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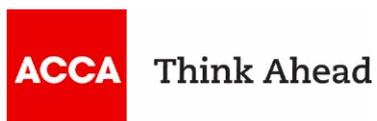
POLICY AGENDA

Recommendations for a 21st Century
US-UK Economic Partnership

23
24

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THE 2023/24 POLICY AGENDA IS SUPPORTED BY



FOREWORD

As Co-Chairs of the BAB Policy Steering Committee, we are pleased to present BAB's 2023/24 Policy Agenda.

We do so with cautious optimism that the transatlantic relationship may well be on course to a new level of economic integration against a background of challenges to liberal globalized trade caused by geopolitical tensions and the aftermath of COVID-19.

US President Biden and UK Prime Minister Sunak met several times in 2023, giving them the chance to rebuild transatlantic alignment on important issues such as energy transition, security and defense cooperation, and transatlantic leadership around the regulation and use of artificial intelligence (AI).

A tangible outcome of these meetings was the Atlantic Declaration, an ambitious list of aspirations in four focus areas, ranging from leadership in critical and emerging technologies, cooperation on economic security and technology protection toolkits and supply chains, digital transformation, and clean energy. These objectives can, if implemented, be at least as important as a traditional free trade agreement, perhaps even more so.



BAB Policy Group Life Sciences Industry Engagement with MSD
January 2023

The success of the Atlantic Declaration will be in the hands of the administrations of both countries, and BAB will provide whatever support it can to turn the aspirations contained in the Declaration into reality.

Over the past twelve months, BAB has successfully highlighted areas where policy action is needed, offering solutions that prevent the creation of new barriers and encouraging innovation and growth for both economies.

We welcomed the UK's efforts, through the Lord O'Shaughnessy review into clinical trials, to commit to a future-proof environment for the UK life sciences sector.

We welcomed the US and UK's immediate response to our Sustainability White Paper, 'Pro Business, Pro-Growth,' that set out recommendations for how a forward-looking sustainability agenda can go hand in hand with the opportunities it provides for business.

We were pleased to be invited to offer some detailed thinking around the business case for UK-US State level trade and investment cooperation.

We also welcomed the UK government's openness to engage with us around regulatory proposals such as the Foreign Influence Registration Scheme and the Retained EU Law Bill.

As we reach the end of our two-year term as Co-Chairs, we can report that BAB's policy work is more active and consequential than it has ever been. BAB's policy work follows a structured approach that is consistent, outcome-oriented, and properly resourced. It can also be fast and nimble when needed.

We are pleased to see that BAB Policy Sub-Committees, established as part of last year's Policy Agenda, have started to do what we hoped by bringing more members into the public policy work discussion, shaping our priorities, and identifying the major issues for this 2023/24 Policy Agenda. Given the Atlantic Declaration's focus on aerospace, defense, and space and the growing interest among BAB members from industries active in these fields, we have created a new Sub-Committee to focus on this area.

As we introduce BAB's policy priorities for 2023/24, we have prioritized three main objectives:

- To be a good business partner to both the US and UK governments around their efforts to implement the various commitments made in the Atlantic Declaration.
- To offer policymakers guidance and support around issues that need to be addressed to retain and grow our economies' attractiveness to investors.
- To be a driver and hub for creative thinking on how to shape an active US-UK trade agenda, which remains one of the top priorities for transatlantic business.

With these main objectives in mind, we encourage policymakers and stakeholders to study this document closely. It reflects where there is alignment across industries and geographies. It points to the issues that, if addressed, will make our economies better. It offers ideas and solutions on how to achieve just that.



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INTRODUCTION

This year's Policy Agenda reflects the ambitions and commitments set out in the Atlantic Declaration. On the one hand, integrating priorities from the Declaration into the Policy Agenda allows us to be a good partner to both the US and the UK on these critical issues. On the other hand, quite a number of issues that the Atlantic Declaration covers were already featured in several of our internal BAB workstreams over the past few months, such as enhancing collaboration around data flows, reducing vulnerabilities in critical technology supply chains, thinking about how best to regulate AI, or increasing transatlantic cooperation and exchange in aerospace, defense, and space.

The FIRST CHAPTER emphasizes that transatlantic businesses want to work with governments on digital transformation, with particular focus on increased collaboration on data flows and the secure and safe development of AI technology. It is crucial for the US and the UK to finalize their bilateral data flow agreement, but we also agree that US-UK leadership on data should be a major cornerstone to other multilateral initiatives, such as the US-led Cross-Border Privacy Rules System (CBPR) that the UK joined in 2023.

Prime Minister Sunak announced the first major global summit on AI safety and regulation when he was visiting President Biden and successfully gained the support of the US government for the initiative. Transatlantic companies now want to help steer and shape a coordinated approach to the opportunities and challenges of these new emerging technologies.

Our SECOND CHAPTER integrates many of the commitments made in the Atlantic Declaration and focuses on the opportunities for an even stronger alliance across defense, security, and space. Both the US and the UK have already proven that they complement each other well in terms of market demand and products. The war in Ukraine and increasing tensions with China have moved defense and security issues back to the center of the transatlantic relationship, creating the need for increased trade, fewer points of unnecessary friction, and greater cooperation across the Atlantic.

Our THIRD CHAPTER that integrates a series of commitments from the Atlantic Declaration is on clean and sustainable energy. In our extensive work done in previous months, we made the argument that the energy transition is the biggest business opportunity of our time and that it requires close public-private collaboration to have a chance of success. Work done by BAB was part of many fruitful discussions with UK and US government partners in 2022/23. This year, we want to take the work further by offering our support to the US and the UK in finalizing a Critical Minerals Agreement and by advocating for US-UK leadership around issues such as sustainable aviation fuels, sustainable health, and the circular economy. We also make the case that efforts in these areas need to go hand in hand with ensuring energy security and affordability for our economies.

In the FOURTH CHAPTER, we are focusing on digital skills. Last year, we promoted very tangible action points that helped address immediate mobility issues, such as speeding up visa processing times and lifting the last remaining COVID-19-related travel restrictions. We also advocated for governments

to develop comprehensive education schemes in partnership with the private sector. This year, we have identified digital skills as the most prominent area for business and governments to focus on as part of these efforts. In short, US and UK leadership on critical technologies, such as AI, will depend on whether our economies are able to produce people with the right skills.

In the FIFTH CHAPTER we will explore the international competitiveness of the US and UK as places to invest and do business in the context of new challenges stemming from COVID-19, the war in Ukraine, supply chain vulnerabilities, rising tensions with China, and high energy costs. We will continue to argue for competitive tax regimes, and we have broadened the focus of our work to include innovation, competition, and regulatory reform; all of which contribute to an economy's overall competitiveness. On competition, we focus on the role of the CMA and the FTC. We will look for the results of the Harrington Review in the UK, as well as the results from the BAB/Bain & Company Transatlantic Confidence Index, to understand the factors defining the attractiveness of the US and UK economies. On regulation, we need the US and the UK to be fast and active global leaders, but we will urge that regulation should be evidence-based and predictable, should be consistent between markets, and should not be unnecessarily burdensome or expensive so that companies have the certainty that they would need long term to invest and experience growth.

The SIXTH CHAPTER covers our traditional core mission and heritage: trade and investment. Over the past few years, the definition of, and work on, trade and investment has become much more complex. Many of the elements that are part of the other Chapters in this Policy Agenda sustain, facilitate, and define the health and future of transatlantic trade and investment, including the ambition to reach a US-UK Critical Minerals Agreement, the creation of a sound US-UK Data Framework, or enhanced cooperation in defense, health security, and critical technologies. We will continue to make the case for a comprehensive trade and investment agreement between the US and the UK, but in the meantime, tangible collaboration in the aforementioned areas, domestic efforts around competitiveness, and continued trade and investment promotion efforts, such as the UK-US State level MoUs, can lead and contribute to what the Atlantic Declaration calls a 21st century US-UK economic partnership.



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DIGITAL TRANSFORMATION

CONTEXT

The recent emergence of AI as a mainstream technology and topic of debate has focused attention on the digital economy, the potential transformation of many industries and functions, and the need to ensure that new technologies are deployed in a safe and responsible way.

According to McKinsey's annual Global Survey, one third of businesses regularly incorporate AI into at least one business function.¹

Businesses and governments equally recognize that, while AI technology has the potential to transform our societies and economies, there is also a shared responsibility to mitigate the risks involved in unlocking such opportunities.

The growing importance of AI raises questions of how to build an appropriate regulatory framework. With the commitment by the US and the UK to accelerate cooperation on AI in the Atlantic Declaration and the UK Prime Minister's decision to hold the first major global AI summit in London in November 2023, AI, as well as broader digital issues, has moved to the top of the transatlantic agenda.

While the AI discussion captures the wider attention, other areas that fall within Digital Economy policy have also advanced. For example, the US and the EU recently announced a new Data Privacy Framework as successor to the Data Privacy Shield, an agreement that will hopefully be followed by the completion of US-UK negotiations on data transfer. Meanwhile, the UK joined the CBPR framework and continues to advocate for a globally adaptable data flow solution.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We welcome the Atlantic Declaration's strong emphasis on US-UK leadership and alignment around digital transformation. As both countries aim to have a leading role in the AI Summit to be held in London, we call on both governments to set out an agenda that identifies issues and defines desirable outcomes. Principles should include:
 - That any new approach to AI considers the differences and similarities between economies already regulating the space to avoid duplication and unnecessary divergence.
 - That AI regulation is interoperable between the EU, the UK, and the US, specifically on sub-topics such as generative AI, data scraping, and IP rights.
 - That any new approach considers how to regulate AI to increase productivity and growth in a safe way.
 - That any new approach to AI specifies how to minimize unintended spillover effects.
 - That any new approach to AI takes a positive view of the chance to create new businesses or

dramatically increase productivity in each market; and explores what guardrails need to be in place to best serve the business community.

2. We welcome the recent Data Privacy Framework (DPF) agreement between the US and the EU. We support and expect that the US and the UK will reach their bilateral agreement in due course. We call for the agreement to incorporate sound and globally applicable provisions, particularly relating to the financial sector. While the emphasis should be on ensuring that the bilateral data flow agreement is legally sound, we welcome that the US and the UK further develop multilateral platforms like the Global CBPR Forum.
3. We call on both the UK and the US to continue to keep digital trade as part of their wider transatlantic economic agenda. Building on the Transatlantic Dialogues held in 2022, we will work with governments on identifying principles and areas of activity, such as paperless trade, digital inclusivity, digitally tradeable services, crypto asset technology, cyber security, market access, and SMEs.

WHAT BAB DOES

BAB has been leading the conversation around digital issues in a transatlantic context for many years, starting with its longstanding work around transatlantic data flows, featured in BAB's Policy Agendas throughout the years, and advocacy for a strong digital component in transatlantic trade discussions, such as the Transatlantic Dialogues held in 2022.

In 2023 BAB joined TheCityUK in calling for both US and UK governments to negotiate a stand-alone US-UK Digital Economy Agreement.

With the overall ambition for the US and the UK to be global leaders in the digital economy and transformation, BAB has also called for competition policies and regulatory approaches that support the growing sector, most recently through a dedicated consultation submission to the UK Competition and Market Authority's (CMA) Strategic Steer.

BAB's particular focus on digital issues led to the establishment of a BAB Policy Digital Economy Sub-Committee, a dedicated workstream to help produce solid ideas and contributions for policymakers.

AEROSPACE & DEFENSE

CONTEXT

The aerospace and defense sectors have historically underpinned the transatlantic cooperation between the US and the UK. The US is the leading aerospace exporter,² and the UK aerospace industry is the second largest in the world behind the US with 98% of its domestic production exported.³ The UK benefits from US resources and economies of scale. The US benefits from British niche capabilities and the UK's global reach.⁴

For reasons that are well understood, over the last 18 months, the relationship between the US and the UK has stressed the crucial importance of the security and defense partnership. The ongoing war in Ukraine, increased political and economic tensions with China, as well as talent shortages and supply chain disruptions, are all contributors to a re-energized relationship. The significance of AUKUS, the trilateral security pact established in 2021 between the US, the UK, and Australia, must not be underestimated.⁵

Strengthening the US-UK alliance in defense, security, and space has become one of the most prominent topics in the context of the transatlantic corridor. The signing of the Atlantic Declaration solidified this new focus in that economic and defense cooperation are now seen as the two fundamental pillars of the US-UK alliance.⁶ The document sets out ways in which closer collaboration can be achieved, such as by ensuring flexible and coordinated export controls; strengthening our world-leading partnership across sanctions strategy, design, targeting, implementation, and enforcement; reducing vulnerabilities across critical technology supply chains; and continuing to optimize the two countries' longstanding defense cooperation.



Meanwhile, in March 2023 the UK government published its Integrated Review Refresh, updating its national security and international policy. In July 2023, the House of Commons Defence Committee published a report on defense procurement, listing a series of recommendations aimed at reducing bureaucracy, making it more consistent in its approach to safety, and improving accountability by aligning it more clearly with responsibility.⁷ Notably, one of their recommendations is around Defence Equipment and Support (DE&S) improving its relationships with industry.

Finally, the aerospace and defense sector has become a key area of focus for the UK government engagement with individual US states. The Utah Aerospace & Defense Association (UADA) has committed to bringing together businesses from the UK and Utah to highlight and explore mutual business opportunities across the aerospace, defense, and space sectors.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We encourage the US and UK governments to follow through with the implementation of the commitments on aerospace and defense outlined in the Atlantic Declaration, with a focus on ensuring flexible and coordinated export controls. Although we acknowledge that this will be a decision for Congress, we would welcome UK companies being treated as a 'domestic source' within the meaning of Title III of the Defense Production Act.
2. We support the US Aerospace Industries Association (AIA) and the UK Aerospace, Defence, Security and Space Group (ADS) recommendations to leverage industry participation in the implementation of AUKUS, specifically on Pillar II. On Pillar II, we encourage the US and UK governments to work with industry to eliminate bureaucratic and regulatory barriers and collaborate on its development, particularly in terms of exportability and technology release.
3. We encourage the US and UK governments to take advantage of opportunities for transatlantic collaboration in aerospace, in areas such as the certification of sustainable technologies.
4. We also call on both the US and the UK to review existing space research and capabilities and to promote transatlantic collaboration, such as the recent UK Space Agency's US-UK partnership between Pulsar Fusion and the University of Michigan. We welcome the recent economic collaboration agreement between the UK and Utah that prioritized aerospace and defense collaboration.
5. We encourage the UK government, and in particular the UK Ministry of Defence, to integrate the views and role of US and UK headquartered defense companies in helping to shape a competitive environment for a UK aerospace and defense sector, for example, around the development and protection of IP. We also encourage the UK government to take into account US and UK views when implementing the changes set out in the Integrated Review Refresh.
6. As part of future small business-focused transatlantic workstreams, we encourage both the US and the UK to investigate what barriers to entry SMEs face in the aerospace and defense sectors and take action to alleviate these barriers to allow these businesses to grow and contribute to governments' objectives with their innovative technologies.



WHAT BAB DOES

BAB has historically been home to many leading US and UK aerospace and defense companies who make up a significant portion of transatlantic trade and investment.

In addition to high-level conversations with company and government leaders, BAB's policy work over the last few years has focused on working with governments to find a solution to the ongoing aircraft subsidy dispute, to which we saw reach a compromise solution in 2021.

The release of the Atlantic Declaration, with its strong focus on these sectors, encouraged BAB to establish a separate Aerospace & Defense Policy Sub-Committee that propels BAB's work in the area.



BAB Policy Group Briefing with GK Strategy on UK Politics, London

February 2023

CLEAN & SUSTAINABLE ENERGY

CONTEXT

Over the past 12 months, the transatlantic sustainability agenda has been shaped by two major developments. First, the US Inflation Reduction Act (IRA), branded as the most significant climate legislation in US history, has the potential to dramatically change the speed of energy transition in the US, with spillover effects globally. With its tax credits and direct subsidies, the IRA has already encouraged enormous additional investment into the US from domestic and international companies. It has also triggered a robust debate and transatlantic engagement around the trade-distorting effects that the IRA may have on other economies.

The second development is that the UK has announced an additional set of funding programs to help businesses and organizations manage their energy transition. Further, the UK is targeting incentive funds towards specific major investments. For instance, Tata Group recently announced plans to establish a global battery cell gigafactory in the UK.⁸

The ongoing volatility of energy supply and cost has made energy security a vital component of sustainability policy discussions. In December 2022, both the US and the UK announced an Energy and Affordability Partnership, aimed at intensifying collaboration to support international energy security, affordability, and sustainability, as Europe reduced its dependence on Russian energy. In August 2023, the UK announced that it would organize a global energy security conference to stimulate international cooperation and support to speed up the deployment of clean and resilient energy infrastructure.⁹

The initiation of negotiations on a US-UK Critical Minerals Agreement, the commitment to cooperate on a Joint Clean Energy Supply Chain Action Plan, the launch of a US-UK Civil Nuclear Partnership, and the decision to include the chapter on 'Building the Clean Energy Economy of the Future' in the Atlantic Declaration all underscore the overall mission of the US and UK to be global leaders in climate-related policy.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We welcome and fully support the commitments made in the Atlantic Declaration. Reaching a US-UK Critical Minerals Agreement early will be a test of how committed each government is to the Declaration.
2. We agree that bold investments and strategic public funding are necessary to achieve the climate goals set by the US and the UK. Putting in place effective policy frameworks

and updating permitting processes will be important considerations for both governments. In the US, a particular focus on the timely and efficient implementation of the IRA will be important. In the UK, we call on the government to further develop efficient mechanisms for the net zero implementation, focusing on, among other things, creating efficient public-private partnerships and working toward ensuring that funding schemes are as impactful, effective, and focused on value for money as possible. We also fully endorse recommendations which encourage the government to further integrate Digital Economy solutions into sustainability goals and ambitions.

3. We call for the US and the UK to lead on the development and distribution of Sustainable Aviation Fuels (SAF), building on the US-UK partnership announced in May 2023. A particular focus should be set on the efficient use and procurement of existing technology/commercial applications, the further development and review of targeted incentive schemes, and the recognition of the hierarchy of fuel ingredients. In terms of the hierarchy of ingredients, governments should ensure that SAF only uses wastes and residues. This approach will prevent negative environmental consequences, such as the loss of biodiversity and deforestation, and will avoid competing demands for feedstocks, such as those used in pet food or feed supply chains. We call on the US in particular to review its approach and align closely with the developing UK SAF Mandate.
4. We call for further collaboration on developing and deploying carbon capture technologies at scale. While the Global Carbon Management Challenge is a step in the right direction, we encourage both countries to set up ambitious capture targets. With the progress made developing hubs or clusters, the US and the UK have a unique opportunity to lead the world in this critical technology. We call on both governments to share best practices and develop appropriate support mechanisms to ensure that a wide range of technologies are brought to market.
5. We also encourage both the US and the UK to continue the use of industry-specific approaches towards sustainability as they have done previously concerning the aviation industry, for example, towards sectors like health, which has greater global greenhouse gas emissions than commercial aviation.¹⁰ Existing business-led initiatives can offer useful solutions, including in a transatlantic context, by building on existing innovation partnerships to ensure the future delivery of medicines and vaccines.
6. We call on both the US and the UK to ensure that new sustainability-related policy action does not create an unnecessary burden for business. For example, as the UK looks at introducing a carbon border adjustment mechanism (CBAM), an equivalent to the European Emissions Trading System (ETS), government should work toward mechanisms that are interoperable and smartly designed so it does not create any unnecessary, duplicative administrative burdens or costs. For example, regarding public procurement, the current requirements made around carbon reporting, social





value delivery, and anti-slavery provisions are challenging for industry to navigate.

7. A realistic and orderly approach to a successful energy transition will include fossil fuels and we welcome the UK's decision to grant new oil and gas licenses in the North Sea.¹¹ This industry must continue to have access to financing, insurance, banking, and other standard business services. At the same time, the focus on supporting new business models and creating demand for renewable energy, storage (including CO₂ and hydrogen), and distribution of power as well as on a new civil nuclear program makes sense. We welcome the UK's announcement to hold a global energy security conference in 2024 and look forward to supporting its objectives.
8. We support both the US and the UK in their efforts to take a leadership position in creating a more circular economy. Consultation with business must be an integral part of the process, such as in the use and recycling of plastics, healthcare products, paint, and coatings. Consultation with business on sustainability legislation should address, for example, a flexible approach to businesses that need more time to move away from 'single use' products. Also, governments should consider the risk of unnecessary regulatory fragmentation, for instance, across individual US states in absence of a federal framework. The UK government should also act with caution and restraint in their 'full cost recovery' model of funding regulatory agencies for Extended Producer Responsibility (EPR) due to the inflationary pressures this can cause.

WHAT BAB DOES

Sustainability has grown to become a core pillar of BAB's advocacy work, reflected in BAB's ESG/Corporate Citizenship and Sustainability event series and dedicated Policy Sub-Committee workstream.

We published a White Paper in March 2023 in which we made a series of recommendations for a pro-growth, pro-business US-UK sustainability agenda.¹² Our arguments were developed through engagement with the Chris Skidmore MP Independent Review of Net Zero and the energy and climate team at the White House.

The overarching ambition of BAB's work is to advocate for clear, consistent, and equivalent regulation across the Atlantic to speed up the energy transition of both economies in a way that does not cause unintended consequences for business and society at large. Bans on fossil fuel investment are unhelpful while this transition is underway, as are punitive taxes which disincentivize investment by major energy companies. Instead, all technologies that reduce greenhouse gases and enable nations to achieve both energy security and environmental objectives should be able to access financing. We also want to see the US and the UK raise the global bar on green trade and lead the transition through closer cooperation at a policy level and through global forums. As part of the latter, BAB has been a vocal proponent of the US-UK Energy Security Affordability Partnership.

DIGITAL SKILLS

CONTEXT

The continual arrival of new technologies and the commitments made by both the US and the UK to take leadership roles in the development and application of these technologies must be accompanied by an equal focus on human capital and technical and digital skills. A recent study by the Semiconductor Industry Association (SIA) revealed that by 2030, America's chip sector could face a shortage of almost 70,000 qualified workers, and many more throughout the wider economy.¹³ In the UK, a recent study by Microsoft revealed that most industry leaders feel that their organizations suffer from a digital skills gap, which includes even basic online skills and access.¹⁴

The political and policy debate on digital skills has been around since the emergence of the digital economy in the 1990s. Over the years, both the US and the UK have started to address the issue through policy measures, such as the 2018 UK Digital Skills Framework and Digital Skills Partnership,¹⁵ though it has only been in the past few years that the issue received greater attention.

For example, in the US, the Infrastructure Investment and Jobs Act of 2021 established the Digital Equity Act, which resulted in a \$2.75 billion investment in digital equity programs.¹⁶ Subsequently, in 2022 the US Department of Labor held a wider consultation into successful approaches to digital skills attainment and competency development in education and training efforts.¹⁷ In the UK, Prime Minister Sunak announced a new UK Digital Strategy in 2022 which included the promise that the government will ensure that UK technology businesses have access to the skills they need.¹⁸

In the Atlantic Declaration, both governments expressed the need for, and their commitment to work together on facilitating reciprocal labor flows, especially in areas prioritized in the Declaration, such as science, tech, engineering, and mathematics, all of which are subject to increasing digitalization. The commitments built on previous agreements and frameworks, such as the US-UK Tech and Innovation Partnership, which equally called for greater collaboration between both nations.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We welcome the Atlantic Declaration's ambition for the US and the UK to work toward facilitating reciprocal labor flows and the commitment to use the expertise of industry to advise on how best to make this happen.
2. While labor mobility and exchange need to be an important part of the discussion, businesses recognize that ideally these skills should be available domestically. As such, we welcome and call for further expansion of public programs aimed at ensuring digital equity and the training of skills needed to secure the opportunities of emerging technologies.

3. The US and the UK should have a more coordinated strategic approach to upskilling their workforce. In the UK, there are numerous great initiatives being delivered via the public and private sector, for example, from BAE Systems or Amazon, aimed at increasing digital skills among workers. We recommend that the best of these initiatives be studied and codified in a central place so that they can be replicated by other willing employers with government support.
4. We call on both the US and the UK to establish and review comprehensive workforce plans that assess the needs of tomorrow and establish action plans to meet these future needs. These plans should integrate commercial solutions available, for example, Qualcomm's solutions that transform connected and digital technologies for learners or Pearson's digital learning solutions¹⁹ which tap into the market of millions of future learners. The plans should draw on recent work done by the private sector in setting out specific recommendations to reboot the digital skills system for lifelong learning for all in the UK. This includes more flexibility in the apprenticeship system for employers to include credits for re- and upskilling existing employees, the inclusion of technical and digital skills in schools' core success metrics, the simplification of the government's approach to upskilling initiatives, and the embedding of industry-standard curriculum and certification within academic programs.²⁰
5. In light of the successful signing of the Mutual Recognition Agreement (MRA) between the UK's Architects Registration Board (ARB) and the US's National Council of Architectural Registration Boards (NCARB) and ongoing efforts in engineering, we call on the US and the UK to join efforts in support of an MRA in the field of accountancy.

WHAT BAB DOES

It is the third consecutive year that skills and labor issues have been added to the BAB Policy Agenda as a stand-alone chapter. The focus on digital skills reflects how our work has evolved from a purely labor mobility focus. This continues to be a major area of engagement, for example, through our annual immigration update with Magrath Sheldrick LLP, held in London, but we recognize the need for broader skills policies in both economies. BAB recognizes the work needed to tackle the digital skills shortage and has looked to encourage governments to adopt a forward-looking approach to the development of the skills that business and society will need for the future.

COMPETITION & REGULATION

CONTEXT

The repercussions from COVID-19, the war in Ukraine, heightened tensions with China, supply chain vulnerabilities, and rising energy costs have led to renewed efforts to attract and secure crucial industries and jobs domestically, with intervention which goes beyond traditional investment promotion.

The US took the lead by passing three major investment incentive packages, the 2021 Infrastructure and Jobs Act, the 2022 Chips and Science Act, and the 2022 Inflation Reduction Act (IRA). The incentives and tax credits included in those packages have already had a visible investment impact, coming from domestic and international firms, and overall strengthened the US position as being an attractive place to invest. According to the Semiconductor Industry Association (SIA), within a year, the Chips Act had already sparked an additional \$200 billion in private investment in the US.²¹ The impact of these packages also sparked debates domestically, such as around the IRA provisions on drug prices, as well as internationally in terms of how domestically focused industrial strategy fits with the concept of 'friendshoring.'

The UK's decision to hold a second Global Investment Summit to showcase the UK as a world-leading investment destination has been welcomed.²² In the latest BAB/Bain & Company Transatlantic Confidence Index, however, US investors expressed concern over the UK's future growth trajectory, mainly due to political instability, regulatory change, and taxation.²³ For example, while overall US investment levels in the UK are high, in 2022 the UK saw a 47% drop in the estimated value of inward foreign direct investment in life sciences compared to 2021, from £1.9billion to £1billion. As a result, the UK dropped to ninth of 18 comparator countries in 2022, down from second in 2021.²⁴

The UK's approach in the Financial Services and Markets Act has been largely welcomed, but other proposals have been less convincing. The Retained EU Law Bill; the proposal for a replacement of the CE Mark with a UK Conformity Assessment Mark; in life sciences, the compound effect of a challenging commercial environment (VPAS) and the set up and approval of clinical trials; or the proposed addition of an over-reaching Foreign Influence Registration Scheme as part of the UK National Security Bill have all faced a rather mixed response from business.

In addition, some decisions by the Competition and Markets Authority (CMA) led to questions about the UK's reputation as a business-friendly environment and the extent to which competition regulators should have growth considerations as part of their mandate.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We welcome efforts by the US and the UK to conclude a Critical Minerals Agreement, so that UK-based companies are not disadvantaged by the Inflation Reduction Act. As both the US and the UK consider domestically focused industrial strategies, we also call on both the US and the UK to define and integrate the concept of 'friendshoring' into decisions that pertain to any domestic industrial strategy.
2. To stimulate growth, but also to take the lead globally, we need the US and the UK to be fast and active leaders in creating sensible regulation, especially in emerging areas. We will urge that regulation is interoperable between markets, that it is not unnecessarily burdensome or expensive, and that it always considers its impact on economic growth.
3. We welcome the recent Lord Harrington Review into the UK's investment competitiveness. The UK has many advantages as a place to do business and has been very successful over recent decades in attracting foreign direct investment. But there are many competitors for this investment and the UK must not risk taking its historic position for granted. Principles that should guide the UK's future framework should be built around having a globally competitive tax and regulation environment, but it should also build leadership on existing strengths, such as on IP protection; being a leader in emerging technologies, such as AI; using a smart approach to regulatory reform that is also aimed at providing consistency and longevity; further integrating investment promotion into all relevant policy making decisions across government departments; recognizing the UK's special role as a direct neighbor to the EU and major trading partner to the US in decision-making; encouraging interoperability between all markets; and designing regulatory and tax frameworks that encourage investment.
4. While we acknowledge the importance of using monetary policy to fight inflation, we also call for the UK to review how it can best use fiscal policy to stimulate growth and investment. In the BAB/Bain & Company 2023 Transatlantic Confidence Index, more than half of US businesses stated that the increase in the UK's corporate tax rate from 19% to 25% would affect their confidence in the UK as a place to do business.²⁵ Until a reversal of this increase is possible, we encourage the UK government to further develop proposals that use tax credits and rebates to incentivize investment. We also support the UK government in its plans to repeal the 'windfall' taxes as soon as possible.
5. We welcome the UK's consultation on the strategic steer to the CMA. As set out in our submission, we see the steer as an opportunity to emphasize the importance of achieving the government's objectives in attracting growth and investment to the UK.
6. We welcome the UK's response to the recommendations set out in Lord O'Shaughnessy's review into commercial clinical trials and look forward to seeing development in the implementation plans promptly, which will be key to ensuring these are delivered with the urgency that is needed. While we agree with the problem areas identified, we think some of the recommendations could go further, for example, how research is prioritized by or within the NHS. More could be done to enable this; steps must be taken to change the research culture within the NHS so that it is viewed as a priority. If research is properly resourced and written into both job plans

and into the structure of the Trust, this would signal its importance and could help change the culture. Also, we call for the UK to ensure continued investment in the Medicines and Healthcare products Regulatory Agency (MHRA).

7. We welcome the UK's proposed UK Digital Markets, Competition and Consumer Bill (DMCC). We call for the government to review the existing text in terms of its impact on consumers and overall certainty and predictability for business. One of the two areas to highlight is subscription traps, which create onerous burdens to service providers, generate complexity for consumers, and make notices less effective. The other area to highlight is the enforcement regime against service providers, particularly in cases where a UK-based service is provided to non-UK customers. Further, we call on the UK government to ensure that the Bill provides the right balance between discretion and flexibility for the CMA to adapt its approach overtime, and that it provides certainty and predictability on what factors both inform decisions and can be challenged. We endorse the Motion Picture Association's (MPA) submission to the Lords Communications and Digital Select Committee's inquiry into 'A Creative Future', stating that the UK's Digital Economy must include a strong copyright framework, which itself must strike the right balance between the needs of those who invest in, produce, and distribute creative content and those who consume it.
8. We also call on both the US and the UK to keep IP protection a political priority across Departments and policies and to work with stakeholders on specific aspects of the IP ecosystem. With IP protection being such an important pillar to business across markets, US and UK leadership and cooperation can help reinforce the importance of protecting and strengthening IP frameworks globally and set a precedent for the right approach.
9. We welcome that the US, as one of three nations, is backing the UK's principles to promote policies that will advance the adoption of open and interoperable solutions in the Radio Access Network (RAN). We call on both the US and the UK to continue their efforts to further invest in RAN technology as a way to spur competition and expand supply chains for advanced wireless technologies.

WHAT BAB DOES

As an organization whose mission is to strengthen the economic corridor between the US and the UK, competition, innovation, and regulatory issues inform BAB's work across all workstreams. As part of our work, we constantly review how proposed legislation affects the transatlantic trade and investment environment and represent the views of transatlantic business in shaping policy outcomes. Over the past 12 months, we have actively engaged in competition, innovation, and regulatory issues, particularly in the UK by engaging in the consultation around the Chris Skidmore MP Review into Net Zero, the Lord O'Shaughnessy's review into clinical trials, the Lord Harrington Review into the UK's competitiveness, the UK's consultation into the DMCC, and the UK's draft strategic steer to the CMA. We also provided business feedback to the UK government's response to the US IRA. Together with the Global Innovation Policy Center at the US Chamber of Commerce, we prepared a working paper on the establishment of a US-UK IP Working Group to foster more effective IP protection and enforcement in third countries and international organizations; an initiative that we seek to further develop as a business-led initiative in the months to come.

TRADE AND INVESTMENT

CONTEXT

Over the past few years, how countries formalize and structure their trade relationships has become more complex. The UK has continued what can be seen as a traditional path toward economic integration by signing three major new trade agreements since leaving the EU with Australia (2021), with New Zealand (2022), and by joining the Comprehensive Progressive Agreement for Trans-Pacific Partnership (CPTPP). In addition, the UK has signed two digital trade agreements, with Singapore (2022) and with Ukraine (2023).²⁶

The UK and EU are also parties to the most comprehensive free trade agreement in the world through the Trade and Co-operation Agreement (TCA) signed in 2021.

The Biden Administration has eschewed traditional liberalizing free trade agreements and is engaged in projects like the Indo-Pacific Economic Framework for Prosperity (IPEF), which puts the emphasis on cooperation in areas such as supply chain resiliency and decarbonization, plus elements of transparency and inclusivity, rather than traditional market access issues and tariffs.

This approach has also meant that trade negotiations with the UK did not resume, even though the UK's 'Windsor Framework' more or less successfully addressed the tension point over the border issues with Northern Ireland which commentators had seen as a block to any future bilateral trade talks. In the latest BAB/Bain & Company Transatlantic Confidence Index, more than two-thirds of businesses who responded to the survey said that a US-UK Free Trade Agreement (FTA) should be a policy priority for both the US and the UK.²⁷

It is in this context that the Atlantic Declaration, and particularly the set of ambitious goals in the 'Action Plan for a Twenty-First Century US-UK Economic Partnership' (ADAPT), received a warm welcome from BAB and businesses more broadly. The objectives set out in the document can, if properly implemented, create a new benchmark for bilateral economic collaboration.

Meanwhile, the UK continues to expand its outreach and engagement with individual US states, leading to the signing of two additional Memoranda of Understanding (MoUs) with Oklahoma and Utah, taking the total number of signed MoUs to five.

The US and the UK also continued their SME Dialogue, with the last Dialogue having taken place in Edinburgh, Scotland, and the next scheduled for October 2023 in California.

BAB RECOMMENDATIONS FOR POLICYMAKERS

1. We call on both the US and the UK to follow through with a speedy implementation of the commitments set out in the Atlantic Declaration. We particularly welcome that talks for a US-UK Critical Minerals Agreement have started. Other priority areas listed in the Atlantic Declaration include enhanced cooperation on data flows, a transatlantic agenda on AI (and a successful organization of the global AI summit in the UK), launching a civil nuclear partnership, partnering on a Joint Clean Energy Supply Chain Action Plan, adding the UK as a “domestic source” within the meaning of Title III of the Defense Production Act, and collaboration on OpenRAN. Both the US and the UK should ensure that relevant stakeholder groups can participate in the development and implementation of the various initiatives.
2. We welcome, call for, and fully support efforts to continue the US/UK Dialogues on the Future of Atlantic Trade in 2023/24. The dialogues should be used to review progress made on the Atlantic Declaration, as well as to discuss and explore current and new issue-specific areas where both the US and the UK can take the lead, such as on collaboration on developing and deploying carbon capture technologies at scale, the circular economy, or IP protection. We also continue our support for a stand-alone US-UK Digital Economy agreement.
3. We fully support domestic initiatives to increase the international competitiveness of both the US and the UK as places to invest and do business.
4. We welcome the principles and thinking behind IPEF, especially how it includes new areas, such as supply chain resilience, online privacy, and discriminatory and unethical use of AI.²⁸ We continue to support efforts in the US that aim for further mutual trade liberalization with close friends and allies, including improved mutual market access, and tariff reduction or removal.
5. We welcome the UK’s accession to CPTPP. We look forward to its implementation and use across the economy. We also call on and support the US and the UK to use their influence to lead global trade discussions, with particular focus on areas where there is joint interest and alignment, such as recycling, sustainability, and data.
6. We welcome the UK’s expansion of resources allocated to making the UK-US State initiative strategic and impactful. We welcome the UK government’s interest in and support for the recommendations made in the BAB Policy Paper ‘Taking Trade Local,’²⁹ and we look forward to being a partner to governments in the use of these agreements.
7. We welcome that the UK and the EU reached a political agreement, The Windsor Framework, setting out new provisions for trade between Northern Ireland and Great Britain. We call on the UK government to continue its engagement with industry stakeholders to address remaining issues that create complexity and administrative cost for businesses operating between Great Britain and Northern Ireland.³⁰

WHAT BAB DOES

One of BAB's most important areas of work is to strengthen and build momentum for greater transatlantic economic collaboration. BAB, representing the wider BAB Network also, is the major trade association stakeholder in the US-UK Dialogues on Atlantic Trade, the US-UK SME Dialogues, and the UK's engagement with individual US states.

In addition, BAB continues to actively engage around bilateral industry work, such as the British-American Finance Alliance (BAFA) and the efforts made to establish a business-led transatlantic IP workstream.

BAB has welcomed the Atlantic Declaration as an important initiative in transatlantic trade relations. It addressed many of the issues that BAB members had brought to our attention to be considered for this Policy Agenda.

BAB regularly hosts delegations from federal and local government, and we continue to organize our popular annual BAB Trade Outlook in partnership with AIG.

BAB also recently launched an updated edition of the BAB Trade and Investment Guide to the UK, bringing together the expertise of many BAB member companies, governments, trade bodies, and regional economic development agencies.³¹ We also produce the annual TransAtlantic Growth (TAG) campaign,³² supported by HSBC, and the 'Accelerate' series,³³ supported by Virgin Atlantic and Delta Airlines, among others, which is a platform for peer-to-peer discussions for growing businesses as part of BAB's active trade promotion portfolio.

BAB's wider trade policy work is being guided and led by a dedicated BAB Policy Trade Sub-Committee, co-chaired by 3M and UPS.



BAB Policy Group Briefing on China, Washington D.C.

March 2023

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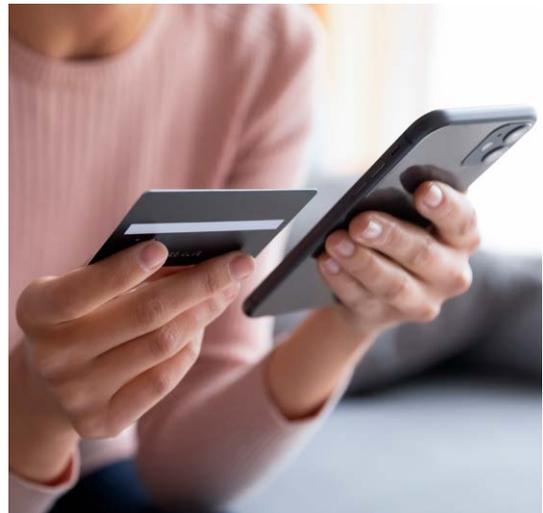
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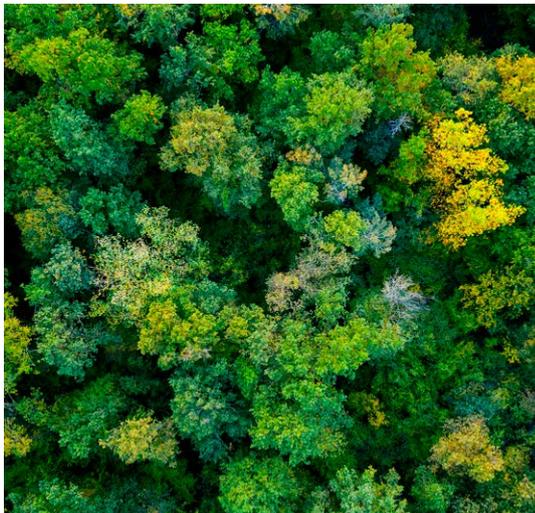
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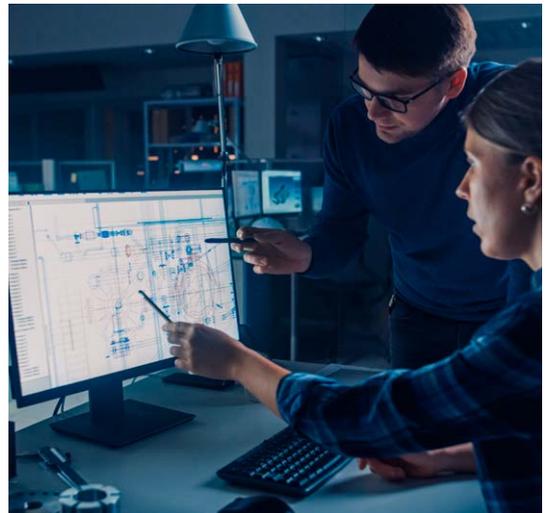
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BritishAmerican Business is the leading transatlantic trade association incorporating the BritishAmerican Chamber of Commerce in the US and the American Chamber of Commerce in the UK.

We are committed to strengthening the economic corridor between the United States and the United Kingdom by supporting policies and actions that protect and enhance the environment for transatlantic trade and investment on behalf of our members.

We convene and serve a growing network of companies and business leaders through networking opportunities, bespoke programming and marketing platforms. We actively promote trade and investment and support those who make the transatlantic corridor part of their business growth ambition.

For more information, please visit www.babinc.org

BAB is affiliated to, and works closely with the U.S. Chamber of Commerce and the British Chambers of Commerce.

BAB supports and participates in the BritishAmerican Business Network (BABN)

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