



THE DEPUTY UNITED STATES TRADE REPRESENTATIVE
EXECUTIVE OFFICE OF THE PRESIDENT
WASHINGTON

January 18, 2019

Mr. Wang Shouwen
Vice Minister of Commerce and Deputy International Trade Representative
Ministry of Commerce
Beijing, China

Dear Vice Minister Wang:

We anticipate that the United States and China will soon begin to exchange proposals and related information during the process of negotiations initiated on December 1, 2018. In preparation, I would like to outline the following important points about the handling of information in the context of these negotiations and confirm that you agree with this approach:

- First, information exchanged in the context of the negotiations, such as proposals of each Government, accompanying explanatory material, and emails related to the substance of the negotiations, is provided and will be held in confidence. This means that the information may be provided only to (1) government officials or (2) persons outside government who participate in that government's domestic consultation process and who have a need to review or be advised of the information. Anyone given access to the information will be informed that they cannot share it with people not authorized to see it. The United States and China will hold this information in confidence for four years after entry into force of the results of these negotiations or, if no results enter into force, for four years after the last round of negotiations.
- Second, while the information is confidential, each Government may mail, e-mail, fax, or discuss the information over unsecured lines with the groups of people mentioned above (i.e., government officials and persons who participate in the domestic consultation process). The Governments also may store this information in a locked file cabinet or within a secured building; that is, the information does not need to be stored in a safe. The Governments also can create and store this information on unclassified computer systems.

The policy underlying this approach is to maintain the confidentiality of information, while at the same time allowing the United States and China to develop their positions, communicate internally and with each other, and engage with their public as they consider appropriate in developing and communicating their own positions. Maintaining confidentiality will promote robust discussion and limit any adverse impact that disclosure may have on future and ongoing negotiations with other countries. We look forward to your confirmation that you agree with this approach.

Sincerely,

Jeffrey D. Gerrish
Deputy United States Trade Representative