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Folder Title:

China (February to March 1999) [2]

Staff Office-Individual:

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23	5	5	3	V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Holly Hammonds to Malcolm Lee, Nina Hachigian, Intecon, and Asia at 10:12 AM. Subject: RE: Please Clear (1 page)	12/10/1998	P1/b(1)
002. draft	Memo for Lael Brainard and James Steinberg from Malcolm Lee. Subject: Rump Group on China. (6 pages)	12/09/1998	P1/b(1)
003. draft	Protocol Issues. (1 page)	02/10/1999	P1/b(1)
004. draft	Duplicate of 003. (2 pages)	02/10/1999	P1/b(1)
005. draft	Duplicate of 003. (2 pages)	02/10/1999	P1/b(1)
006. draft	Duplicate of 003. (1 page)	02/10/1999	P1/b(1)
007. email	Jeffery Bader to Malcolm Lee at 2:46 PM. Subject: Results of Interagency Meeting (2 pages)	02/11/1999	P1/b(1)
008. email	Jeffery Bader to Malcolm Lee at 2:46 PM. Subject: Urgent: Chop on Protocol Paper (2 pages)	02/11/1999	P1/b(1)
009a. memo	For James Steinberg from Jeffery Bader. Subject: Your Meeting with Chinese Vice Foreign Minister Yang Jiechi. Record ID: 9900780. (9 pages)	02/04/1999	P1/b(1)
009b. letter	William Clinton to President Jiang Zemin. (4 pages)	02/03/1999	P1/b(1)
009c. email	White House Situation Room to Alexander Arvizu, Jeffery Bader, Kenneth Lieberthal et al. Subject: Vice Foreign Minister (4 pages)	02/03/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F

vz1812

RESTRICTION CODES

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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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010. email	Henry Levine to Susan Shirk and SAS. Subject: USTR Protocol Paper. (1 page)	02/11/1999	P1/b(1)
011. paper	Services Proposal. (13 pages)	c. 01/1999	P1/b(1)

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Lee, Malcolm R.

From: Gobush, Matthew N.
Sent: Wednesday, February 17, 1999 4:26 PM
To: Bader, Jeffrey A.; Lee, Malcolm R.
Cc: @ASIA - Asian Affairs; @INTECON - Economic Affairs; @PRESS - Public Affairs
Subject: China WTO PA Strategy [UNCLASSIFIED]

Jeff/Malcolm - Can I get your quick chop on the attached e-mail before I send it forward this evening? Tried to summarize our discussion from yesterday. Also faxing hard copy of USTR's talking points to your offices now (these will serve as the attachment). Thanks!

FOR SRB/JS

China WTO Public Affairs Strategy

Dave and I met yesterday with USTR (Ziegler), NEC (Siewert), NSC Asia (Bader) and NSC Intecon (Lee) to discuss public affairs strategy for WTO. At issue were recent press reports (USA Today 2/5) that the U.S. is taking a more confrontational approach with the Chinese in negotiations, supported by Barshefsky's statement that "As (Zhu's) visit approaches, China has an opportunity - perhaps the last opportunity - to resolve the issues which remain outstanding (on WTO entry)."

USTR and NEC argue that we need to convey a sense of urgency in negotiations without raising the expectation bar for a breakthrough. On the one hand, industry leaders and Congressional supporters are pressuring U.S. negotiators to show progress, while urging them not to lower our standards. At the same time, the press is attempting to make WTO a litmus test issue for the Zhu visit - something we want to avoid.

To strike this balance, they suggest that Administration use the "window of opportunity" metaphor: China's integration into the global economy through WTO accession is crucial to the success of its free market reforms - and negotiations will only become more difficult as the December ministerial approaches. The implication of this approach is that this is not/not the last chance for China to join, but it may be the best chance.

In addition, we want to avoid criticism from the business community or the Hill for seeking to lower our standards and trying to get a "political" deal. We should therefore address WTO in terms of the above "window of opportunity" BUT consistent with commercially-viable terms and that we are not seeking a political agreement that undermines our economic and commercial interests.

We recommend adopting this line and pushing it publicly in the ramp-up to the Zhu visit. The attached talking points and Q&As attempt to capture this approach. Opportunities to push them include Albright's trip (March 1-2) and Barshefsky's trip (March 3-4) to China. Barshefsky, Eisenstadt and Sperling anticipate press calls from Paul Blustein (Washington Post international trade reporter) and can echo this point as well.

Seek your approval for this approach and your permission to circulate the attached guidance throughout the interagency.

China WTO Talking Points
February 16, 1999

- 1999 represents an important opportunity for China to demonstrate its seriousness about joining the World Trade Organization. The visit of Chinese Premier Zhu Rongji to the United States and the launch of a new global Round of trade negotiations at Seattle in December provide clear opportunities for progress in WTO negotiations.
- The Clinton Administration has consistently indicated that China's accession to the WTO must be on a commercially-meaningful basis, and that China must open its market to U.S./foreign goods, services, and agricultural products. A viable commercial package must also address the spectrum of our bilateral trade concerns.
- It is in China's own economic interest to undertake the economic reforms we are advocating in a WTO package to improve productivity, increase efficiency, and raise living standards among the people of China. A solid WTO package would advance the rule of law in China. The recent decline in foreign direct investment in China - FDI may fall to \$15 billion in 1999, down from \$43.6 billion last year - is a very clear indicator that around the world, China's trading partners are looking for more open and fair trade terms with China.

Q: Is the United States lowering the bar in negotiations with China to get a deal during Zhu Rongji's visit?

A: No. We have consistently indicated that China's accession must address the spectrum of U.S. trade concerns on commercially-meaningful terms. We have long taken the position - shared by U.S. industries -- that WTO accession is the most effective way to address the full range of issues necessary to effectively open China's market. We hope the Chinese government recognizes the importance of engaging in comprehensive market-opening reforms.

Q: U.S. industries indicate that the Administration is looking for new "bottom lines" in its WTO negotiations with China?

A: We are working with the full range of U.S. industries, Congress, and other constituencies that are interested in our trade relationship with China. There is no search for a "bottom line." Economic conditions in Asia have changed substantially over the last 18 months, and we want to ensure that our negotiating objectives are contemporary and represent the full range of trade concerns.

Q: Why is the issue of China's accession to the WTO now, so suddenly on the agenda for the Zhu meeting?

A: We have had an active dialogue with China on bilateral trade issues and WTO accession for some time, as our negotiators have met with their Chinese counterparts virtually every month over the last two years. We have made some important progress in that time, but progress has been uneven, and at a rate which is not commensurate with China's emergence as a leading

global exporter.

Q: We have annual MFN renewal as clear leverage to cut off China's trade benefits in the United States. Why does the United States want China to join the WTO?

A: China's accession to the WTO would put China's trade practices under multilateral surveillance. As a member of the WTO, China's trade practices would be subject to clear rules and enforcement terms. Accordingly, China's membership in the WTO would advance the rule of law.

Q: Is this the last chance for China to join the WTO?

A: 1999 is an important opportunity for China to more effectively undertake economic reforms that better integrate China into the global economy. That's what WTO accession would do. With the upcoming WTO Ministerial and the launch of a new round of trade negotiations, it only becomes more difficult for China to meet an ever-higher standard of market-opening commitments down the road.

Q: Wouldn't WTO accession require a change in law to provide permanent MFN for China?

A: The first objective must be to secure a comprehensive WTO package. Of course, Congress will be involved in this process. We would consider supporting permanent MFN, after we have secured a comprehensive market-opening package that addresses goods, services, and agricultural trade concerns.

Q: Won't the "Zhu Summit" be a failure if it fails to deliver a WTO package?

A: No. A WTO package would most certainly provide the best market access certainty for U.S. farmers, manufacturers, and service industries in China. At the same time, these negotiations are as complex as they are important. We will measure progress by substantive commitments, not by time or a particular meeting. Make no mistake, we will continue to press our full range of bilateral trade concerns with China before, during and after the Zhu meeting.

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THE WHITE HOUSE

WASHINGTON

February 10, 1999

URGENT ACTION

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MEMORANDUM FOR DISTRIBUTION

FROM: Lael Brainard, National Economic Council

SUBJECT: USTR Draft Paper on Protocol Issues

Please find attached USTR's draft paper on China WTO protocol issues for transmission to appropriate Chinese Government officials. The final paper needs to be sent to U.S. Embassy Beijing by cob Thursday, February 11th. Bob Cassidy will hold an interagency meeting at 10:30 am Thursday in room 401A at USTR to solicit agency views.

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Gus Schumacher, USDA
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Jim Steinberg, NSC
Leon Fuerth, OVP
Kitty Higgins, DOL

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E.O. 13526

White House Guidelines, September 11, 2006

By VZ NARA, Date 1/31/2013

2010-1024-F

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(NAME) (PHONE NUMBER) (ROOM NO.)

MESSAGE DESCRIPTION: USTR Draft Paper on Protocol Issues.

TO (AGENCY)	DELIVER TO	DEPT/ROOM NO.	PHONE NUMBER
DOC	David Aaron (482-2867)		482-0187
DOS	Al Larson (647-7971)		ops center
TRS	Tim Geither (622-0656)		622-1851
USDA	Gus Schumacher (720-3111)		720-5012
DOL	Kitty Higgins	S2018	219-2455

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	Jeffery Bader to Malcolm Lee at 2:46 PM. Subject: Urgent: Chop on Protocol Paper (2 pages)	02/11/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F
vz1812

RESTRICTION CODES

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

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~~SECRET~~
NSC/RMO PROFILE

RECORD ID: 9900780
RECEIVED: 04 FEB 99 15

TO: STEINBERG

FROM: BADER
LIEBERTHAL

DOC DATE: 04 FEB 99
SOURCE REF:

KEYWORDS: CHINA P R

ADNSA

PERSONS:

SUBJECT: STEINBERG-YANG MTG 8 FEB

ACTION: NOTED BY STEINBERG

DUE DATE: 10 FEB 99 STATUS: C

STAFF OFFICER: BADER

LOGREF:

FILES: WH

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

BADER
LEE
LIEBERTHAL
NAPLAN
NSC CHRON
SAMORE

DECLASSIFIED

E.O. 13526

White House Guidelines, September 11, 2006

By YZ NARA, Date 1/31/2013

2010-1024-F

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSTTS

CLOSED BY: NSDMK

DOC 1 OF 1

~~SECRET~~

~~SECRET~~

RECORD ID: 9900780

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

001 STEINBERG
001

CAO ASSIGNED ACTION REQUIRED

Z 99020514 FOR INFORMATION
X 99021120 NOTED BY STEINBERG

~~SECRET~~

National Security Council 2/5 1505
The White House

PROOFED BY: _____ LOG # 0708
URGENT NOT PROOFED: _____ SYSTEM PRS NSC INT ARS
BYPASSED WW DESK: _____ DOCLOG _____ A/O _____

TMA

	SEQUENCE TO	INITIAL/DATE	DISPOSITION
Cosgriff			
Rice	1	① 2/5	
Davies			
Kerrick			
Steinberg	2		
Berger			
Situation Room	3	③ 2/8	N
West Wing Desk			
Records Mgt.	4	DMK 2/11	NFA

A = Action I = Information D = Dispatch R = Retain N = No Further Action

cc:

* Note - Tab A contains points for SRB. (drop by)

COMMENTS:

Steinberg mtg w/ Chinese
Vice Fomin Yang Jiechi 8 Feb

Exec Sec Office has diskette yes

99 FEB 5 1986

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009a. memo	For James Steinberg from Jeffery Bader. Subject: Your Meeting with Chinese Vice Foreign Minister Yang Jiechi. Record ID: 9900780. (9 pages)	02/04/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F
vz1812

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Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009b. letter	William Clinton to President Jiang Zemin. (4 pages)	02/03/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F
vz1812

RESTRICTION CODES

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

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Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009c. email	White House Situation Room to Alexander Arvizu, Jeffery Bader, Kenneth Lieberthal et al. Subject: Vice Foreign Minister (4 pages)	02/03/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F
vz1812

RESTRICTION CODES

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FOR: MALCOLM LEE
3 pp



U.S. TRADE AND DEVELOPMENT AGENCY

February 5, 1999

To: Jeff Bader/Ken Liberthal
Ted Osius/Leon Fuerth
Hank Levine

From: Geoff Jackson

Attached is a copy of TDA Director Joe Grandmaison's note to Sandy Berger concerning TDA and China.

**U.S. TRADE AND DEVELOPMENT AGENCY**

February 5, 1999

To: Sandy Berger
Assistant to the President for National Security Affairs

From: Joe Grandmaison 
Director, USTDA

Re: U.S. Trade and Development Agency and China

I've got to believe you are as frustrated as I am in dealing with the issue of "opening" TDA in China. Actually, you've always displayed more patience than I, but that's another matter.

We keep getting asked what we would do if we were "open" in China and if "opening" can be tied to delivery of a specific project. The answer to the first question is that we don't know with any specificity what we would do, because we are unable to assess the situation. The answer to the second question is that we aren't able to produce a "deliverable" because we don't have the information needed to responsibly develop a potential project ---the proverbial "catch 22" situation.

However, there are a few things we do know:

- Prioritize the environmental and energy sectors.
- Immediately conduct a Definitional Mission in those two sectors to identify potential projects.
- Assuming resources, offer grant assistance for technical training on projects where we believe US Government involvement would result in a US contractor being selected for a major project.
- Target several billion dollars of contracts supported by loans from the multilateral development banks. Our assistance would help ensure that U.S. companies receive fair and equal treatment in the competitive bidding process.

- Most importantly, we would engage the US private sector in developing the overall strategy to be employed as they are the single best resource for valid and realistic information.
- Concurrently work with Ex-Im Bank to offer a front-end project preparation facility to prepare projects for Ex-Im Bank financing.
- Assess the value of placing a full time technology/procurement advisor in China to work with the Chinese Government in selecting appropriate technology, and preparing priority projects for investment by the US private sector.

Ruffo, Susan L

From: Levine, Henry A
Sent: Thursday, February 04, 1999 8:06 PM
To: Ruffo, Susan L
Subject: RE: CNMI model contract

pls. fax to Malcolm and Jeff B.

-----Original Message-----

From: Ruffo, Susan L
Sent: Thursday, February 04, 1999 7:01 PM
To: Shirk, Susan L; Schlaikjer, Stephen A; Levine, Henry A; Kelth, James R; Zotter, Darcy; Comfort, Mary Ennis
Subject: CNMI model contract

FYI - I went to Dept. of Labor yesterday to discuss the Chinese request for a model contract for workers going to the CNMI. Labor has actually put quite a bit of thought and work into a response. They have a draft list of provisions such a contract should contain, as well as provisions it definitely shouldn't. They were initially nervous about doing up an actual standard contract, and wanted just to share those general ideas, but during the meeting they began to reconsider. They are going to talk a little more internally and get back to me. Either way, they will have something to share with the Chinese.

I suggested that they also consider a trip to China to meet directly with MOFTEC and MOJ to go over these principles, as well as to talk about other issues (like getting back wages to workers who have returned....). That seemed to be well received. A similar trip worked well in the Philippines.

There was also discussion of an MOU with China (DOL and MOFTEC?) regarding the CNMI. Apparently the CNMI has actually asked for a set of MOUs between the U.S. and all countries which send workers there. This is definitely a long term project, but it could give us a direction to go in.

The big question is timing. I pointed out the Minister of Labor's visit might be a good time to get a standard contract and/or announce a visit by our experts. There was a feeling that things could never be done by then, but it seems like enough high level interest could push it along. One question, however, is whether that would be appropriate, give that MOFTEC and not MOLSS has been the interlocutor on this. Maybe a Zhu visit deliverable? Maybe as part of the previously announced "labor dialogue?" Any thoughts?

I will be talking to Interior and Labor again soon, to see if they have resolved their own questions, and will let you know what I hear.

Susan

To: Jeff Badler
Malcolm Lee

Fyi.

Levine, Henry A

To: shirk; sas
Cc: mk; norland
Subject: USTR protocol paper

some quick thoughts on USTR protocol paper. While I still think we risk overloading circuits by laying this on the table along with mkt. access, overall I like the paper. specifics:

tick two under safeguards is a nice, vague way to refer to general safeguard and seems to give us lots of flexibility on where we go with that;

re anti-dumping (item 2): I like this a lot since it refers to "case-by-case determination". Understand that David Aaron has already said that this language needs to be toughened. We should resist this strongly, no, very strongly, because the language as written tracks with US law, i.e., we now have the authority to look at a/d cases case-by-case, and with China's economy evolving, we need the room to decide in the future that one or another sector is market-based; also will help us get Chinese to swallow this very bitter pill.

section 3 on state-owned and invested enterprises makes me a bit nervous since the Chinese from the beginning have feared that we were trying to use the WTO accession to restructure their economy in ways that go beyond the requirements of the WTO, but that having been said:

tick one I assume is a response to our legal requirement for Presidential certification re state enterprises before WTO agreement can be implemented, and if so, may be necessary;

tick two: don't understand the significance of this

tick three: this is WTO plus, but it is important to our companies and phrased in such a way that Chinese should be hard pressed to object.

tick four: most problematic. what does this mean. WTO outlaws certain types of subsidies and permits others. are we asking here for something that goes way beyond what WTO requires??

→ Malcolm Lee
Jeff Beder
fyi
Hank
Hank Levine

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. email	Henry Levine to Susan Shirk and SAS. Subject: USTR Protocol Paper. (1 page)	02/11/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

China (February to March 1999) [2]

2010-1024-F
vz1812

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. paper	Services Proposal. (13 pages)	c. 01/1999	P1/b(1)

COLLECTION:

Clinton Presidential Records
National Economic Council
Malcolm Lee
OA/Box Number: CF 1176

FOLDER TITLE:

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