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7.1.97

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release — Contact: 202-456-7150
July 1, 1997 — 202-456-7035

PRESIDENT CLINTON AND VICE PRESIDENT GORE ANNOUNCE ACTIONS TO PROMOTE ELECTRONIC COMMERCE AROUND THE WORLD

President Clinton, joined by Vice President Gore at the White House, today (7/1) announced several actions to advance electronic commerce around the world and released a report that outlines a strategy to ensure a market-oriented approach toward commerce on the Internet.

Further, the President asked the Vice President to oversee the implementation of the actions announced today.

"Electronic commerce can serve as an engine leading businesses and consumers into the 21st Century, creating jobs across America and increasing U.S. exports around the world. We hope to harness its full potential for increasing productivity and growing the economy, bringing prosperity to the American people and individuals worldwide," said President Clinton.

"The Internet offers a path that will permit consumers, workers and entrepreneurs to develop the full potential of global electronic commerce," Vice President Gore said. "We need to ensure that unnecessary government intervention doesn't slow down the growth of this marketplace. As in the early days of the Internet, achieving this potential requires business and government to discover new and innovative ways to work together here in America and throughout the world."

During the announcement in the East Wing, the President and Vice President released a far-reaching report prepared by the Administration which outlines a market-oriented approach toward electronic commerce. Recommendations in the report, “A Framework for Global Electronic Commerce,” pave the way for tens of billions of dollars in commerce on the Internet. In 1995, sales on the Internet in the U.S. were $200 million.

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In addition to releasing the report, the President:

- Directed Treasury Secretary Rubin, Commerce Secretary Daley and Trade Representative Barshefsky to oppose any new taxes on electronic commerce, to turn the Internet into a free-trade zone by eliminating tariffs and non-tariff barriers, to establish basic consumer and copyright protections for global electronic commerce, and to establish a predictable legal environment for electronic commerce. The President asked that these actions be taken within the next 12 months.

- Challenged the private sector to develop effective methods of protecting the privacy of every American, especially children who use the Internet. In the wake of the Supreme Court decision on the Communications Deceny Act, he also asked industry to join with the Administration in protecting children from access to inappropriate material.

- Directed all federal department and agency heads to ensure that their policies affecting global electronic commerce are consistent with the market-oriented principles contained in "A Framework for Global Electronic Commerce."

Others who joined the President and Vice President were Lou Gerstner, Chairman and CEO of IBM, and Macdara MacColl, Managing Director of Parent Soup, an online service for families. The audience included chief executive officers from a range of industries, including small business entrepreneurs conducting commerce across the superhighway and Internet pioneers, Bob Kahn of the Corporation for National Research Initiatives, Vint Cert of MCI, Tim Berners-Lee of the World Wide Web Consortium, and David Duke, Corning.

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A FRAMEWORK FOR GLOBAL ELECTRONIC COMMERCE
EXECUTIVE SUMMARY

The Internet has the potential to become the United States' most active trade vehicle within a decade, creating millions of high paying jobs. In addition, Internet shopping may revolutionize retailing by allowing consumers to sit in their homes and buy a wide variety of products and services from all over the world.

Many businesses and consumers are wary of conducting extensive business electronically, however, because the Internet lacks a predictable legal environment governing transactions and because they are concerned that governments will impose regulations and taxes that will stifle Internet commerce.

A FRAMEWORK FOR GLOBAL ELECTRONIC COMMERCE outlines the Administration's strategy for fostering increased business and consumer confidence in the use of electronic networks for commerce. The paper reflects widespread consultation with industry, consumers groups, and the Internet community.

The paper presents five principles to guide government support for the evolution of electronic commerce and makes recommendations about nine key areas where international efforts are needed to preserve the Internet as a non-regulatory medium, one in which competition and consumer choice will shape the marketplace. With respect to these areas, the paper designates lead U.S. government agencies and recommends international fora for consideration of each issue.

PRINCIPLES

1. **The private sector should lead.** The Internet should develop as a market driven arena not a regulated industry. Even where collective action is necessary, governments should encourage industry self-regulation and private sector leadership where possible.

2. **Governments should avoid undue restrictions on electronic commerce.** In general, parties should be able to enter into legitimate agreements to buy and sell products and services across the Internet with minimal government involvement or intervention. Governments should refrain from imposing new and unnecessary regulations, bureaucratic procedures or new taxes and tariffs on commercial activities that take place via the Internet.

3. **Where governmental involvement is needed, its aim should be to support and enforce a predictable, minimalist, consistent and simple legal environment for commerce.** Where government intervention is necessary, its role should be to ensure competition, protect intellectual property and privacy, prevent fraud, foster transparency, and facilitate dispute resolution, not to regulate.

4. **Governments should recognize the unique qualities of the Internet.** The genius and explosive success of the Internet can be attributed in part to its decentralized nature and to its tradition of bottom-up governance. Accordingly, the regulatory frameworks established over the past 60 years for telecommunication, radio and television may not fit the Internet. Existing laws and regulations that may hinder electronic commerce should be reviewed and revised or eliminated to reflect the needs of the new electronic age.

5. **Electronic commerce on the Internet should be facilitated on a global basis.** The Internet is a global marketplace. The legal framework supporting commercial transactions should be consistent and predictable regardless of the jurisdiction in which a particular buyer and seller reside.

RECOMMENDATIONS

The principles described above guide the following recommendations:

1. **Tariffs and Taxation.** The Internet should be declared a tariff-free environment whenever it used to deliver products and services. The Internet is a truly global medium, and all nations will benefit from barrier-free trade across it. No tariffs

No new taxes should be imposed on Internet commerce. Existing taxes that are applied to electronic commerce should be consistent across national and subnational jurisdictions and should be simple to understand and administer. State and local governments should cooperate to develop a uniform, simple approach to the taxation of electronic commerce, based on existing principles of taxation. No new taxes

2. **Electronic Payment Systems.** The commercial and technological environment for electronic payments is changing rapidly, making it difficult to develop policy that is both timely and appropriate. For these reasons, inflexible and highly prescriptive regulations and rules are inappropriate and potentially harmful. In the near-term, case-by-case monitoring of electronic payment experiments is preferable to regulation.

3. **Uniform Commercial Code for Electronic Commerce.** In general, parties should be able to do business with each other on the Internet under the terms and conditions they agree upon. Private enterprise and free markets have typically flourished, however, where there are predictable and widely accepted legal principles supporting commercial transactions.

The U.S. supports the development of an international uniform commercial code to facilitate electronic commerce. Such a code should encourage governmental recognition of electronic contracts; encourage consistent international rules for acceptance of electronic signatures and other authentication procedures; promote the development of alternative dispute resolution mechanisms for international commercial transactions; set predictable ground rules for exposure to liability; and streamline the use of electronic registries.

4. **Intellectual Property Protection.** Commerce on the Internet will often involve the sale and licensing of intellectual property. To promote electronic commerce, sellers must know that their intellectual property will not be stolen and buyers must know that they are obtaining authentic products. Clear and effective copyright, patent, and trademark protection is therefore necessary to protect against piracy and fraud.

The recently negotiated World Intellectual Property Organization (WIPO) treaties for copyright protection should be ratified. Issues of liability for infringement, application of the fair use doctrine, and limitation of devices to defeat copyright protection mechanisms should be resolved in a balanced way, consistent with international obligations.

The government will study and seek public comment on the need to protect database elements that do not qualify for copyright protection and, if such protection is needed, how to construct it.

The Administration will promote global efforts to provide adequate and effective protection for patentable subject mater important to the development of the Global Information Infrastructure (GII), and establish standards for determining the validity of patent claims.

The Administration also will work globally to resolve conflicts that arise from different national treatments of trademarks as they relate to the Internet. It may be possible to create a contractually based self-regulatory regime that deals with potential conflicts between domain name usage and trademark laws on a global basis.

The Administration will review the system of allocating domain names in order to create a more competitive, market based system and will seek to foster bottom-up governance of the Internet in the process.

5. **Privacy.** It is essential to assure personal privacy in the networked environment if people are to feel comfortable doing business across this new medium.

Data gatherers should tell consumers what information they are collecting and how they intend to use it. Consumers should have meaningful choice with respect to the use and re-use of their personal information. Parents should be able to choose whether or not personal information is collected form their children. In addition, redress should be available to consumers who are harmed by improper use or disclosure of personal information or if decisions are based on inaccurate, outdated, incomplete or irrelevant personal information.

The Administration supports private sector efforts now underway to implement meaningful, user friendly, self-regulatory privacy regimes. These include mechanisms for facilitating awareness and the exercise of choice online, private sector adoption of and adherence to fair information practices, and dispute resolution. The government will work with industry and privacy advocates to develop appropriate solutions to privacy concerns that may not be fully addressed by industry through self-regulation and technology.

6. **Security.** The GII must be secure and reliable. If Internet users do not believe that their communications and data are safe from interception and modification, they are unlikely to use the Internet on a routine basis for commerce. The Administration, in partnership with industry, is taking steps to promote the development of a market driven public key infrastructure that will enable trust in encryption and provide the safeguards that users and society will need.

7. **Telecommunications Infrastructure and Information Technology**. Global electronic commerce depends upon a modern, seamless, global telecommunications network and upon the "information appliances" that connect to it. In too many countries, telecommunications policies are hindering the development of advanced digital networks. The United States will work internationally to remove barriers to competition, customer choice, lower prices, and improved services.

8. **Content.** The Administration encourages industry self-regulation, the adoption of competitive content rating systems, and the development of effective, user-friendly technology tools (e.g. filtering and blocking technologies) to empower parents, teachers, and others to block content that is inappropriate for children.

The government will seek agreements with our trading partners to eliminate overly burdensome content regulations that create non-tariff trade barriers.

9. **Technical Standards**. The marketplace, not governments, should determine technical standards and other mechanisms for interoperability on the Internet. Technology is moving rapidly and governments attempts to establish technical standards to govern the Internet would only risk inhibiting technological innovation.

COORDINATION

The Administration will continue to coordinate its approach to electronic commerce. The interagency team that developed this framework and strategy will continue to meet to update the strategy and facilitate its implementation as events unfold.

President's Memorandum for Department and Agency Heads

Background

The President today issued a memorandum for the heads of all Executive Branch
epartments and Agencies directing them to implement the strategy outlined in A
RAMEWORK FOR GLOBAL ELECTRONIC COMMERCE.

The memorandum first instructs Executive Branch officials to apply the Framework's
ve basic principles to any actions they take with respect to electronic commerce. These
inciples call for the Internet to function as a market-driven environment with minimal
overnment regulation, and for the Internet to be governed by a consistent set of rules across
ate, national and international borders.

The memorandum then lists 13 specific objectives and designates appropriate Executive
ranch officers to head government efforts to achieve these objectives. In several cases, the
emorandum directs Executive Branch officers to achieve specific objectives within the next
2 months.

1. The memorandum directs the US Trade Representative to secure international
greement within the next 12 months to reduce tariffs on Internet related equipment to zero
d to ensure that products and services delivered across the Internet are not subject to tariff.

2. The memorandum directs the Secretary of Commerce to seek domestic and
ternational agreement within the next 12 months on common approaches for the
thentication of electronic transactions through technologies such as digital signatures.

3. The memorandum directs the Secretary of Commerce and the Director of the Office
Management and Budget to encourage private sector development and deployment within
e next twelve months, of effective, industry-developed codes of conduct and technology tools
protect privacy online, especially with respect to children.

4. The memorandum directs the Secretary of Commerce to encourage the development
user-friendly filtering technologies and private rating systems within the next twelve months
at empower parents, teachers, and other Internet users to block content that they deem
appropriate for their children.

5. The memorandum directs the Secretary of the Treasury to work with domestic and
reign government officials to assure that no new taxes are imposed on Internet commerce
d that existing taxes are applied in ways which do not hinder nor distort commerce.

6. The memorandum directs the Administrator of the General Services Administration ›ring federal government purchasing into the electronic age by arranging for federal :hasing of four million items online within the next twelve months.

The memorandum establishes an interagency group under the leadership of the Vice-sident to coordinate implementation of the government's strategy for electronic commerce directs agency heads to report to him through the interagency group every six months on gress toward meeting all of the specific objectives outlined in the memorandum.

July 1, 1997

ELECTRONIC COMMERCE INITIATIVE

97 JUN 30 P4 9:32

Date: July 1, 1997
Location: East Room White House
Time: 2:30 pm.
From: Ira C. Magaziner
Don Gips

I. PURPOSE

To release the administration's strategy for electronic commerce. To issue a directive to Federal Departments and agencies to implement the strategy.

II. BACKGROUND

Electronic commerce - the sale and delivery of software, entertainment products, information, professional consulting, health, education and financial services via the Internet - has the potential to become our largest category of trade within a decade, creating millions of high paying jobs. In addition, shopping on the Internet has the potential to revolutionize retailing as consumers can sit in their homes and purchase goods from manufacturers and retailers all over the world.

Many businesses and consumers have been wary of conducting extensive business electronically, however, due to the lack of a predictable legal environment governing transactions and because of fears that governments will impose regulations and taxes which will stifle Internet commerce.

In March of 1996, representatives of 18 agencies of the U.S. government began meeting to develop a strategy for electronic commerce. The group consulted widely with industry, consumer groups and leaders of the Internet community. In December of 1996, the group issued a draft paper which was posted on the Internet. Over four hundred comments were received. The vast majority were positive. Even where groups disagreed with sections of the paper (our encryption policy for example), they praised its overall thrust.

In response to our paper, the European Union and MITI have issued papers which are in many respects congruent with our draft. The EU and a number of individual governments have expressed an interest in beginning discussions with us to agree on a common framework. A large number of US and foreign companies have expressed an interest in working for the adoption of the approach taken in our paper that you will be releasing.

The paper presents a series of non regulatory, market oriented principles which acknowledge the unique characteristics of the Internet. It identifies nine issues which should be addressed for electronic commerce to flourish and makes proposals for how to proceed on each of these issues. The paper covers taxation and duties, electronic payment systems, uniform commercial code, intellectual property protection (copyright, patent, trademark and domain names), content restrictions, privacy protection, technical standards, elimination of non tariff barriers and security.

PARTICIPANTS

Pre Brief

The President
The Vice President
Ira C. Magaziner
Jim Kohlenberger
Ann Stock
Don Gips
Gene Sperling
Dan Tarullo

Event Participants

The President
The Vice President
Lou Gerstner, CEO of IBM
Macdara MacColl, Managing Director of Parent Soup, a new rapidly growing company with revenues of over two million dollars which markets on line to parents, mixing advice with advertisements and merchandise of interest to the participating parents.
Secretary Rubin or Deputy Secretary Summers
Secretary Daley
Ambassador Barshefsky
Administrator Barram
Commissioner Varney
Science Advisor Gibbons
OIRA Director Katzen

In addition to these officials, the audience will consist of about 65 company CEO's, four scientists who invented the technologies which created the internet, the heads of about forty Industry Associations, Consumer Groups and Internet groups, several members of Congress, seven Representatives of State and Local Governments, and about a dozen influential internet " gurus " (see attached list from social office).

IV. PRESS PLAN

The event will be open press, covered by the White House Press Corps, by technology, trade and economic reporters and by the Internet Press. A number of CEO's will speak to the press after the event.

V. SEQUENCE OF EVENTS

* The Vice President will open and make brief remarks

*The Vice President will introduce Lou Gerstner who will make brief remarks

*The Vice President will introduce Macdara MacColl who will make brief remarks

*The Vice President will introduce you

* You will make brief remarks

* Upon conclusion, there will be an opportunity for you to meet and greet the audience.

'97 JUN 30 PM2:51

THE WHITE HOUSE

WASHINGTON

TO:	**THE PRESIDENT** **THE VICE PRESIDENT**
WHAT:	ELECTRONIC COMMERCE EVENT
WHEN:	TUESDAY, JULY 1, 1997
NOTES:	APPROX. 170 GUESTS/OPEN PRESS/BUSINESS ATTIRE
FROM:	ANN STOCK, SETTI WARREN

2:00 p.m. — EV Gate opens

2:30 p.m. — **THE PRESIDENT** and **THE VICE PRESIDENT** arrive to Red Room for briefing.

2:35 p.m. — **THE PRESIDENT** and **THE VICE PRESIDENT** proceed to Blue Room to meet and greet the following speakers:

Louis Gerstner, Chairman & CEO, IBM
Macdara MacColl, Managing Director, Parent Soup

2:45 p.m. — **THE PRESIDENT** and **THE VICE PRESIDENT** are announced from Blue Room with Mr. Gerstner and Ms. MacColl. They proceed via Cross Hall to East Room.

THE VICE PRESIDENT gives welcoming remarks and introduces Mr. Gerstner.

Mr. Gerstner gives brief remarks.

THE VICE PRESIDENT introduces Ms. MacColl.

Ms. MacColl gives brief remarks.

THE VICE PRESIDENT introduces **THE PRESIDENT**.

THE PRESIDENT gives brief remarks.

3:05 p.m. — **THE PRESIDENT** and **THE VICE PRESIDENT** proceed to Blue Room for receiving line.

3:35 p.m. — **THE PRESIDENT** and **THE VICE PRESIDENT** depart.

Internet Pioneers In Attendance:

Tim Berners-Lee - Director, World Wide Web Consortium; Inventor of the World Wide Web; Cambridge, MA.
Vint Cerf - Senior VP, Internet Architecture and Engineering, MCI Communications Corp.; Founding President, Internet Society; co-inventor of the computer-networking protocols that enabled the development of the internet; Reston, VA.
Robert Kahn - President, Corporation for National Research Initiatives; co-inventor of the computer-networking protocols that enabled the development of the internet; Reston, VA.
Esther Dyson - President, EDV Holdings; Member, President's National Information Infrastructure Advisory Council; Chair, Electronic Frontier Foundation; New York, NY.
David Duke - Corning; Head of research team at Corning that developed fiber optics; Corning, NY

7/1/97

Global Electronic Commerce and the Administration's Overall Technology Trade Agenda

The Global Electronic Commerce initiative is part of the Administration's trade agenda to open markets and accelerate technology trade and development in the global economy. Together with the Information Technology Agreement (ITA) and the global telecommunications agreement, over the past seven months we have reduced tariffs and eliminated trade barriers on more than a trillion dollars of products and services in one of the most important areas of trade today. For U.S. workers and companies this agenda has opened markets and leveled the international playing field in areas where we are the most competitive in the world.

The Information Technology Agreement (ITA) endorsed by APEC leaders last November and completed at the WTO in December, 1996 eliminates tariffs of the vast range of information technology products -- semiconductors, computers, telecommunications equipment, and software -- by the year 2000. The ITA represents a deregulation initiative for the cars and trucks that make the information superhighway the fastest-growing area of trade in the global economy. For U.S. workers and companies, this agreement amounts to a $5 billion annual tax cut [because our tariff levels are so much lower than those in the rest of the world]. Among the forty-two countries that signed this agreement, the first round of tariff cuts go into effect today -- a 25% drop on tariffs -- and the next round is set for January 1, 1998.

The global telecommunications agreement will allow us to expand the reach of the information superhighway around the world with substantial benefits for U.S. workers and consumers. The agreement opens-up sixty-nine global markets (70 countries, including the U.S. signed the accord) for our telecommunications companies as never before to provide local, long distance, and international service through any means of network technology.

We expect the agreement will lead to the creation of approximately a million U.S. jobs in the next ten years -- not only in communications companies but also in high technology industries such as software, information services, and electronic publishing. This agreement will also save billions of dollars for American consumers. We (FCC) estimate that the average cost of international phone calls will drop by 80% -- from $1 per minute on average to 20 cents per minute over the next several years.

We have pushed these agreements aggressively because technology provides the keys to development in the twenty-first century and we have brought these agreements forward at the very moment our industries are the most competitive in the world. The Internet initiative focuses on sustaining and expanding the entrepreneurial climate at home and abroad that has provided the incentives for growth and expansion of technolgy development worldwide.

E-Commerce Q&As

Q. What is the Administration's position on Internet taxation?

- At the international level -the Administration believes that the Internet should be a "duty-free zone." That means that products and services that are delivered over the Internet -- such as software or other digital goods -- should not pay any import duties. Also, we think that the equipment that is used to build the Internet should be duty free.

- At the state and local level, we think that taxation should be "technology neutral" and that there shouldn't be new taxes that target the Internet or electronic commerce.

- Also, we think that any approach to the taxation of electronic commerce and the Internet needs to be consistent. There are 30,000 different state and local tax jurisdictions in the U.S. --we could certainly slow down electronic commerce and the growth of the Internet without a uniform, simple approach.

Q. Does the Administration support the Cox-Wyden bill on Internet taxation?

- The Administration supports the "goals and objectives" of the legislation.

- We have been working with the Congress to ensure that the legislation does not undermine any of the existing tax base of state and local governments.

Is the President going to reverse his position on Internet decency as the New York Times reported earlier?

- Absolutely not. The President's fundamental goal is to protect children from getting access to inappropriate material, while at the same time protecting American values of freedom of speech and freedom of expression.

- Given that the Supreme Court has ruled that portions of the CDA are unconstitutional, the President is planning to convene industry executives and child advocacy groups to explore technological solutions. We want to ensure that parents and teachers have the tools they need to make the Internet safe for children, especially given the President's strong belief that the Internet is a powerful resource for learning.

- Furthermore, the provisions of the Communications Decency Act dealing with obscenity have not been challenged in the ACLU litigation. The Administration remains firmly committed to the provisions -- both in the CDA as elsewhere in the criminal code -- that prohibit the transmission of obscenity and child pornography over the Internet and via other media, and that prohibit the use of the Internet to entice children to engage in sexual activities.

Q. When would this CDA meeting happen? Is it today?

- No, today's event will formally launch the administration's strategy for electronic commerce. This strategy deals with a variety of issues including making the Internet a tariff free zone, establishing predictable global rules for doing business on the Internet and protection of intellectual property.

- The meeting on making the Internet safe for kids will be later this month.

Q. Would the Administration support more narrowly tailored legislation that might pass constitutional muster?

- The President wants to have this meeting with industry leaders and child advocacy groups before making any decisions on new legislation.

- It will take Justice some time to review the legal intricacies of the case before deciding what further legal or legislative action might be required.

Q. With the Supreme Court's action, aren't the pornographers, pedophiles and stalkers free to roam the Internet?

- Absolutely not. The administration remains firmly committed to the provisions -- both in the CDA and elsewhere in the criminal code -- that prohibit the transmission of obscenity over the Internet and via other media. Similarly, we remain committed to vigorous enforcement of federal prohibitions against transmission of child pornography over the Internet, and another prohibition that makes criminal the use of the Internet by pedophiles to entice children to engage in sexual activities.

Q. The President has talked about a "v-chip" for the Internet. What is he talking about?

- He's not talking literally about a computer chip -- but its functional equivalent for the Internet.

- Industry is developing a variety of standards and software technologies that would allow parents to "block" web sites that they think are inappropriate. We want to work with industry to make sure that this software is effective, widely available and easy to use.

Q. Consumer Reports has indicated that this technology is not always effective, and the Justice Department made similar arguments during the trial. What's the Administration's view on this?

- That's one of the reasons the President wants to convene this meeting. We want to determine how effective these technologies are - and whether they can be improved and made more widely available.

- Obviously, there is no substitute for parental involvement in their children's use of this technology.

Q. Don't these companies have problems with your encryption policy?

- We support US industry maintaing its lead in global software products. We also take seriously our responsiblity to assure the public safety. Our policy serves both of these objectives. I think you'll find that there are companies who are working with us on encryption.

Q: What about job displacement? What happens to communities if businesses move off Main Street and into cyberspace?

- Electronic commerce will create new jobs and power new business in small towns and big cities across the America, throughout the world. The Internet can crack open new markets once shut off to small businesses who could not afford to market their products or open offices overseas. The Internet will provide new opportunities for consumers to browse virtual shopping malls and visit online merchants. Such new business models will envigorate existing ones, transforming local businesses into transnational ones and creating an extraordinary demand for new, high-paying value-added jobs.

Q: What about piracy? Doesnt the Internet create a new and easy avenue for pirates to steal intellectual property?

- The Internet offers tremendous promise, but it will only thrive as a commercial marketplace if the laws which safeguard businesses and consumers in the physical world are extended into cyberspace. We will work hard to ensure that intellectual property is protected online through sending legislation to Congress later this summer to ratify the treaty agreements which were negotiated last December in Geneva at the World Intellectual Property Organization (WIPO). We hope to work with our international trading partners to ensure that these agreements are approved, not just on Capitol Hill, but in legislatures across the world. In addition, we will retain the right to respond with appropriate measures when foreign governments do not respect the intellectual property of US copyright holders.