During the months of August and September 2015, USCIB arranged meetings with a wide range of U.S. and international officials including Daniel Bahar, Deputy AUSTR for Investment, Christopher Mondini, Vice President, Stakeholder Engagement, ICANN, Linda Kromjong, Secretary-General of the International Organization of Employers (IOE), and Tony Pipa, U.S. Department of State Special Coordinator for the 2030 Development Agenda; submitted comments to USTR on China’s WTO Commitments; joined industry letters on China’s protectionist technology policies and proposed changes to the U.S. Model Income Tax Treaty; posted a blog on investment in the TPP; and much more. Below are summaries of these and other highlights from the activities of USCIB in Washington, D.C. over the last two months. If you have any questions or comments, or want more information on a specific topic, please contact any of the staff members listed at the end of this brief.

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Trade and Investment – Opening Global Markets for Trade and Investment

- **USCIB Trade Committee Meets with Daniel Bahar, USTR; Jeff Schott, PIIE:** At the September 16, 2015, meeting of the USCIB Trade and Investment Committee, Daniel Bahar, Deputy AUSTR for Investment, briefed members on the status of the investment chapter in the Trans-Pacific Partnership negotiations, as well as the latest round of U.S.-China Bilateral Investment Treaty (BIT) negotiations. Jeff Schott, Senior Fellow at the Peterson Institute for International Economics, provided members his candid appraisal of the TPP negotiations, the WTO, and other trade negotiations currently ongoing. Other issues discussed at the meeting included recent developments related to TTIP, the WTO, EGA, and the BIAC and ICC Trade Committees. USCIB members also formed a task force to draft the USCIB Trade and Investment Agenda for 2016.

- **Mulligan Presents USCIB Views on Draft ICC Policy Papers Addressing Investment, Cross Border Data, and Regional Trade Agreements:** Rob Mulligan, USCIB Senior Vice President, Policy & Government Affairs, represented USCIB at the September 29, 2015, meeting of the ICC Commission on Trade and Investment Policy in Geneva. In addition to briefings by Terry McGraw, ICC Chair, and Marc Vanheukelen, EU Ambassador to the WTO, the commission discussed three draft policy papers on preferential trade agreements, cross border data flows, and investment. Rob ensured member views were heard on each paper and will be providing written comments based on member input.

- **Mulligan Engages USTR and WTO on Ministerial Planning and Next Steps in WTO:** While in Geneva, Rob also participated in the WTO Public Forum and held several side meetings that included: Chris Wilson, USTR Deputy Chief of Mission in Geneva; David Shark, WTO Deputy Secretary General; Hamid Mamdouh, WTO Director, Trade in Services; Ambassador Fernando de Mateo, Mexican Ambassador to the WTO; and WTO Spokesperson Keith Rockwell. Indications from these meetings are that the WTO Ministerial in Nairobi is not likely to resolve outstanding Doha issues, but may produce a smaller agreement covering export competition, transparency, and provisions for LDCs. There was strong interest in business views on possible areas for plurilateral work in 2016.

- **USCIB Meets with Department of Commerce on FDI Data:** On September 16, 2015, USCIB staff and members met with Sarahelen “Sally” Thompson, Associate Director for International Economics at the Bureau of Economic Analysis (BEA), U.S. Department of Commerce, as well as Ray Mataloni Assistant Division Chief for Research and Analysis, Balance of Payments Division, BEA, and Patrice Abaroa, Chief of the BEA Direct Investment Division. They provided members with an overview of the findings of BEA’s benchmark (BE-10) and annual (BE-11) surveys of U.S. Direct Investment abroad and sought member views on how to improve the surveys.

- **USCIB CEO Posts Blog on Investment in TPP:** On September 14, 2015, USCIB contributed two blog posts to the Investment Policy Central (IPC) web site blog, where USCIB shares a platform on investment topics with a group of other leading trade associations. USCIB President and CEO, Peter Robinson, posted a piece on investment issues in the Trans-Pacific Partnership (TPP) negotiations. Shaun Donnelly, USCIB Vice President for Trade and Investment Policy, contributed an advocacy piece on the U.S.-China Bilateral Investment Treaty negotiation.
• **Support for Convention on the Assignment of Receivables in International Trade:** On September 14, 2015, USCIB, together with four other U.S. business associations, signed a letter requesting the release of the UN Convention on the Assignment of Receivables in International Trade to the Senate for ratification as soon as possible. The letter argued that ratification of the Convention would greatly improve financing opportunities for small and medium-sized enterprises. The Convention would also bolster financing by clarifying that rules similar to U.S. Uniform Commercial Code, Article 9, apply to the assignment of receivables due in international sales.

**ICT Policy – Promoting Sound Policies for New Technologies**

• **USCIB Joins Letter to Presidents Obama and Xi Jinping on ICT Market Access:** USCIB joined with several trade associations, both U.S. and foreign-based, in the ICT and financial sectors to highlight China’s policies that have adversely affected the ability of ICT firms and companies that rely on ICTs to do business in China. On August 11, 2015, USCIB co-signed with 17 other trade groups a letter to President Obama urging him to seek, via his meetings with Chinese President Xi Jinping on September 24-25, specific goals aimed at keeping markets open, particularly in the ICT sector.

• **Highlighting China’s Protectionist Technology Policies in Comments:** On September 14, 2015, USCIB joined 12 other ICT and financial sector groups on comments to the China Banking Regulatory Commission (CBRC) concerning technology regulations affecting banks operating in China. The group urged the CBRC to base its regulations on high-level principles for “workable and effective cybersecurity policies” that included: transparency in the policymaking process; the importance of flexible and adaptable policies to address the growing and evolving nature of cyber threats; adopting a risk-based approach to examine whole systems for cyber threats; reliance on global security standards based on consensus industry processes; and relying on market-based approaches.

• **USCIB Weighs In on Proposals to Transition the IANA Functions and Enhance ICANN Accountability:** On September 8 and 11, 2015, USCIB once again provided business perspective in comments to ICANN concerning the proposed transition of the IANA stewardship functions as well as the creation of enhanced ICANN accountability mechanisms. Concerning the IANA Stewardship Transition Coordination Group (ICG) proposal, USCIB strongly supported the overall transition of the IANA stewardship functions. USCIB maintained that the proposed creation of the Post-Transition IANA (PTI) wholly owned subsidiary, in which present IANA staff would take up their same roles for the names, numbers, and protocol functions, effectively ensures the continued security and stability of the Domain Name System. The CCWG-Accountability proposal aims to create stronger ICANN accountability mechanisms to replace the backstop function currently provided by NTIA’s contract with the organization. In this regard, USCIB supported the CCWG’s proposed Community Mechanism as Sole Member Model (CMSM) as an effective means of empowering the ICANN multistakeholder community to hold ICANN accountable on critical governance issues.

• **USCIB Responds to UNGA Call for Review of the WSIS Outcomes:** USCIB, and its members, played an active role in developing a written statement submitted on
September 18, 2015, by ICC-BASIS. The statement responded to a call by the UN General Assembly for a review of a “non-paper” focused on implementation of the WSIS outcomes. Designed as a compilation of the majority of ideas, aspirations, and recorded progress to date, the paper included the previous work of UN-led reviews of WSIS outcomes. This ICC-BASIS submission, will serve as important global business input to the UN Secretariat’s development of the final outcome document, to be endorsed by UN General Assembly at the December 15-16 High-Level Meeting.

- **USCIB ICT Policy Committee Meets with ICANN and U.S. Government Officials:** At the September 25, 2015, meeting of the ICT Policy Committee, USCIB members engaged once again with senior U.S. Government and ICANN staff, including Fiona Alexander, Associate Administrator, National Telecommunications and Information Agency (NTIA); Suzanne Radell, Senior Policy Advisor, NTIA; and Christopher Mondini, Vice President, Stakeholder Engagement, ICANN. Discussions focused on USCIB’s recent written comments on proposals to transition of the IANA stewardship functions as well as create enhanced ICANN accountability mechanisms. All of the guest speakers expressed appreciation for USCIB’s comments, underscoring that our business voice will continue to be important in shaping the future of ICANN. Additionally, Michael Rose, Policy Advisor, U.S. Department of Commerce, briefed Members on the continuing efforts of the APEC Data Privacy Subgroup to develop a foundational model for privacy-related regulatory interoperability. Rose also provided an update on US-EU revisions to the Safe Harbor Agreement. Sean Lindstone, USTR, and Jon Habjan, State Department, explored the U.S. Government’s efforts to lead development of a Work Plan for Facilitating Digital Trade for Inclusive Growth within APEC’s Committee on Trade and Investment.

**Tax – Advancing Tax Policies that Promote U.S. Competitiveness**

- **USCIB Submits Letter on Proposed Changes to U.S. Model Income Tax Treaty:** In a September 14, 2015, letter to Robert Stack, DAS for International Tax Affairs, Office of the International Tax Counsel, in the U.S. Department of Treasury, USCIB commented on proposals concerning special tax regimes, subsequent changes in law, and limitation on benefits. The new Model, which is supposed to be finalized by the end of this year, represents Treasury’s negotiating position so does not result to any immediate changes to any draft, and the new proposals would need to be incorporated into treaties as they are negotiated or re-negotiated.

- **Klein Attends OECD VAT/TAG Meeting:** Carol Doran Klein, USCIB Vice President and International Tax Counsel, attended a meeting of the OECD Value Added Tax Technical Advisory Group (VAT/TAG) the week of September 21, 2015. This meeting, in advance of the OECD holding a meeting on the Global Forum on VAT in November of this year, was to discuss next steps following the adoption of the those guidelines, in particular to solicit business input on the most important topics to be taken up by the TAG. Also discussed were the overlap of VAT with Article 5 of income tax treaties and other BEPS actions.

- **OECD Releases Final BEPS Deliverables on October 5:** The OECD released the final BEPS deliverables on Monday, October 5, 2015. USCIB will be preparing digests of the deliverables.
Customs and Trade Facilitation – *Reducing Barriers and Costs from Customs and Border Control Practices*

- **USCIB Discussion with Maria Luisa Boyce, CBP, on ACE Deadline Extension:** On September 1, 2015, USCIB Customs and Trade Facilitation Committee members held a conference call with Maria Luisa Boyce, Senior Advisor to the Commissioner for Trade and Private Sector Engagement and Director for the Office of Trade Relations, U.S. Customs and Border Protection (CBP). Boyce provided the context and the details of CBP’s decision to postpone the deadline for rolling out the Automated Commercial Environment (ACE), and the future implementation of a Hybrid Filing System. USCIB also attended a meeting of the Border Interagency Executive Council (BIEC) External Engagement Committee (EEC) to discuss the updated schedule of this process.

Labor and Employment – *Pursuing a Coordinated Strategy for Labor Market Flexibility*

- **Labor and Employment, Corporate Responsibility Committees Hold Joint Meeting:** On September 28 and 29, 2015, the USCIB Labor and Employment and Corporate Responsibility Committees held their 2015 Fall meetings jointly at Foley & Lardner in Washington, DC. Members heard from more than 20 high-level speakers. Speakers from international organizations included Linda Kromjong, Secretary-General of the International Organization of Employers (IOE), Beate Andres and Michelle Leighton from the International Labor Organization (ILO), Lara White, Senior Labor Migration Specialist at the International Organization for Migration (IOM), and UNICEF Corporate Social Responsibility Specialist, Patrick Geary.

U.S. Government speakers included Melike Yetken, Special Adviser of Corporate Social Responsibility at the U.S. Department of State, Michael J. Bloom, Assistant Director, Policy and Coordination Division, Bureau of Competition, FTC, and Sarah Fox, Special International Adviser at the U.S. Department of State. Topics of presentations and discussions included the 2016 International Labor Conference, UN Business and Human Rights activities, Responsible Business Conduct, the OECD Employment Ministerial, Corporate Accountability, Competition Law and Corporate Responsibility, the Corporate Human Rights Benchmark, Global Supply Chains, the UN Sustainable Development Agenda, Human Trafficking and Forced Labor, and Business and Children's Rights.

Corporate Responsibility – *Developing Standards and Principles, Increasing Awareness of Positive Business Impact*

- **SDG Working Group Meets with Tony Pipa on 2030 Development Agenda:** On September 9, 2015, the USCIB Sustainable Development Goals (SDG’s) Working Group met with Tony Pipa, U.S. Department of State Special Coordinator for the 2030 Development Agenda. Pipa discussed business issues in the Addis Ababa Financing for Development (FfD) outcome document, and the proposed SDG outcome document. He emphasized partnership and synergy between domestic resources and entities (including business), with public sector Official Development Assistance (ODA) and funding. The meeting discussed aspects of metrics and indicators under development for use in tracking progress in the 2030 Development Agenda, and USCIB members underscored the need to recognize existing corporate reporting frameworks. Additionally,
the SDG Working Group reviewed USCIB’s website, Business for 2030, which was the centerpiece of a major USCIB Launch Event on September 24, 2015, in New York.

China – **Supporting Policies and Relationships that Enhance U.S.-China Business**

- **USCIB Submits Comments on China’s WTO Commitments:** In response to the annual Federal Register request for comments on China’s compliance with its WTO Commitments, USCIB submitted comments to the Office of the U.S. Trade Representative based on input from members covering current, cross-sectoral, and sector-specific issues of concern, including China’s Antimonopoly Law, regulatory environment, national treatment and non-discrimination, and IT security measures. The submission is available [here](#).


- **International Product Policy Working Group Discusses ICCM4:** The USCIB International Product Policy Working Group met on September 15, 2015, to prepare members for the 4th annual International Conference on Chemicals (ICCM4) that took place in Geneva from September 28, - October 2, 2015. ICCM is the governing body of the Strategic Approach to International Chemicals Management (SAICM), which brings together over 700 stakeholders from various sectors for discussions about how chemicals can be used and produced in ways that minimize adverse effects on human health and the environment by 2020. The meeting featured discussion with Sezaneh Seymour, U.S. Department of State and Laura Nazef, U.S. Environmental Protection Agency (EPA). USCIB members had the opportunity to discuss industry priorities for ICCM4. In addition to preparing for ICCM4, members also received a debrief on the Asia Pacific Economic Cooperation (APEC) Senior Official’s Meeting (SOM-3), which took place in Cebu, Philippines from August 31- September 2, 2015, from Helen Medina, USCIB Vice President for Product Policy and Innovation and Alexa Burr, Regulatory and Technical Affairs Manager at the American Chemistry Council (ACC).

Competition – **Creating Global Legal Practices for an Open and Competitive Business Environment**

- **USCIB Competition Committee Meets with Renata Hesse, Justice Department:** Members of USCIB’s Competition Committee met jointly with the International Chamber of Commerce’s Commission on Competition in Washington, DC on September 30, 2015, to discuss ongoing work regarding merger control regimes, due process, compliance and advocacy, cartels and leniency, and the International Competition Network (ICN). Members also took this opportunity to exchange views with Renata B. Hesse, Deputy Assistant Attorney General for Criminal and Civil Operations from the U.S. Department of Justice, regarding international coordination on mergers and investigations.
Membership

- **Membership Meetings:** The Washington, D.C. membership department and policy staff met with representatives from member companies General Electric, Procter and Gamble, and TD Bank to develop our understanding of their policy priorities for the next year and beyond, and to see how USCIB can better serve their policy needs.

- **New Members:** USCIB has recently welcomed The Chemours Company, Hewlett Packard Enterprise Company, and Jones Day as new members.

Upcoming Events:

- **G20-OECD Global Forum on International Investment** – October 5, 2015; Istanbul, Turkey
- **B20 Digital Economy Forum** – October 6, 2015; Istanbul, Turkey
- **ICC Commission on Digital Economy** – October 7-8, 2015; Istanbul, Turkey
- **Women’s Empowerment Event: Solutions at Nexus of Agriculture, Nutrition and Gender** – October 9, 2015; Rome, Italy
- **USCIB Customs and Trade Facilitation Committee** – October 14, 2015; Washington, DC
- **ICANN 54** – October 18-22, 2015; Dublin, Ireland
- **2nd WSIS Stakeholder Consultation** – October 19, 2015; United Nations, New York
- **BIAC Trade Committee** – November 4, 2015; Paris, France
- **OECD Trade Forum** – November 3, 2015: Paris, France
- **OECD Trade Committee** – November 4-5; Paris, France
- **USCIB International Leadership Award Dinner** – November 9, 2015; New York
- **Internet Governance Forum (IGF)** – November 9-13, 2015; Joao Pessoa
- **APEC CEO Summit** – November 15-17, 2015; Manila, Philippines
- **UN Climate Talks (UNFCCC COP21)** – November 30 - December 11, 2015; Paris, France
- **UNGA High-Level Meeting on the WSIS 10-Year Review** – December 15-16; United Nations, New York
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