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Folder Title:

China (April 1999, Zhu Bilateral) [13]

Staff Office-Individual:

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Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. draft	Memorandum for Gene Sperling, Lael Brainard, Jim Steinberg, and Ken Lieberthal from Malcolm Lee. Subject: Proposed Points. (1 page)	04/10/1999	P1/b(1)
002. draft	Duplicate of 001. (1 page)	04/10/1999	P1/b(1)
003. draft	Briefing Memo for Telephone Call with Jiang Zemin. (2 pages)	05/13/1999	P1/b(1)

COLLECTION:

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

FOLDER TITLE:

China (April 1999, Zhu Bilateral) [13]

2010-1024-F

vz1833

RESTRICTION CODES

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

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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.

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

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BUSINESS COALITION FOR U.S.-CHINA TRADE

April 9, 1999
Washington, D.C.
FOR IMMEDIATE RELEASE

U.S.-CHINA MARKET ACCESS AGREEMENT

We welcome Ambassador Barshefsky's announcement that U.S. and Chinese negotiators have made substantial progress toward completing the terms for China's entry into the World Trade Organization. The comprehensive agreement on agriculture, sanitary and phyto-sanitary barriers, industrial products, tariffs, and services promises to dramatically open China's markets to American products and create new high-wage jobs for American workers. America's markets are already open. This agreement would level the playing field.

The market access agreement represents a huge breakthrough for American business, farmers, and workers. We urge both governments to redouble their efforts to wrap up a WTO agreement as soon as possible by resolving the handful of key outstanding issues in a way that expands market access. It is urgent that both governments, and the WTO Working Party, sustain the momentum achieved in recent weeks.

The U.S.-China agriculture and market access package advances a long-standing American goal of bringing China under global trading rules. We are pleased that U.S. negotiators have secured comprehensive commitments to open further the world's biggest emerging market to exports of American goods, services, and farm products. We look forward to a full briefing by USTR. U.S. business and agriculture need to study the final written language before making a final assessment.

These negotiations have taken over a decade because American trade negotiators have insisted throughout on a commercial, not political, deal. The WTO is the foundation of an open, rules-based global trading system. WTO Membership has always been a privilege, not a right. We are pleased the agreement shows that China is prepared to undertake the far-reaching commitments required for WTO Membership.

China, as a trading partner that plays by the rules, is in America's national interest. The WTO's dispute settlement mechanism, backed up by the threat of WTO-authorized sanctions for non-compliance, provides an effective tool to enforce U.S. rights.

Integrating China into the global trading system will further strengthen the economic forces that already have an impact on Chinese society in ways that contribute to greater freedom for its citizens -- a goal shared by all Americans.

Concerns have been expressed about alleged illegal transfers of U.S. technology. These issues are important to all Americans, but must be addressed in the proper forums under existing U.S. laws, not by blocking a WTO deal.

American business and agriculture look forward to working on a bipartisan basis with the Administration and Congressional leadership to wrap up an historic agreement on the terms for China's entry into the WTO. We are committed to building a bipartisan consensus in Congress to extend permanent "NTR" status under U.S. trade law in order to bring this agreement into force.

The Business Coalition for U.S.-China Trade consists of over 1,200 U.S. companies, trade associations, and farm organizations which support NTR, expansion of U.S.-China trade, and Chinese membership in the WTO under commercially-acceptable terms that benefit American exports and jobs.

ATTN: Malcolm
6-9290

Talking Points on China Issues

April 10, 1999

Q: Why was the SPS signing held-up?

A: There were some remaining issues to be discussed with respect to our market access commitments to ensure that the United States and China had a common understanding. These issues did not relate to the Agricultural Agreement. [The Agreement that was signed by Minister Sher and Amb. Barshefsky this morning is the Agreement that was negotiated earlier in the week, and it will immediately open China's market for U.S. meat and poultry, wheat and other grains, and citrus producers.]

Q: Does the SPS agreement stand on its own or does it depend on successful negotiation of China's WTO accession?

A: The Agriculture Agreement (SPS Agreement) is a stand alone agreement that is effective immediately.

Q: Mr. Zhu said there were a number of unresolved issues related to trade agreements that have been announced?

A: During the Premier's visit, there were a number of meetings to discuss a wide spectrum of issues in some detail. The Premier's comments on Friday night obviously raised substantial concerns. Trade Ministers worked through the night to explore areas where we had remaining differences. We are pleased that the President and the Premier today reaffirmed the consensus that we have reached on a broad range of market access and Protocol issues.

Q: Aren't there still remaining issues to be resolved?

A: Yes. We have been very clear since Thursday, that while we have reached market access agreements in goods and agricultural trade, there are remaining issues in services and the application of international trading rules with China which must still be negotiated.

Q: Has China signed anything beyond the SPS agreements?

A: We have formally locked-in the full spectrum of commitments announced on Thursday.

Q: Will details of agreements/schedules be released to the public?

The information contained in the schedules (and referenced in the Joint Statement) were summarized in the fact sheet attached to the Joint Statement. That fact sheet covered market access commitments and the Protocol commitments. The SPS agreement will be released pending confirmation of the Chinese text. *No further details will be released at this time.*

Q: China has publicly disputed U.S. claims as to whether any commitments have been "locked-in"?

A: There were a number of areas that needed further exploration to ensure that we had a common understanding. We believe our efforts yesterday reconfirmed our areas of agreement reflected in the President and Premier's Joint Statement.

Q: Does this new communique replace Thursday's Joint Statement?

A: No. Today's statement acknowledges the signing of the Agricultural Agreement, and reaffirms all the commitments made during negotiations to date.

Q: Don't the Premier's comments suggest that all these agreements are in trouble?

A: Not at all. The negotiation of China's WTO Accession is as complex and multi-faceted as any trade negotiations that the United States has ever been involved in. Because of the size of China's economy, the heavy presence of State Industries, and China's discriminatory trade practices a wide spectrum of detailed market access requirements and special rules are necessary. We have now achieved a common understanding of the commitments that have been locked-in to date.

Q: Don't recent developments suggest you cannot trust the Chinese to keep their commitments?

A: No. We are involved in complex negotiations affecting virtually every area of the Chinese economy. These negotiations are aimed at opening China's markets, expanding the rule of law, and applying a wide spectrum of international trade rules to China. In fact, the agreements we have reached to date build a very strong foundation from which we expect to resolve our remaining differences in areas of services trade and rules.

Q: The Chinese have asserted that nothing is agreed until everything is agreed?

A: Just to be clear: We do have an agreement on agricultural trade issues that will immediately open China's market for U.S. wheat, meat and poultry, and citrus. With respect to on-going WTO negotiations, our own formulation is that "nothing is agreed until everything is agreed" because we will not agree to China's accession until the full spectrum of our commercial concerns -- both with respect to market access and trading rules -- have been met.

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TIME SENSITIVE

UNCLASSIFIED FAX
FROM THE NATIONAL SECURITY COUNCIL
AND THE NATIONAL ECONOMIC COUNCIL
OF THE WHITE HOUSE

SENDER: MALCOLM LEE, INTERNATIONAL GROUP

WH PHONE: 202-456-9299
WH FAX: 202-456-9290

2 PAGES INCLUDING COVER SHEET

SUBJECT: PRESS GUIDANCE : CHINA WTO

TO:

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DAUC LEAHY

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JAKE STEWART

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FROM THE NATIONAL SECURITY COUNCIL
AND THE NATIONAL ECONOMIC COUNCIL
OF THE WHITE HOUSE

SENDER: MALCOLM LEE, INTERNATIONAL GROUP

WH PHONE: 202-456-9299
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5 PAGES INCLUDING COVER SHEET

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L1K7-6224

STATEMENT BY
PRESIDENT WILLIAM JEFFERSON CLINTON AND PREMIER ZHU RONGJI
April 9, 1999

On the occasion of the signing of the Sino-U.S. Agriculture Cooperation Agreement, President William Jefferson Clinton and Premier Zhu Rongji reaffirmed that the United States and the People's Republic of China have advanced substantially their common goal of China's admission to the World Trade Organization (WTO). This Agreement and the significant agreements ^(consensus) achieved on a broad range of market access and Protocol issues ^{as} set out in the Joint Statement of April 8 advance that goal. President Clinton and Premier Zhu welcome this significant progress. The United States strongly supports the accession of the People's Republic of China to the WTO in 1999. ^{To that end,} President Clinton and Premier Zhu instruct their trade ministers to resume bilateral negotiations in order to satisfactorily resolve the important remaining issues and reach agreement on strong commercial terms as soon as possible.

Re: further

Accordingly
{There (ae)}

① The equal case politics

②

③ Intellectual

- POTOS → ZW used vide
- state assembly, statement not accepted
- why did the Quantum have financing

Minister

- object to disclosure of details of negotiations
- unlawfully disclosed info, + put internet w/ details + publicly make email attachments

- worried w/ 4i → enhanced HK will run 'coverage'. Not prepared at home

- what do? Option 1 - ~~leave it without statement~~
- Option 2 - Chinese → stated Disavow of statement

- w/ Myron, do not want to go 2nd option
- I can affirm with side back up firm consent agent, very much want to keep them
- Don't agree to include in this statement
- Another idea - leave negotiations here so set down a review then by item. Not refer to every not reached agent.
- Not initial agents either not complete, only affirm agreement achieved.
- if ok, can enter real fast

Ken + Chinese leaders say a bit agreed not agreed
 This → statement will allow, I am not a case to protocol inner, signature SPS agent
 → have not reached full agent, how can say we have
 → agreed statement will allow to affirm
 → Chinese side will not retreat

WV → respects suggest put together by POTOS Clinton. ZW, if it's statement + SPS, will allow POTOS
 heart, unimportant,
 CB → Protocol ^{with} under cut → POTOS
 WV → no see protocol, no ~~is~~ fertility

- ③ Long - 4 relevant whole package
- SPS said he PR of Macleish - Eng his real first agent
- CB said all relevant package
- protocol also upon to get out
- Potos would get ag + not a case
- banking, see, a/c. Japs w/ check the world
- Even agent. Great design print
- ag got done, good thing
- when wait sign ag agent, will be full at 2:30 and problem
- add the agent shall be one with in package (SPS)
- 4i → if not sign ag, we J+ compare.
- No ground to confirm

SPS → Babington, Lang
 WV → Scher-Long

JOINT STATEMENT BY
PRESIDENT WILLIAM JEFFERSON CLINTON AND PREMIER ZHU RONGJI
April 10, 1999

On the occasion of the signing of the Agreement on U.S. China Agricultural Cooperation, President William Jefferson Clinton and Premier Zhu Rongji reaffirmed that the United States and the People's Republic of China have advanced substantially their common goal of China's accession to the World Trade Organization (WTO). This Agreement and the significant consensus achieved on a broad range of market access and Protocol issues have further advanced that goal. Present Clinton and Premier Zhu welcome this significant progress. The United States strongly supports the accession of the People's Republic of China to the WTO in 1999. Therefore, President Clinton and Premier Zhu instruct their trade ministers to continue bilateral negotiations in order to satisfactorily resolve the important remaining issues and reach agreement on strong commercial terms as soon as possible.

朱镕基总理与威廉姆·杰佛逊·克林顿总统的联合声明
一九九九年四月十日

值此中美农业合作协议签署之际，朱镕基总理和威廉姆·杰佛逊·克林顿总统重申，中华人民共和国与美国已经大大推进了中国加入世界贸易组织(WTO)的共同目标。上述协议及在广泛的市场准入和议定书问题上所取得的重要共识进一步推动了这一目标的实现。朱镕基总理和克林顿总统欢迎这一重大进展。美国坚定地支持中华人民共和国于1999年加入WTO。为此，朱镕基总理和克林顿总统指示各自的贸易部长，继续进行双边谈判，以便满意地解决余留的重要问题，并尽快在强有力的商业条件下达成协议。

NOT FOR RELEASE

April __, 1999

MEMORANDUM OF UNDERSTANDING

Our two governments have engaged in a series of intensive bilateral negotiations regarding China's accession to the World Trade Organization (WTO). As a result of those negotiations, our governments have reached agreements on a wide range of market access commitments, including schedules for market access for industrial and agricultural goods and most services commitments, which are subject to verification and rectification. (Attachment 1.) Certain matters remain to be discussed in banking, including consumer auto finance, securities, audio visual services, and textiles and apparel.

Second, we have reached agreement on several texts that set out commitments that China will undertake in its WTO Protocol or Working Party Report. We have also reached agreement on several other Protocol commitments, subject to resolution of the issue of duration of provisions governing dumping and product safeguards. (Attachment 2.)

To maintain the momentum in these negotiations, we will review and verify the schedules and Protocols agreed during the negotiations. Further, negotiators will work to resolve outstanding issues identified above and continue work on other aspects of China's WTO accession package.

Both parties agree that this Memorandum of Understanding and attached documents will not be released to the public.

Long Yong Tu
Vice Minister
Ministry of Foreign Trade and
Economic Cooperation

Ambassador Peter Scher
Special Trade Negotiator

Attachments

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

April 8, 1999

PRESS BRIEFING BY
NATIONAL ECONOMIC ADVISOR GENE SPERLING,
U.S. TRADE REPRESENTATIVE CHARLENE BARSHEFSKY,

The Briefing Room

5:50 P.M. EDT

MR. SIEWERT: We're going to have a short readout on the status of the negotiations on China's accession to the WTO. Giving the briefing will be National Economic Council Director Gene Sperling, and US Trade Representative, Ambassador Charlene Barshefsky. And answering questions will be Deputy National Economic Advisor Lael Brainard and Assistant Trade Representative Bob Cassidy.

MR. SPERLING: We are pleased by the significant progress made in our economic relationship with China in a broad array of areas from civil aviation to software protection to the SPS -- issues -- PCK wheat, citrus and meat, as well as CDMA wireless technology.

We're particularly pleased by the significant progress that was made towards reaching a tough-minded, commercially viable WTO agreement with China. Thanks to the excellent work of our Ambassador Charlene Barshefsky, and the extensive personal involvement of Premier Zhu, significant movement and concessions were made in a wide array of areas, beyond what could have been expected and concerning many issues that had been unresolved for many years.

Although we did not reach the finish line, as the joint statement states, agreement has been reached on market access for agriculture and goods, as well as a wide array of service areas. There also was progress on key protocol issues, such as trading rights, forced technology transfer and offsets, subsidy and other issues that Charlene will go into in greater detail.

Clearly, there were issues in market access and banking, including consumer auto financing, securities, audio-visual and textiles that are not resolved. Under protocol, such areas -- important areas in our country concerning anti-dumping, surge safeguards and means to ensure implementation.

Last night, the President met for over two and a half hours with Premier Zhu in the Yellow Oval Room in the residence, from 9:00 p.m. or so to nearly midnight. At that meeting, both leaders felt that while too many issues remained to be resolved by this trip, that the strong progress and agreements that had been made meant that the best way to proceed was to sign the SPS agreement and to have a joint statement that locked in the agreements and progress that had been made in the significant market access areas, to list very clearly what some of the remaining differences were, and to commit to redouble our efforts to resolve the remaining differences in the near future so that we can have a commercially viable agreement that could lead to WTO accession for China in this year.

As we approach this, we clearly were in search of agreement on all the issues we had. On one hand, we did not want to in any way lower the bar on any critical issues in order to reach agreement, just to reach agreement by this visit. On the other hand, we did not want to lose any of the significant progress and commitments that Charlene Barshefsky and Premier Zhu had worked out.

This agreement very well -- today, this joint statement today shows that we were able to come out in a very positive place, because on one hand we kept open the issues that we still felt we needed to get more progress on, and at the same time were able to lock in the very significant agreements that had been made.

With that, I wanted to also express from the economic team the tremendous work that Charlene's entire team has done, most especially Bob Cassidy; also Peter Scher in agriculture issues; and Richard Fisher, Bob Novak and others. But Charlene has thrown herself into this, as she does with everything. And with that, I will give you our Ambassador.

AMBASSADOR BARSHEFSKY: Thanks, Gene. Let me just start also by paying a very special tribute to my lead negotiator, Bob Cassidy, who heads our China shop, the Assistant USTR for China, who has basically lived in Beijing for about two years now, I

think; and the rest of his team -- Christina Lund, Catherine Field, Laura Lane, Teresa Howes, of course, Ambassador Peter Scher, Ambassador Richard Fisher, and many other people in many other agencies, including Secretary Glickman at USDA.

Let me just start for a minute just by talking a little bit about what a WTO accession entails, so that you know exactly where the market access commitments that we have now embodied will fit. WTO accession requires two very large pieces, and they are interlocking. One piece is market access -- goods, services and agriculture across the board. That piece is negotiated by China with each one of its major trading partners individually. And each trading partner receives the best treatment any of those trading partners receives on that particular issue.

So for the duration of a WTO accession negotiation, the market access issues remain open on the up side, but a floor is established based on your particular market access agreement.

The second big piece is rules, and the rules are not ancillary to market access, the rules are what makes the market access agreement work. For example, if you have an agreement on tariffs, but no rules on how customs is to administer its tariff regime, you have no net gain in market access. So without the rules, of which there are hundreds, literally, the market access again, which might look good on paper, aren't actually achievable in practice.

Both of these enormous pieces -- the market access, which first is negotiated bilaterally with every country, and then there's a multilateral process where everyone goes up -- and the rules, which is negotiated in part bilaterally, as you'll see in a minute, and multilaterally -- all of that has to be done before any country is considered to be a full candidate for accession. All of it has to be done. And we have been particularly insistent that every bit of it is done, every bit, before China can be considered a candidate for full WTO accession.

Now, that's the backdrop of what has to be accomplished. What we have achieved, as the joint statement by the President and the Premier says, is that we have reached agreement on market access for agricultural and industrial goods, as well as a wide range of services sectors; that certain matters remain to be resolved in banking, including consumer finance for autos, as Gene said, securities and audio-visual services.

As to protocol issues, we, the United States, have pursued five or six very critical protocol issues that are unique to China -- unique to China. This is quite apart from hundreds of protocol issues yet to be negotiated, or which are only partly negotiated in Geneva.

And with respect to these special protocol issues, the President and the Premier note in their joint statement that agreement has been reached on a variety of these important rules to be applicable in the WTO concerning, for example, trading rights, technology transfer, offsets, state enterprise practices, subsidies, anti-dumping. But even in these critical protocol issues, where we have agreed language, we do not -- in several -- yet have agreement on their duration, nor do we have full agreement yet on the mode of implementation of China's full range of commitments. Nor do we have full agreement yet on the way in which our bilateral textiles agreement must be incorporated into the WTO.

So what we have done, as Gene has said, we have captured and memorialized -- in agreement language -- what has been achieved. And you'll note from the joint statement, there are to be three attachments. One of them, on market access, is the actual legal schedule of commitments -- very specific, point by point, sector by sector, year by year, phase-in by phase-in. There is nothing left to the imagination. That, minus the issues still to be resolved.

And on protocol, the specific language will be available also, tomorrow. But again, there are unresolved issues there, particularly on the question of duration in connection with some of these special protocol issues, with respect to China. All of that is now locked in place, as I said, in agreement language, and agreed by the parties.

Now, the process from here on out will involve a number of months of absolutely intense negotiation. Number one, to finish market access issues bilaterally. Number two, to work with each of our major trading partners -- which are also negotiating market access with China -- to ensure that none of our rights are prejudiced in any respect. This is a very complicated process. Number three, resolving the outstanding special China protocol issues. Number four, resolving the full range of rules issues yet to be resolved in Geneva. This is months more of negotiation. The goal remains, as the President and the

Premier's statement, that China be in a position to enter the WTO by the end of this year.

But I've said many times, and I will say again: ultimately, whether China enters is up to China. Our standards are high. Our expectations are high. The agreement we have reached thus far, I think without question, demonstrates that , and I'll take you through some of the highlights. The rules issues remain equally critical. So we have quite a ways to go, but we are very, very pleased, extremely so, by what we have now accomplished in agreement form in the areas that I will outline. And let me then just move very quickly to the market access commitments that have been achieved thus far, and just mention four features, broadly.

First of all, what has been achieved thus far is quite comprehensive. Not fully yet, but quite comprehensive. It covers all of agriculture, industrial goods and services. Market access covers unfair trade practices, including quotas, other non-tariff measures, the application of nonscientific agricultural standards, discriminatory regulatory processes, export subsidies and other barriers to trade. It covers the tariffs and other barriers China applies at the border. It eliminates the limits China places on trading rights and distribution within their market. It eliminates unjustified agricultural barriers and it addresses the limits on the rights of service providers to set up businesses in China.

Second, the market access commitments grant no special favors. For example, it requires China to reduce its trade barriers to levels comparable to those of major trade partners, including many industrial countries. There are no special or developing country deals in this agreement -- none. For example, China's industrial tariffs will fall to an overall average of 9.5 percent and in the U.S. priority areas, which are thousands of products, an average of 7.1 percent. This is substantially below the rates of virtually every developing country and are quite comparable to rates in major industrialized trade partners, like Australia and New Zealand.

Third, the market access commitments that have thus far been made will be fully enforceable. All of the commitments are absolutely specific, measurable. They are enforceable not just through our own trade laws, but WTO dispute settlement and other special mechanisms, including some of the protocol issues that I will address, and fourth, I think the results you will see will be very rapid.

On accession in every area without exception, China would open its markets -- begin to open its markets from day one. The phase-in of further broad concessions in these areas is with very few exceptions limited to a maximum of five years, and almost in all cases -- in many cases, the total transition time ranges from one to three years. This is very, very fast relative to the accessions we have been doing in this administration, let alone relative to earlier accessions.

Just a few quick-hit facts, and then you can ask questions. In agriculture, as you know, China will completely eliminate its bans on U.S. agricultural products. China's agricultural tariffs will decline to about 14.5 percent; the global average is near 40 percent. All tariff cuts will occur within a maximum four-year time frame. And every tariff cut is bound, which means China cannot raise the tariffs. That's very important; no developing countries have totally bound tariffs, China will.

China will, in addition, liberalize significantly its purchase of bulk agricultural commodities. These are the big ticket items -- wheat, corn, cotton, soybeans, so on and so forth. We have set up a tariff quota, a tariff rate quota system under which tariffs on very, very huge volumes of agricultural products will be between one and three percent, meaning China will buy essentially at world market prices. This opens tremendous, tremendous opportunities for us.

And on export subsidies, China will no longer provide any export subsidies. This is very significant for things like cotton and rice, but also because that means China can join us in any launch of the new round if they're a member in a prohibition globally on export subsidies. This is vital, particularly in regards to the European Union.

On industrial goods, China will grant essentially full trading rights and distribution, the right to import and export directly without Chinese middlemen and to market through distribution wholesale, retail -- you know, after-sale service, repair, maintenance, transport, the entire range. There is no distribution-related service that is excluded. Most of these barriers will be gone within three years.

On tariff cuts, China will cut their tariffs on U.S.-priority items, which is thousands of items, to an average of 7.1 percent, as I said. Two-thirds of all the cuts will occur within two years, within the first two years. The rest no

longer than five. China will also do the information technology agreement, that's zero for zero tariffs. They will do it rapidly enough so they are on par with the other countries to it, meaning most of the phaseouts China will do will occur by 2003.

Autos, wood, paper, chemicals -- there's massive tariff reductions, and I won't go through them. And on non-tariff barriers, China will eliminate all quotas and all quantitative measures. In priority U.S. areas, it will be immediate upon accession in everything else we care about within two years, and other things we don't care about within five years.

And last, on services, banking and securities remain under discussion, though even there we've made quite significant progress on the banking side. But consumer financing for auto purchases is important because we've put together I think a very strong auto vehicle package. And consumer financing for auto purchases needs to be resolved favorably. I think it will be, but we're not quite there yet.

With respect to securities, China has offered a grandfather of existing rights. I think that the Treasury Department wants to have further discussion with China on the issue of securities, which is, as you know, a very complicated area, particularly in China.

Let me just do one service sector as an example of the specificity, and you can read your fact sheets for the rest. Let me take insurance. Immediately on accession, insurance companies can offer large-scale risk insurance throughout China. Also immediately, China will grant insurance licenses only on prudential factors. Within three years, China will phase out all restrictions on internal branching, and it will remove restrictions on majority control and on joint ventures. Within four years, foreign companies can offer group insurance, which is 75 percent of all insurance sold in China, and within five years, health and pension lines of insurance.

This is an absolutely all-inclusive agreement. I use it as an example because it goes year by year, commitment by commitment, phase-in by phase-in -- very highly particularized.

Telecom -- the other sectors are quite similar. Let me just say on telecom, I'm very pleased that for the first time China will allow direct investment in all telecom facilities,

and foreign ownership with respect to value-added services and paging.

Last, let me just touch on protocol issues. Some are completed, but some need more work, particularly on the question of duration. First, specific protocol language on a product-specific safeguard, so that if there are surges of imports from China, they can be addressed in a China-specific manner. Second, agreement on continued U.S. use of its non-market economy dumping laws -- these are special rules that will apply in dumping cases.

Third, agreement on investment issues in China. China must eliminate requirements that companies export what they make in China, or use Chinese parts or other products when they manufacture there. Our companies also will no longer have to agree to offsets to invest in China, or such other requirements.

Fourth, specific protocol language committing China to end all requirements for technology transfer for U.S. companies to invest in China. This is a very unique feature. Fifth, the protocol addresses issues of special concern due to the nature of the Chinese economy. State trading companies and state-invested enterprises must operate solely on commercial terms, and these companies' purchases will not be considered to be government procurement -- so they must be governed by the full rules of trade negotiated, not by any special rules or altered regime.

The question of duration on a few of the trade remedies remains open. Many protocol issues remain open, but that's basically where we are. I think you all have a detailed fact sheet. The protocol language and additional materials will be available tomorrow, either from the White House or from USTR.

Q It sounds like they do a lot of giving. What are they going to get from this?

AMBASSADOR BARSHEFSKY: Well, first of all, I think we have said for six years that the only basis on which China will enter the WTO is on strict commercial terms. No special deal; no sweetheart deal; and no political deal. And without question, what we have achieved thus far is, I think, a remarkably strong commercial package by any conceivable measure.

And that's the way it has to be. And that's the way it has to continue to be if China is going to enter this year. This is absolutely critical. There is no compromising on that position.

I think what China has gained, in large part, is something that Premier Zhu spoke of in his press conference with the President, and that is, he is anxious for very substantial reform of the Chinese economy, and to move it much more toward the direction of market economics. And his view is that WTO accession helps to accelerate that process in China.

I think also, the Chinese are concerned that foreign enterprises are losing confidence in the Chinese market, because the rules are opaque and arbitrary. And this again, I think, helps solidify China as a country in which businesses should want to do business.

Q Premier Zhu said in his response to one of the questions that he felt that politics had played a part in the administration's thinking on this. Imagine a stack of bibles in front of you that you're going to put your hand on, figuratively speaking. Are you going to tell us that no one in the administration at any kind of senior level whatsoever felt that the disagreement was good enough, ought to be taken as fully adequate for proceeding toward the subsequent stages of China's accession?

AMBASSADOR BARSHEFSKY: Well, I think all of us in the administration do believe that what we have here is quite substantial and extraordinary. And that's why this is all memorialized now in specific agreement language, and why we're announcing it and why there's a joint statement. But many of us -- and I put myself in this camp -- feel that the kind of methodical approach we've taken for six years was not going to be altered because of the visit. The audiovisual commitments are not sufficient. That is simply a fact.

Auto financing is a critical issue, as well as certain banking reform phase-ins. That's a fact. The securities issues are something that Treasury and China I think will spend most of the year working on. The view is, we have agreement, as the President and Zhu have said, on everything that -- you know, I've outlined, embodied in agreement language. That's an agreement.

But every step has to be done the right way. This is a massive accession. There never has been anything like it and

there never will be, simply based on sheer size, importance, and the complexity of the trade barriers involved. I feel very strongly, and I feel very responsible as the USTR that every detail we can nail down, every t, every I, has got to be done the right way.

So I feel what we've done here is to lock in a very, very strong set of agreements on protocol and on market access, but to make clear that there are issues that yet have to be resolved to satisfy us fully -- fully now, on market access, and then the other protocol issues in Geneva we just didn't even address right now.

Q How about the stack of bibles?

AMBASSADOR BARSHEFSKY: Gene?

MR. SPERLING: The first thing I would say and I think that Charlene's is saying is that what you saw today is completely transparent. It doesn't leave a kind of vague statement. It tells you exactly what it is we thought was good enough to agree to, and it tells you exactly what it is we thought had not reached the bar yet. So you can judge for yourself -- and I think one of the things that we decided to do was to try to lock in the progress we had, but to be open about where we hadn't reached agreement yet.

Certainly, on any major issue we've ever had in this administration where you have more than three people around the table, there are often slight differences on tactics or on certain issues or issues of emphasis, and we had discussions internally that went on. And we did recognize that one of the issues, one of the tensions was that in some ways, it might be good to press hard, as hard as we could for the trip, which we did, but that we didn't want to do that at the expense of lowering our standards just for the trip.

We also recognized, though, that there was some danger that in not getting any agreement by the trip, you could lose some of the progress that you had made, you could let some of that slip. So the reason why I think our administration is so particularly unified and happy with where we are right now is that we were able to come up with something where we were able to memorialize or lock in all of the progress, and yet, state very explicitly where we still thought there was further to go and to redouble our commitment to going forward. I can assure you that when we did send the NEC-NSC memo to the President, which listed every

single person's views, there was not a single person who did not believe we should go forward with a commercially viable China deal -- not one single -- on a stack of bibles.

Q Charlene, do you think that this agreement is strong enough to change some attitudes in Congress, and are you planning to go forward with a request to grant permanent MFN upon accession, or are you going to wait until the deal is completed?

AMBASSADOR BARSHEFSKY: I think in answer to the first question, I think the deal is a very strong one, and I think that members of Congress will obviously have to judge whether they're comfortable with it, whether their constituents' concerns have been adequately addressed, and I'm sure we'll hear from many, many people.

But as you will see from the summary and from the actual documents themselves, which are voluminous and remarkably detailed, we believe this agreement will withstand the most critical scrutiny imaginable, and we've done it in such a way because we believe it will have to withstand extraordinary scrutiny and potentially some skepticism.

With respect to permanent MFN, we're still in the middle of a negotiation. And it is, I think, at this juncture premature. We obviously will consult with Congress, the President will consult with Congress as well; but right now, we don't have an accession package; we're certainly months away, I mean many months, four, five, six months away from an accession package. And so I think that this question of timing on permanent MFN will have to be looked at pretty carefully.

Q Given that the administration -- your office is very careful not to release any text or any documents before a final deal is signed and the whole thing is sewn down, is there a strategy here to release this much detail of this document in order to get the business community to start lobbying in advance to soften up the --

AMBASSADOR BARSHEFSKY: No, this is about the same level of detail as we released in the Taiwan Agreement. We released a very detailed fact sheet, very specific numbers on agriculture, goods, the market access. We were very, very specific -- specific about phase-outs and so on. No, no, no. But we've done the same -- we just did the Latvian accession. If you look back, we released very substantial detail. Taiwan's detail was

released a year ago; they're not in the WTO yet, their protocol isn't even finished.

So we release it as we do it. The level of detail here in part reflects how much there was to do. I mean, China, which was the furthest behind of all the countries in the WTO, the furthest behind -- exponentially so -- with the longest way to go, acceding to levels at a Uruguay Round-plus level. The level of detail required to accomplish that is enormous, and that's one reason for the length.

We haven't had, for example, trading rights problems with other countries. The basic right to import or export. There are many, many practices in China we've never had to deal with before. And that's one reason you see the level of detail here. China's economy, as you know, is highly protected. We've been saying this for a number of years, the trade figures show it, particularly on the export side from the U.S. So there is much to address.

But we have consistently -- look back at the Taiwan press releases from a year ago, you'll see the same level of detail.

Q That's when you reach the agreement.

AMBASSADOR BARSHEFSKY: Yes, well, here, we're close. That's what we're saying, we're close. I don't see any gap right now that's not bridgeable. But we're not quite there yet.

Q Two questions, actually. If you were to look at the agreement now as it is without any further conditions and imagine China at the end of the five-year phase-out, how would China, as a country to do business with, compare with other nations the U.S. does business with? Would it be similar to Japan, would it be better than Japan? And the second question is, it's true you memorialized all this stuff and you have their commitments.

But in China, as you know better than me, a lot depends on individual personalities and the reformers pushing things. Why not have agreed that you had a deal and you had details left to do? Why take the risk of undermining Zhu when he goes home?

AMBASSADOR BARSHEFSKY: As to the fact, the question that's exactly what we did, which is why the joint statement between Zhu and President Clinton says explicitly that there is agreement on market access in agriculture and industrial goods

and on the wide array of services sectors, but with discussions continuing on. We've not left open this agreement; we've indicated where discussions were continuing, and the joint statement makes very clear -- the language couldn't be clearer -- that we have reached agreement on the remainder with respect to market access. Similarly the language is very, very clear on protocol.

And Zhu was very, very comfortable with this formulation. That is to say, he is comfortable with the formulation, which we always use, which is nothing's agreed until everything's agreed. But you have to know where your baseline is, and we now know -- almost entirely across the board, on the market access issues, but for the ones that are still under discussion -- where our baseline is, and the baseline is very, very high.

So we've done exactly what you've suggested. He was very, very comfortable. The joint statement took -- what? -- a half an hour to negotiate, which has to be a record. It was what they had envisioned, because it spells out that agreement has been reached in the areas in which agreement genuinely has been reached.

I think that your first question is a difficult one, in the sense that it's hard to make predictions of the kind you're suggesting. But let me just give you one example, and maybe five years from now we'll see that it might be right.

If you look at most of the trade disputes that we've had with Japan: semiconductors, autos, auto parts, flat glass. All of these issues are distribution issues. Every one of them. The problem has been distribution. When we set up the auto agreement in Japan, what did we actually do? We set up an alternative channel of distribution for auto parts, because we couldn't get in the garages controlled by the Japanese auto companies. So we just went around and set up a different distribution channel. Flat glass, the problem is you have a cartel which also controls the distribution channel, and no means to open an alternative distribution channel.

One of the reasons we have spent months and -- I mean, Bob knows this better than me -- and months and months on distribution -- and one of the reasons that audio-visual is still outstanding -- is that distribution is critical, critical. Without it, what you export doesn't actually penetrate the market to any significant degree. Without it, what you produce in China has to go through middlemen siphoning off your profit.

Without it, the market access you thought you'd gained from tariff reductions disappears, in a flash.

Now on audio-visual, we're not entirely satisfied with the distribution arrangement thus far. So I would say, five years from now -- five years from now, or three years from now, in terms of distribution in China, if that distribution opens up, the difference will be quite remarkable. And I think we'll avoid some of the problems that have plagued us persistently in industrial sectors in Japan, where we never had this range of rights.

Q How concerned are you that you have too many very divisive trade issues, now, that you're pushing for on the Hill? I mean, you have the steel import question, there's this, there's fast-track -- supposedly -- CBI, African free trade bill. Are some of these going to have to get lopped off this year? These are all divisive issues.

AMBASSADOR BARSHEFSKY: I think, from our point of view, we want to pursue -- as you know -- as aggressive a trade agenda as possible. And all of the issues that you've mentioned are important without question. And certainly without question, we cannot look at China and deem it anything other than remarkably important as well.

So all I'll say is that we are going to pursue the full range of issues. On China in particular, we will consult closely with Congress, that's going to take a lot of time. But we feel pretty comfortable where we are right now.

Q On the agricultural issues -- on the agricultural issues, am I to understand that that deal was not cut for them to be lifted immediately until last night in the residence with the President? When was the decision that that was actually -- the ban, for example, on --

AMBASSADOR BARSHEFSKY: The bans will be removed this year on Pacific Northwest wheat, citrus, and all the meat products -- beef, poultry, pork. And we're very pleased about that, because we now have an established set of rules which will absolutely allow entry for all those products. Citrus and pork have typically been smuggled into China. Massive citrus goes into Hong Kong, but Hong Kongers can't each eat 50 oranges a day. It's going somewhere else, and it's going into China through smuggling.

And I think one of the persuasive arguments that we had with the Chinese to lift these bans is that when you allow smuggling -- when you have a trade regime so restrictive that a black market appears, you will have (a) increased corruption -- and this is a principal issue for Zhu -- and (b) you lose all the tax revenue because no one is paying duties on any of it that's coming in. It's all coming in under the table.

If you lower your tariffs, you agree to rules on the administration of your customs regime, and you drop your bans, you find not only that you have more goods at lower prices for Chinese consumers, you have more money in your internal revenue collection than you had before.

Thank you.

END

6:31 P.M. EDT

April 9, 1999

MOU

RECORD OF UNDERSTANDING ON THE STATUS OF CHINA-U.S. BILATERAL NEGOTIATIONS ON CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION

Our two governments have engaged in a series of intensive bilateral negotiations regarding China's accession to the World Trade Organization (WTO). As a result of those negotiations, our governments have reached agreements on a wide range of market access commitments, including schedules for market access for industrial and agricultural goods and most services commitments, which are subject to verification and rectification. (Attachment 1.) Certain matters remain to be resolved in banking, including consumer auto finance, as well as securities and audio-visual services.

discussed

if feasible + approval

Second, we have reached agreement on several texts that set out commitments that China will undertake in its WTO Protocol or Working Party Report. We have also reached agreement on several other Protocol commitments, subject to resolution of the issue of duration of provisions governing dumping and product safeguards. (Attachment 2.) [All large tariff reduction provisions to be subject to consultation by China's side.] All protocol provisions will be binding on China only upon accession to WTO.

Third, we have agreed to continue to discuss outstanding market access and protocol issues, [including those relating to textiles and apparel] and providing WTO Members with an effective means to address implementation issues.

6

To maintain the momentum in these negotiations, we will review and verify the schedules agreed during the negotiations. Further, negotiators will work to resolve outstanding issues identified above and to continue work on other aspects of China's WTO accession packages [including implementation].

+ protocols

Both parties agree not to release attachments to public

Long Yongtu
Vice Minister
Ministry of Foreign Trade and
Economic Cooperation

Robert B. Cassidy
Assistant U.S. Trade Representative
For China

and confirm their content w/in 34 days.

① No tactical 2005 etc

② No general safe plan - never accept

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KL - CAN MAKE ATTACHMENTS CONFIDENTIAL

Case - in which SPS free entry of 1st 4' 2000 to 1999

① Peter

② Long - Wu

③ P. J. W.

Dangerous. Feed in to prevent beginning to radically. We were about half on top of a point, need to resolve so not permanent damage in both sides.

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Peter - for sure he's aware of the label

Peter - I probably called to him years ago

The attached document represent the agreement we have reached as of Apr 8. Please see subject for further information by the parties within days.

MW

April 10, 1999

TO: JOHN PORESTA
SANDY BERGER
GENE SPERLING

FROM: MAXIM LEE

RE: CHINA WTO

Here are the final joint statement (embargoed until today 8:30 AM) and the MOU (not to be publicly released) on China WTO.

The Chinese signed the SPS agreement + the MOU this morning at 7:00.

Charlene did a great job. It was a long night.

Jay Zeigler is coordinating with ^{MAX LEE} ~~Jake Stewart~~ on press. Obviously, we are low keying WTO aspects.

JOINT STATEMENT BY
PRESIDENT WILLIAM JEFFERSON CLINTON AND PREMIER ZHU RONGJI
April 10, 1999

On the occasion of the signing of the Agreement on U.S. China Agricultural Cooperation, President William Jefferson Clinton and Premier Zhu Rongji reaffirmed that the United States and the People's Republic of China have advanced substantially their common goal of China's accession to the World Trade Organization (WTO). This Agreement and the significant consensus achieved on a broad range of market access and Protocol issues have further advanced that goal. Present Clinton and Premier Zhu welcome this significant progress. The United States strongly supports the accession of the People's Republic of China to the WTO in 1999. Therefore, President Clinton and Premier Zhu instruct their trade ministers to continue bilateral negotiations in order to satisfactorily resolve the important remaining issues and reach agreement on strong commercial terms as soon as possible.

朱镕基总理与威廉姆·杰佛逊·克林顿总统的联合声明
一九九九年四月十日

值此中美农业合作协议签署之际，朱镕基总理和威廉姆·杰佛逊·克林顿总统重申，中华人民共和国与美国已经大大推进了中国加入世界贸易组织(WTO)的共同目标。上述协议及在广泛的市场准入和议定书问题上所取得的重要共识进一步推动了这一目标的实现。朱镕基总理和克林顿总统欢迎这一重大进展。美国坚定地支持中华人民共和国于1999年加入WTO。为此，朱镕基总理和克林顿总统指示各自的贸易部长，继续进行双边谈判，以便满意地解决余留的重要问题，并尽快在强有力的商业条件下达成协议。

April __, 1999

MEMORANDUM OF UNDERSTANDING

Our two governments have engaged in a series of intensive bilateral negotiations regarding China's accession to the World Trade Organization (WTO). As a result of those negotiations, our governments have reached agreements on a wide range of market access commitments, including schedules for market access for industrial and agricultural goods and most services commitments, which are subject to verification and rectification. (Attachment 1.) Certain matters remain to be discussed in banking, including consumer auto finance, securities, audio visual services, and textiles and apparel.

Second, we have reached agreement on several texts that set out commitments that China will undertake in its WTO Protocol or Working Party Report. We have also reached agreement on several other Protocol commitments, subject to resolution of the issue of duration of provisions governing dumping and product safeguards. (Attachment 2.)

To maintain the momentum in these negotiations, we will review and verify the schedules and Protocols agreed during the negotiations. Further, negotiators will work to resolve outstanding issues identified above and continue work on other aspects of China's WTO accession package.

Both parties agree that this Memorandum of Understanding and attached documents will not be released to the public.

Long Yong Tu
Vice Minister
Ministry of Foreign Trade and
Economic Cooperation

Ambassador Peter Scher
Special Trade Negotiator

Attachments

Another wrestler

"Clearly inspired by the success of Gov. Jesse 'The Body' Ventura in Minnesota, the National Republican Congressional Committee has enlisted Robert Backlund, a 49-year-old ex-World Wrestling Federation champion, to butt heads with Democratic Rep. John B. Larson in Connecticut," National Journal reports.

"Backlund's running in a Hartford-area district that's solidly Democratic and counts on his wrestling credentials to appeal to young voters. Backlund, who plans a mid-April trip to visit his parents in Minnesota, has said he wants to thank Ventura for 'opening the door for me.'

"GOP handlers steered the 245 (or so)-pound Backlund away from his earlier interest in stepping into the ring with a seasoned smasher, Democratic Sen. Christopher J. Dodd," the magazine said.

Bill Lann Lee's target

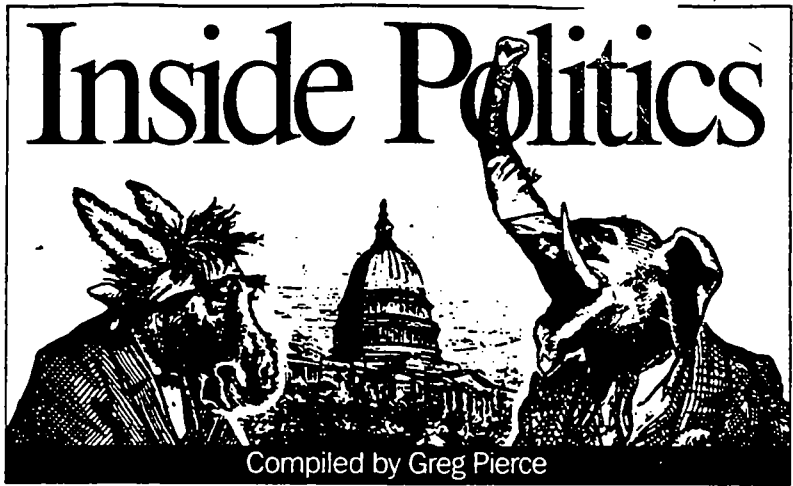
"As critics, including me, predicted, Bill Lann Lee, the thrice-nominated, never-confirmed 'acting' chief of the Justice Department's Civil Rights Division, has relentlessly pursued racial preferences in his 15 months at the helm. But now he has unleashed his forces on a new target: charter schools," writes Clint Bolick, litigation director of the Institute for Justice.

"Wielding school desegregation decrees that often are many decades old, Mr. Lee has launched a campaign to stop charter schools in their tracks. His actions put him provocatively at odds both with the goals of desegregation and the Clinton administration's official education policy," Mr. Bolick said in an opinion piece in the Wall Street Journal.

"Meanwhile, Mr. Lee's opposite number in the Education Department's Office for Civil Rights, Norma Cantu, has been using the federal Individuals with Disabilities Education Act to challenge charter schools. Between Mr. Lee and Ms. Cantu, the concept of charter schools, predicated upon freedom from stifling state and local controls, could perish beneath the federal regulatory hammer. Ironically, such efforts to stifle charter schools could drive more education reformers to embrace vouchers for private schools."

Civil war

New York Gov. George E. Pataki's most recent swipe at New York City Mayor Rudolph W.



AL

Giuliani — in which the governor said on ABC's "This Week" that minorities have "a legitimate fear" of violence by city police — has brought predictions of internecine political warfare.

"New York's Republican Party is on the verge of an explosive civil war over Mayor Giuliani's likely run for the U.S. Senate next year," writes the New York Post's Fredric U. Dicker, who cited "worried insiders."

"The potential combatants include virtually every top Republican in the state — Giuliani, Gov. Pataki, [ex-Sen.] Al D'Amato, state GOP boss Bill Powers and Senate Majority Leader Joseph Bruno," Mr. Dicker said.

"The goal of the anti-Giuliani camp is to damage the mayor in next year's primary, even if it hands the U.S. Senate seat to first lady Hillary Rodham Clinton."

Bush, Dole targeted

A national abortion-rights group is running television ads in Iowa and New Hampshire that accuse two Republican presidential candidates of camouflaging their anti-abortion positions.

Texas Gov. George W. Bush and former American Red Cross President Elizabeth Dole are the targets of the campaign by the National Abortion and Reproductive Rights Action League, the Associated Press reports.

The ads, which begin airing this week, use the candidates' own words to show their opposition to abortion, said NARAL director Kate Michelman.

"George W. Bush opposes a woman's right to choose. Elizabeth Dole opposes a woman's right to choose. But they both know they must communicate more moderate views in order to be elected," she said.

Ironically, both Mr. Bush and Mrs. Dole are under attack by anti-abortion groups that doubt their commitment to ending abortions, AP reporter Ron Fournier

noted.

Miss Michelman would not say how much money the group was spending on the campaign or how often the ads would run.

Gingrich to AEI

Former House Speaker Newt Gingrich has been appointed as a senior fellow at the American Enterprise Institute, the conservative think tank announced yesterday.

Mr. Gingrich will conduct research and write about domestic and security policy issues, beginning with health care, said AEI President Christopher DeMuth.

AEI spokesman David Wallace said that Mr. Gingrich's appointment was effective immediately, and that he was expected to be at the institute seven or eight days a month. There was no word on how much money Mr. Gingrich will be paid, Reuters news agency reports.

Mr. DeMuth said in a statement, "My colleagues and I are delighted that a man of Newt Gingrich's intellect will be joining our ranks."

Mr. Gingrich said in a statement the focus of his initial research project "will be to develop an information-age model for health wellness and health care within the rapidly changing world of communications, evolving information technologies and biological discovery."

Back to the past

"It's beginning to look as if George Stephanopoulos bailed out too soon," the Los Angeles Times' Ron Brownstein writes.

"Not that he needed a grueling year of defending President Clinton from Monica revelations and impeachment. But at the end of that harrowing road, Clinton is moving back toward the strategy of deferring to congressional Democrats that Stephanopoulos

Cont. 21

always supported — with disastrous results,” Mr. Brownstein observed.

Mr. Stephanopoulos' memoir, “All Too Human,” is alternately engaging and superficial, but ultimately offers no insights into which of Mr. Clinton's policy and political choices worked and which didn't, Mr. Brownstein said.

“Which is too bad, because Clinton is drifting again into the fundamental mistakes that derailed his first two years — when he followed the advice of old-line Democrats like Stephanopoulos.

...

“Ironically, even as Stephanopoulos is rehashing the left's case against Clinton, the president is now reverting to old habits. As if Stephanopoulos was still whispering into his ear, Clinton is once again worrying more about mollifying his party than identifying it with the cause of reform” on issues such as Social Security and Medicare.

Victory for automation

“The White House switchboard, long a holdout in the annoying drive to automation, has given in,” Paul Bedard writes in U.S. News & World Report.

“‘You have reached the White House,’ says a recording. The system — installed this month — is meant to direct the bulk of callers who want to make a comment to a recording system. Calls can still press 3 for a human voice,” Mr. Bedard said.

Hollywood thing

Oscar host Whoopi Goldberg didn't exactly win rave reviews for her debut as a political satirist Sunday night at the 71st annual Academy Awards.

Miss Goldberg's jokes included a reference to the Oscars as “the biggest party in Hollywood. Well, the second biggest, if you count the Democrats.”

Among those panning Miss Goldberg's politicized performance was TV Guide's Matt Roush, who said on MSNBC: “It wasn't the best material. And you'd kind of think on the night that belongs to Hollywood, you could get over Washington for a night. It also smacked of that left-wing, liberal Hollywood thing that you'd think they would try put a little to the side for the Oscars.”

• Greg Pierce can be reached at 202/636-3285 or by e-mail at Pierce@twtrmail.com.



EMERGENCY COMMITTEE FOR AMERICAN TRADE

FASCIMLE TRANSMITTAL

To: Malcolm Lee

Fax: 456-9290

Date: 9 April '99

From: Cal Cohen

Pages: 27 pages follow

FYI



EMERGENCY COMMITTEE FOR AMERICAN TRADE

April 8, 1999

FOR IMMEDIATE RELEASE

Press Contact: Calman J. Cohen
202.659.5147

STATEMENT OF ERNEST S. MICEK ON CHINA'S ACCESSION TO THE WORLD TRADE ORGANIZATION

Washington, D.C. Ernest S. Micek, Chairman and Chief Executive Officer of Cargill, Incorporated, and Chairman of the Emergency Committee for American Trade (ECAT), released the following statement today:

"ECAT is pleased that the recent discussions on China's WTO accession between Premier Zhu Rongji and President Clinton appear to have resulted in meaningful progress. It is now more important than ever that the momentum of the negotiations be maintained so that China's accession package can be completed at the earliest possible date. ECAT will be working closely with the Administration and the Congress to convey its views on the importance of concluding a commercially-acceptable agreement with China.

This is an historic opportunity for the United States to strengthen the global trading system by bringing China, a nation accounting for one-fifth of the world's population, into the global trading system. It gives the United States the opportunity to have market access commitments with teeth that are enforceable in the WTO and to end the uncertainty of prying the Chinese market open through piecemeal bilateral agreements. It also will allow us to establish ourselves as a reliable supplier of food to the burgeoning Chinese population and will take the pressure off the Chinese to expand their food supply through environmentally unsound land-use practices."

* * * * *

ECAT is an organization of the heads of leading U.S. international business enterprises representing all major sectors of the American economy. Their annual worldwide sales total over \$1 trillion and they employ approximately four million persons.

BUSINESS COALITION FOR U.S.-CHINA TRADE

**April 9, 1999
Washington, D.C.
FOR IMMEDIATE RELEASE**

U.S.-CHINA MARKET ACCESS AGREEMENT

We welcome Ambassador Barshefsky's announcement that U.S. and Chinese negotiators have made substantial progress toward completing the terms for China's entry into the World Trade Organization. The comprehensive agreement on agriculture, sanitary and phyto-sanitary barriers, industrial products, tariffs, and services promises to dramatically open China's markets to American products and create new high-wage jobs for American workers. America's markets are already open. This agreement would level the playing field.

The market access agreement represents a huge breakthrough for American business, farmers, and workers. We urge both governments to redouble their efforts to wrap up a WTO agreement as soon as possible by resolving the handful of key outstanding issues in a way that expands market access. It is urgent that both governments, and the WTO Working Party, sustain the momentum achieved in recent weeks.

The U.S.-China agriculture and market access package advances a long-standing American goal of bringing China under global trading rules. We are pleased that U.S. negotiators have secured comprehensive commitments to open further the world's biggest emerging market to exports of American goods, services, and farm products. We look forward to a full briefing by USTR. U.S. business and agriculture need to study the final written language before making a final assessment.

These negotiations have taken over a decade because American trade negotiators have insisted throughout on a commercial, not political, deal. The WTO is the foundation of an open, rules-based global trading system. WTO Membership has always been a privilege, not a right. We are pleased the agreement shows that China is prepared to undertake the far-reaching commitments required for WTO Membership.

China, as a trading partner that plays by the rules, is in America's national interest. The WTO's dispute settlement mechanism, backed up by the threat of WTO-authorized sanctions for non-compliance, provides an effective tool to enforce U.S. rights.

Integrating China into the global trading system will further strengthen the economic forces that already have an impact on Chinese society in ways that contribute to greater freedom for its citizens -- a goal shared by all Americans.

Concerns have been expressed about alleged illegal transfers of U.S. technology. These issues are important to all Americans, but must be addressed in the proper forums under existing U.S. laws, not by blocking a WTO deal.

American business and agriculture look forward to working on a bipartisan basis with the Administration and Congressional leadership to wrap up an historic agreement on the terms for China's entry into the WTO. We are committed to building a bipartisan consensus in Congress to extend permanent "NTR" status under U.S. trade law in order to bring this agreement into force.

The Business Coalition for U.S.-China Trade consists of over 1,200 U.S. companies, trade associations, and farm organizations which support NTR, expansion of U.S.-China trade, and Chinese membership in the WTO under commercially-acceptable terms that benefit American exports and jobs.

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• PRESS RELEASE • PRESS RELEASE • PRESS RELEASE •

For Release: Friday, April 9, 1999

Contact: James D. Spellman
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**SIA SUPPORTS CONTINUING EFFORTS TO OPEN CHINESE
MARKETS TO U.S. SECURITIES FIRMS**

The Securities Industry Association expressed its support today for a U.S.-Chinese announcement that broad progress has been made toward an expansive market access agreement with China that will open its economy to American companies. SIA noted, however, that agreement on securities industry access to China has not yet been resolved, and that U.S. and Chinese negotiators agreed to continue discussions in this area. The securities industry has been a consistent supporter of China's future accession to the WTO on commercially meaningful terms and in accordance with fundamental WTO rules.

-more-

"We are pleased to see the enormous progress the Administration has made in many areas critical to U.S. economic growth." said Marc Lackritz, SIA's president. "China presents U.S. firms and investors with tremendous new opportunities, and we urge the Administration to continue to move toward an agreement that will benefit all Americans. In addition, we strongly believe that an open economy, fueled by vibrant and efficient capital markets, is in China's best economic interests."

SIA will continue to work for more liberalized access to China's capital markets. "SIA fully supports the continuation of accession discussions for financial services, and other areas, where outstanding issues still exist," Lackritz said. "We look forward to working with the Treasury Department to secure a market access package that allows securities firms broader access to China on terms consistent with fundamental WTO rules."

The Securities Industry Association brings together the shared interests of more than 740 securities firms to accomplish common goals. SIA member-firms (including investment banks, broker-dealers, and mutual fund companies) are active in all U.S. and foreign markets and in all phases of corporate and public finance. The U.S. securities industry manages the accounts of more than 50-million investors directly and tens of millions of investors indirectly through corporate, thrift, and pension plans. The industry generates more than \$300 billion of revenues yearly in the U.S. economy and employs more than 600,000 individuals. (More information about the SIA is available on its home page: <http://www.sia.com>.)

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**DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION
MARKET ACCESS AND COMPLIANCE
OFFICE OF JAPAN TRADE POLICY**

Tel 202-482-2176

Fax 202-482-0469

TELEFAX COVER SHEET

DATE: 4/9/99

TO:	Allen Greenberg, State	647-4402
	Bill Duff, State	647-6540
	Jean Grier, Commerce	482-4076
	Tim Fisher, Commerce	482-5702
	Bill Schall, Treasury	622-1731
	David Boling, Justice	514-4508
	Malcom Lee, NEC	456-9290
	Hans Klemm	3224-5010

FROM: Jay Biggs

NUMBER OF PAGES: 2 (including this coversheet)

SUBJECT: GPA Questions

These are a rough draft of some Group Personal Accident questions for next week's insurance meeting. After some of the questions I have listed a brief rational for asking the question, which may or may not suggest a follow up question.

I would appreciate feedback from everyone on these questions, including more follow up questions or relevant background material.

Please get back to me by COB Tuesday April 13, so that I can discuss this with Byron.

Thanks,

Jay Biggs



Jay Biggs
Office of Japan

Jay Biggs - Office of Japan Trade Policy

DRAFT
Personal Accident Questions

1. Is there any actuarial data that would indicate that Japanese insurance firms offering Personal Accident discounts to Prefectural Dantai Chuokai are basing their decision on actuarially sound reasons such as commonality of risk?
 - a. U.S. industry indicates that the decision to offer these discounts were made in an effort to induce radical change in the prevailing business environment, not by profit making motives, and have no actuarial basis such as commonality of risk.

2. U.S. industry has charged that allowing Personal Accident discounts to Prefectural Dantai Chuokai is a radical change in the prevailing business environment. Do you have evidence demonstrating that discounts for similarly sized groups have been previously given in this sector?
 - a. If not, this would indicate that the radical changes that are occurring in the third sector's business environment are not being matched by changes in the primary sectors. This runs counter to the intent of our insurance agreements.
 - b. Steps must be taken by the Japanese side to immediately halt (or reverse) these types of sales by Japanese insurance companies.

3. Is the FSA aware of discounts (rate differentiation) in the primary sectors that are as large as those recently seen in the personal accident sector? If not, what accounts for this discrepancy?
 - a. U.S. industry has charged that PA discounts in the third sector are much greater than those allowed in the primary sectors. They claim this indicates FSA's willingness to tolerate radical change in the third sector, without allowing similar change in the primary sectors.

4. Did Mitsui Life Songai Hoken introduce a 40% discounted PA for the Chibu Dantai Chuokai in Jan. 99?

5. Does the FSA have plans to allow even larger discounts than the 30% discounts that have recently been offered to the Osaka Dantai?

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
Executive Office of the President
 Washington, D.C.
 20508

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 They are also available through the USTR Fax Retrieval System at 202-395-4809.

For Immediate Release
April 9, 1999

Contact: 99 -35
Jay Ziegler
Helaine Klasky
Amy Stilwell
(202) 395-3230

USTR ANNOUNCES FINAL PRODUCT LIST IN BANANAS DISPUTE

The United States Trade Representative (USTR) today announced the final list of products on which the United States will impose 100 percent *ad valorem* duties in response to a decision by World Trade Organization (WTO) arbitrators that the European Union (EU) has failed to implement a WTO-consistent banana regime. The WTO arbitrators determined that the EU banana regime results in a significant loss in U.S. exports of goods and services and that the United States is entitled to suspend tariff concessions covering trade in an amount of \$191.4 million per year. The USTR will publish the determination imposing the 100 percent duties in the *Federal Register* and intends to make the imposition of such duties effective March 3, 1999.

LIST OF PRODUCTS

The imposition of 100% duties will apply to products that are both: (1) classified in the subheadings of the Harmonized Tariff Schedule of the United States listed below; and (2) the product of Austria, Belgium, Finland, France, the Federal Republic of Germany, Greece, Ireland, Italy, Luxembourg, Portugal, Spain, Sweden, or the United Kingdom. Note that 100% duties will not apply to HTS 85167000, electrothermic coffee or tea makers, for domestic purposes, that are the product of Italy. The product descriptions in the table below are provided for the convenience of the reader and are not intended to delimit in any way the scope of the products, which is to be determined by the HTS number.

HTS No.	Product Description
33073050	Bath preparations, other than bath salts
42022215	Handbags, with or without shoulder straps or without handle, with outer surface of sheeting of plastics
42023210	Articles of a kind normally carried in the pocket or handbag, with outer surface of reinforced or laminated plastics
48055000	Uncoated felt paper and paperboard in rolls or sheets
48192000	Folding cartons, boxes and cases of noncorrugated paper or paperboard
49119120	Lithographs on paper or paperboard, not over 0.51 mm in thickness, printed not over 20 years at time of importation
63022190	Bed linen, not knit or crochet, printed, of cotton, not containing any embroidery, lace, braid, edging, trimming, piping or applique work, not napped
85072080	Lead-acid storage batteries other than of a kind used for starting piston engines or as the primary source of power for electric vehicles
85167100	Electrothermic coffee or tea makers, for domestic purposes (Except Italy)



China World Hotel
中国大饭店

FACSIMILE

传真通知笺

Attention 致: LAEL BRAUNARD
Company 公司: NEC
Fax No. 传真: 001-202-456-2878
No. of pages (including this one) 全部页数 (包括此页): 2

From 自: MAUMLEE
Room 房号: 1514
Date 日期: 4/21/99
CC 副本呈:

DRAFT AGENDA ATTACHED, WILL SEND ANNOTATED LATER
TODAY. I AM STAYING AT CHINA WORLD, PHONE NUMBER
BELOW. CONTROL OFFICER IS ROBIN BORDIE, HER
CELL IS 0137 123 5100 OR REACH HER THRU
EMBASSY. HER HOME PHONE 6532-6808. I DO
NOT HAVE CELL. PHONE YET.

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TEL/ 电话: (86 10) 65052266 FAX/ 传真: (86 10) 65053167/ 3168/ 3164/ 0828

DEPUTIES MEETING ON STEEL

DRAFT AGENDA

1. MARKET DEVELOPMENTS (COMMERCE/CEA)

2. LEGISLATION

- INDUSTRY / LABOR POSTURE (COMMERCE / OUP / COS)
- QUOTA BILL (STATUS / TIMING / VOTE COUNT) (WITH LEG, USTR)
- ALTERNATIVE LEGISLATION (STATUS / POSSIBLE CONTENTS) (USTR / COMMERCE)
- STRATEGY

3. BILATERAL EFFORTS

- JAPAN / KOREA (STATUS / POINTS) (USTR)
- RUSSIA AGREEMENTS (STATUS / ISSUES / TIMING) (COMMERCE)
- OTHER COUNTRIES (POTENTIAL SURGES) (COMMERCE)

4. ← UPDATE ON STATUS OF TRADE CASES (COMMERCE)

Will send annotated agenda separately.

China has insisted it be admitted to the Geneva-based WTO as a developing country, notably as it is carrying out a difficult and delicate transition from a controlled to a market-oriented economy.

US officials counter that given the size of the Chinese market and the country's well developed export sector, China deserves no special WTO status.

Telecommunications, where the ministry of information operates a virtual monopoly, agriculture, where punitive tariffs protect local products, and financial services have been cited as the most sensitive areas in the talks.

Other problems include the automotive industry, where a protected market has kept prices high and sales sluggish, insurance and opportunities to establish distribution networks.

Without a WTO agreement, the White House would be left with little to announce after Thursday's summit meeting between Clinton and Zhu, though experts see a broad bilateral accord in principle on China's WTO membership as a strong possibility.

Even in the event of a WTO breakthrough, US legislators -- many of whom believe Clinton has presented them with far too rosy a picture of US-China ties -- would scrutinize it exhaustively to ascertain that its market-opening conditions were tough enough.

Fueling the mutual distrust are differences over human rights and how to handle the worsening crisis in Kosovo.

Moreover, Chinese relations with tiny, self-governing Taiwan remain at an impasse, and Beijing is incensed over the US desire to develop a Theater Missile Defense (TMD) for troops and allies in East Asia.

In what China regards as a stinging diplomatic slap, the United States is sponsoring a resolution formally condemning Chinese abuses at the UN Human Rights Commission in Geneva.

Worsening things further are reports that China stole advanced US nuclear weapons technology in the 1980s and that its military intelligence chief ordered large donations to Clinton's 1996 campaign fund.

China on Monday denied it had never donated to a US presidential campaigns.

Reports of a political donation in the United States was nothing more than a "random and wanton fallacy concocted by a few people with ulterior motives," said foreign ministry spokesman Sun Yuxi said, quoted by the official Xinhua news agency.

nh/fgf

LOAD-DATE: April 06, 1999

JOINT STATEMENT BY
PRESIDENT WILLIAM JEFFERSON CLINTON AND PREMIER ZHU RONGJI

April 13, 1999

President Clinton and Premier Zhu spoke this afternoon on the telephone. During the conversation, they agreed that it is important to move intensively on negotiations toward resolution of outstanding issues in our talks on China's accession to the WTO. They have agreed to continue negotiations by the end of the month in Beijing.



Malcolm R. Lee
04/13/99 03:38:25 PM

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To: See the distribution list at the bottom of this message

cc:

Subject: Urgent Clearance: Joint POTUS-Zhu Statement on WTO Negotiations



JTSTATEA.WP Proposed joint Clinton-Zhu Statement for your comments, clearance per POTUS -ZHU conversation. After we have an Administration approved text, NSC Asia will share with Chinese Embassy. ML

Message Sent To:

Gene B. Sperling/OPD/EOP
barshefsky_charlene @ ustr.gov @ INET @ VAXGTWY
novick_robert @ ustr.gov @ INET @ VAXGTWY
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Lael Brainard/OPD/EOP
chernish_carol @ ustr.gov @ INET @ VAXGTWY

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PRESIDENT WILLIAM JEFFERSON CLINTON AND PREMIER ZHU RONGJI

April 13, 1999

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Treasury clears.

Steinberg's edits shown.

Gene did not like word "quickly".

Any comments by USTR?

Have not shared w/ Podesta or Chinese yet.

3rd week 22nd April

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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- 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]