Withdrawn/Redacted Material
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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	[Memorandum] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Ginger Lew - From: Clifford Mauton	1	12/18/1995	
002	List	[List] [3 PAGES RELEASED IN PART FOR (b)(6) ON PRA RE-REVIEW 09/16/2025 JLS]	3	N.D.	b6;
003	Memorandum	[Memorandum] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Ginger Lew - From: Clifford Mauton	1	01/05/1996	
004	Note	[Note] [1 PAGE RELEASED IN PART FOR (b)(6) ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	b6;

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
Kavanaugh, Brett - Subject Files

FOLDER TITLE:
[FOIA Request - 1999 Trade Missions] [1]

FRC ID:
9692

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
005	Fax Cover Sheet	[Fax Cover Sheet] [with attachment] [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Mike Cannon - From: Cliff Mauton	2	01/16/1996	
007	Note	[Note] [1 PAGE RELEASED IN PART FOR (b)(6) ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	b6;
008	Memorandum	[Memorandum] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Ginger Lew - From: Clifford Mauton	1	12/18/1995	
009	List	[List] [3 PAGES RELEASED IN PART FOR (b)(6) ON PRA RE-REVIEW 09/16/2025 JLS]	3	N.D.	b6;

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010	Briefing	[Briefing] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - From: Everett Ehrlich	1	03/22/1996	
011	Talking Points	[Talking Points] [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	2	N.D.	
012	Transcript	[Transcript] [4 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	4	03/01/1999	
013	Briefing	[Briefing] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - From: Melissa Moss Silver	1	02/27/1995	
014	Talking Points	Talking Points [6 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	6	02/27/1996	

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015	Label	[Label] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	
016	Briefing	Briefing [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - From: Laura Philips	1	02/27/1996	
017	Briefing	Briefing [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - From: Tim Newell, et al	2	02/27/1996	
018	Talking Points	Talking Points [4 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	4	N.D.	
019	Memorandum	Memorandum [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: The Secretary - From: Timothy Hauser	1	N.D.	

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
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020	Briefing	[Briefing] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	03/15/1996	
021	Talking Points	Talking Points [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	03/15/1996	
022	Memorandum	Memorandum [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Ron Brown - From: Peter Bowe	1	10/26/1995	
023	Memorandum	Memorandum [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: POTUS - From: William Daley	3	N.D.	

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
024	Memorandum	Memorandum [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: POTUS - From: William Daley	3	N.D.	
025	Memorandum	Memorandum [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Thurgood Marshall, Jr. - From: David Lane	2	02/03/1999	
026	Letter	[Letter] [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Bill Clinton - From: Mark Grobmyer	2	03/24/1993	
027	Memorandum	Memorandum [4 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Bill Clinton - From: Mark Grobmyer	4	03/22/1993	

COLLECTION TITLE:
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028	Report	[Report] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	
029	Fax Cover Sheet	[Fax Cover Sheet] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Cheryl Mills - From: Bill Kysella	1	N.D.	
030	Fax Cover Sheet	[Fax Cover Sheet] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Cheryl Mills - From: Bill Kysella	1	N.D.	
031	Letter	[Letter] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Bill Clinton	1	10/25/1995	

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032	Letter	[Letter] [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS] - To: Bill Clinton - From: Heinz Prechter	3	06/24/1992	
033	Appendix	Attachment [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	2	N.D.	
034	List	[List] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	
035	Appendix	Attachment [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	
036	Appendix	Attachment [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	2	N.D.	

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037	List	[List] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	
038	Discussion Paper	[Discussion Paper] [3 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	3	N.D.	
039	Appendix	Attachment [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	2	N.D.	
040	Appendix	Attachment [2 PAGES RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	2	N.D.	
041	Report	[Report] [1 PAGE RELEASED IN WHOLE ON PRA RE-REVIEW 09/16/2025 JLS]	1	N.D.	

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Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

This document was prepared on Tuesday, September 16, 2025

2017-0345-F
2018-0016-P
2018-0325-F
2018-0016-P 2

Withdrawn/Redacted Material
The George W. Bush Library

SUPERSEDED

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Memorandum	[Memorandum] - To: Ginger Lew - From: Clifford Mauton	1	12/18/1995	P5;
002	List	[List]	3	N.D.	P5; P6/b6;
003	Memorandum	[Memorandum] - To: Ginger Lew - From: Clifford Mauton	1	01/05/1996	P5;
004	Note	[Note]	1	N.D.	P5; P6/b6;
005	Fax Cover Sheet	[Fax Cover Sheet] [with attachment] - To: Mike Cannon - From: Cliff Mauton	2	01/16/1996	P5;
007	Note	[Note]	1	N.D.	P5; P6/b6;

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
Kavanaugh, Brett - Subject Files

FOLDER TITLE:
[FOIA Request - 1999 Trade Missions] [1]

FRC ID:
9692

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

A. Closed by Executive Order 13526 governing access to national security information.
B. Closed by statute or by the agency which originated the document.
C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
008	Memorandum	[Memorandum] - To: Ginger Lew - From: Clifford Mauton	1	12/18/1995	P5;
009	List	[List]	3	N.D.	P5; P6/b6;
010	Briefing	[Briefing] - From: Everett Ehrlich	1	03/22/1996	P5;
011	Talking Points	[Talking Points]	2	N.D.	P5;
012	Transcript	[Transcript]	4	03/01/1999	P5;
013	Briefing	[Briefing] - From: Melissa Moss Silver	1	02/27/1995	P5;
014	Talking Points	Talking Points	6	02/27/1996	P5;

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
015	Label	[Label]	1	N.D.	P5;
016	Briefing	Briefing - From: Laura Philips	1	02/27/1996	P5;
017	Briefing	Briefing - From: Tim Newell, et al	2	02/27/1996	P5;
018	Talking Points	Talking Points	4	N.D.	P5;
019	Memorandum	Memorandum - To: The Secretary - From: Timothy Hauser	1	N.D.	P5;
020	Briefing	[Briefing]	1	03/15/1996	P5;
021	Talking Points	Talking Points	1	03/15/1996	P5;

COLLECTION TITLE:
Counsel's Office, White House

SERIES:
Kavanaugh, Brett - Subject Files

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
022	Memorandum	Memorandum - To: Ron Brown - From: Peter Bowe	1	10/26/1995	P5;
023	Memorandum	Memorandum - To: POTUS - From: William Daley	3	N.D.	P5;
024	Memorandum	Memorandum - To: POTUS - From: William Daley	3	N.D.	P5;
025	Memorandum	Memorandum - To: Thurgood Marshall, Jr. - From: David Lane	2	02/03/1999	P5;
026	Letter	[Letter] - To: Bill Clinton - From: Mark Grobmyer	2	03/24/1993	P5;
027	Memorandum	Memorandum - To: Bill Clinton - From: Mark Grobmyer	4	03/22/1993	P5;
028	Report	[Report]	1	N.D.	P5;

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029	Fax Cover Sheet	[Fax Cover Sheet] - To: Cheryl Mills - From: Bill Kysella	1	N.D.	P5;
030	Fax Cover Sheet	[Fax Cover Sheet] - To: Cheryl Mills - From: Bill Kysella	1	N.D.	P5;
031	Letter	[Letter] - To: Bill Clinton	1	10/25/1995	P5;
032	Letter	[Letter] - To: Bill Clinton - From: Heinz Prechter	3	06/24/1992	P5;
033	Appendix	Attachment	2	N.D.	P5;
034	List	[List]	1	N.D.	P5;
035	Appendix	Attachment	1	N.D.	P5;

COLLECTION TITLE:
Counsel's Office, White House

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036	Appendix	Attachment	2	N.D.	P5;
037	List	[List]	1	N.D.	P5;
038	Discussion Paper	[Discussion Paper]	3	N.D.	P5;
039	Appendix	Attachment	2	N.D.	P5;
040	Appendix	Attachment	2	N.D.	P5;
041	Report	[Report]	1	N.D.	P5;
042	Appendix	Attachment	2	N.D.	P5;

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UNITED STATES DEPARTMENT OF COMMERCE
Office of the General Counsel
Washington, D.C. 20230

May 16, 2002

HAND DELIVERED BY TOM ALDRIDGE

Mr. Brett Kavanaugh
Associate Counsel to the President
Office of the Counsel to the President
Eisenhower Executive Building, Room 128
The White House
Washington, D.C. 20500

RE: Request for Review and Consultation on FOIA request

Dear Mr. Kavanaugh:

Pursuant to procedures set forth by the Associate Attorney General on November 3, 1993, I am providing, for White House review and consultation, 117 documents responsive to a Freedom of Information Act (5 U.S.C. § 552) (FOIA) request to the Department of Commerce. The request is from Larry Klayman of the Judicial Watch organization. Judicial Watch has filed a FOIA request seeking all records: (1) relating to the Department of Commerce's trade missions to Korea and China in March and April, 1999 and persons or companies that expressed a desire to go on the trips but were rejected, and (2) produced by the Department of Commerce in 1996 and 1997 in response to any request, demand, or subpoena by any investigatory agency or body or any grand jury. A copy of Judicial Watch's request and the documents are enclosed.

I have reviewed the responsive records and removed documents that were duplicates of records the White House has previously advised us to withhold in whole or part. I have also removed records in which there could be no applicable FOIA exemption, such as constituency letters sent to the White House that were, in turn, referred to the Department of Commerce for direct response.

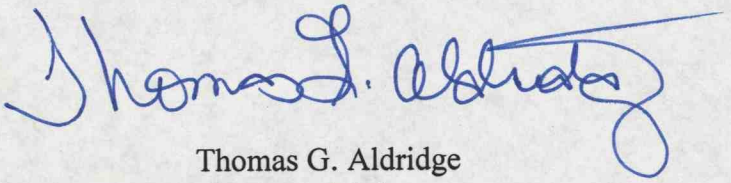
Given the volume of responsive documents and coordination, this FOIA is delayed beyond the statutory deadline for responding. The FOIA Officer has requested that I provide a response to her by C.O.B. May 17, 2002. However, it is my understanding that the Department would like to provide a final response to Judicial Watch by **May 31, 2002.** If you could provide consultation to me prior to May 31, it would greatly assist us in meeting this deadline.

For reference, the batestamp numbers appear at the bottom of the 117 documents. They are: 55CK0384, 54CK0581, 54CK0664, 55CK0663, 55CK1389, 55CK1772, 55CK1809, 55CK2021, 55CK1727, 55CK0860, 55CK1224, 55CK1849, 55CK3970, 55CK3879, 55CK3907, 55CK3792, 55CK3919, 55CK3937, 55CL0169, 55CL6641, 55CM0277, 55CM4305, 55CM3239, 55CM1731, 55CM2242, 55CM2243, 55CM2245, 55CM2288, 55CM2289, 55CM2302, 55CM3077, 55CM3009, 55CM3186, 55CM3071, 55AK0109, 55KA0370, 55AK0112,

55CK0188, 55CK0764, 55CK0993, 55CK2151, 55CM0272, 55CM0863, 55CM3441, 55CM4307, 55CM4308, 55CM4309, 55CM3542, 55CM3543, 55CM3349, 55CM3440, 55CM3444, 55CM3200, 55CM3195, 55CM3193, 55CM2247, 55CM3199, 55CM2248, 55CM2246, 55CM2249, 55CM3197, 55CM2250-55CM2255, 55CM2257-55CM2268, 55CM2270-55CM2273, 55CM2279-55CM2282, 55CM2285-55CM2287, 55CM2291-55CM2292, 55CM2294-55CM2298, 55CM2300-55CM2301, 55CM2310, 55CM2311, 55CM2585, 55CM2763-55CM2766, 55CM2780, 55CM3006, 55CM3079, 55CM3080, 55CM3107, 55CM3189, 55CM3190, 55CM3191, 55CM3240, 55CM3241, and 55CL5870. I am also enclosing additional documents numbered 55CK0376 and 55CK0084, which are, in fact, seven separate documents that were inadvertently marked as two documents. I have clipped those documents together for easier identification.

Please review and provide your recommendations and any comments that would assist us in our review. You may contact me by telephone at (202) 482-2138 or via fax at 482-2552. Correspondence may be addressed to me at the Department of Commerce, Office of the Assistant General Counsel for Administration, 14th and Constitution Avenue, NW, Room 5898-C, Washington, D.C. 20230 and e-mail to taldridge@doc.gov. Thank you.

Sincerely,



Thomas G. Aldridge
Attorney-Advisor

Attachments

CRRIF 99-216

Judicial Watch™

March 31, 1999

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED, AND FACSIMILE: (202) 482-3270

RECEIVED
1999 APR -1 A 7:06
U.S. DEPARTMENT OF COMMERCE
FREEDOM OF INFORMATION ACT
CENTRAL FACILITY

The Honorable William Daley
Secretary
U.S. Department of Commerce
14th Street and Constitution Ave., NW
Washington, DC 20230

Re: Freedom of Information Act Request

Dear Secretary Daley:

Pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. 552, and its regulations, we hereby request from the Department of Justice, all correspondence, memoranda, documents, records, lists of names, applications, diskettes, letters, expense logs and receipts, calendar or diary logs, facsimile logs, telephone records, tape recordings, notes, electronic mail, and other documents and things, that refer or relate to the following in any way:

1) the Department of Commerce's Presidential Business Missions to Korea and China which took place on or about March 25, 1999-April 1, 1999;

2) persons, companies and others who applied to go, expressed a desire to go, went on and/or were rejected to go on the above-mentioned trips with Secretary Daley, including, but not limited to:

a) Mr. J. Kenneth Thompson;
b) Atlantic Richfield Corporation (ARCO);

501 School Street, S.W., Suite 725, Washington, D.C. 20024, Tel: (202) 646-5172
Fax: (202) 646-5199

c) Mr. Albert Gosselin, Jr.;
d) Dasibi Environmental Corporation;
e) Mr. Peter Bowe;
f) Ellicott Machine Corporation International;
g) Mr. Jason Lo;
h) Integrix Incorporated;
I) Mr. Howard Pierce;
j) ABB Incorporated, USA;
k) The Honorable Carroll Campbell, Jr.;
l) American Council of Life Insurance;
m) Mr. Roger Ackerman;
n) Corning Incorporated;
o) Mr. Kent Sorenson;
p) Dessen International Incorporated;
q) Mr. Bryan T. Moss;
r) Gulfstream Aerospace Corporation;
s) Mr. Jack Valenti;
t) Motion Picture Association of America;
u) Mr. James E. Thrash;
v) Parsons Corporation;
w) Mr. Shay D. Assad;
x) Raytheon Engineers & Constructors International Incorporated;
y) Mr. Joseph J. Battaglia;
z) Telephonics Corporation;
aa) Mr. Ralph D. Genuario;
bb) Virginia Accelerators Corporation;
cc) Mr. James DeVries;
dd) Quixote Corporation;
ee) Mr. H. Kerner Smith;
ff) Stone & Webster, Incorporated;
gg) Mr. Andrew Bergdoll;
hh) U.S. Filter Corporation;
ii) Dr. Charles W. Pryor, Jr.;
jj) Westinghouse Electric Company;
kk) Mr. Robert E. Newman;
ll) Mr. Brandon C. Bethards;
mm) Babcox & Wilcox;
nn) Dr. Idoni Matthews;
oo) Decision Technologies;
pp) Mr. Terence Thorn;
qq) Enron Corporation;
rr) Mr. Larry Aiello;
ss) Corning International Corporation;

tt) Ms. Janice Porell;
uu) EMC² Corporation;
vv) Mr. Tomek J. Rondio;
ww) Environmental Engineering Corporation;
xx) Mr. Michael Kappaz;
yy) K&M Engineering & Consulting Corporation;
zz) Mr. Mark Kalatsky;
aaa) Semicoa Semiconductors;
bbb) Mr. Harold Adams;
ccc) RTKL Associates Incorporated; and

3) all documents produced by the Department of Commerce from June 4, 1997 to the present in response to any request, demand, or subpoena by any investigatory agency or body, including the U.S. Department of Justice (including any of its divisions, the Federal Bureau of Investigation, and its United States Attorneys for the District of Columbia or any other district), the United States Congress (and any of its committees), or any grand jury impanelled pursuant to federal law in any judicial district of the United States.

Thank you for your expected cooperation in responding timely to our request, which should be within 20 days as required under the Act, because time is of the essence.

Pursuant to the FOIA, if any portions of the requested documents are claimed to be privileged, those portions which are not claimed to be privileged should be provided to the undersigned. This should be done prior to the conclusion of the statutory 20-day period for response. In addition, under the FOIA there is an absolute requirement to produce those segregable portions of documents which are not claimed to be privileged, as well as a list ("Vaughn Index") that indicates by date, author, general subject matter, and claims of privilege(s) those documents, or portions thereof, which have been withheld or not provided. Vaughn v. Rosen, 484 F.2d 820 (D.C. Cir 1973), cert. denied, 415 U.S. 977 (1974); Iglesias v. Central Intelligence Agency, 525 F. Supp. 547 (D.C.

1981); see generally LaRocca v. State Farm Mut. Auto. Ins. Co., 47 F.R.D. 278 (W.D. Pa. 1985).

We note that President Clinton instructed agencies in October, 1993, to ensure compliance with both the spirit as well as the letter of the Act. *See* President Clinton's FOIA Memorandum, U.S. Department of Justice, FOIA Update, Summer/Fall 1993, at 3. In addition, Attorney General Reno issued a FOIA Memorandum in October, 1993, which *inter alia* states "I strongly encourage your FOIA officers to make 'discretionary disclosures' whenever possible under the Act," and orders "a presumption of disclosure." *See* Attorney General Reno's FOIA Memorandum , U.S. Department of Justice, FOIA Update, Spring 1994, at 1-2.

Judicial Watch also respectfully requests a blanket fee waiver on behalf of the public interest, to which it is entitled under 5 U.S.C. § 552(a)(4)(A); *see also, Larson v. Central Intelligence Agency*, 843 F.2d 1482, 1483 (D.C.Cir. 1988); *National Sec. Archive v. U.S. Dept. of Defense*, 880 F.2d 1381, 1385-87 (D.C.Cir. 1989); *see also, Judicial Watch, Inc. v. United States Dep't. of Commerce*, No. 95-0133 (D.D.C. May 16, 1995) (order granting Judicial Watch, Inc.'s request for fee waiver with regard to all responsive documents in proceeding).

Judicial Watch, Inc. is a non-profit, non-partisan, tax-exempt 501(c)(3) organization which as a public interest law firm specializes in deterring, monitoring, uncovering, and addressing public corruption in government. Judicial Watch has and will hold Republicans, Democrats, Independents, and others equally accountable to ethical and legal standards for honest and open government.

The requester has no commercial purpose as a 501(c)(3) non-profit organization organized exclusively to improve the ethical and legal standards in government, accountability of government officials to the rule of law, and public understanding of government operations.

Judicial Watch will also use the requested material to promote accountable government as a

representative of the news media and the public in accordance with a second category provided under 5 U.S.C. § 552(a)(4)(A)(ii)(II) and *National Sec. Archive v. U.S. Dept. of Defense*, 880 F.2d 1381, 1385-87 (D.C.Cir. 1989), by disseminating relevant information which may be uncovered. Information will benefit the public by identifying areas for future reform as well as deterring future abuses that could otherwise proliferate without scrutiny.

Judicial Watch has several mechanisms which will ensure rapid dissemination of information brought to light by this request. First, when Judicial Watch obtains responsive documents, it allows reporters into its offices to inspect the documents. These reporters then write stories based on information contained in the documents, which in appear nationwide in newspapers and magazines. Second, Judicial Watch produces several press releases per week which are "blast faxed" to hundreds of radio and television stations and newspapers around the country. Third, Judicial Watch maintains a website on which people can view copies of, among other things, press releases, responsive documents, deposition transcripts, and court opinions. Finally, Larry Klayman, the Chairman of Judicial Watch, and other Judicial Watch employees frequently appear on nationally broadcast radio and television programs. All of these facts demonstrate Judicial Watch's ability to disseminate information to the public and educate the public about the operations and activities of its government.

The subject of this request is information concerning the operations and activities of the government. Past experience of Judicial Watch demonstrates the success of Judicial Watch in uncovering important facts about government activities, integrity and operations, of broad concern to the public. Thus, Judicial Watch's request is likely to "contribute significantly" to the public's understanding of the operations of their government, satisfying the requirements of FOIA fee waiver provisions. Judicial Watch's capabilities and effectiveness are a matter of public record.

Immediate release of the requested information is in the public interest, including for promoting confidence in an honest democratic system, and furthering the integrity of the American national government by deterring and/or sanctioning corrupt activities. The failure to do so will likely result in the further compromise of important interests of the American people.

Sincerely,

JUDICIAL WATCH, INC.

Larry Klayman
Chairman and General Counsel

Judicial Watch, Inc.

501 School Street, S.W.
Washington, D.C. 20024
(202) 646-5172
Fax: (202) 646-5199

FAX TRANSMISSION COVER SHEET

Date:	*March 31, 1999*
To:	*The Honorable William Daley* *Secretary* *U.S. Department of Commerce*
Fax:	*(202) 482-3270*
Re:	***Freedom of Information Act Request***
Sender:	*Larry Klayman*

YOU SHOULD RECEIVE 7 PAGE(S), INCLUDING THIS COVER SHEET. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL (202) 646-5172.

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THE WHITE HOUSE

WASHINGTON

December 18, 1995

MEMORANDUM FOR GINGER LEW
DESIGNATED AGENCY ETHICS OFFICIAL
DEPARTMENT OF COMMERCE

FROM: CLIFFORD J. MAUTON
OFFICE OF COUNSEL TO THE PRESIDENT

RE: FINANCIAL DISCLOSURE FORMS

Enclosed is a list of individuals whom the President has selected to be appointed to the Commission on United States-Pacific Trade and Investment Policy. These individuals were inadvertently left off the original list of candidates for boards and commissions which your agency will provide ethics advice. We apologize for any inconvenience our oversight may have caused.

We have directed these individuals to submit their financial disclosure forms directly to your office. Please review them at your earliest opportunity and if there are any unresolvable problems, please call Kathleen Whalen, Assistant Counsel to the President, at (202) 456-7900.

These are the 7 documents datestamped as 2 documents.

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THE WHITE HOUSE

WASHINGTON

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January 5, 1996

MEMORANDUM FOR GINGER LEW
DESIGNATED AGENCY ETHICS OFFICIAL
DEPARTMENT OF COMMERCE

FROM: CLIFFORD J. MAUTON
OFFICE OF COUNSEL TO THE PRESIDENT

RE: FINANCIAL DISCLOSURE FORMS

Enclosed is the confidential financial disclosure report (SF 450) for an individual likely to be appointed to the Commission on U.S. Pacific Trade and Investment Policy who inadvertently sent their financial disclosure report to me. To enable you to contact this individual as you review the form, I am also enclosing a list of the candidate's addresses and telephone numbers.

As indicated before, as other individuals are selected to be appointed to the Committee, we will direct them to submit their SF 450s to you. As other individuals are selected and begin our approval process for new boards, commissions, or committees we will notify you with a short memorandum and a list of the names and addresses so you can contact these individuals.

We appreciate your assistance with the appointment process. If you have any questions regarding this procedure, please contact me at (202) 456-6229.

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Commission on US Pacific Trade and Investment Policy

Yah Lin Trie

(b)(6)

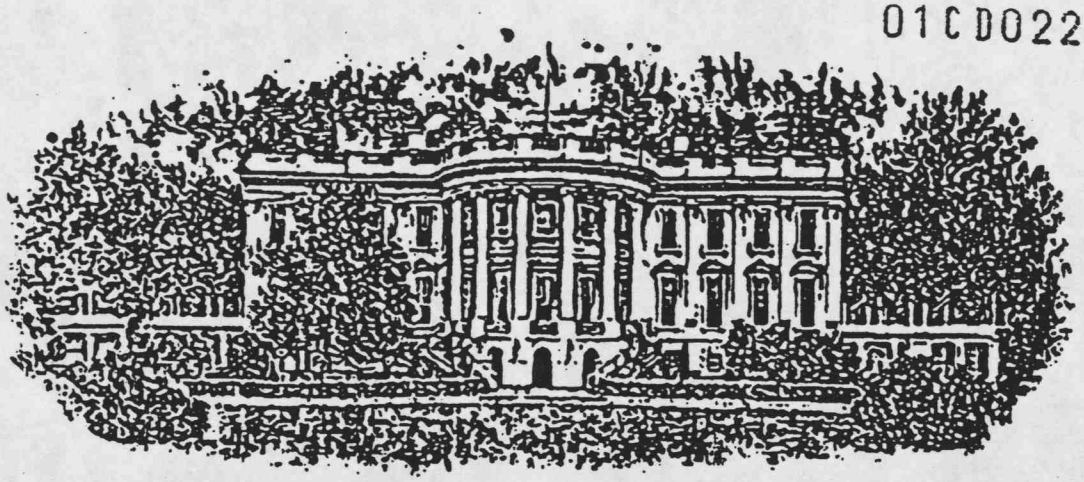
700 New Hampshire Avenue, NW
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Work 202-965-9989

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The White House

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COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 16 JAN 1996

TO: Mike CANNON

FACSIMILE NUMBER: 482-2998

TELEPHONE NUMBER: 482-0124

FROM: Cleff Mauton

TELEPHONE NUMBER: 456-6229

PAGES (WITH COVER): 9

COMMENTS:

PLEASE DELIVER AS SOON AS POSSIBLE

The document(s) accompanying this facsimile transmittal sheet is intended only for the use of the individual or entity to whom it is addressed. This message contains information which may be privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any disclosure, dissemination, copying or distribution, or the taking of any action in reliance on the contents of this communication is strictly prohibited. If you have received this information in error, please immediately notify the sender at their telephone number stated above.

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THE WHITE HOUSE

WASHINGTON

January 5, 1996

MEMORANDUM FOR GINGER LEW
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DEPARTMENT OF COMMERCE

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OFFICE OF COUNSEL TO THE PRESIDENT

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THE WHITE HOUSE

WASHINGTON

December 18, 1995

MEMORANDUM FOR GINGER LEW
DESIGNATED AGENCY ETHICS OFFICIAL
DEPARTMENT OF COMMERCE

FROM: CLIFFORD J. MAUTON
OFFICE OF COUNSEL TO THE PRESIDENT

RE: FINANCIAL DISCLOSURE FORMS

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March 22, 1996

NEC PRINCIPALS MEETING

DATE:	**March 25, 1996**
LOCATION:	**The White House**
	The Roosevelt Room
TIME:	**4:00 PM - 5:00 PM**
FROM:	**Everett M. Ehrlich**
	Under Secretary for Economic Affairs

I. PURPOSE

NEC principals meeting to discuss the upcoming G7 Jobs Conference in Lille, France and other NEC issues.

II. BACKGROUND

The Lille G7 Jobs Conference is a follow-up to the 1994 Detroit conference. Once again, the finance, commerce, labor and economics ministers of the G7 nations will meet to discuss common problems and common solutions for economic growth, increased productivity, technological innovation, job creation and wage improvement.

III. PARTICIPANTS

NEC principals plus one (Ehrlich).

IV. PRESS PLAN

Closed.

V. SEQUENCE OF EVENTS

Standard NEC format.

VI. REMARKS

Message memo from Ev Ehrlich is attached.

Attachment

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TALKING POINTS ON NORTHERN IRELAND PEACE PROCESS

Anglo-Irish Announcement

Yesterday's announcement by the Irish and British Governments was a major step forward. They have set a firm date for all-party talks – June 10. That is what we have all been working toward for so long.

There will be an election several weeks before the talks begin. The election will give the parties participating a mandate from the people to negotiate on the future of Northern Ireland.

Form of election has yet to be decided. Will be one subject of intensive consultations that begin Monday.

If no agreement is reached on this and other issues by March 13, the British (with Irish input) will make a decision on what type of election to hold and go ahead and submit legislation to Parliament.

Other issues on the agenda for the March 4-13 consultations are the ground rules for the negotiations that begin June 10 and whether it would be useful to hold a referendum on support for the peace process. John Hume's idea

We do not take a position on what type of election should be held or whether a referendum would help the peace process at this point. We do urge parties to be flexible take advantage of this opportunity to get to meaningful negotiations.

Sinn Fein can participate in the intensive consultations but not meet at ministerial level with either government without a cease fire. Sinn Fein can of course participate in the election. And Sinn Fein can participate in the talks once the cease-fire is restored.

The cease-fire was always the condition of Sinn Fein participation in substantive talks. Neither unionists nor nationalists will sit down to negotiate Northern Ireland's future with Sinn Fein while there is a threat of violence. As John Hume said, there can be no guns "on the table, under the table or outside the door."

At beginning of talks, all parties participating will have to accept the principles of non-violence in the Mitchell Report and address the issue of parallel decommissioning as recommended in the Report.

U.S. Role

President issued a statement welcoming Britain and Major's announcement as a clear path to inclusive talks on the future of Northern Ireland.

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He had spoken to both prime ministers most recently on February 26 on their efforts to get the peace process back on track.

We have been in close touch with both governments and all the parties all along, and on an intensified basis since the cease-fire was broken on February

What that means in practical terms is intensive telephone diplomacy with party leaders and key government spokesmen.

Our role is not to adjudicate between different positions but to urge all players to keep moving toward the strategic objective of substantive negotiations on the future of Northern Ireland

Not there yet but have passed a real milestone with the setting of the June 10 date.

Cease-fire/Adams

Our strong view is that with a firm date set, it is imperative for IRA to reestablish the cease fire

Hume and Adams met with IRA representatives on Wednesday to argue for the peace process No commitment from IRA

Want IRA to understand that the political path offers only way forward now. Important they hear that message loud and clear.

Have decided to renew Gerry Adams' visa for three months so that he can be as active as possible in helping get the cease-fire restored.

Adams was only given a one-month single-entry visa into the U.S when he came here before the cease-fire, but we believe it is important for him to be able to keep in close touch with Irish Americans in this critical period

Adams has said his purpose in coming is to work on advancing the peace process, not to raise funds We accept that is the case and have not reimposed a specific fundraising prohibition on his visa.

Understand Adams already has a number of invitations to speak to Irish American groups later in March.

While there is no cease-fire, Adams will not be invited to the White House or have meetings in other government departments. Will not meet with President or Vice President

(3/1/96)

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EXCERPTS FROM PRESS BRIEFING
BY MIKE MCCURRY, WHITE HOUSE PRESS SECRETARY
MARCH 1, 1996

MR. MCCURRY. Mr. Adams -- Mr. Hunt's question. Sort with -- to remind you, of course, that on Wednesday a very important historic announcement by Prime Minister Major and Prime Minister Bruton really gave us a very important breakthrough in the Northern Ireland peace process itself. That is that June 10th will now be fixed as the date certain for all party talks, which has long been, as you know, a principal goal of President Clinton and of our foreign policy efforts as they relate to the Northern Ireland peace process.

There's a lot of work that's going to have to be done, but we are encouraging all parties to participate in those discussions. And we believe that the announcement of that date gives Sinn Fein and the IRA something that they have long looked for, which is a date certain for all-party talks. Given that, the cease-fire needs to be restored now, and we have repeatedly encouraged the parties through our contacts to do that, just that.

To further the peace process, we've decided to grant a visa to Gerry Adams to visit the United States. It will be a multiple entry, three-month visa. The purpose of giving him that visa is to advance the very peace process that we believe now holds out such promise because of the announcement earlier this week by the two Prime Ministers.

Mr. Adams, in coming here to the United States, will certainly hear from Irish Americans particularly at the time of the year when many Irish Americans celebrate their cultural and historic ties to Ireland. He will hear how anxious the American people are to see peace brought to Northern Ireland, and he will, hopefully, see that we share the sentiments that have now been expressed by tens of thousands of people in the streets of Belfast and Dublin who demonstrated their commitment to the peace process. We believe it's important for that reason that he be allowed to have meetings with people in the Irish American community, talk to them.

Q Is he coming here?

MR. MCCURRY: But I don't expect that -- at this time there are no plans for him to be here.

Q Is he going to be able to raise funds?

MR. MCCURRY: He has told us that he will not fund-raise while he is in the United States and he will so indicate on his visa application.

Q Didn't the IRA announce that it won't go along with the cease-fire? Does it really mean that you can bomb people back to peace talks?

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MR MCCURRY: The statement that the IRA has made in response to the announcement earlier this week by Prime Minister Major and Prime Minister Bruton was nuance, but it did not necessarily rule out a cease-fire.

Q Is this a presidential decision on Gerry Adams?

MR. MCCURRY: He was -- it was ultimately the President's decision. It's one in which there was a good deal of discussion involving the National Security Council, the Attorney General, and the State Department as well.

Q Mike, the cause and effect is a little unclear. When Adams was granted the visas before it was after a cease-fire had been declared and was holding and things were moving forward in such a way that it appeared the administration was trying to encourage --

MR. MCCURRY. No, that's not correct.

Q I'm sorry, the last time he was here.

MR. MCCURRY: The last time he was here. The first time he was granted a visa there was no cease-fire in place.

Q And now the cease-fire has been abandoned, Adams has refused to condemn the bombing in which people were killed, he's blamed John Major for -- at least in part for the bombing, and the IRA has refused, so far as we know, to restore the cease-fire and has not agreed to participate in the talks. What exactly is accomplished by granting him a visa to the extent that it is a reward under those circumstances?

MR MCCURRY: Well, to not dispute every single element of your question, which if I had lengthy time I would, I will say that the President would not have taken the step of approving a visa for Mr. Adams if he did not believe, based on our contacts with Mr Adams, that this would further the peace process. He's getting this visa because the President believes that will advance the peace process.

Q Well, I know, but --

Q Did he get any kind of commitment?

Q if I were Gerry Adams, I'd tell the President that, too. Do you have any is it possible for you -- I realize it's delicate in some respects, but is there any way you can lay out, other than Jerry Adams says it will be a good thing, some reason why this makes sense?

MR. MCCURRY: You can understand there's going to be extensive negotiations between the parties. And we hope there will be participation by all the parties in the all-party talks on June 10th. That's going to be a formal negotiation of one set of

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another. And our goal, as always, is to encourage the parties as they negotiate and as they have their discussions, to make progress towards peace.

Now, I could say a lot about Mr. Adams and about the situation that he's in, but it's not likely any of it would further the cause of peace in Northern Ireland. And that's why I'm going to be oblique in saying simply that the President believes that the issuance of a visa limited to the purposes that Mr. Adams intends to come to the United States for, he believes will advance the peace process.

Q Mike, to what extent were the --

Q Mike, was London consulted?

MR. MCCURRY: Both the Republic of Ireland and the United Kingdom are aware of the President's intentions.

Q Are they supportive, or not?

MR. MCCURRY: I'll let them speak for their own governments.

Q You say they're aware. To what extent were the British consulted about this? They weren't, obviously, too happy the first time he received a visa.

MR. MCCURRY. Well, I'm not going to attempt to speak for the government of the United Kingdom, but we have had extensive contacts with them and with the Republic of Ireland as we do everything we can to help them further the prospects for peace in the process that they, themselves, launched at Downing Street.

Q Mike, was there ever any conclusion by the administration on what exactly was the extent of Adams' knowledge of the bombing in London?

MR. MCCURRY: We have commented on that publicly, but I'm not aware of any information that changes what we said.

Q Was there a concern that denying the visa would have undermined Adams' credibility?

MR. MCCURRY. I think there were many factors, as you can well imagine, that went into our thinking. And we do everything we can to understand the dynamic that's at play in Northern Ireland as they wrestle with the very difficult issues that they're going to have to surmount if there is to be peace. And we are cognizant of those factors as we make decisions that are related to what we think is best for us to do using our offices to try to further the peace process.

Q Will Mr. Adams be in the White House again?

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MR. MCCURRY: No, we're not -- there will be no meetings at the White House or at other government departments until the cease-fire is restored.

Q Where's he going, do we know?

Q Is he limited to going to New York and Boston?

MR. MCCURRY: He is -- I can't read this. It says, "Enough already." (Laughter.) I'm sorry, what was the question?

Q Where is he going?

Q I said is he restricted?

MR. MCCURRY: My understanding is that he's got intentions to visit -- I've heard at least one stop is Scranton. He'll make some other steps that are associated with visits he will make to the Irish American communities in celebration of St. Patrick's Day.

Q New York, Boston?

MR. MCCURRY: As I say again, I don't expect him here. We will be having a St. Patrick's event appropriate for the occasion and appropriate for the circumstances we're in now that the cease-fire has been broken -- on March 17th.

Q Does that mean the Taoiseach is coming and somebody from --

MR. MCCURRY: We'll have further information on those who will be here at a later day.

Q Do you expect him to make more than one visit to the United States? You said three-month multiple visit. Or is it one?

MR. MCCURRY. He is only -- I'm only aware of plans in connection with St. Patrick's Day, in a matter of weeks. But he will -- it is a multiple-entry visa.

Q And he's prohibited from fundraising by not putting it on the visa specifically?

MR. MCCURRY: Well, he's indicated to us that he doesn't intend to fund-raise, and he's indicated that on his visa application form. Were he to do so, his visa would be revoked.

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UNITED STATES DEPARTMENT OF STATE
Executive Secretariat
Office of the Secretary

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WOMEN'S NETWORKING LUNCH
CELEBRATING AFRICAN-AMERICAN HISTORY MONTH

DATE: Tuesday, February 27, 1995
LOCATION: White House Conference Center, Truman Room
726 Jackson Place (behind Blair House)
TIME: 12:30 p.m.- 12:45 p.m.
FROM: Melissa Moss Silver, OBL

I. PURPOSE

The White House Office for Women's Initiatives and Outreach is coordinating this event to bring together African-American women who are business professionals and community activists.

II. BACKGROUND

Each month, the White House Women's Office hosts a luncheon for a group of women who have made a difference within their community. This is a part of the White House's continuing effort to bring together the Administration and the women's community. Each month there is a different theme to these events, with this one focusing on African-American History Month.

III. PARTICIPANTS
(See attached list) – forthcoming

IV. PRESS PLAN
Open to the press

V. SEQUENCE OF EVENTS

12:00 p.m. Buffet Lunch will be served
12:30 p.m. Welcome & Introduction -- Alexis Herman
12:33 p.m. Your remarks
12:45 p.m. Your departure
(FYI -- Alexis Herman will be speaking after dessert)

VI. REMARKS
(See attached)

Executive Secretariat Clearance:

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SUGGESTED TALKING POINTS
WOMEN'S NETWORKING LUNCHEON
AFRICAN-AMERICAN HISTORY MONTH
FEBRUARY 27, 1996

- O THANK YOU, ALEXIS, FOR THAT VERY GRACIOUS INTRODUCTION. I WISH THAT, AT EVERY APPEARANCE, I COULD HAVE SOMEONE WHO USED TO WORK FOR ME GIVE THE INTRODUCTION.

- O GOOD AFTERNOON, AND THANK YOU FOR THE OPPORTUNITY TO BE WITH YOU TODAY. THIS GATHERING IS TESTAMENT TO THE EXTRAORDINARY CONTRIBUTION MADE BY AFRICAN-AMERICAN WOMEN TO BUSINESS AND ENTERPRISE IN THIS COUNTRY.

- O IMPORTANCE OF AFRICAN-AMERICAN HISTORY MONTH: HONOR THE HEROES OF THE PAST -- SO MANY OF WHOM ARE/WERE WOMEN (HARRIET TUBMAN, ROSA PARKS, BARBARA JORDAN), WHOSE SACRIFICE HAS MADE A BETTER LIFE FOR ALL OF US.

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- IMPORTANT, HOWEVER, THAT WE NOT DWELL ON THE PAST...INSTEAD FOCUS ON THE PRESENT AND THE FUTURE. WE'VE TRAVELED A LONG ROAD, BUT STILL A LONG WAY TO GO BEFORE WE CAN CLAIM ECONOMIC PARITY.

- MANY MORE BLACK WOMEN RUNNING BUSINESSES THAN 25 YEARS AGO, AND THAT IS TESTAMENT TO THE DRIVE AND INITIATIVE OF THE PEOPLE IN THIS ROOM. BUT WE ALL KNOW THAT AREN'T NEARLY AS MANY AFRICAN-AMERICAN WOMEN BUSINESS OWNERS AS THERE COULD -- OR SHOULD -- BE.

- AFRICAN-AMERICANS -- MEN AND WOMEN -- HAVE TOO OFTEN BEEN EXCLUDED FROM THE AMERICAN ECONOMIC MAINSTREAM. BUT WE HAVE A RIGHT TO PARTICIPATE IN THIS ECONOMY NOT JUST AS WORKERS, BUT AS ENTREPRENEURS AS WELL.

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- TOO OFTEN IN AMERICA, WE HAVE REGARDED OUR DIVERSITY AS A THREAT OR A WEAKNESS. IT'S TIME WE BEGIN SEEING IT AS A UNIQUE ASSET, ESPECIALLY NOW THAT WE'RE COMPETING IN A GLOBAL ECONOMY.

- LAST WEEK, I WAS IN AFRICA, A MARKET THAT REPRESENTS THE FUTURE: GROWING CONSUMER CLASS EAGER TO BUY AMERICAN GOODS AND SERVICES. *TALK ABOUT SUCCESSES OF TRIP.* AFRICAN-AMERICAN BUSINESSES NATURALLY HAVE AN ADVANTAGE IN COMPETING IN AFRICA. OUR RESPECT FOR OUR CULTURAL ROOTS AND OUR MASTERY OF AMERICAN BUSINESS ALLOW US TO OPERATE EFFECTIVELY IN AN ENVIRONMENT OTHERS MIGHT FIND ALIEN.

- WHEN IT COMES TO MINORITY ENTERPRISE DEVELOPMENT, THE COMMERCE DEPARTMENT HAS BEEN ACTIVE ON A NUMBER OF FRONTS. OUR MINORITY BUSINESS DEVELOPMENT AGENCY IS DEDICATED TO GIVING MINORITY ENTERPRISES THE TOOLS THEY NEED TO COMPETE. MBDA IS THE ONLY FEDERAL AGENCY DEDICATED TO PRIVATE SECTOR ENTREPRENEURIAL DEVELOPMENT FOR MINORITY BUSINESSES. THE AGENCY PROVIDES KEY TECHNICAL ASSISTANCE TO MINORITY-OWNED FIRMS THAT OFTEN LACK THE RESOURCES THEY NEED TO STAY COMPETITIVE.

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- DESPITE THE GOOD WORK IT DOES, MBDA IS REGULARLY TARGETED FOR EXTINCTION BY CERTAIN MEMBERS OF CONGRESS. THEY SAY THAT THEIR INTEREST IS IN CUTTING SPENDING AND REDUCING THE DEFICIT. BUT THE MBDA ACTUALLY IS A **MONEY-SAVER FOR THE FEDERAL GOVERNMENT.** WITH A BUDGET OF ONLY $40 MILLION, IT GENERATES OVER $400 MILLION IN TAX REVENUES.

- I'M PROUD TO BE A PART OF AN ADMINISTRATION THAT IS COMMITTED TO AN AGENDA OF INCLUSION, COMMITTED TO OPENING THE DOORS OF ENTREPRENEURSHIP TO ALL AMERICANS. I'M PROUD THAT PRESIDENT CLINTON BRAVED THE POLITICAL WINDS LAST YEAR AND STOOD FIRM IN SUPPORT OF AFFIRMATIVE ACTION.

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- AMERICA WON'T REACH ITS FULL POTENTIAL UNTIL WE BEGIN EMBRACING THE TALENTS OF EVERY AMERICAN. IT'S TIME WE STOP SEEING DIVERSITY AS A THREAT AND BEGIN TO RECOGNIZE IT AS OUR GREATEST RESOURCE IN A FIERCELY COMPETITIVE GLOBAL MARKETPLACE.

- DIVERSITY IS MORE THAN AN ISSUE OF SOCIAL JUSTICE, IT'S ALSO A PRAGMATIC ECONOMIC STRATEGY. IT'S MORE THAN A MORAL IMPERATIVE, IT'S ALSO GOOD BUSINESS.

- THANK YOU.

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WH TECHNOLOGY
BRIEFING

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Administration Briefing for Out of Town Industry and Academic Visitors

Date: Tuesday, February 27, 1996
Location: 450 Old Executive Office Building
Time: 1:00 to 2:00
From: Laura Philips, Senior Policy Advisor

I. Purpose

To brief out of town visitors from industry and academia on the Administration's science and technology (S&T) budget. To provide the group with the background that they requested on the Administration's support for S&T programs before they visit the hill on the following day.

II. Background

The event has been requested jointly by the Coalition for Technology Partnerships (a group of companies which organized to defend ATP and TRP and has expanded to include other programs as well), and the S&T Working group (a group of professional societies which have organized to defend the S&T budget in general, but focus primarily on issues of concern to the academic community). These groups have organized a two day program with the objective of educating visitors about the status of the budget and the budget process, and then sending them to visit several different members of Congress. They requested the Administration's briefing as part of the process of educating the visitors about: the status of the budget process for partnership programs as well as S&T programs more broadly; the current nature of the debate including the Administration's positions in the debate; and the Administration's FY97 S&T budget.

Over 140 participants have traveled from all over the country to attend this two day session. They include representatives from companies that are ATP winners. The interests of the group span a variety of partnership programs including ATP, CRADAs out of DOE, NASA programs, and TRP out of DOD. The industry representatives are largely directors of R&D, but also include some CEOs and Presidents. The academics in the crowd are Deans and Professors with R&D responsibilities and their interests are in NSF, DOE and DOD basic research, and NIH.

III. Participants

Jack Gibbons (OSTP) will host the event, make opening remarks and introduce the other speakers. The other speakers will include yourself, Neal Lane (NSF), and Lee Buchannan (ARPA). Laura Tyson will not be able to attend.

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February 27, 1996

THE WHITE HOUSE BRIEFING FOR THE COALITION FOR TECHNOLOGY PARTNERSHIPS AND THE SCIENCE AND TECHNOLOGY WORKING GROUP

DATE: Tuesday, February 27, 1996
LOCATION: Room 450, Old Executive Office Building
TIME: 1:00-2:00pm
STAFF CONTACT: Tim Newell/Sam Seidel (202) 456-6020

I. EVENT

Senior Administration officials will brief industry and university representatives on the Administration's science and technology investment strategy. The briefing will include discussion of key government-industry technology partnership programs (such as ATP and TRP), as well as federal support for university research funding.

II. AUDIENCE

This briefing will bring to the OEOB approximately 150 industry and university representatives from around the country who are members of the Coalition for Technology Partnerships or of the Science and Technology Working Group.

The Coalition for Technology Partnerships, co-chaired by IBM and DuPont, was founded on the principle that technology partnerships between government and industry are very important in today's competitive climate for technology development. The Science and Technology Working Group, comprised largely of scientific professional societies and associations, has worked with the Coalition to support research and development funding.

III. ADMINISTRATION PARTICIPANTS

- John H. Gibbons, Assistant to the President for Science and Technology
- Ronald H. Brown, Secretary of Commerce
- Neal Lane, Director, National Science Foundation
- Lee Buchanan, Director, Defense Sciences Office/TRP Director, DOD Deputy Director (Designate), ARPA

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IV. AGENDA

1:00p-1:05p: Dr. Gibbons -- welcome and opening Remarks

1:05p-1:20p: Secretary Brown -- Technology for Economic Growth/Technology Partnership Programs

1:20p-1:35p Dr. Lane -- Support for Fundamental/University Research

1:35-1:45p Director Buchanan -- Defense Dual-Use Strategy

1:45p-2:00p Questions and Answers

V. PRESS

This event is closed to press.

VI. LOGISTICS

Administration participants are asked to meet in Room 450 anteroom (stage right) at 12:50 PM. Due to space limitations, participants are asked to limit staff in the anteroom to one (1). Additional agency personnel should proceed directly to seating in Room 450.

At 1:00 PM, Administration participants will proceed to Room 450 stage, and take seats provided. Each Administration participant will be introduced to the podium in turn by Dr. Gibbons, with no Q&A between speakers. Following completion of all remarks, Dr. Gibbons will request all Adminstration participants to join him at the podium for Q&A.

VI. BACKGROUND DOCUMENTS TO BE PROVIDED

- Clinton Administration Science and Technology Accomplishments
- Advanced Technology Program -- Important Facts (NIST)
- Supporting Research and Development to Promote Economic Growth: The Federal Government's Role (Council of Economic Advisers, October 1995)
- Technology and Economic Growth: *Producing Real Results for the American People* (The White House, November 8, 1995)
- Science in the National Interest (Office of Science and Technology Policy, 1995)

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Talking Points

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[Note: Laura Tyson will not be able to make it. Jack Gibbons has requested that you do an overview where we are in the Budget Process, and handle all Budget-related Issues broader than the S&T budget]

- The Timing of the Visit Is Perfect. Let Me Give You an Update of Where We Are in the Budget Process. This Has Been a Strange Year, and its Easy to Become Confused. Most of the FY 1996 Budget Remains Unresolved, Including the Budget of the Commerce Department. In fact, We Are Currently Operating on a Continuing Resolution That Ends on March 15. This Means that Our Budget for the Rest of the Year Remains Uncertain. Negotiations Will Soon Begin To Resolve the FY96 Budget.

- This Is No Way to Run a Business or a Government.

- In Addition, Two Weeks Ago, the President Submitted His Fy 1997 Budget, the Details of Which Will Be Released Sometime Next Week. That Means that Although We Have Not Yet Resolved the FY 1996 Process, Have Already Begun the FY97 Process.

SECRET

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- To Date, the S&T Budget Has Fared Better than Most Expected. I Think That Has in Large Part Been Due to the Efforts by Industry and Academia to Make Their Views on the Importance of These Programs Clear.

- As most of you know, Investing in Technology Has Been and Remains a Critical Priority of the President. That's why he Vetoed the Republican Budget Resolution, Which by Independent Analysis Would Have Cut Federally Funded R&D by One-third by 2002. He also Vetoed Appropriations Bills That Would Have Eliminated or Cuts Partnership Programs That Are Building America'S Future.

- We Are in a New Era, Where Government must Work in Partnership with Scientists and Industries to Build Our Economy. The New Battles Are Not Fought by Armies but by Businesses, and the New Battlefields Are Global Markets. The Economy Will Grow If We Can Continue to Spur Innovation by Investing in S&T.

- Historically We Have Been the World Leaders at Innovation. We Have the Best Higher Educations System in the World Which Trains Our Scientists and Produces Nobel Laureates.

- But, We Have Not Always Been as Successful in Getting Those Innovative Ideas to the Marketplace.

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New Strategies Involving Partnering with Industry Are Designed to Address these issues.

- We Need to Build on America's Advantages. We Have the People with the Entrepreneurial Spirit, the Ability to Produce Innovations That Lead to the next Generation of Products, and the Trade Infrastructure to Get Those Products to Market. We Need to Continue to Support Those Programs That Capitalize on These Advantages.

- We have in Place Creative Programs that Foster Innovation and Bridge the Gap Between the Innovative Discoveries Made in Federal Laboratories and Universities and the Products Being Developed by Private Industry. These Programs Include the ATP, MEP and NII Grants at Commerce, CRADAs, and Energy Efficiency Programs at Energy, and Programs at NASA.

- Companies must Be the Ones That Take Technology to the Marketplace, but Government as Partner Helps Create Opportunity, by Building Alliances Not Only Between Government and Business, but Between Businesses and Between Business and Universities.

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- The Federal Role in S&T Has Changed with the End of the Cold War. We must Continue to Fund Programs like Those at NSF, and Basic Science in Energy, but That Is Not Enough. We Need to Shift Our Focus from the Cold War to the Economic War We Are Currently Engaged In. That's Why These Partnership Programs Are So Important.

- At Particular Risk Is the ATP Which Has Become a Lightening Rod for Partisan Attack. Yet, the Is Industry Led, Peer Reviewed, Pre-competitive and Is Delivering Results.

- As You Know, the ATP would have been Eliminated in the Appropriations Bill Vetoed by the President. And in negotiations he Stood Firm, Protecting the ATP at 75% of its FY95 Levels.

- Moreover, the President's FY97 Budget Delivered to Congress Earlier this Month Has Expressed His Intention to Continue to Provide Strong Support for S&t and Partnership Programs in Particular. We Look Forward to Some Good Budget Numbers in that budget.

- Once the President'S Budget Is Released, the Ball Will Be Once Again in Congress's Court.

- Thanks for the Opportunity to Update You. I'll Be Happy to Answer Any Questions You Have Later.

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UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for International Trade
Washington, D.C. 20230

MEMORANDUM FOR THE SECRETARY

From: Timothy J. Hauser (Acting)

Subject: Event Brief - White House Ceremonies

Attached is an event brief for your participation in ceremonies at the White House, starting at 4:45 pm on March 15, in honor of Irish Prime Minister (Taoiseach) John Bruton. The initial event is a photo opportunity with President Clinton and the Taoiseach and his delegation on the South Portico steps. A reception in the White House follows. Assistant Secretary Meissner will attend the reception with you.

Clearances:

Executive Secretariat Clearance:

Bettie Baca

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UNITED STATES DEPARTMENT OF COMMERCE
The Under Secretary for International Trade
Washington, D.C. 20230

EVENT BRIEF

Event:	Photo-op and White House Reception
Date:	March 15, 1996
Time:	4:45 pm and 5:00 pm.
Location:	South Portico Steps and White House
Participants:	President Clinton, Secretary Brown, Prime Minister of Ireland (Taoiseach) John Bruton and Delegation
Objectives:	First, you will attend a photo-op with President Clinton and the visiting delegation from Ireland, then a reception in the White House in honor of Taoiseach (TEE-SHOCK) John Bruton. It is expected that the President will announce that he has asked you to host a Commerce Conference for Trade and Investment in Northern Ireland and the border counties of Ireland to be held in Philadelphia this fall.
Overview:	Assistant Secretary Meissner will staff you for these events and go with you to the reception after the photo-op.
Press Availability:	Yes
Photo Op:	Yes
Remarks:	Talking Points
Attachments:	Talking Points

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TALKING POINTS
WHITE HOUSE PHOTO-OP AND RECEPTION FOR
PRIME MINISTER OF IRELAND JOHN BRUTON
MARCH 15, 1996

- AS PRESIDENT CLINTON HAS EMPHASIZED ON MANY OCCASIONS, HIS ADMINISTRATION WILL SUPPORT THOSE WHO STAND FOR PEACE. HE AND MANY OTHERS, INCLUDING MYSELF, ARE CONVINCED THAT WE CAN BEST SUPPORT THOSE WHO WORK FOR PEACE BY HELPING PROVIDE FOR ECONOMIC GROWTH.

- ECONOMIC GROWTH CREATES NEW JOBS -- JOBS OPEN TO QUALIFIED APPLICANTS WITHOUT REGARD TO POLITICAL OR RELIGIOUS PERSUASION -- WHICH ARE A STRONG ANTIDOTE TO THE RESUMPTION OF VIOLENCE.

- THUS THE UNITED STATES CAN CONTRIBUTE TO THE PEACE PROCESS BY ENCOURAGING ECONOMIC REGENERATION, BY HELPING EXPAND THE BUSINESS LINKS AMERICAN FIRMS HAVE IN THE REGION, BY TAKING AN ACTIVE ROLE IN HELPING BOOST INVESTOR INTEREST AND CONFIDENCE IN THE BORDER COUNTIES OF IRELAND AND IN NORTHERN IRELAND.

- WE ALSO WANT TO WORK CLOSELY WITH COMMUNITY DEVELOPMENT GROUPS WHO ARE FOCUSED ON ECONOMIC DEVELOPMENT IN DISADVANTAGED URBAN AND RURAL AREAS

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October 26, 1995

MEMORANDUM

TO: Secretary Ron Brown

From: Peter A. Bowe, President, Ellicott Machine Corporation International

RE: **Background on Phase II Dredging Equipment Project between Ellicott and Indonesia MOC**

For: Your Meeting with President Clinton & President Soeharto at the White House, October 27, 1995

BACKGROUND: Ellicott won Phase I of the Auxiliary Dredging Equipment Project for the Government of Indonesia. This win was a function of aggressive work by Ellicott, support from Secretary Brown, Secretary Peña, and State and EXIM Bank financing to match foreign competition. The deal was worth $21.5 million.

This success uniquely positions Ellicott to succeed on Phase II of the project, worth $39.5 million, which should be awarded before December 31, 1995. The customer is the Ministry of Communications of the Government of Indonesia.

KEY POINTS:

- ELLICOTT HAS ARRANGED 25-YEAR FINANCING THROUGH MARAD TITLE XI PROGRAM (U.S. DEPT. OF TRANSPORTATION); AVAILABILITY OF TITLE XI REQUIRES A SIGNED CONTRACT BEFORE DECEMBER 31, 1995 DUE TO NEW OECD RULES ON SHIP FINANCING.
- Ellicott is the only company worldwide which is a repeat supplier for all 3 categories of equipment under Phase II.
- Ellicott has a Memorandum of Understanding with Transportation Minister Haryanto signed 4/16/94 in Baltimore covering the scope of equipment supply under Phase II.
- Under a U.S. TDA grant, Indonesian officials from the MOF and MOC visited Washington, D.C. in September to study MARAD Title XI financing. MOF staff issued a report October 17, 1995 recommending use of MARAD Title XI for Phase II as "a good offer".
- Ellicott has proven to be a dependable supplier to Indonesia since 1952. The end-user's (P.T. Rukindo) President Director has endorsed using Ellicott for Phase II.
- Vice President Gore wrote Indonesian Vice President Try Sutrisno on April 11, 1995, urging favorable consideration of Ellicott for Phase II.
- Secretary Brown wrote Minister Hartarto about Ellicott and Phase II on October 27,1995, and Secretary Peña wrote Minister Haryanto on October 4, 1995.
- The U.S. Trade deficit with Indonesia in 1994 was $3.7 billion and $2 billion in 1995 to date.

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MEMORANDUM FOR THE PRESIDENT

FROM: WILLIAM M. DALEY

SUBJECT: MY VISIT TO CHINA, MARCH 28-APRIL 1

As you prepare for Chinese Premier Zhu Rongji's upcoming visit to Washington, D.C. beginning April 7, I would like to share with you several outcomes from my recent visit to China and observations from my meeting with Premier Zhu.

From March 28-April 1, I led a mission to Beijing, Shanghai, and Guangzhou of 18 CEOs and senior government officials representing the Departments of Energy, Transportation and Housing and Urban Development, and the Export Import Bank. This was my first business mission to China and the USG's first trade mission to China focused on infrastructure. In fact, this was the USG's first mission to combine infrastructure related companies and USG agencies focused on exploiting commercial opportunities. You first announced the mission and its focus during your Summit with President Jiang last June. Based on the success of this mission, I believe that we need to do more of these type missions in which we combine the resources and expertise of all relevant USG agencies to support the commercial interests of U.S. companies and host country economic development goals.

I met with Premier Zhu and a number of China's senior economic leaders, including: State Councilor Wu Yi (former Minister of Trade; she will accompany Premier Zhu to the United States); Chairman of the State Economic and Trade Commission Sheng Huaren; Mayor of Shanghai Xu Kuangdi; former Mayor of Shanghai and Jiang Zemin confidant Wang Daohan; Guangdong Province Party Secretary Li Changchun, and a number of other senior officials.

In my meeting with Premier Zhu, I made clear that while the atmosphere surrounding U.S.-China relations was strained the American people as a whole are committed to this relationship and the policy of engagement which has kept it on course. I mentioned to Zhu that more than 150 members of Congress told you not to go to China last year, yet you went and the visit was an enormous success. I emphasized further that you looked forward to Zhu's visit as an opportunity to discuss the full range of concerns to both sides and to make serious progress in critical areas, such as China's membership to the WTO. I underscored the seriousness that you attach to alleged illicit transfers of technology and the need for Premier Zhu to deal forthrightly and constructively, in public as well as in private, with that issue and other difficult concerns, such as China's handling of its human rights record. He appreciated these thoughts, appeared genuinely dedicated to advancing this relationship, and expressed his interest in meeting with you as well. Finally, he and one other official with whom we met leveled criticism on our actions in Kosovo indicating that we should not interfere in the internal affairs of other countries. The Premier's perfunctory comments on Kosovo were made at the end of an otherwise cordial meeting. Neither Zhu nor any other senior officials said anything about our decision to support a country specific UNHRC resolution.

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I was impressed with Zhu's command of issues, his dedication to economic reform, and willingness to engage our mission members. Regarding state owned enterprise (SOE) reform, he said that he was in his second year of a challenging three year effort to transform debt-ridden SOEs. Rising unemployment, the financial crisis in Asia, drops in China's exports and inward foreign direct investment, and other factors will make SOE reform much more challenging next year and beyond. Nonetheless, he was determined to stay the course. Given the challenges China faces in its economic reform efforts and our strong desire to see these reforms succeed, I think it would be very useful for you personally to indicate to Premier Zhu that we stand ready to provide whatever additional economic technical assistance China may require to navigate the reform agenda successfully over the next few years.

Zhu, like State Councilor Wu, gave little on the issue of our growing deficit. He recounted many of the same old arguments which support the differences in our trade and offered several new, mostly preposterous, ways of thinking about our deficit. As you know, Zhu is an able and knowledgeable counterpart. Frankly, however, his wit and subtle sarcasm on issues over which we disagree (such as the deficit and human rights) may discover an able and willing sparing partner in our press. I think he realizes the downside of antagonizing the press, but it would not hurt to re-emphasize them to him.

We recognized nineteen commercial outcomes during my visit (see attached one page summary). These took the form of contract signings, MOUs supporting broader cooperation in a variety of sectors, and a number of groundbreakings for important new U.S.-China commercial ventures in China. Sectors highlighted in these outcomes included: power generation, the environment, medical equipment, housing construction, telecom equipment and services, automobiles, air traffic control equipment, among other areas. I was particularly pleased that several of these outcomes followed up on initiatives that you and President Jiang first announced during last year's Summit. First, Commerce and HUD representatives initialed an MOU on housing with China's Ministry of Construction. Second, Exim representatives signed an MOU with representatives of China's State Development Planning Commission and the China Development Bank to establish a $100 million finance program to support clean energy projects in China.

Two commercial outcomes in telecommunications offer significant promise for future collaboration in telecom services and advanced wireless technologies. AT&T was successful in concluding a cooperation agreement with Shanghai telecom authorities to jointly deliver advanced value-added services to Shanghai customers. The project represents China's first official step to open telecom services to foreign participation. I also was pleased that China will allow companies to introduce Code Division Multiple Access (CDMA) wireless networks across China, something which could represent billions of dollars of U.S. exports. You advocated for CDMA deployment during your meetings with President Jiang in June of last year. This announcement represents an important market opening by China in a sector poised for tremendous growth and expansion. American companies are market leaders in this technology

and look forward to expanded opportunities in China in this important telecom sector. Premier Zhu and State Councilor Wu took a personal interest in both telecom announcements. I also emphasized our significant commercial and environmental interests in China's recent decision to exploit liquefied natural gas (LNG), another area that could potentially represent significant downstream exports of goods and services.

I told Premier Zhu and other repeatedly that the significance of contracts or commercial agreements is in their potential for generating future business and deepening commercial ties, and not simply in the transactions themselves. While Zhu indicated that U.S. firms would be welcome in China's drive to improve infrastructure construction and procurement, the signs are clear that China will rely even more on domestic suppliers to support its infrastructure modernization efforts.

We will need to constantly remind the Chinese that there is a cost for relying on our market to finance their own development without also allowing for greater and sustained access for U.S. exports. China's exports to the U.S. accounted for 20 percent of their global exports in 1998. Contrastingly, our exports to China accounted for 2 percent of our global exports in 1998, a situation which has remained virtually unchanged for more than a decade. The only real possibility for turning our trade situation around is ensuring that the rules are fair, i.e., a sound, commercially meaningful WTO package, and that we seek out opportunities for making real structural changes in the terms of access and trade, as in the case of CDMA and the AT&T deal noted above. Opportunities for collaboration on LNG also fall into the same category. Buying missions, one shot signings, or anything resembling token commercial outcomes -- something the Chinese most often prefer -- have never worked and will never be adequate.
I will continue to work with Chinese counterparts to ensure that U.S. firms not only enjoy access but actually get to partake in whatever infrastructure and other developments China intends to pursue.

attachments

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MEMORANDUM FOR THE PRESIDENT

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I was most impressed with Zhu's command of issues, his dedication to the economic reform agenda he has set forth, and his willingness to engage our mission members on their hopes for a more open market in China. Regarding state owned enterprise (SOE) reform, he said that he was in his second year of a challenging three year effort to transform debt-ridden SOEs. Rising unemployment, the financial crisis in Asia, drops in China's exports and inward foreign direct investment, and other factors would make SOE reform much more challenging next year and beyond. Nonetheless, he was determined to stay the course. Given the challenges China faces in its economic reform efforts and our strong desire to see these reforms succeed, I think it would be very useful for you personally to indicate to Premier Zhu that we stand ready to provide whatever additional economic technical assistance China may require to navigate the reform agenda successfully over the next few years.

He, like State Councilor Wu, gave little on the issue of our growing deficit recounting many of the same old arguments which support the differences in our trade and offering several new, mostly preposterous ways of thinking about our deficit. As you know, Zhu is an able and knowledgeable counterpart. Frankly, however, his wit and subtle sarcasm on the deficit, for instance, and on many other issues may discover an able and willing sparing partner in our press. I think he realizes the down sides of antagonizing the press but it would not hurt to re-emphasize them to him.

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attachments

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UNITED STATES DEPARTMENT OF COMMERCE
Office of the Secretary
Washington, D.C. 20230

February 3, 1999

MEMORANDUM FOR THURGOOD MARSHALL, JR.

FROM: David Lane DL
Chief of Staff

SUBJECT: Use of Military Aircraft for Secretary William M. Daley's Trade Mission to Korea and Interagency Trade Mission to China March 24 - April 1

As you are aware, Secretary Daley is planning to travel to South Korea and China March 24-April 1 to encourage bilateral trade, promote American business interests, advocate on behalf of American firms biding on commercial projects and promote bilateral commercial dialogue, as announced by the President during President Kim's state visit to the United States and during the President's state visit to China. Secretary Daley's mission will include American business leaders, Congressional and intergovernmental representatives and senior U.S. officials. It is expected that most of the business delegation members in Korea will also participate in the China mission. The trip is planned at this time as the critical commercial lead-up to Premier Zhu Rongi's visit to the United States. In order to accomplish the objectives of these missions within this short time period, and because the Department of Commerce does not have the assets available at this time, a U.S. Government Aircraft is required.

The Secretary is planning to depart Washington, D.C. on Wednesday, March 24, arriving in Seoul, South Korea, Thursday, March 25. The Secretary will conduct government-to-government meetings in Seoul, providing the U.S. business participants access to senior government officials and decision makers, including President Kim, Minister of Foreign Affairs and Trade Hong, State Secretary for Trade Han, Minister of Information and Communication Nam, Minister for Construction and Transportation Lee and Minister for Health and Welfare Lee. The Secretary and his delegation will also meet with the president of the Korea Electric Power Corporation, Chang Young Sik, and address the American Chamber of Commerce (AmCham), the Korean Chamber of Commerce and Industry, the Korean International Trade Association, and host the first meeting of the U.S.-Korea Committee on Business Cooperation (a bilateral, public-private partnership). The Secretary will depart Seoul on Sunday, March 28 for Beijing.

The Interagency Trade Mission to China will stop in Beijing, Shanghai, and Guangzhou. At the President's direction, the mission will focus on infrastructure projects. In Beijing, the Secretary will conduct government-to-government meetings providing the U.S. business participants access to senior government officials and decision makers, including the State Development Planning Commission Chairman, and the Ministers of Transportation, Construction, Trade and Economic Cooperation, Health and Welfare, and Communications and Infrastructure. The Secretary will also address the American Chamber of Commerce in Beijing before departing for

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Shanghai. In Shanghai, the Secretary and the mission members will meet with the Mayor, participate in a virtual trade mission/trade education program, meet with regional governors and industry leaders and address the AmCham. In Guangzhou, the Secretary will attend the China-America Telecommunications Summit, and provide the mission participants access to the Provincial Governor, the Mayor of Guangzhou, and Airport Authority officials before depart for the United States on Thursday, April 1.

The schedule for this trip is very intense, with multiple stops during a short time frame. In order to accomplish all objectives within a period of time consistent with the Secretary co-chairing the U.S.-Russia Business Development Committee with Vice President Gore March 23-24, completing the trip prior to the Easter holiday, and advancing Premier Zhu's visit to the United States, a military aircraft is required.

In order to plan and coordinate these missions with our counterpart agencies in Korea and China, we request approval of our request for a military aircraft as soon as possible.

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MID-SOUTH INTERNATIONAL TRADE ASSOCIATION

Mid-South International Trade Center
Post Office Box 888, Little Rock, Arkansas 72203
(501) 374-1957

March 24, 1993

The Honorable Bill Clinton
The White House
Washington, D. C. 20500

Re: Improvement of United States Trade With Foreign Countries

Dear Mr. President:

As you know from our work together in Arkansas, the Mid-South International Trade Association has developed something of a model for other regional trade associations. I have just returned from a trip to Asia where I was asked to address the Asian Bankers Association groups in Jakarta and Hong Kong. I also visited Singapore.

Everywhere I went I solicited ideas and suggestions on what the United States can and should do to be more competitive in the international marketplace. I found a tremendous reservoir of goodwill in Asia, with many foreign business leaders volunteering their time and suggestions to help America be more competitive. In one case, the managing director of one of the largest port facilities in Hong Kong told me that I was the first American in 23 years to ask him for suggestions and advice. I found this quite remarkable and a sad commentary on America's international competitiveness.

I also had an excellent 1 1/2 hour meeting with President Suharto of Indonesia who is the elected leader of the Non-Aligned Movement, which is, as you know, made up of 108 developing countries. I have talked with Mack McLarty and Nancy Soderberg about this and I will prepare a separate memorandum to you on this issue which I hope we can discuss. To summarize, President Suharto would like to address the G-7 to state a new position of the NAM to announce a new era of cooperation and the creation of economic partnerships with the developed countries.

In general, as you probably know, Asia is booming. Not only are the 180 million people of Indonesia beginning to prosper,

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but also throughout China a new group of leaders is pushing China in a Western direction which is creating tremendous economic development opportunities.

I met with more than 200 Asian business leaders, as well as some United States government officials and foreign government officials. From these meetings, I have compiled the attached list of suggestions and other suggestions are going to be forthcoming from memorandums that will be sent to me.

I must say that your friend, Mr. Mochtar Riady, who is President of the Asian Bankers Association, was of invaluable assistance to me, as was his son James, in obtaining all of this information. I hope you will send them a thank you letter. I have enclosed a draft copy of a proposed letter.

At your convenience, we can discuss these matters.

Yours very truly,

Mark W. Grobmyer

MWG/drm

cc: Vice President Al Gore, Jr.
Senior White House Staff

MID-SOUTH INTERNATIONAL TRADE ASSOCIATION

Mid-South International Trade Center
Post Office Box 888, Little Rock, Arkansas 72203
(501) 374-1957

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MEMORANDUM

TO: President Bill Clinton

FROM: Mark W. Grobmyer

DATE: March 22, 1993

RE: SUGGESTIONS TO INCREASE UNITED STATES COMPETITIVENESS IN FOREIGN MARKETS AS RESULT OF RECENT DISCUSSIONS IN ASIA

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1. Energize United States diplomatic missions abroad to assist United States businesses in the following ways.

a. Consider the possibility of opening trade centers in United States diplomatic missions which could rent space to United States companies to display their products that might be marketable in a particular country. Funds that result from renting such space could be used to offset, to some degree, the cost of the operation of the embassy.

b. Urge embassies to identify reputable and creditable foreign "partners" to assist United States companies in developing business ties with a particular country. Work up modernized guidelines of what constitute United States products to include some products that are partially manufactured outside the United States but which do involve substantial United States labor in the production process.

c. Develop an awards program to make awards to United States diplomatic missions that do an outstanding job in developing business with a particular foreign country.

d. Require United States embassies to forward ten new ideas each quarter to develop increased trade with a particular country and devise a system to dispense such information.

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2. Urge American businesses to hire minorities, such as Asian-Americans, African-Americans, Latin-Americans and Eastern-Europeans, train them and use them as effective marketers in foreign countries where they may be more familiar with the language and customs. This is a real advantage that the United States has over foreign countries in that we are a very diverse people and, therefore, have available people who are familiar with the language and customs of foreign countries. Such people can be much more effective marketers in those countries than citizens of less diverse countries, such as Japan. In other words, a Chinese-American could be very effective in China, and an African-American could be very effective in Africa if only United States corporations would hire these people as marketers and train them.

3. Encourage states of the United States that currently have foreign offices to cooperate with other states in effective regional compacts so that states do not have one office in two or three countries, but rather have six or eight offices in six or eight different countries by networking with other states. By the encouragement of more regional trade associations, such as the Mid-South International Trade Association, with businessmen as directors and state government officials as advisory directors, some of the "politics" can be taken out of the foreign state office question, thereby enabling more cooperation between states. If this is done properly, the states of the mid-South region, for example, may be able to have offices not just in Tokyo and Taipei, but also in Hong Kong, Singapore, Jakarta, Beijing, Shanghai, etc.

4. Encourage United States automotive industry to provide free "demonstrators" to prominent foreign businessmen to reintroduce new and improved American automotive products in foreign markets. For example, the Chrysler mini-Van would likely be extremely popular in Asia, as would certain other products, such as the Jeep Grand Cherokee. However, foreign consumers are so use to buying Japanese products that it is difficult to get them to reacquaint themselves with new and improved United States products.

5. Consider making a major speech urging all American corporations to assign one of their executives the duty of thinking "globally." If each company in American requested one corporate officer to think of ways to expand the business opportunities internationally (at least some part of every day) it is quite likely this creative thinking process would lead to substantial increased international business. A list of example companies, such as Coca Cola, which has two-thirds of their sales overseas, could be used as an example. If every United

States company was as successfully internationally as Coca Cola, the United States economy would be at least twice as big as it is now.

6. Develop a program to create synergy in the United States government among the numerous programs that have some international focus. Some existing government official could be appointed a "trade czar" with the responsibility to coordinate all of the federal government agency programs that are involved in assisting United States business in the international economic arena. I have seen one estimate where there are some 28 United States government agencies that have some focus on international economic issues; however, it appears there is little coordination of these programs, at least in the minds of American and foreign business leaders. It is likely that, through a synergy analysis, substantial cost savings could be effected, as well as more efficient operations.

7. Consider conducting a conference of foreign and domestic business leaders engaged in the international marketplace to solicit their ideas and suggestions on ways the United States can become more competitive. Consider the designation of some of these individuals as "honorary ambassadors," sort of like the old Arkansas Traveler program. Also, consider the appointment of a United States Presidential Advisory Board on Global Economic Opportunities in International Trade.

8. Consider advertising on international satellite television, such as CNN International, to promote the purchase of United States products. Some of the old "Cold War propaganda machine funds" could be better spent hiring an advertising agency to create commercials to remind foreign consumers that the United States has done a lot for them in winning the Cold War and that they can help the United States at this time by buying American products. This is a program that a country like Japan really could not effectively utilize.

9. Consider the appointment of trade ambassadors at-large with the specific obligation of regularly visiting United States diplomatic missions to "fire them up" to promote trade.

10. Encourage more foreign students to study business in the USA. In this way, they could learn about the progress that American businesses are making and develop potential partners among their peers in United States business schools and take back to their respective countries a better understanding of business opportunities that could be made available to United States companies.

11. Develop 100 case studies of successful United States companies doing business abroad and publish one a week or one a month in United States trade journals, such as Business Week, Fortune, etc.

12. Modernize and update United States export finance programs to be competitive with foreign assistance programs. I am told that our export assistance programs at the present time are not competitive, substantively or procedurally, with the amount of time it takes to process, etc.

13. Study the operation of successful foreign ports and apply those ideas to United States ports to make them more competitive and more efficient.

14. Review governmental restrictions on exports of United States high-technology goods to make this competitive with foreign countries. In particular, recognize that foreign countries often have comparable technology without the export restrictions. Since most technology can ultimately be obtained by the foreign countries anyway, United States companies should not miss these opportunities.

15. Work with developing countries to develop "models" of democracies in transition which recognize that United States economic sanctions should be lifted, or at least modified, in countries that have agreed to adopt a model of "democracy in transition" and are working in that direction during a transition period even though they have not obtained the ultimate goal.

16. The United States might consider deregulating the shipping industry much in the way it has deregulated the trucking industry, which has led to more efficient trucking at lower costs.

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CONTROLLED CORRESPONDENCE

CONTROL #: C316246

DATE DUE IN EXEC SEC: / /

WHITE HOUSE CONTROL #:

PRIORITY: NONE

ACTION AGENCY: ITA

COORDINATE WITH:

ADDRESSED TO: SECY

SIGNATURE LEVEL:

INSTRUCTION: FOR INFORMATION

FROM: GROBMYER, MARK W.
(MID-SOUTH INTERNATIONAL TRADE ASSOCIATION)

TITLE: MR.

SALUTATION:

NUMBER OF COSIGNERS: 0

SUBJECT: U.S. TRADE WITH FOREIGN COUNTRIES

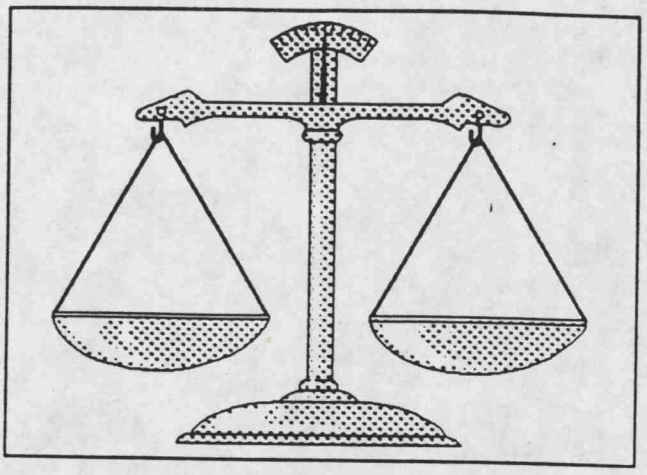
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RECEIVED: 04/01/93 ASSIGNED: 04/06/93

THE CORRESPONDENCE ANALYST FOR THIS DOCUMENT IS SE
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U.S. DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL

OFFICE OF THE ASSISTANT GENERAL COUNSEL FOR ADMINISTRATION

DATE:

TO: Cheryl Mills

FAX NUMBER: 456 1647

OFFICE NUMBER: 456 7900

FROM: Bill Kyselia

FAX NUMBER: (202) 482-2998

OFFICE NUMBER: (202) 482-5387, 5384, (5391)

PAGES TO FOLLOW: 6

SUBJECT: Disclosure of WH document to Congress (Board & Solomon)

MESSAGE:

This document was transmitted to Commerce w/ many others from WH "For information" or "For appropriate action". Does WH object to disclosure?

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********** -COMM.JOURNAL- ********** DATE DEC-11-1996 ***** TIME 12:37 *** P.01

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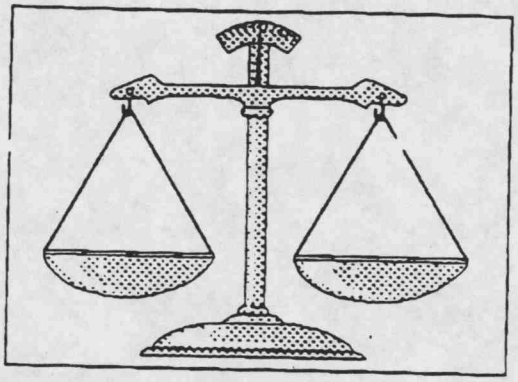
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NO.	COM	ABBR/NTWK	STATION NAME/ TELEPHONE NO.	PAGES	PRG.NO.	PROGRAM NAME
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-AGC/ADMIN -

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U.S. DEPARTMENT OF COMMERCE
OFFICE OF THE GENERAL COUNSEL

OFFICE OF THE ASSISTANT GENERAL COUNSEL FOR ADMINISTRATION

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Date: October 25, 1995

President Bill Clinton
The White House
1600 Pennsylvania Avenue, N. W.
Washington, D.C. 20500

Dear Mr. President,

I have just received and accepted with honor an invitation to deliver a speech to the students and alumini of my alma mater, Tatung Institute of Technology, Taipei, Taiwan on its 39th anniversary November 5,1995. I will do this in my private capacity.

As you might know, I was born in China, raised and educated in Taiwan. I had spent almost half of my life in that part of world before I came to this country. I believe that I am currently the highest ranking appointed official in your administration with this particularly bi-cultural background. I must also say that among all countries in the world only United States of America can offer people like myself such an opportunity to work in the public sector with this level of duty. For this, I am grateful personally; all immigrants in my community appreciated greatly.

While it is an event that I am giving my speech to my alma mater that day on November 5, I also strongly feel that the day will be more sensational if I can deliver a congratulatory letter from you to the president of my alma mater, Dr. T. S. Lin, and read it in front of audience.

Tatung Institute of Technology is a relatively small college. in addition to being the president of the college, Dr. Lin is also concurently the Chairman of Tatung Company (equivalent G.E. of Taiwan). He has held these positions in the past thirty some years. His "industry and education partnership" program has been unique in the world. Students would study in the regular time at the school but they would work during summer vacation in the company to gain practical experience. His managing philosophy is to give employees the chance to become shareholders as well. This has been viewed rather unusual in the traditional Chinese society particularly during earlier days.

I wish you can kindly agree to my request to get this letter done in time for me to personally deliver it. I strongly feel that this is the best gift I can give back to my alma mater from which I had received my good education during my earlier years.

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THE PRESIDENT'S EXPORT COUNCIL
WASHINGTON D.C. 20230

June 24, 1992

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The President
The White House
Washington, DC 20500

Dear Mr. President:

The private sector members of your Export Council wish to express their views concerning certain aspects of the Commerce Department regulations implementing the Enhanced Proliferation Control Initiatives ("EPCI").

To begin with--we recognize and commend the effort that the Administration has made, in part in response to input from the private sector, to persuade U.S. allies and trading partners to adopt equivalent proliferation controls in order to better achieve the important goals of EPCI and to minimize the negative economic impact on U.S. companies. Administration officials recently have said that, as a result of the effort, the EPCI controls are now at least "semi-lateral." That's a good start. But we believe that "across the board multilateral adherence" to a common set of controls must be the ultimate goal of future negotiations. The purpose of this letter is to set forth certain basic guidelines that we recommend be followed in the next phase of implementation of the EPCI program.

While the objective of the new proliferation controls -- namely, stemming the acquisition of potentially dangerous chemical and biological weapons and missile-related capability on the part of unreliable regimes in unstable regions -- is supported by all responsible U.S. exporters, the details of implementing the EPCI are a matter of real concern to U.S. exporters.

On a fundamental level, the EPCI regulations should not repeat the previous experience in which the United States relied on unilateral foreign policy controls to achieve important objectives. In many instances of unilateral foreign policy controls, the foreign policy objective is not achieved because target countries can obtain these products from numerous foreign sources. And the EPCI regulations should be clearly delineated and uniformly enforced or they may not result in withholding access to commercial technology for countries that intend to use this technology for illegitimate or destabilizing purposes. The inevitable result of such a regime would be to create a bias against purchasing of U.S. goods and technology by legitimate customers in foreign markets, thus turning sales opportunities over to foreign competitors who are not encumbered by similar

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export rules. Such controls may actually impose a significantly greater economic cost on the United States than on the target country.

The EPCI regulations are also forcing U.S. firms that export items that are not likely to be used in the target activities to undertake costly internal company export control programs. If we believe that these costly efforts would have a positive impact in halting the proliferation of weapons of mass destruction, we would ardently support the requirement. However, the imposition of end-use/end-user controls for exports of commonly available, low-technology goods unrelated to proliferation activities is probably futile as a means to stop proliferation projects. Its only impact may be to impose new burdens and higher costs on U.S. exporters.

In addition, we understand that, in many instances, exporters who have sought guidance or advisory opinions from the Commerce Department concerning particular transactions have experienced long delays before receiving advice, and that the guidance provided often has been vague or unclear. The problem is that, although Commerce staff are making a sincere effort to provide assistance, the effect of the EPCI regulations is often difficult to evaluate. The uncertainty created by EPCI is having a "chilling effect" on exporters, and discourages the pursuit of legitimate business opportunities that do not present any threat on proliferation grounds.

To summarize, the private sector members of your Export Council strongly recommend that final revisions to the EPCI regulations incorporate the following points (which are described in detail in the Attachment): (1)proliferation controls should be subject to the disciplines of Section 5 of the Export Administration Act, which generally prohibits use of unilateral controls for national security purposes, especially when there is availability of competitive products from foreign sources; (2) the list of goods and technologies made subject to a licensing requirement should be limited to only those items for which there is multilateral agreement that the item will make a direct contribution to chemical or biological weapons or missile-related activity and that it is "controllable"; (3) the use of extraterritorial controls should be limited to non-cooperating nations; and (4) the authority for the Commerce Department to create a license requirement simply by notifying an individual exporter, without prompt publication of a notice to the general public, should be eliminated, unless there is rapid, across-the-board, multilateral agreement on the procedure. If these steps

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are taken, the end result will be a carefully targeted, clearly defined and multilaterally enforced set of restrictions on key goods and technologies that are amendable to control, combined with restrictions against specific countries, entities or projects of particular concern that are publicly and precisely identified.

In closing, we fully appreciate the delicate nature of the negotiations with foreign governments that have been underway for more than a year concerning proliferation controls. U.S.-negotiators are to be commended for their efforts and accomplishments in recent meetings of the Nuclear Suppliers' Group, the Australia Group and the Missile Technology Control Regime. There is still important work to be done, however, and we ask that the recommendations contained herein be used as a guide in the conduct of these negotiations and for implementation of final EPCI regulations.

Sincerely,

Heinz C. Prechter
Chairman

Attachment

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THE PRESIDENT'S EXPORT COUNCIL
WASHINGTON D.C. 20230

ATTACHMENT

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The following points are recommended for incorporation into revised EPCI regulations:

- Proliferation controls imposed to prevent dissemination of military-useful goods and technologies to regimes that might use these technologies to the detriment of the United States and its allies are national security and not foreign policy controls. These controls should, consequently, be subjected to the disciplines of Section 5 of the EAA, in particular 5(c)6A, which generally prohibits the Secretary of Commerce from imposing any export control that is maintained unilaterally by the United States unless there is demonstrated unilateral controllability. The real solution, of course, is that the EPCI controls should be "multilateralized";

- The list of goods and technologies made subject to a licensing requirement should be limited to only those items for which a determination can be made that (i) the acquisition of the item will make a direct contribution to the proliferation of nuclear, missile or CBW capability; (ii) the item is "controllable" (i.e., there is not widespread foreign availability); and (iii) there is multilateral agreement among supplier nations to control the item under uniform rules;

- The use of extraterritorial controls should be limited to non-cooperating nations, in order to promote multilateral cooperation with allied nations in the establishment and operation of proliferation control regimes and to limit adverse impacts on U.S. economic competitiveness. The application of U.S. law to control conduct occurring outside the U.S. should be subject to reasonable limitations, since it inevitably will result in political conflicts with other jurisdictions with which the United States will need to work cooperatively to address the proliferation problem, and because it motivates manufacturers in foreign countries to "design out" U.S.-origin parts, components and technology. The requirement of reexport authority for shipments from cooperating countries should be eliminated;

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- The authority to create a license requirement simply by notification to an individual exporter must be eliminated, unless there is rapid, across-the-board multilateral agreement on this procedure. The concept of individual notification is dangerous because there is no guarantee that it will be administered consistently, i.e., that it will be communicated to all U.S. exporters, and their foreign competitors. If Commerce is convinced a license requirement is necessary, either for particular commodities or for certain end-users, it should publish notice to that effect in the Federal Register.

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PRESIDENT'S EXPORT COUNCIL SUBCOMMITTEE ON EXPORT ADMINISTRATION
Category B

1. **Current export control regulations require that chemical mixtures which contain any amount of a controlled chemical precursor require an individual validated export license. This requirement places an undue burden on U.S. companies, and does not contribute significantly to U.S. security interests.**

   Commerce should publish a regulation allowing mixtures with less than 10 percent by weight of a controlled precursor chemical to be exported using a general license unless a validated license is required by some other aspect of the regulations. It is unrealistic to believe that mixtures with this de minimus limit of a precursor chemical could make a material contribution to a chemical weapons program. The costs and difficulties involved in separating out the precursor from a mixture are prohibitive.

2. **The Enhanced Proliferation Control Initiative (EPCI) regulations require U.S. companies to install expensive compliance programs, even if their products could not make a material contribution to chemical, biological or nuclear weapons activities and missile delivery systems.**

   The U.S. government is considering publishing a list of items which would be exempt from the EPCI "know" or "informed" provision (Attachment A). While this list is minimal, the PECSEA would encourage the government to publish it as an interim final rule with a request for industry comment. This would permit industries affected to gain relief now and allow others to submit proposed additions.

3. **The Distribution License (DL) and its related Internal Controls Program is the cornerstone license instrument utilized by many U.S. companies to compete effectively in world markets. The utility of DL requires further fundamental reform to facilitate U.S. trade, and to reduce the exporter's administrative costs which are price sensitive, and passed onto overseas customers.**

   Commerce should revise the DL to include provisions as outlined in Attachment B.

4. **There are three COCOM export control lists and three international non-proliferation control lists. Items that are not controlled by any of these lists are eligible for "General License." These items are considered to be general purpose "commodity" items, or to be non-controllable. Nevertheless, the United States restricts some exports of these items.**

   Under the list harmonization process, the Administration should review all items not on any of the six export control lists, and for those items that remain off a control list, they should eliminate all export restrictions on those items. (An allowable exception would be if there was a United Nations embargo or sanctions.)

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Attachment A

PECSEA EPCI Task Force

In an effort to limit the scope of the EPCI "know" or is "informed" provision, the following list of items are being considered by the U.S. government for exemption to this rule.

0A98I	Recorded material, including books;
0A95H	Food, medicine & medical supplies for human or animal use;
0A96G	Personal hygiene items Clothing and personal goods household goods* agricultural commodities: livestock, feed, fats, oils, animal hides and skins;
XX96G	Public health and safety goods**
9A96G	Passenger cars, motorbikes and bicycles

* Household goods are defined as furniture, bedding and linens, carpets, lamps, light bulbs, draperies, kitchen utensils and appliances, china (including glass) and silverware, clothes washers and dryers, residential audio and video electronics, residential HVAC and water heaters, residential cleaning and maintenance appliances.

** Public health and safety goods are defined as water and sewage treatment chemicals and supplies, disinfectants, fire fighting chemicals and equipment.

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Attachment B

REVISIONS TO DISTRIBUTION LICENSE

Commerce should revise the DL to include these provisions.

A. Establish a higher level of CTP for DL holders.

Specifically, owing to the exclusion of general-purpose computers from controls by both the Nuclear Suppliers Group and the Missile Technology Regime, we recommend DL delivery thresholds should be adjusted as follows.

	Limit
. COCOM and Cooperating Countries	None
. Supplement 3 and other Free World Countries	<Supercomputer
. Countries of concern to the U.S. government provided, however, that this lower limit shall not apply if the U.S. is involved in foreign military sales to that country, or is involved in cooperative defense related/R&D programs with that country.	200 CTP (anticipates new Supercomputer level of 500 CTP)

B. Eliminate the general prohibition in the regulations that excludes technical data or software.

C. Considering the safeguards and responsibilities provided by the DL Internal Controls Program, eliminate all exclusions of commodities solely because of Reason for Control.

D. Rescind supercomputer safeguard/security conditions for COCOM and 5(k) countries.

E. Eliminate the expensive administrative recertification proviso. Substitute with a yearly certification by the DL holder attesting to compliance with all DL requirements.

F. Rationalization of DL territories.

Overseas territories of the United States are recognized by Commerce as part of The U.S. for export control purposes. However overseas territories of other countries, particularly COCOM allies, are not given the same DL delivery status as the Home country.

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French overseas territories, British Crown Colonies, etc, are generally given "non-supplement" status, meaning significantly lower technology thresholds. This complicates administration and serves no control purposes. Such countries should be afforded the same DL status as the Mother/Home country.

G. Extension of supplement 8 status to Hungary, CSSR, Poland

Hungary has adopted an export control system similar to that of COCOM under the tutelage of The U.S. and other COCOM allies. As a result, Hungary is deserving of Supplement 8 DL status as the UK and other COCOM allies have already granted Hungary similar status; lack of full DL privilege represents a unilateral U.S. control. Czechoslovakia and Poland should also receive the same consideration.

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PRESIDENT'S EXPORT COUNCIL SUBCOMMITTEE ON EXPORT ADMINISTRATION
Category C

1. EXPORT CONTROLS AND NATIONAL COMPETITIVENESS (Attachment A)
2. THE CASE FOR A SINGLE EXPORT CONTROL AGENCY (Attachment B)
3. INTRA-COCOM LICENSE FREE TRADE (Attachment C)
4. FOREIGN POLICY CONTROLS (Attachment D)
5. EXPORT CONTROLS TO EASTERN EUROPE AND THE FORMER SOVIET UNION (Attachment E)

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PRESIDENT'S EXPORT COUNCIL PRIVATE SECTOR POSITION

ISSUE: The impact of U.S. export control regulations on the competitiveness of U.S. exporters in the world market.

* * *

The vision of the U.S. exporter is to be the premier global supplier of quality products. To do this, industry must serve the customer the way the customer wants to be served. This vision can be achieved only if shared by government and labor. With a shared vision, U.S. competitiveness in world markets will be brought into proper focus and priority.

* * *

Assumptions:

- U.S. industry can and must compete on a global scale, but it needs a government that embraces a trade philosophy in pace with industry. Government must be a trade leader - cohesive and externally focused.
- In the face of the greatly increased number and competence of our competitors worldwide, the United States cannot afford to ignore policies and problems that undermine U.S. companies' competitiveness.
- Exports create jobs, and regulations that limit our export capability should have strong justification and clear results.
- Certain export controls are necessary to ensure U.S. national security interests.
- U.S. export control regulations have an impact not only on the competitiveness of U.S. exporters, but also on the competitiveness of U.S.-controlled foreign subsidiaries.
- National security, export control and competitiveness are not incompatible; all three concepts can be accommodated.
- Export control is but one of the tools used for achieving U.S. security and diplomatic objectives. Export control is not a substitute for diplomatic action.

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- U.S. export controls imposed to deny a target country or end-user a controlled commodity or technology can only be effective if the controls are applied and enforced multilaterally, or if the United States is the only source. Foreign availability negates the objective of such controls. Unilateral control can be counterproductive by depriving the U.S. economy of export sales without prohibiting the target from obtaining the controlled item.

* * *

Problems:

- The export control "system" lacks sensitivity for the out of pocket cost U.S. industry incurs or for the uncertainties export controls bring to global business planning. These extra costs and uncertainties hinder competitiveness. Although there are many helpful individuals in the government agencies involved in export controls, the regulatory focus of these agencies does not create impetus for lessening the impact of export controls on U.S. business.

- The existing export control system is too complex and often intimidates some exporters to the extent they prefer not to export. Concurrently, the complexities make awareness and control a burdensome administrative cost for those manufacturers who are exporting. That cost does not add value to either the product or to the U.S. economy.

- There is some uncertainty in knowing when and if a license will be approved. As a result, U.S. exporters sometimes cannot tell their customers definite shipping dates. This inability is counter to basic customer relations - the antithesis of competitiveness. Letters of Credit or import licenses can expire before the export license is approved.

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- There are too many diverse U.S. agencies and Congressional committees with diverse objectives controlling exports. There are too many control regimes, too many different lists of controlled countries, and too many controlled products. Many products removed from the "Core List" have been recontrolled by other measures. All of this creates a confusing grid of product and technology controls.

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- Lacking commercial accountability, those agencies involved in the review process appear to be more sensitive to external criticism on previous license approvals than to current competitive realities. Since the proliferation regulations became effective, licensing officers are looking into every detail and imposing conditions which are unrealistic if foreign customers are to view U.S. industry as the premier supplier. Approval times are longer, and the need to supply additional information has increased considerably. While the liberalization of the "Core List" has reduced the number of Coordinating Committee for Multilateral Export Control (COCOM) license applications, exporters are spending more time and money on these applications.

- The interagency review process needs to be further streamlined. Cost containment/budget pressures on the licensing agencies are such that better methods of processing licenses applications are imperative. Licensing officers need technical expertise in the new control regimes. Implementation of the "Know Your Customer" policy is being carried to an extreme (such as the need to investigate your customer's customer), creating significant time delays in licensing.

- For a "level playing field," there has to be multilateralism, which includes harmonized definitions within control regimes. To enhance U.S. competitiveness, U.S. export licenses must be processed more quickly than any other country within that control regime.

Recommendations:

- Agencies must develop philosophies and attitudes that are focused on the customer and international fair trade.

- - Through appropriate legislation or executive orders, the government should consolidate (1) the different sets of export controls and (2) the export-control-related administrative functions of several agencies into a single, harmonized set of controls, one export control list, and one administrative agency. Disputes arising under this new organization approach should be referred to an export control policy coordinating council and finally to the President;

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- Failing this implementation, the government should

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CASE FOR A SINGLE EXPORT CONTROL AGENCY

At the present time the United States has the only bifurcated export control system in the industrialized world. Export licensing of dual use items is administered by the Department of Commerce's Bureau of Export Administration, and those items on the Munitions List plus some dual use items are administrated by the Department of State's Center for Defense Trade. These two agencies perform the same basic function - that of licensing of exports from the United State. The United States is the only country that maintains this type of system. In addition, the Treasury Department's Office of Foreign Assets Control performs an export control and licensing function.

The present system served the country well when the United States had the vast majority of the world's technological and financial resources, and there was a single target of export controls. However, that day is long past, and we are now in an era where there has been a large diffusion of technologies, not only by the industrialized nations, but by the those newly industrialized nations who embrace capitalism and the market economy system. Complicating this is the fact that with the downfall of the Warsaw Pact and the advent of the Enhanced Proliferation Control initiative export controls no longer target one country, but target several countries and many projects of concern, some of which are not readily known. Last, but not least, the United States is just starting to recover from a recession, and while this recession has been on a global basis, many of our competitor countries will come out of this in a better financial situation than the United State, since they were not burdened at the start with a large deficit.

Over the past several years there have been discussions held in the Congress, the Executive Branch, and within industry groups and associations relating to the improving and streamlining of the export control system of the United States. Additionally, studies have been done by the National Academy of Sciences, the Center for Strategic and International Studies, and other distinguished groups. While specific proposals have not been forthcoming, virtually all of these discussions and studies have agreed that the United States should adopt a single agency approach in administering its export controls. The PECSEA also endorses this approach.

From an exporter's point of view the present system creates confusion over which agency has control over its commodities. It creates delays in licensing that greatly affects their costs which has a direct influence on their competitiveness. It saddles industry with administrative costs that could do more good for the country if they were channeled into new product

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development. The present interagency process of reviewing an export license application, with no central point of control and responsibility forces the U.S. exporting community to fend for itself when attempting to learn the status of licenses, or the reasons for delay, in order that they may explain late deliveries to their customers.

Time and again exporters are issued licenses with arcane, and unwarranted conditions which erodes the U.S. exporter's customer's confidence level, and makes them look closer at foreign competition. Decisions on license are made by persons who, through no fault of their own, are not knowledgeable on how international trade is conducted, nor the ramifications of operating in today's global interdependent economy, with its joint ventures, strategic alliances, distribution agreements, joint technology development agreements, and other actions needed to remain competitive throughout the world. With export controls spread throughout many government agencies the incentive and ability to keep up to date in not only technology, but market trends and new ideas for getting products to market consistent with customer's desires is virtually non-existent, and impossible for the exporting community to undertake the large education effort it would take.

As is typical in any large organization, be it in the public or private sector, there is a built-in resistance to change. Most of this resistance can be laid to fear. Fear of the unknown one might face if there was to be a change, fear of having to relinquish some function or authority (commonly referred to as "turf"), and fear of the Individual's future career path, are the primary causes for individuals or groups of individuals to resist change. When the subject of a single agency for export controls is set for discussion, these fears manifest themselves in excuses on why the concept is doomed for failure, and are voiced by many of the involved agencies. When a change of this magnitude is considered in the private sector, the CEO generally communicates to his staff that it is his desire to explore the ramifications of such a change, and directs that a study be undertaken to present him/her with the facts in order that a decision can be made in the best interest of all concerned. To date nothing like this has been applied to the export control system of the United States.

The PECSEA recommends, that the President mandate through his Economic Security Council, a review of the present export control system, and develop data, including costs, solicited from both the public and private sectors so that a Presidential determination can be made that, either it is or is not in the best interest of the United States to consolidate all export control functions in one agency.

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Attachment C

INTRA-COCOM LICENSE-FREE TRADE

On May 1 the U.S. Department of Commerce implemented positive regulatory revisions toward liberalization of intra-COCOM trade including a reexport authorization. Considering COCOM member nations are committed to developing a "Common Standard of Export Control and Enforcement System," we recommend further fundamental reform be initiated expeditiously. to establish a bona fide license free trade zone these additional reforms are recommended.

A. Accelerate progress within the U.S. government to harmonize the U.S. Munitions List to that of the COCOM List. The European countries/members of COCOM have completed the harmonization of the International List, the International Munitions List, and the International Atomic Energy List.

B. Eliminate the GCT Importer Statement and the Import Certificate as the value added by these documents is not transparent to the process.

C. Relinquish U.S. unilateral jurisdiction over some products on the Commerce Control List. Reasserting U.S. control over certain products to certain countries does not satisfy the Administration's commitment to establish a COCOM free trade zone.

D. Permissive reexport treatment must apply to technical data reexports from COCOM cooperating [5(k)] countries.

E. U.S. reexport controls within the COCOM trade zone for any item under a common licensing standard must be eliminated. The requirement that reexports be made "in accordance with the conditions of an export authorization from the applicable COCOM participating or fully cooperating country" leaves U.S. exporters uninformed of the current regulations of the other countries. The U.S. government should negotiate an agreement with the COCOM and 5(k) governments regarding their responsibility under this permissive reexport regime so as to negate any misunderstandings given their comparable systems of export controls.

F. Resolve a loophole to suspend liberalization of Intra-COCOM controls on the grounds of foreign policy. Technology is extremely diffuse worldwide, and controls do not serve the intended purpose of affecting the behavior of other countries unless implemented and enforced multilaterally.

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G. Harmonize the U.S. Table of Denials, Specially Designated Nationals, Debarment Lists with COCOM member nations to ensure a Common Enforcement Standard.

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on the specific items can continue despite foreign availability of the controlled items.

The report further states that controls imposed for symbolic purposes take on dimensions beyond their original purposes when renewal is considered, as possible removal is viewed as signaling a lessening of U.S. resolve or commitment. GAO went on to say that it seems that even if the control is symbolic and believed unlikely to affect the objectionable behavior which precipitated it there is reluctance to remove that control without some quid pro quo.

All of this was in 1986 when the economy was at an all time high, and at that time our export control policy makers were under the illusion that we still had the post World War II lock on all technology. The PECSEA feels that because of the diffusion of technology throughout the world, and the fact that exports are the engine that will pull our economy out of its lackluster performance and on to greater heights, the government should look at foreign policy controls in a totally different light than they have in the past. In reviewing unilateral foreign policy export controls it should be noted that in all cases the imposition of these controls removes United States industry from a market, and allows our competitors open access without competition to these markets. This gives U.S. competition the best of all worlds, no U.S. competition, and a chance to monopolize a market for years and decades to come.

The PECSEA urges that symbolic unilateral foreign policy controls be eliminated, and that when the United States finds it wishes to distance itself from the actions of another country it do so by not utilizing unilateral export controls, but rather by using alternative means of achieving results with the target country. If export controls are, in the eyes of the administration, a viable alternative, we urge that an economic impact statement be prepared and made public to show, 1) the total effects on U.S. industry, and 2) the foreign availability of the goods to be controlled (If not a total embargo). Further discussions with governments of those countries listed in the report as countries providing foreign availability should be held to insure that we can get multilateral support for the proposed controls.

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Attachment E

EXPORT CONTROLS TO EASTERN EUROPE AND THE FORMER SOVIET UNION

The President's Export Council Subcommittee on Export Administration commends the progress made in 1992 in reflecting in export control policy the dramatic reforms made in Eastern Europe and the former Soviet Union. Continued liberalization of export controls will play a vital role in accelerating the transition to democracy and the market economy.

It is essential that export control policy reforms keep pace with rapid economic and political changes. Enterprises in Eastern Europe and the Newly Independent States perceive that COCOM export controls can hold back efforts at privatization and economic development. A loss of momentum in the easing of export controls could enhance the credibility of those seeking to roll back economic reforms.

To be sure, significant differences characterize U.S. export control guidelines for the former USSR and countries of Eastern Europe. These differences account for uncertainty in the American business community about the effects of prospective export license requirements on planned sales and investment activity.

The PECSEA concludes that additional efforts are needed, in both administration and policy, to improve the coherency and predictability of U.S. export controls policy toward the former Soviet Union and Eastern Europe.

To this end, COCOM in June 1992 recognized that the former Soviet Union is on a path to economic integration with the West and established a COCOM Cooperation Forum on Export Controls. The CCF would provide: significantly wider access to Western advanced goods and technology; procedures for ensuring against diversion; assistance in the development of export control systems; and cooperation on matters of common concern on export controls.

The PECSEA notes that at the High Level Meeting COCOM agreed to institute a "staged liberalization" of export controls for Eastern Europe and the former Soviet Union. Proscribed countries that meet certain conditions would qualify for progressive relaxation of export controls, including "Favorable Consideration" and "National Discretion" treatment, and ultimately removal from the Proscribed List.

Hungary satisfied these requirements in 1992 and was removed entirely from the list of proscribed destinations. The Baltic States, Poland, Czechoslovakia and others are at various stages along the path toward graduation. The Newly Independent States

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have discussed with COCOM their commitment to meeting appropriate conditions and receiving more favorable treatment.

PECSEA Recommendation

The new Administration should continue the present momentum toward reducing export control requirements to support the transition to the market economy and privatization.

For Eastern Europe, the new Administration should recognize that these nations are no longer a strategic threat, and accelerate phased liberalization with the goal of removing them from the proscribed list in 1993.

For the former Soviet Union, the new Administration should reaffirm the commitment to progressive liberalization. The U.S. government should confirm its determination to work with responsible officials of Russia, Ukraine and the other Newly Independent States to assist in implementation of the necessary control regimes. Based on a perception of lesser strategic threat and a reciprocal commitment to an acceptable export control system, the objective for 1993 should be staged liberalization, including Favorable Consideration and National Discretion treatment.

In addition, and recognizing the importance of internal compliance, the new Administration should clarify the availability of Nunn-Lugar defense conversion funds to the Commerce and State Departments and US Customs for export controls compliance assistance programs.

In this connection, the PECSEA notes that U.S. companies stand ready to participate as much as possible in supporting U.S. government educational programs to improve export compliance in Eastern Europe and the former Soviet Union. In particular, U.S. companies, individually and collectively through business associations, are prepared to join with the government in educating their counterparts in eastern Europe and the Newly Independent States about export compliance responsibilities.

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