard, Ryan EOP/WHO EXEMPTION 6
Subject: RE: Update

Hi Katherine, checking in again. We heard through the grapevine that you've announced Jamila as acting chief of staff as well? I would love to chat as soon as possible about next steps on the COS search so we can keep the process moving given Heather's departure in a few weeks.

Best,
Gautam

From: Raghavan, Gautam EOP/WHO
Sent: Friday, January 5, 2024 3:04 PM
To: Tai, Katherine C. EOP/USTR EXEMPTION 6 <EXEMPTION 6@ustr.eop.gov>; Hubbard, Ryan EOP/WHO EXEMPTION 6
Subject: RE: Update

Hi Katherine, hope you are well and happy new year!

Just wanted to circle back to see if you have any feedback for us on this list. I also want to float another candidate we previously discussed in 2022 for the same position EXEMPTIONS 5, 6. He has strong management chops and political acumen and could be a terrific hire.

Thanks so much,
Gautam

From: Tai, Katherine C. EOP/USTR EXEMPTION 6 <EXEMPTION 6@ustr.eop.gov>
Sent: Thursday, December 21, 2023 4:28 PM
To: Hubbard, Ryan EOP/WHO EXEMPTION 6
Cc: Raghavan, Gautam EOP/WHO EXEMPTION 6
Subject: Re: Update

Thank you very much Gautam and Ryan.

Will review and respond per your suggestion.

All best,
Katherine

Sent from my iPhone

On Dec 21, 2023, at 3:05 PM, Hubbard, Ryan EOP/WHO
EXEMPTION 6 > wrote:

Good afternoon Ambassador,

While we have not interest checked these individuals for the COS position,
we wanted to put a slate in front of you for consideration.

EXEMPTIONS 5, 6

Please let me know if you'd like to pursue any number of these individuals
and I'll reach out to confirm interest.

Best regards,
Ryan

From: Raghavan, Gautam EOP/WHO **EXEMPTION 6**
Sent: Thursday, December 21, 2023 9:12 AM
To: Tai, Katherine C. EOP/USTR **EXEMPTION 6** <ustr.eop.gov>
Cc: Hubbard, Ryan EOP/WHO **EXEMPTION 6**
Subject: RE: Update

Copy. We'll get you names in the next day or so.

From: Tai, Katherine C. EOP/USTR **EXEMPTION 6** <ustr.eop.gov>
Sent: Wednesday, December 20, 2023 5:59 PM
To: Raghavan, Gautam EOP/WHO **EXEMPTION 6**
Subject: Update

Hi Gautam – so close to the holiday break... Circling back to let you know that
Heather and I have nailed down January 26 as her end date. Look forward to
getting some names in the mix, let me know if any more information from me
would be helpful.

Many thanks, as always,
Katherine

EXEMPTIONS 5, 6 - Resume 011023.pdf>

EXEMPTIONS 5, 6 Resume.pdf>

EXEMPTIONS 5, 6 Resume.pdf>

Axios (12/15 - 12/17)

From: "Ryan, Evan M. EOP/WHO" EXEMPTION 6

To: EXEMPTION 6

"Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>, EXEMPTION 6

Date: Wed, 17 Jan 2024 18:07:10 -0500

All,

Please see below for the Axios article referenced by Chair Bernstein during our call.

Best,
Evan

Subject: Fwd: Axios (12/15 - 12/17)

Axios: [Americans are actually pretty happy with their finances](#)

Americans overall have a surprising degree of satisfaction with their economic situation, according to findings from the [Axios Vibes survey](#) by The Harris Poll.

Why it matters: That's in spite of [dour views among certain subsets](#) of the country — and in contrast to consumer sentiment polls that remain stubbornly [weak](#), partly because of the [lingering effects](#) of 2022's inflation.

- The Axios Vibes poll has found that when asked about their own financial condition, or that of their local community, Americans are characteristically optimistic.

Be smart: It's broadly understood that economic well-being influences electoral outcomes. By the same token, however, political affiliation influences the responses that [Republicans, in particular](#), give when they're asked about the economy.

- So asking about personal finances rather than the broader economy can reveal optimism not seen in consumer-sentiment polls.

Axios Vibe Check: How people feel about their economic prospects: 😊

- What the data show about the overall economy: 😊
- GDP growth is the [highest](#) in the developed world, inflation is [headed back down](#) to optimal levels, and consumer spending [keeps on growing](#).

By the numbers: 63% of Americans rate their current financial situation as being "good," including 19% of us who say it's "very good."

- Neither number is particularly low: They're both entirely in line with the average result the past 20 times Harris Poll has asked this question.
- The survey's findings were based on a nationally representative sample of 2,120 U.S. adults conducted online between Dec. 15-17, 2023. (More on the [methodology](#).)

Americans' outlooks for the future are also rosy. 66% think that 2024 will be better than 2023, and 85% of us feel we could change our personal financial situation for the better this year.

- That's in line with Wall Street estimates, which have penciled in continued growth in both GDP and real wages for the rest of the year.

Stunning stat: 77% of Americans are happy with where they're living — *including* renters, who have seen their housing costs surge over the last few years and are far more likely than homeowners to describe their [financial situation as poor](#).

- Indeed, a substantial majority of renters are happy renting, with 63% of them saying they're not interested in homeownership and having a mortgage.
- The reality is similarly upbeat. Asking rents finally started [falling](#) rather than rising recently. That, of course, is great news for renters.
- Meanwhile, most mortgages carry very low interest rates of [below 4%](#), and homes have soared in value — so homeowners are sitting pretty too.

More than half of Americans say that if they lost their job tomorrow they'd be OK; that they could find an equivalent or better job quickly; and that "my employers need me more than I need them."

- 63% of respondents describe their job security as "a sure thing."
- That shouldn't be surprising, given that the number of job openings in America is still [much higher](#) than at any point before the pandemic.

The bottom line: Americans who believe their community's economy is strong outnumber those who think it's weak. They're right.

RE: DUSTRs

From: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
To: "Raghavan, Gautam EOP/WHO" EXEMPTION 6
Cc: "Hubbard, Ryan EOP/WHO" EXEMPTION 6
Date: Wed, 17 Jan 2024 10:03:57 -0500

I think all of this sounds positive and constructive, Gautam. (To supplement our conversation, Heather also informed me yesterday EXEMPTION 5

Thank you very much.

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

From: Raghavan, Gautam EOP/WHO EXEMPTION 6
Sent: Wednesday, January 17, 2024 9:58 AM
To: Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov>
Cc: Hubbard, Ryan EOP/WHO EXEMPTION 6
Subject: DUSTRs

Hi Katherine - thanks again for your time yesterday. I talked to the team here and we think our best approach is EXEMPTION 5

I can convey this to Nelson. Let me know what you think, and thanks!

Gautam

RE: USCM AAPI Alliance

From: "Koh, Daniel A. EOP/WHO" EXEMPTION 6
To: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
Date: Wed, 17 Jan 2024 08:17:00 -0500

Thank you!

From: Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov>
Sent: Wednesday, January 17, 2024 7:39 AM
To: Koh, Daniel A. EOP/WHO EXEMPTION 6
Subject: USCM AAPI Alliance

Background from my memo, if useful:

BACKGROUND

US Conference of Mayors

The United States Conference of Mayors (USCM) is the official non-partisan organization of cities with populations of 30,000 or more, considered the leading voice for American cities in Washington, D.C. There are over 1,400 such cities in the country today. Each city is represented in the Conference by its chief elected official, the mayor. The Conference to this day is a nonpartisan forum where mayors engage directly with the President and Congress on the most pressing issues of the day.

The Conference was born out of the Great Depression when in 1932, Detroit Mayor Frank Murphy invited the nation's mayors to his city to confront common problems caused by this dark time in our history. Twenty-nine mayors gathered and, together, they called for Congress to provide relief, which Congress and the White House passed. That first meeting galvanized the mayors to formalize their conference, and in February 1933 they did so in Washington. As it is today, the Conference continues to be the leading voice of cities in our nation's capital.

Their 2024 Winter Meeting is the Conference's 92nd, with the primary purpose of this meeting being to engage with the White House, the current administration, and Congress and to discuss the priorities of America's mayors.

USCM AAPI Alliance

The Conference's AAPI Alliance is a relatively new grouping serving as a non-permanent entity founded to address individual issues requiring the immediate attention of a select group of mayors. It includes both mayors of AAPI descent, and also beginning to include mayors that consider themselves allies of the community and have a significant percentage of the population as part of the community. The Alliance was founded in 2021 largely in response to the rise in hate against member of the AANHPI community. Fremont, California Mayor Mei serves as the Alliance's Chair, and Burnsville, Minnesota Mayor Elizabeth Kautz, a Republican, has also played an active role in their activity.

The Alliance has hosted a virtual townhall in April 2021 in partnership with Asian American's Advancing Justice's John Yang, with an agenda focused on the Biden Administration's efforts to condemn and combat, racism, xenophobia, and intolerance against AAPIs. They also issued a statement in support of communities on Maui in the way of the devastating wildfires last summer.

AA and NHPI Representation in Elected Office

While there has been significant progress over the past several years, AA and NHPIs are still underrepresented in elected office.

According to the non-partisan Asian Pacific American Institute for Congressional Studies (APAICS), which has an AANHPI candidate database, the number of AANHPI candidates running for federal office in 2020 compared to 2018 more than doubled. Ninety-nine AAPI candidates ran for federal office in the 2020 election cycle versus 48 AANHPI candidates in the 2018 cycle. During the 2020 cycle, three AANHPI candidates sought the Democratic presidential nomination: Kamala Harris, Andrew Yang, and Tulsi Gabbard. In August 2020, Kamala Harris became the first Asian American and first Black woman in history to ever be nominated by a major party and then elected to serve as the Vice President.

In the 117th Congress, there is now a record high of 21 AA and NHPI Members of Congress. Similar trends are being seen at the state and local level where more AA and NHPIs are not only running for office, but winning. As a result, we continue to see more AA and NHPI representation at all levels of government.

AA and NHPIs are the fastest growing racial population in the nation and the fastest growing racial/ethnic segment of the U.S. electorate. AA and NHPI voting power doubled over the last decade with more than 11 million AA and NHPIs who were eligible to vote in 2020.

In the first two years of the Administration, 24 AA and NHPIs have been nominated to federal judgeships. 17 nominees have been confirmed, which represents 17 percent of all confirmed federal judges.

The American Rescue Plan (ARP) has helped reduce poverty in AA and NHPI communities by nearly 22 percent through increases in the value of Supplemental Nutrition Assistance Program (SNAP) benefits, direct relief payments, a fully refundable Child Tax Credit, and an expanded Earned Income Tax Credit for workers without children. These laws further increased access to low-cost health coverage for AA and NHPIs, including 197,000 uninsured AA and NHPIs who became newly eligible for premium savings through the ARP's expanded subsidies.

National Strategy to Advance Equity, Justice, and Opportunity for AA and NHPI Communities

On his first day in office, President Biden signed Executive Order 13985, Advancing Racial Equity and Support for Underserved Communities Through the Federal Government. The Executive Order committed to a whole-of-government equity agenda and recognized that although the ideal of equal opportunity is the bedrock of American democracy, entrenched disparities in our laws, public policies, and institutions too often deny equal opportunity to individuals and communities. On May 28, 2021, President Biden signed Executive Order (EO) 14031 (Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders), which re-established the White House Initiative on Asian Americans, Native Hawaiians, and Pacific Islanders (WHIAANHPI) and authorized the creation of the President's Advisory Commission on Asian Americans, Native Hawaiians, and Pacific Islanders ("the Commission") within the U.S. Department of Health and Human Services (HHS). YOU and HHS Secretary Xavier Becerra co-chair both the Initiative and the Commission.

On January 17, 2023, the White House released the Biden-Harris Administration's first-ever strategy to promote safety and equity for Asian American, Native Hawaiian, and Pacific Islander communities. The strategy, which comprises WHIAANHPI's inaugural report to the President and action plans prepared by 32 federal agencies, builds on the Administration's broader equity agenda and details much needed investments in AA and NHPI communities and priorities. EO 14031 also established a federal Interagency Working Group (IWG) as part of WHIAANHPI. The IWG is composed of senior-level, federal officials who have been designated by their respective departments, agencies, or offices to coordinate the whole-of-government policy development, enactment, and engagement to advance equity, justice, and opportunity for AA and NHPI communities. You co-hosted 1) the Commission's virtual swearing-in and inaugural meeting in February 2022; 2) the IWG's inaugural meeting in March 2022; and 3) the Commission's in-person meeting and adoption of initial recommendations in May 2022.

To guide their work, the Commissioners formed six Subcommittees to advance equity, justice, and opportunity for AA and NHPI communities:

1. Belonging, Inclusion, Anti-Discrimination, Anti-Asian Hate Subcommittee
2. Data Disaggregation Subcommittee
3. Economic Equity Subcommittee
4. Health Equity Subcommittee
5. Immigration and Citizenship Status Subcommittee

6. Language Access Subcommittee

In the last month, the 45 departments and agencies of the IWG developed action plans based on seven strategic areas, many of which overlap and complement the Commission's focus:

1. Promoting Belonging, Inclusion, and Addressing Anti-Asian Hate/Discrimination
2. Data Disaggregation for AA and NHPI Subgroups
3. Language Access for AA and NHPIs
4. COVID-19 Response and Recovery
5. Capacity Building (e.g. access to federal grants, contracts, programs, and opportunities)
6. Federal Workforce Diversity
7. Outreach and Engagement (including any efforts through WHIAANHPI's Regional Network)

Last week, you and Secretary Becerra transmitted WHIAANHPI's inaugural annual report to the President for his review; it will not be released publicly. Later in the year and as they become available, you will similarly send the Commission's recommendations to the President.

To: **EXEMPTION 6**

To: [REDACTED] EXEMPTION 6

Date: Fri, 19 Jan 2024 15:11:48 -0500

Hi team – We’ve all been focused on a mission critical priority: meaningfully increasing in-person work. Over the last few months, we’ve made some progress:

- A number of agencies have exceeded their goal of having staff work together in-person at least 50% of the time by last Fall, including the Departments of Veterans Affairs, Energy, Defense, State, as well as USAID. To highlight just one example, Secretary Blinken has set an expectation at the State Department that all employees will be in the office 3 or 4 times a week, recognizing that when it comes to diplomacy, there's no substitute for engaging face-to-face.
- Every agency is moving or has already moved towards a posture where hybrid teams are working in-person at least 50 percent of the time.

Per the attached, your agency should have a system for monitoring implementation progress fully in place. I expect that you are personally tracking your progress, and taking appropriate action to meet your agency goals.

As I said last summer, these changes will allow us to come back together — and come back stronger — to best serve the American people. I ask that you double down on your leadership to increase in-person work, especially at a time where the service of you and your team has never been more important. Thanks, JZ

WORK ENVIRONMENT IMPLEMENTATION DATA CALL

January 18, 2024

OMB issued its Organizational Health and Performance Memorandum (M-23-15) last spring as guidance for agencies as they reevaluate their work environment posture to increase in-person presence while optimizing organizational health and performance. As the White House Chief of Staff and OMB have continued to emphasize in the Cabinet, PMC, and other forums, it is essential for agency leaders to be paying close attention to implementation progress and ensuring that updated Work Environment policies are having the intended impact.

In line with M-23-15, OMB requests that agencies that are still implementing in-person presence goals respond to this **implementation data call** outlining all remaining steps that the agency will take to reach intended work environment postures.

Agencies should provide:

- (1) Timelines with firm deadlines for your agency to reach its in-person presence objectives (i.e., a steady state where, in general, total work hours for all headquarters and headquarters-equivalent personnel that are eligible for telework are completed, on average, as much in-person as they are in telework environments).
- (2) Updates or additional steps your agency must take to complete execution equitably and consistently across their workforce.
- (3) Description of your agency's approach to tracking and ensuring implementation with policies. Agency responses here should outline how senior leaders are tracking implementation progress and ensuring that staff comply with stated agency policies, to include optimizing in-person and telework time.

Request. Please send a written update that answers these questions. Agencies may provide additional detail or narrative on top of these answers. Responses are due via email to **EXEMPTION 6** @omb.eop.gov no later than January 26, 2024.

Talking Points on the Conflict in the Middle East

From: "Ryan, Evan M. EOP/WHO" <evan.m.ryan@who.eop.gov>
To: "Bernstein, Jared EOP/CEA" <jared.bernstein@cea.eop.gov>, anms1@hq.dhs.gov, gmr50@doc.gov, secdef28@sd.mil, jmgonly@hq.doe.gov, 0594dh@ios.doi.gov, su.julie.a@dol.gov, secdef28@dot.gov, mac711@ed.gov, adm16.michael.regan@epa.gov, xb78@hhs.gov, mlfudge@hud.gov, avrildh@odni.gov, "Young, Shalanda D. EOP/OMB" <shalanda.d.young@omb.eop.gov>, icg@sba.gov, jly78@treasury.gov, tjv.3032@usda.gov, "Tai, Katherine C. EOP/USTR" <katherine.c.tai@ustr.eop.gov>, thomas-greenfield@state.gov, "Prabhakar, Arati EOP/OSTP" <arati.prabhakar@ostp.eop.gov>, d.rm@va.gov, willjb8@ucia.gov, georgesa@state.gov
Cc: "Grant, Sheila B. EOP/WHO" <sheila.b.grant@who.eop.gov>, "Rastegar, Sanam EOP/WHO" <sanam.rastegar@who.eop.gov>
Date: Wed, 24 Jan 2024 17:57:51 -0500

Cabinet members,

I know that many of you are getting questions on the conflict in the Middle East, so I wanted to make sure that you have the latest talking points at your disposal. Please let us know if you have any questions and if there is anything else we can do to support you.

New Phase of the Conflict

- We are seeing a phase down of Israel's military operations in Gaza, especially in the north, where the IDF is withdrawing thousands of ground forces.
- As we move to this lower-intensity phase, we are able to move forward on a plan for the to carry out an assessment mission. It will determine what needs to be done to allow displaced Palestinians to return safely to homes in the north. This is not going to happen overnight. There are serious security, infrastructure, and humanitarian challenges. But the mission will start a process that evaluates these obstacles and how they can be overcome.

Lower Intensity IDF Ops

- Last week, the IDF announced the withdrawal of an army division from Gaza as part of the shift to lower-intensity operations, especially in the north.
- Hopefully this removal of troops and the announced transition will (1) reduce civilian casualties, (2) allow some people to flow back into North Gaza and alleviate some of that pressure in the south, particularly around Khan Younis, and (3) facilitate more reliable distribution of aid in coming weeks.

Humanitarian Aid

- At the same time, we'll continue to work around the clock to increase the flow of life-saving humanitarian aid. We've made important progress, including by opening Kerem Shalom and supporting the International Medical Corps in establishing a field hospital to provide comprehensive emergency life-saving services to people in need in Rafah.
- However, more aid is urgently needed. 90% of Gaza's population faces acute food insecurity, according to the UN. Our senior most leadership, from the President on down, will continue to underscore with the Israeli government and regional partners that more food, water, medicine, and other essential goods need to get into Gaza. And then once they're in Gaza, they need to get more effectively to the people who need them. We are trying to keep the level at or above 200 trucks on a daily basis with humanitarian supplies into Gaza.

Ceasefire

- We want the protection of civilians unwillingly caught in a violent conflict. We want to provide the resources and facilitate access that humanitarian organizations need to deliver desperately needed food, water, fuel, and medical care. And, we want to pursue a path in which Israeli and Palestinian people can eventually live in peace and dignity. The President and our other top diplomats are not prepared to call for a ceasefire in part because they don't believe it would be an effective way to achieve these goals. We don't think that there is a receptive audience in this conflict at this time to hear calls for a ceasefire, and that doing so might actually hamper the progress we are making through other tools—namely intensive, high-level diplomacy—to achieve these goals.

Sullivan Travel

- Last week, NSA Sullivan met with the Prime Minister of Qatar on the sidelines of the WEF in Davos, Switzerland, and discussed efforts to release hostages held by Hamas and initiatives to facilitate increased and sustained life-saving access to humanitarian assistance into Gaza.

UN Assessment on Return of Gazans to North

- Earlier in January, Secretary Blinken announced an agreement with Israel for a UN assessment team to go into northern Gaza to determine what needs to be done to allow displaced Palestinians to return safely to homes in the north. Special Envoy Ambassador David Satterfield has had a number of meetings about this in the region and we are working through details with the UN and Israel.
- The Secretary made clear in our meetings in Israel, that people should be allowed to return to their homes in the north as soon as the conditions allow. Meaning that (1) there isn't widespread fighting going on and (2) that areas are clear of unexploded ordnance, IEDs, booby traps that Hamas set to try to target Israeli forces, etc.

Additional Houthi Strikes

- Today, CENTCOM forces conducted their 9th round of strikes on Houthi radar and missile equipment in Yemen. Today's strikes were conducted on missiles that were aimed at the Red Sea and prepared to. These strikes, along with other actions we have taken, will degrade the Houthi's capabilities to continue their reckless attacks on international and commercial shipping in the Red Sea, the Bab-el-Mandeb Strait, and the Gulf of Aden.

Houthis Terrorist Designation

- Last week, NSA Sullivan announced the designation of the Houthis as a Specially Designated Global Terrorist in to impede terrorist funding to the Houthis, further restrict their access to financial markets, and hold them accountable for their unprecedented U.S. and international military and civilian maritime vessels operating in the Red Sea and Gulf of Aden. He noted that if the Houthis cease their attacks, the United States will immediately reevaluate the designation.
- The United States is the world's leading donor of humanitarian assistance for Yemen. We recognize the grave humanitarian situation in Yemen and because of that, the designation won't take effect for 30 days to allow robust humanitarian carve outs and licenses that prevent adverse impacts on the Yemeni people. As NSA Sullivan said "we are sending a clear message: commercial shipments into Yemeni ports on which the Yemeni people rely for food, medicine and fuel should continue and are not covered by our sanctions."

- OFAC will be publishing additional broad general licenses – five broad general licenses that authorize certain transactions related to the provision of food and medicine and medical devices, fuel, personal remittances – that's funds that could be sent by individual to individual, telecommunications, operations at ports and airports. These broad general licenses will be in addition to existing humanitarian carveouts that exist under our terrorism sanctions program that authorize activity by USG that includes USAID implementers and contractors as well as the operations of nongovernmental organizations and certain international organizations.
- During the 30-day implementation delay, USG will conduct outreach with stakeholders crucial to facilitating humanitarian assistance and the commercial import of critical commodities into Yemen. That includes with financial institutions, commercial shippers, NGOs, UN humanitarian assistance agencies, and other critical international organizations that deliver humanitarian aid to Yemen

Best,

Evan

Evan Ryan
Cabinet Secretary
The White House
EXEMPTION 6

Follow up on Cabinet Notifications

From: "Zients, Jeffrey D. EOP/WHO" EXEMPTION 6
To: "Zients, Jeffrey D. EOP/WHO" EXEMPTION 6
Cc: "Ryan, Evan M. EOP/WHO" EXEMPTION 6
Bcc: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
Date: Fri, 26 Jan 2024 15:06:51 -0500

Hi team –

Thank you for submitting your existing protocols for a delegation of authority. We received every agency's submission by the deadline and the White House has reviewed them. Through your submissions, you demonstrated your commitment to notifying the White House in the event of a delegation – and upon assumption of a delegation, establishing contact with the White House.

While there are variations in your submitted protocols due to different authorizing statutes, regulations, and executive orders, through this process we are assured that all agencies have a set of standard protocols they must follow in the event of a delegation of authority.

To reiterate, moving forward, every delegation of authority in your agency must ensure it covers the following areas:

- Notifying the Offices of Cabinet Affairs and White House Chief of Staff. This notification should occur when agencies anticipate or are preparing for a delegation of authority and again when the delegation occurs.
- Documenting in writing that the delegation of authority is in effect.
- Upon assumption of delegated authorities, establishing contact between the Acting Principal and their White House principal policy counterpart.
- Ensuring delegations are issued when a Cabinet Member is traveling to areas with limited or no access to communication, undergoing hospitalization or a medical procedure requiring general anesthesia, or otherwise in a circumstance when he or she may be unreachable.
- Documenting in writing both the delegation and recission of authority.
- Ensuring all other legally required external notifications.

Thanks,
JZ

RE: Trade

From: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
To: "Zients, Jeffrey D. EOP/WHO" [EXEMPTION 6](#)
Date: Mon, 29 Jan 2024 18:38:04 -0500

Thanks Jeff.

From: Zients, Jeffrey D. EOP/WHO [EXEMPTION 6](#)
Sent: Monday, January 29, 2024 5:29 PM
To: Tai, Katherine C. EOP/USTR [EXEMPTION 6](#) [@ustr.eop.gov](mailto:EXEMPTION 6@ustr.eop.gov)>
Subject: RE: Trade

Let's find a few minutes tomorrow. Katie from my team will reach out to find a time. Thanks, JZ

From: Tai, Katherine C. EOP/USTR EXEMPTION 6@ustr.eop.gov>
Sent: Monday, January 29, 2024 8:55 AM
To: Zients, Jeffrey D. EOP/WHO [EXEMPTION 6](#)
Subject: Trade

Jeff,

I'd like to talk to you about two articles from this weekend --

- Politico: [Staff exodus signals end to Biden's trade dreams](#) (text below); and
- Washington Post: [Trump eyes massive escalation in economic war with China - The Washington Post](#)

I don't need a lot of time, but it is important. I'm here today and most of tomorrow, before I'm back on the road for the rest of the week. Sooner better than later.

Thank you,
Katherine

Politico: [Staff exodus signals end to Biden's trade dreams](#)

The realization that little real progress is likely to be made in an election year where former President Donald Trump will put a glaring spotlight on trade has convinced some officials it's time to move on.

Frustration with a stalled trade agenda and unhappiness with the leadership of President Joe Biden's trade chief is pushing more than a half-dozen senior trade officials out the door, according to four current and former administration officials with knowledge of the departures.

The exits include the White House's point person on international economics and two of the three deputy U.S. trade representatives responsible for implementing the Biden administration's "worker-centered" trade policy.

The exodus comes after Biden's trade agenda ran aground on multiple fronts in 2023: failing to reach a green steel and aluminum deal with the European Union and pulling out of trade talks that were part of the U.S.-crafted Indo-Pacific Economic Framework in November. The administration, meanwhile, remains internally divided on other key trade policy decisions, like how to regulate digital information flowing across the globe.

Those headwinds — and the realization that little real progress is likely to be made in an election year during which former President Donald Trump will put a glaring spotlight on trade — have convinced some officials it's time to move on. Adding to the frustration: simmering discontent with the management practices of U.S. Trade Representative Katherine Tai — criticism that her allies chalk up to policy disagreements and sexism.

The wave of exits "certainly raises questions" about the trade agenda, said Senate Finance Chair [Ron Wyden](#) (D-Ore.), whose committee oversees trade policy and personnel. "They've lost a lot of people, a lot of good people."

Some critics lay the blame at the feet of Tai, saying she has not built enough goodwill with other members of Biden's team to effectively implement the trade agenda. That, they say, has led to conflicts with other parts of the administration, like ongoing disagreements with the National Security Council over digital trade negotiations at the World Trade Organization.

"She's really tough on people, and she hasn't figured out a way to have relationships in other parts of the administration, which is how you do your job," said one official familiar with the staffing issues. "The morale [problem] is more about that than anything else. Other agencies aren't having these kinds of departures."

Biden's team balks at the criticisms. Each of the officials leaving the team has planned their departure for months, people close to the administration said, and the White House insists that its global economic efforts will continue unabated. The departing team members have each served for years, they add, many of them have young children, and they've already made significant progress reforming longstanding economic rules that took decades to build up.

"Three years on, there has been a robust continuity among staff members at USTR, with an impressive number still proudly working alongside the

ambassador despite the rigors and sacrifices that come with public service,” said a spokesperson for the trade representative’s office. “Ambassador Tai has complete confidence in her team’s ability to deliver on the President’s international economic agenda, one that positions the U.S. to compete and win on the global stage while putting American workers at the forefront of our trade policies.”

Tai’s allies on the Hill and in the administration wave away criticisms of her management style, arguing they are more about staff members who disagreed with her aggressive pursuit of worker-friendly trade policies than complaints about an abnormally tough boss.

“Katherine Tai follows through on President Biden’s directive that our trade policy must be employee-centered and focus on more investment here in the United States, particularly in growing our manufacturing base. It’s no surprise that people who spent their entire careers trying to row the boat in the opposite direction are not happy,” said Sen. [Elizabeth Warren](#) (D-Mass.), one of Tai’s staunchest allies on the Hill. “With where the office goes now, it’s pretty hard for [departing staff] to go out and say that their problem is based on policy, and a lot easier to claim that they are leaving for other reasons. So, I’m just not buying it.”

Other Tai supporters say the criticisms ring of sexism, saying that past trade representatives have been much tougher on staff than Tai, but did not receive similar criticisms. One staff member who has served under six trade representatives said she’s much less harsh than some of her predecessors.

“She doesn’t come down on people,” said the staffer. “She kicks the tires on arguments. And sometimes those arguments don’t hold up.”

Those policy and personnel issues are happening amid a growing realization that the president’s trade agenda could become a political liability during an election year. Biden is girding for a rematch against Trump — a figure who scrambled the politics of foreign trade in the 2016 election with a populist message that cast anything other than protectionist moves as a betrayal of American workers.

Biden’s “worker-centered” trade agenda was designed to smooth over frayed relations with close trading partners and win back those blue-collar workers in battleground states. But his sweeping plans to [reshape global trade rules](#) haven’t assuaged concerns from Democrats who worry that Trump will again use trade

issues as a cudgel against them in the industrial Midwest — a region that could determine control of Congress and the White House in November.

That disconnect has forced USTR to [freeze, abandon, or dramatically scale back its signature initiatives and negotiations](#), leaving some top lawmakers and staffers frustrated. In particular, Wyden and Sen. [Sherrod Brown](#) (D-Ohio) are fuming that the administration hasn't matched the Trump administration's accomplishments on trade, like the binding labor and environmental standards that Democrats got inserted into the rewrite of NAFTA that Trump signed in 2020.

“Sen. Brown and I have consistently said that you need the kind of proposal that you saw in the U.S.-Mexico-Canada Agreement where you open up markets for business and you have tough enforcement,” said Wyden, “and a lot of what's been put up doesn't meet that test.”

Despite the discontent, officials close to Tai say that she still has the confidence of the president and is not planning a departure before the end of the term. But the administration's early efforts to fill the trade vacancies are already running into trouble.

Nelson Cunningham, Biden's pick to be deputy trade representative, is running up against skepticism from Wyden and outright opposition from other senior Democrats. They worry his decades as a corporate consultant in D.C. will mean he represents the interests of large companies more than workers — exactly the critique Biden has been trying to avoid.

“We built a new policy, and it's like this crowd — and this fellow — don't understand that,” Wyden said, referring to the administration and Cunningham.

“We should not have anyone leading our trade policy who advocated for the Trans-Pacific Partnership, which would have been a terrible deal for Ohio workers,” said Brown, who is facing a tough reelection campaign in trade-skeptical Ohio. He announced on Wednesday that he will oppose the Cunningham nomination.

Lawmakers who will have to run on White House trade policies in the coming months say they will keep the pressure on the administration to not retreat further.

“I think this administration wants to do the right thing,” said Brown. “I just help them keep their focus there. That's my job.”

Forced labor and seafood articles

From: EXEMPTION 6@ustr.eop.gov
To: Rahm Emanuel EXEMPTION 6@state.gov>
Bcc: "Tai, Katherine C. EOP/USTR" <katherine.c.tai@ustr.eop.gov>
Date: Mon, 08 Jan 2024 21:02:13 -0500
Attachments: The Uyghurs Forced to Process the World's Fish The New Yorker.pdf (4.25 MB)

Rahm,

Nice to chat earlier. As mentioned, last October the New Yorker published two articles on Chinese forced labor in their seafood industry. I've pasted below a link to one and a pdf copy of the other.

Team will follow up with other info, as discussed.

Best,
Katherine

The Crimes Behind the Seafood You Eat
[newyorker.com](https://www.newyorker.com)



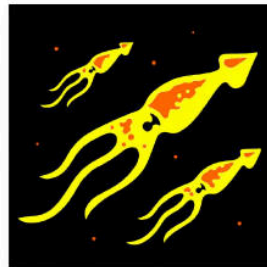
NEWS DESK

The Uyghurs Forced to Process the World's Fish

China forces minorities from Xinjiang to work in industries around the country. As it turns out, this includes handling much of the seafood sent to America and Europe.

By Ian Urbina

October 9, 2023



On a cloudy morning this past April, more than eighty men and women, dressed in matching red windbreakers, stood in

orderly lines in front of the train station in Kashgar, a city in Xinjiang, China. The people were Uyghurs, one of China's largest ethnic minorities, and they stood with suitcases at their feet and dour expressions on their faces, watching a farewell ceremony held in their honor by the local government. A video of the event shows a woman in a traditional red-and-yellow dress and *doppa* cap pirouetting on a stage. A banner reads "Promote Mass Employment and Build Societal Harmony." At the end of the video, drone footage zooms out to show trains waiting to take the group away. The event was part of a vast labor-transfer program run by the Chinese state, which forcibly sends Uyghurs to work in industries across the country, including processing seafood that is then exported to the United States and Europe. "It's a strategy of control and assimilation," Adrian Zenz, an anthropologist who studies internment in Xinjiang, said. "And it's designed to eliminate Uyghur culture."



The labor program is part of a wider agenda to subjugate a historically restive people. China is dominated by the Han ethnic group, but more than half the population of Xinjiang, a landlocked region in northwestern China, is made up of minorities—most of them Uyghur, but some Kyrgyz, Tajik, Kazakh, Hui, or Mongol. Uyghur insurgents revolted throughout the nineteen-nineties, and bombed police stations in 2008 and 2014. In response, China ramped up a broad program of persecution, under which Muslim minorities could be detained for months or years for acts such as reciting a verse of the Quran at a funeral or growing a long beard. By 2017, the government was collecting DNA samples, fingerprints, iris scans, and blood types from all Xinjiang residents between the ages of twelve and sixty-five, and in recent years it combined these biological records with mass surveillance data sourced from Wi-Fi sniffers, CCTV, and in-person visits. The government has placed millions of Uyghurs in “reëducation” camps and detention facilities, where they have been subjected to torture, beatings, and forced sterilization. The U.S. government has described the country’s actions in Xinjiang as a form of genocide.

In the early two-thousands, China began transferring Uyghurs to work outside the region as part of an initiative that would later be known as Xinjiang Aid. The region’s Party secretary noted that the program would promote “full employment” and “ethnic interaction, exchange and blending.” But Chinese academic publications have described it as a way to “crack open” the “solidified problem” of Uyghur society in Xinjiang, where the state sees the “large number of unemployed Uyghur youths” as a “latent threat.” In 2019, researchers at Nankai University in China, who were given privileged access to information about the program, wrote a report

that was inadvertently published online, describing the transfers as “an important method to reform, meld, and assimilate” the Uyghur community. Julie Millsap, from the Uyghur Human Rights Project, noted that, through the program, the state can “orchestrate and restrict all aspects of Uyghurs’ lives.” (Officials at China’s Ministry of Foreign Affairs did not respond to questions about the program, but Wang Wenbin, a spokesperson, recently said that the allegation of forced labor is “nothing but an enormous lie propagated by people against China.”) Between 2014 and 2019, according to government statistics, Chinese authorities annually relocated more than ten per cent of Xinjiang’s population—or over two and a half million people—through labor transfers; some twenty-five thousand people a year were sent out of the region. The effect has been enormous: between 2017 and 2019, according to the Chinese government, birth rates in Xinjiang declined by almost half.

In 2021, Congress passed the Uyghur Forced Labor Prevention Act, which declared that all goods produced “wholly or in part” by workers in Xinjiang or by ethnic minorities from the region should be presumed to have involved state-imposed forced labor, and are therefore banned from entering the U.S. The law had a major impact. Since June of last year, U.S. Customs and Border Protection has detained more than a billion dollars’ worth of goods connected to Xinjiang, including electronics, clothing, and pharmaceuticals. But, until now, the seafood industry has largely escaped notice. The U.S. imports roughly eighty per cent of its seafood, and China supplies more than any other country. As of 2017, half of the fish that have gone into fish sticks served in American public schools have been processed in China, according to the Genuine Alaska Pollock Producers. But the many handoffs between fishing boats,

processing plants, and exporters make it difficult to track the origin of seafood. Shandong Province, a major seafood-processing hub along the eastern coast of China, is more than a thousand miles away from Xinjiang—which may have helped it evade scrutiny. As it turns out, at least a thousand Uyghurs have been sent to work in seafood-processing factories in Shandong since 2018. “It’s door-to-door,” Zenz said. “They literally get delivered from the collection points in Xinjiang to the factory.”

Foreign journalists are generally forbidden from freely reporting in Xinjiang. In addition, censors scrub the Chinese Internet of critical and non-official content about Uyghur labor. I worked with a research team to review hundreds of pages of internal company newsletters, local news reports, trade data, and satellite imagery. We watched thousands of videos uploaded to the Internet—mostly to Douyin, the Chinese version of TikTok—which appear to show Uyghur workers from Xinjiang; we verified that many of the users had initially registered in Xinjiang, and we had specialists review the languages used in the videos. We also hired investigators to visit some of the plants. These sources provided a glimpse into a system of forced Uyghur labor behind the fish that much of the world eats.

The transfers usually start with a knock on the door. A “village work team,” made up of local Party officials, enter a household and engage in “thought work,” which involves urging Uyghurs to join government programs, some of which entail relocations. Officials often have onboarding quotas, and representatives from state-owned corporations—including the Xinjiang Zhongtai Group, a Fortune 500 conglomerate, which is involved in

coördinating labor transfers—sometimes join the house visits. Wang Hongxin, the former chairman of Zhongtai, which facilitated the “employment” of more than four thousand workers from southern Xinjiang in the past few years, described his company’s recruitment efforts in rosy terms: “Now farmers in Siyak have a strong desire to go out of their homes and find employment.” (The company did not respond to requests for comment for this piece.)

The official narrative suggests that Uyghur workers are grateful for employment opportunities, and some likely are. In an interview with state media, one Uyghur worker noted that she and her husband now made twenty-two thousand dollars a year at a seafood plant, and that the factory provided “free board and lodging.” But a classified internal directive from Kashgar Prefecture’s Stability Maintenance Command, from 2017, indicates that people who resist work transfers can be punished with detainment. Zenz told me about a woman from Kashgar who refused a factory assignment because she had to take care of two small children, and was detained as a result. Another woman who refused a transfer was put in a cell for “non-coöperation.” And the state has other methods of exerting pressure. Children and older adults are often sent to state-run facilities; family lands can be confiscated. According to a 2021 Amnesty International report, one former internment camp detainee said, “I learned that if one family [member] was in a camp you have to work so father or husband can get out quickly.”

Once people are recruited, they are rounded up. In February, 2022, for example, thousands of Uyghurs were taken to a “job fair” next to an internment camp in southwestern Xinjiang. A video of a similar event shows people in neat lines, signing contracts while monitored

by people who appear to be officials in army fatigues. Many transfers are carried out by train or plane. Pictures show Uyghurs with red flowers pinned to their jackets—a common symbol of celebration—boarding China Southern Airlines flights chartered by the authorities in Xinjiang. (The airline did not respond to requests for comment.)



Sometimes, transfers are motivated by labor demands. In March, 2020, the Chishan Group, one of China's leading seafood companies, published an internal newsletter describing what it called the "huge production pressure" caused by the pandemic. That October, Party officials from the local antiterrorist detachment of the public-security bureau and the human-resources-and-social-security bureau, which handles work transfers, met twice with executives to discuss how to find additional labor for the company. Several months later, Chishan agreed to accelerate transfers to its plants. Wang Shanqiang, the deputy general manager at Chishan, said in a corporate newsletter that "the company looks forward to migrant workers from Xinjiang arriving soon." (The Chishan Group did not respond to requests for comment.)

An advertisement aimed at factory owners, posted on a Chinese online forum, promises that, when workers arrive, they will be kept under "semi-military-style management." Videos from seafood plants show that many workers from Xinjiang live in dormitories. Workers are reportedly often kept under the watch of security personnel. A worker in Fujian Province told Bitter Winter, an online magazine, that Uyghur dorms were often searched; if a Quran was found, he recalled, its owner could be sent to a reeducation camp. In a Chishan newsletter from December, 2021, the company listed the management of migrant workers as a "major" source of risk; another newsletter underscores the importance of supervising them at night and during holidays to prevent "fights, drunk disturbances, and mass incidents."

For workers who come from rural areas of Xinjiang, the transition can be abrupt. New workers, yet another Chishan newsletter

explains, are not subject to production quotas, to help them adjust. But, after a month, factory officials begin monitoring their daily output to increase “enthusiasm.” One factory has special teams of managers responsible for those who “do not adapt to their new life.” Sometimes, new Uyghur workers are paired with older ones who are assigned to “keep abreast of the state of mind of the new migrant workers.” Many Xinjiang laborers are subjected to “patriotic education.” Pictures published by a municipal agency show minority workers from Xinjiang at Yantai Sanko Fisheries studying a speech by Xi Jinping and learning about “the party’s ethnic policy.” (Yantai Sanko did not respond to requests for comment.) Companies sometimes try to ease this transition by offering special accommodations. In an effort to boost morale, some large factories provide separate canteens and Uyghur food for transferred workers. Occasionally, factories hold festive events that include dancing and music. Footage from inside one plant shows Uyghurs dancing in the cafeteria, surrounded by uniformed security guards.

Workers from other industries who have escaped the labor-transfer programs are sometimes explicitly critical about their treatment. One Uyghur man was released from a reeducation camp only to be transferred to a garment factory. “We didn’t have a choice but to go there,” he told Amnesty International, according to its 2021 report. A woman from Xinjiang named Gulzira Auelkhan was forced to work in a glove factory. She was punished for crying or spending a couple of extra minutes in the restroom by being placed in the “tiger chair,” which kept her arms and legs pinned down—a form of torture. “I spent six to eight hours in the tiger chair the first time because I didn’t follow the rules,” she said. “The police claimed I had mental issues and wasn’t in the right mind-set.”

But the Uyghurs still at factories are monitored closely, and one of the few ways to get a peek into their lives is through their social-media posts. After arriving in Shandong, they sometimes take selfies by the water; Xinjiang is the farthest place on earth from the ocean. Some post Uyghur songs with mournful lyrics. These could, of course, simply be snippets of sentimental music. But researchers have argued that they might also function as ways of conveying cryptic messages of suffering, while bypassing Chinese censors. As a 2015 analysis concluded, “Social commentary and critique are veiled through the use of metaphors, sarcasm, and references to traditional Uyghur sayings and cultural aspects that only an insider or someone very familiar with the Uyghur culture and community would recognize.” In more recent years, government surveillance and censorship have only increased.

One middle-aged Uyghur man, who went on to work in a Shandong seafood plant, filmed himself sitting in an airport departure lounge in March, 2022, and set the footage to the song “Kitermenghu” (“I Shall Leave”). He cut away just before a section of the song that anybody familiar with it would know, which includes the line: “Now we have an enemy; you should be careful.” Another Uyghur worker, who had spoken glowingly of the programs in official media reports, one of which featured a photo of him by the sea, posted the same image to Douyin alongside a song that goes, “Why is there a need to suffer more?” A young woman posted a selfie taken in front of a Shandong seafood plant and added an excerpt from an Uyghur pop song: “We’re used to so much suffering,” the lyrics say. “Be patient, my heart. These days will pass.” One slideshow features workers packing seafood into cardboard boxes. A voice-over says, “The greatest joy in life is to

defeat an enemy who is many times stronger than you, and who has oppressed you, discriminated against you, and humiliated you.”

In some videos, Uyghur workers express their unhappiness in slightly less veiled terms. One worker posted a video showing himself gutting fish at Yantai Longwin Foods. “Do you think there is love in Shandong?” the voice-over asks. “There is only waking up at five-thirty every morning, non-stop work, and the never-ending sharpening of knives and gutting of fish.” (Yantai Longwin Foods did not respond to a request for comment.) Another video shows a fish-packing line, and includes a sound used commonly on Douyin:

“How much do you get paid in a month?” one man asks.

“Three thousand,” a second responds.

“Then why are you still not happy?”

“Because I have no choice.”

Seafood supply chains are notoriously difficult to penetrate. International nonprofit watchdog groups and journalists have highly limited access in China. To detect forced labor, companies tend to rely on firms that conduct “social audits,” in which inspectors visit a factory to make sure that it complies with private labor standards. The problem, according to Scott Nova, the executive director of the Worker Rights Consortium, is that the auditors themselves and the methods they are following are not set up to detect state-imposed forced labor. Audit preparation usually

requires factories to fill out questionnaires disclosing the presence of migrant workers from other provinces or abroad, and the languages spoken on site, as well as to provide auditors with lists of workers, some of whom are selected for interviews. But factories trying to conceal the presence of workers from Xinjiang often simply fail to list them in so-called self-assessment questionnaires. Social audits are typically announced ahead of time, which allows managers to hide minority workers from Xinjiang during inspections. Even when workers are interviewed, they are often reluctant to be candid, for fear of retribution. Sarosh Kuruvilla, a professor of industrial relations at Cornell, analyzed more than forty thousand audits from around the world and found that almost half were unreliable. “The tool is completely broken,” he said. “It’s a tick-box exercise on the part of the auditor, but it’s also a tick-box exercise on the part of the brand.”

This year, I hired private investigators in China to visit two large seafood factories in Shandong Province—one called Shandong Haidu and the other called Rongcheng Haibo—which together handle roughly thirty per cent of all squid processed in China. At one, an investigator was told that it would be impossible to enter the processing area. The investigator took a video from outside, which showed workers wearing white uniforms covering their entire bodies, like the scrubs that surgeons wear in an operating room; their features were concealed by face masks. Without being able to speak to them, it was impossible to tell for sure whether any were Uyghur.

Empty audits allow companies to claim that they are in compliance with corporate standards. Lund’s Fisheries, a leading U.S. squid

supplier that works with Haibo, requires all its vendors to complete audits designed by Sedex, the author of the most widely used auditing rulebook. In May, 2022, social auditors from S.G.S., one of the top auditing firms, completed an inspection of Haibo, and American companies continued to import its products. But, when we investigated the matter, we found that more than a hundred and seventy people from Xinjiang worked at Haibo in 2021, and a half-dozen Uyghur workers posted regularly to Douyin at Haibo throughout 2022. On the same day that the auditors toured, a young Uyghur worker posted pictures of herself near the plant's loading bays and what seem to be its dormitories. (Wayne Reichle, the president of Lund's, told me, "Our suppliers are meeting our company's supplier standards, which exceed U.S. import regulations." A spokesperson said that the company has begun to investigate the matter.) At Haidu, according to a company newsletter, a special canteen was set up to serve migrant workers from Xinjiang. When pressed, an S.G.S. representative said that the auditors had done what was required of them by Sedex's methodology. (A representative from the Haibo plant said in an e-mail that the company "has never employed any Xinjiang workers." A representative from the Haidu plant said, "There is no use of illegal workers from Xinjiang or other countries, and we recently passed human rights audits.")

This auditing failure was not an isolated incident. In our research, we found other examples of Uyghur workers who posted videos within weeks of audits. Half the Chinese exporters that we identified as tied to Uyghur labor had passed audits by leading global inspection firms. Even many of companies that are certified as sustainable are implicated. All of the seafood plants that we

found to be using forced labor from Xinjiang were certified by the Marine Stewardship Council. (Jo Miller, the M.S.C.'s head of public relations, acknowledged that the organization is reliant on social audits, which have "significant limitations.") When we pressed officials from Sedex, they told us that it "may be difficult and risky for auditors themselves to explicitly recognise state-imposed forced labour" that "may have been covered up." The organization said that it would update its guidance on the matter. Advocacy groups have long argued that audits are ineffective. In 2019, Human Rights Watch reported that social audits were failing to detect rampant cases of sexual abuse in the garment industry in Bangladesh, India, and Pakistan. Still, their use is expanding. S.G.S. now also markets a service to audit fishing vessels, which operate on the open sea, where regular monitoring is exceedingly difficult. "Audits and certifications have not uncovered forced labor in seafood-processing sites on land," Johnny Hansen, from the International Transport Workers' Federation, said. "So how could they possibly be any better at identifying forced labor at sea?"

The result of these failures is that thousands of tons of seafood imported from factories using forced labor continue to enter the U.S. We found that at least ten large seafood companies in China have used more than a thousand Uyghur workers since 2018. During that time, those companies shipped more than forty-seven thousand tons of seafood—including cod, pollock, shrimp, salmon, and crab—to the U.S. Seafood from these plants was bought by major U.S. and Canadian importers, including High Liner Foods. (A spokesperson for High Liner Foods said that its supplier, Yantai Sanko, had undergone a third-party audit in September, 2022.) Because seafood can get commingled at each stage of shipping, it is

difficult to know for sure where any given batch ends up. But these importers sent their products to supermarkets across the country, including Walmart, Costco, Kroger, and Albertsons. (A spokesperson for Walmart said that the company “expects all our suppliers to comply with our standards and contractual obligations, including those relating to human rights.” A spokesperson for Albertsons said that it would stop purchasing certain seafood products from High Liner Foods. Costco and Kroger did not respond to requests for comment.)

The importers also sent seafood to Sysco, the global food-service giant that supplies more than four hundred thousand restaurants worldwide. (A spokesperson for Sysco said that its supplier, Yantai Sanko, had undergone audits, and denied that it had ever “received any workers under a state-imposed labor-transfer program.”) In the past five years, the U.S. government has spent more than two hundred million dollars on seafood from importers tied to Uyghur labor for use in public schools, military bases, and federal prisons. (A spokesperson for the Department of Agriculture noted that its agencies are required to source seafood from the U.S. However, according to researchers, local-level buyers for federally supported programs sometimes use exemptions to purchase food and other products from abroad.) The U.S. is not the only country importing seafood tied to workers from Xinjiang. Importers linked with Uyghur labor supply the largest fish-processing factory in the world, owned by the British-American giant Nomad Foods, in Bremerhaven, Germany. The plant supplies leading frozen-fish brands to grocery stores across Europe, including France’s Carrefour, the U.K.’s Tesco, and Germany’s Edeka. (Carrefour’s press office said that the company “strongly condemns the use of

forced labour in its supply chain” and has opened an investigation, which, the company says, has not found evidence of forced labor thus far. Tesco declined to comment on its connections to suppliers sourcing from plants using Uyghur workers. Edeka’s public-affairs department said that it was not responsible for compliance issues related to “branded products,” like those from Nomad Foods.) In total, we identified seafood imports tied to labor from Xinjiang in more than twenty countries.

In the U.S., experts say that, to address this situation, adjustments need to be made to the federal Seafood Import Monitoring Program. The program, designed to detect and combat illegal fishing, requires importers to keep detailed records about their products. But several key species, including squid and salmon, are not included in the monitoring, and the law doesn’t require companies to disclose information about workers or their conditions. Judy Gearhart, who works for the Accountability Research Center at American University, argues that the law behind the program should be expanded to force companies in China, and their U.S. buyers, to provide detailed labor information. “Accepting the word of producers or the seal of a voluntary certification is clearly not sufficient,” she said. Robert Stumberg, a law professor at Georgetown University, explained that the law on Uyghur labor is “distinctly powerful.” Rather than primarily relying on advocates or journalists having to prove the existence of forced labor tied to a certain product, the law mandates that suppliers and importers prove that they have no connection to Uyghur labor. The U.S. government, he notes, has already investigated the working conditions in a variety of other industries, including those for solar panels, auto parts, computer chips, palm oil, sugar, and tomatoes. To

Stumberg, it's obvious what has to happen now. "Seafood should be next," he said. ♦

This story was produced in collaboration with the Outlaw Ocean Project, with contributions from Daniel Murphy, Joe Galvin, Maya Martin, Susan Ryan, Austin Brush, and Jake Conley.

MORE ON CHINA'S SEAFOOD INDUSTRY

For more about China's seafood industry, read "[The Crimes Behind the Seafood You Eat](#)," an immersive investigation into the human cost of China's maritime expansion.

Watch "[Squid Fleet](#)," a film that offers a close look at the gruelling work of squid fishing.

Ian Urbina is the director of the journalism

nonprofit the Outlaw Ocean Project. While at the Times, he shared a Pulitzer Prize for breaking news.

More: China Uyghurs Xinjiang Seafood
Regulation Factory Workers

DAILY

Our flagship newsletter highlights the best of *The New Yorker*, including top stories, fiction, humor, and podcasts.

E-mail address

	Sign up
----------------------	---------

By signing up, you agree to our [User Agreement](#) and [Privacy Policy & Cookie Statement](#). This site is protected by reCAPTCHA and the Google [Privacy Policy](#) and [Terms of Service](#) apply.

READ MORE



LETTER FROM AMSTERDAM

How a
Notorious
Gangster
Was
Exposed by
His Own
Sister

Astrid
Holleeder
secretly
recorded her
brother's murderous
confessions.
Will he exact
revenge?

**By Patrick
Radden Keefe**



ANNALS OF LAW

When
Foster
Parents
Don't Want
to Give
Back the
Baby

In many states,
adoption
lawyers are
pushing a new
legal strategy
that forces
biological
parents to
compete for
custody of their
children.

By Eli Hager



A REPORTER AT LARGE

Trial by
Twitter

By Ariel Levy



AMERICAN CHRONICLES

Britney
Spears's
Conservatorship
Nightmare

How the pop
star's father and
a team of
lawyers seized
control of her
life—and have
held on to it for
thirteen years.

**By Ronan
Farrow**

Atento

From: EXEMPTION 6@ustr.eop.gov
To: juan_millan@ustr.eop.gov, joshua.m.kagan@ustr.eop.gov,
samuel.b.michel@ustr.eop.gov, shantanu.s.tata@ustr.eop.gov,
christopher.d.gundermann@ustr.eop.gov
Bcc: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
Date: Wed, 17 Jan 2024 07:46:25 -0500
Attachments: TAB 3 - Atento Decision Memo_final.docx (51.64 kB); TAB 3.1 - Atento RRM Press
Release Draft 1.12.24.docx (137.01 kB)

Ok to move forward. Release also ok. Thank you.



Office of the United States Trade Representative

EMBARGOED TILL X

January 18, 2024

CONTACT: media@ustr.eop.gov

United States Seeks Mexico's Review of Alleged Denial of Workers' Rights at Atento Servicios, S.A. de C.V.

For the first time in 2024, and nineteenth time overall, the United States has sought Mexico's review under the USMCA's Rapid Response Labor Mechanism.

WASHINGTON – United States Trade Representative Katherine Tai announced today that the United States has asked Mexico to review whether workers at the Atento Servicios, S.A. de C.V. facilities in the city of Pachuca, state of Hidalgo, are being denied the right to freedom of association and collective bargaining. Both Atento locations in Pachuca offer call center services to BBVA Mexico, a subsidiary of BBVA Group. The request marks the nineteenth time the United States has formally invoked the Rapid Response Labor Mechanism (RRM) in the United States-Mexico-Canada Agreement (USMCA) and the first time the United States has done so in the telecommunications sector.

"The USMCA ensures that workers can freely select the union of their choice without compromising their job positions or work conditions," said Ambassador Katherine Tai. "The United States maintains its ongoing commitment of using the RRM to support workers and to ensure that their rights of organizing and joining their preferred union are recognized and protected. We look forward to working closely with the Government of Mexico to resolve concerns that are present in this matter."

[Insert quote from DOL]

Background

The United States Trade Representative and the Secretary of Labor co-chair the Interagency Labor Committee for Monitoring and Enforcement (ILC). On December 18, 2023, the ILC received an RRM petition from the *Sindicato de Telefonistas de la República Mexicana (STRM)*. The petition alleged that Atento interfered in union activities and unjustly dismissed workers for supporting STRM and as a retaliatory measure for engaging in organizing efforts. The ILC reviews RRM petitions that it receives, and the accompanying information, within 30 days.

[APG]

The ILC determined that there is sufficient, credible evidence of a denial of rights enabling the good faith invocation of enforcement mechanisms. As a result, the United States Trade Representative has submitted a request to Mexico that Mexico review whether workers at the Atento Servicios, S.A. de C.V. facilities are being denied the right to freedom of association and collective bargaining. Mexico has ten days to agree to conduct a review and, if it agrees, 45 days from today to complete the review.

A copy of the request for review can be found [here](#).

Information about previous requests can be found [here](#).

[APG]

January 16, 2024

DECISION MEMORANDUM ON USMCA RRM PETITION CONCERNING ATENTO SERVICIOS

TO: AMBASSADOR KATHERINE C. TAI

FROM: AUSTR JOSH KAGAN AND DAUSTR ANNELIES WINBORNE
THROUGH: ACTING GENERAL COUNSEL JUAN MILLÁN

ISSUE

On December 18, 2023, the *Sindicato de Telefonistas de la República Mexicana* (STRM), an independent Mexican union, filed a two-part USMCA Rapid Response Labor Mechanism (RRM) petition alleging denials of rights at Atento Servicios, S.A. de C.V. (Atento), in the city of Pachuca in the state of Hidalgo. The pertinent facilities, Pachuca I and Interplaza, offer telecommunication (call center) services to BBVA Mexico, a subsidiary of Spanish BBVA (Banco Bilbao Vizcaya Argentaria) Group.¹ The ILC must decide whether to recommend that USTR invoke the RRM by January 18, 2024.

Because we believe there is “sufficient, credible evidence” of at least one Denial of Rights, we recommend that USTR support an affirmative ILC determination. Should the ILC determine that the standard has been met, USTR would submit a request for review to Mexico.² We must seek and secure ILC approval prior to the deadline, and therefore seek your decision by **January 16, 2024.**

RECOMMENDATION

That USTR support an ILC determination that there is “sufficient, credible evidence of a denial of rights ... enabling the good faith invocation of enforcement mechanisms”.

BACKGROUND

The Petition

The petition alleges multiple workers were dismissed, at different times, in retaliation for their union activity and that the employer engaged in interference in union activities.

In November 2022, the existing union at the facility put their CBA up for a legitimization vote. The vote was not successful, and the CBA was struck down. The petition alleges the company subsequently unlawfully dismissed six workers who formed part of an independent

¹ While BBVA Group’s corporate headquarters are located in Madrid, Spain, BBVA Mexico headquarters are located in Mexico City, Mexico. Atento has many locations throughout Mexico and is based in Mexico City, Mexico, though its parent company, Atento S.A., has its principal executive offices in Luxembourg.

² See 19 U.S.C. § 4646(b)(1) & (3).

[APG]

representative entity, *Coalición de Asesores Unidos*, and who led the campaign against the legitimization of the CBA.

After the vote, the incumbent union left the facility, and three entities began seeking worker support. First, the *Coalición de Asesores Unidos* joined STRM and began organizing as STRM. Second, the company itself engaged in efforts to form a “yellow union,” even holding an internal vote in April 2023 for representative leaders on the company intranet. The elected representatives formed part of an internal workers committee tasked with interim worker representation and meeting with potential unions to represent Atento workers. Third, the *Sindicato Nacional Presidente Benito Juárez de la Industria de la Comunicación de la República Mexicana* (Benito Juarez union) began organizing. The company identified the Benito Juarez union as their preferred worker representative and unlawfully supported their competition against the STRM.

The Benito Juarez union filed for a Certificate of Representation, and STRM filed to compete with them for that Certificate. On November 15, 2023, the Federal Center scheduled a representational vote for December 6, 2023. The petition alleges that the company gave the Benito Juarez union access to the facility and to workers and denied equal access to STRM. It is also alleged that the company engaged in significant interference to dissuade support for STRM – harassing workers who approached or contacted STRM, dismissing a worker for telling workers to vote for STRM, and telling workers that if STRM won the representational vote, the company would close. It is further alleged that the company took additional measures to benefit the Benito Juarez union, such as allowing this union to distribute “Cinemex” corporate movie tickets through the internal worker committee in exchange for votes, agreeing to provide an additional bonus if the Benito Juarez union won, dismissing workers who were supportive of STRM, engaging in a defamation campaign against STRM, and recording workers before and during the vote. Ultimately, the Benito Juarez union won the vote.

To remediate these alleged denials of rights, petitioners request the immediate reinstatement of dismissed workers; the protection of workers’ rights to freely join the union of their choice; and for the December 6 vote to be reviewed and rerun according to the principles of non-interference and union liberty.

Investigation and Additional Evidence

After receiving the petition, a labor attaché traveled to Pachuca, Hidalgo, to meet with active workers, terminated workers, the two unions, and Atento officials. USTR and the Department of Labor (DOL) met with the petitioners and conducted several remote worker interviews. During the investigation, we gathered additional information supporting a denial of rights.

The petitioners have filed an *inconformidad* (complaint) with the Federal Center alleging irregularities leading up to the December 6, 2023, vote as well as during the vote. The Federal Center has not ruled on the complaint to date, however, a Federal Center report provided to the employer on a verification visit leading up to the December 6 vote noted reports of irregularities.

[APG]

LEGAL ANALYSIS

EXEMPTION 5

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

EXEMPTION 5

[APG]

VIEWS

Interagency Views

We understand EXEMPTION 5

Stakeholder Views

We are not aware of any involvement or specific views of stakeholders on this petition.

EXEMPTION 5

Congressional Views

EXEMPTION 5

Government of Mexico Views

Mexico has been notified that we are in receipt of this RRM petition EXEMPTION 5

we understand EXEMPTION 5

Company Views

The company denies that there has been a denial of rights at the facility.

OTHER ISSUES

Suspension of Liquidation

Upon filing a request for review, the United States may suspend liquidation of imports from the facility.¹⁰ Because Atento provides services and does not produce goods, suspension of liquidation is not at issue.

DECISION ON RECOMMENDATION (USTR'S ILC POSITION):

AGREE: _____ DISAGREE: _____ DISCUSS: _____

¹⁰ USMCA Article 31-A.4.3 ("Upon delivering the request to the respondent Party, the complainant Party may delay final settlement of customs accounts related to entries of goods from the Covered Facility.").

[APG]

Drafted by: Stefanie Parker (OGC); Austin Pedersen (OLA)

Cleared by: Annelies Winborne (OGC); Katy Mastman (OLA)

[APG]

Nelson Cunningham statement

From: "Michel, Sam B. EOP/USTR" <samuel.b.michel@ustr.eop.gov>
To: "Tai, Katherine C. EOP/USTR" **EXEMPTION 6**@ustr.eop.gov>
Cc: "Hurlburt, Heather F. EOP/USTR" <heather.f.hurlburt@ustr.eop.gov>, "Barmore, Heather L. EOP/USTR" <heather.l.barmore@ustr.eop.gov>, "White, Catherine L. EOP/USTR" <catherine.l.white@ustr.eop.gov>
Date: Wed, 10 Jan 2024 15:06:27 -0500

Hello Ambassador - here is the statement on Nelson Cunningham's nomination. Please let us know if you have any edits. This will go out after the White House formally nominates him on Thursday afternoon.

Sam

Statement from Ambassador Katherine Tai on Nomination of Nelson Cunningham

WASHINGTON – United States Trade Representative Katherine Tai today released the following statement after President Biden announced his intent to nominate Nelson Cunningham as Deputy United States Trade Representative.

“Nelson Cunningham knows that trade policy operates at the intersection of domestic economic and foreign policy and he will be an excellent addition to our team at USTR. His work in the White House, on Capitol Hill, and in the private sector will provide a valuable perspective as we navigate the evolving landscape of the 21st century global economy. I look forward to working with him as USTR continues to advance an inclusive, worker-centered trade agenda that benefits all Americans.”

Nelson Cunningham, Nominee for Deputy United States Trade Representative

Nelson Cunningham currently serves as the President Emeritus of McLarty Associates, a global strategy firm which he helped co-found in 1998. Prior to this role, he served in the Clinton White House as General Counsel for the Office of Administration and then as Special Advisor to the President for Western Hemisphere Affairs. Cunningham also served as General Counsel of the Senate Judiciary Committee under then-Chairman Joe Biden (D-DE) and as an Assistant U.S. Attorney for the Southern District of New York. Following his graduation from Stanford Law School, he clerked for The Honorable James Hunter III on the Third Circuit of the U.S. Court

of Appeals, after which point he moved on to serve as an Associate at the law firm Hale and Dorr.

For Review: GAO Autos Report Statement

From: "Perez, Angela D. EOP/USTR" <angela.d.perez@ustr.eop.gov>
To: "Tai, Katherine C. EOP/USTR" EXEMPTION 6@ustr.eop.gov>
Date: Tue, 30 Jan 2024 17:42:11 -0500
Attachments: Press Materials for GAO USMCA Autos Report_DRAFT_012923 rev.docx (18.25 kB)

Sent from my iPhone

**GAO Report on USMCA Autos Interagency Coordination
Expected January 31, 2024**

Statement from AKT

January 31, 2024

WASHINGTON – United States Trade Representative Katherine Tai today issued the following statement after the Government Accountability Office (GAO) released its report on the interagency coordination to implement, verify, and enforce the new automotive rules of origin under the United States- Mexico-Canada Agreement (USMCA). The GAO report was mandated under the USMCA Implementation Act (P.L. 116-113).

“Since early 2020, the Office of the United States Trade Representative and other Federal Agencies have worked together to implement, certify, enforce, and monitor the USMCA’s new automotive rules of origin. The GAO’s report clearly demonstrates this ongoing collaboration has been effective in achieving our goal of ensuring U.S. auto workers and manufacturers receive the maximum benefit under the Agreement.”

“As chair of the Interagency Committee on Trade in Automotive Goods, USTR looks forward to implementing the GAO’s recommendation to further strengthen our interagency collaboration in order to better support our workers and manufacturers. We will continue to work with our interagency partners and with Canada and Mexico to support our workers and safeguard the competitiveness of the North American automotive industry.”

Q&As

What is USTR’s Response to the GAO Assessment that USTR should improve interagency coordination?

- The GAO’s report provides an overwhelmingly positive assessment of the USTR-led interagency coordination efforts on USMCA autos-related issues. The report shows that USTR and the interagency have successfully collaborated to produce several key outcomes, such as the 2020 public guidance for alternatives staging regimes, the Uniform Regulations, and the 2022 USMCA Autos Report to Congress.
- Further, USTR and the interagency have effectively coordinated work to monitor implementation of the Alternative Staging Regimes and to consider any possible modification to the ASRs. And work is well underway within USTR and the interagency to prepare for a timely delivery of the 2024 USMCA Autos Report to Congress.
- We welcome the opportunity to develop more written guidance to enhance our work, which will ultimately benefit American autoworkers and manufacturers.

How does USTR intend to implement the GAO recommendation?

- GAO recommended that USTR, as chair of the Interagency Autos Committee, should develop more written guidance.
- Much of the Committee's work is already guided by U.S. law (the USMCA Implementation Act) and by the Executive Order that established the Committee (EO 13908).
- However, we already are working with the other departments and agencies on the Committee to identify areas of the Committee's work that would benefit most from additional written guidance.
- For example, we have developed written guidance to facilitate the Committee's work preparing the 2024 USMCA Autos Report to Congress that incorporates lessons learned from the development of the previous report in 2022. This guidance will be updated and help guide the development of the future reports to Congress, which are due every two years through 2030.

What impact have the issues related to interagency coordination highlighted in the GAO's report had on the USMCA Autos dispute?

- The USMCA Autos dispute relates to specific and discrete legal issues regarding treaty interpretation. USTR has kept the interagency apprised of important developments related to the USMCA Autos dispute, but interagency coordination-related issues have not played a major role in the dispute itself.

GAO's report indicates that auto companies are requesting modifications to their alternative staging regimes (ASRs). Can you provide more details?

- The details regarding Alternative Staging Regimes and any possible modification of the ASRs are business confidential information (BCI).

Questions About Other Stakeholder Comments Recently Submitted to USTR for the 2024 USMCA Autos Report to Congress

- USTR and the Interagency Autos Committee are reviewing the public input received as part of the 2024 USMCA Autos Report to Congress.
- That input, as well as the input we will receive at the upcoming February 7, 2024 public hearing, will be taken into consideration as USTR and the interagency draft the report over the coming months.
- The final report will be published no later than July 1, 2024.