

SEP 28 1990

For Six Month Period Ending _____
(Insert date)

Name of Registrant **Bruce P. Cameron** Registration No. **4043**

Business Address of Registrant **1725 17th Street, N.W.
#109
Washington, D.C. 20009**

I-REGISTRANT

1. Has there been a change in the information previously furnished in connection with the following:

(a) If an individual:

- (1) Residence address Yes No
- (2) Citizenship Yes No
- (3) Occupation Yes No

(b) If an organization:

- (1) Name Yes No
- (2) Ownership or control Yes No
- (3) Branch offices Yes No

2. Explain fully all changes, if any, indicated in item 1.

N/A

IF THE REGISTRANT IS AN INDIVIDUAL, OMIT RESPONSE TO ITEMS 3, 4, and 5.

3. Have any persons ceased acting as partners, officers, directors or similar officials of the registrant during this 6 month reporting period? Yes No

N/A

If yes, furnish the following information:

<i>Name</i>	<i>Position</i>	<i>Date Connection Ended</i>
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4. Have any persons become partners, officers, directors or similar officials during this 6 month reporting period?
Yes No N/A

If yes, furnish the following information:

<i>Name</i>	<i>Residence Address</i>	<i>Citizenship</i>	<i>Position</i>	<i>Date Assumed</i>
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5. Has any person named in Item 4 rendered services directly in furtherance of the interests of any foreign principal?
Yes No N/A

If yes, identify each such person and describe his services.

6. Have any employees or individuals other than officials, who have filed a short form registration statement, terminated their employment or connection with the registrant during this 6 month reporting period? Yes No

If yes, furnish the following information:

<i>Name</i>	<i>Position or connection</i>	<i>Date terminated</i>
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7. During this 6 month reporting period, have any persons been hired as employees or in any other capacity by the registrant who rendered services to the registrant directly in furtherance of the interests of any foreign principal in other than a clerical or secretarial, or in a related or similar capacity? Yes No

If yes, furnish the following information:

<i>Name</i>	<i>Residence Address</i>	<i>Position or connection</i>	<i>Date connection began</i>
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II—FOREIGN PRINCIPAL

8. Has your connection with any foreign principal ended during this 6 month reporting period? Yes No

If yes, furnish the following information:

Name of foreign principal

Date of Termination

9. Have you acquired any new foreign principal¹ during this 6 month reporting period? Yes No

If yes, furnish following information:

Name and address of foreign principal

Date acquired

Republic of Nicaragua 9/15/90
Embassy of Nicaragua
1627 New Hampshire Ave., NW
Washington, D.C. 20009

The Estna Center 9/1/90
Avenida La Reforma
Antiguo Edificio de la Escuela Pol.
Zona 01009 Guatemala City

10. In addition to those named in Items 8 and 9, if any, list the foreign principals¹ whom you continued to represent during the 6 month reporting period.

Republic of Guatemala
Republic of Mozambique

III—ACTIVITIES

11. During this 6 month reporting period, have you engaged in any activities for or rendered any services to any foreign principal named in Items 8, 9, and 10 of this statement? Yes No

If yes, identify each such foreign principal and describe in full detail your activities and services:

SEE ATTACHMENT A

¹The term "foreign principal" includes, in addition to those defined in section 1(b) of the Act, an individual or organization any of whose activities are directly or indirectly supervised, directed, controlled, financed, or subsidized in whole or in major part by a foreign government, foreign political party, foreign organization or foreign individual. (See Rule 100(a)(9)).

A registrant who represents more than one foreign principal is required to list in the statements he files under the Act only those foreign principals for whom he is not entitled to claim exemption under Section 3 of the Act. (See Rule 208.)

12. During this 6 month reporting period, have you on behalf of any foreign principal engaged in political activity² as defined below?
Yes No

If yes, identify each such foreign principal and describe in full detail all such political activity, indicating, among other things, the relations, interests and policies sought to be influenced and the means employed to achieve this purpose. If the registrant arranged, sponsored or delivered speeches, lectures or radio and TV broadcasts, give details as to dates, places of delivery, names of speakers and subject matter.

SEE ATTACHMENT B

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13. In addition to the above described activities, if any, have you engaged in activity on your own behalf which benefits any or all of your foreign principals? Yes No

If yes, describe fully.

²The term "political activities" means the dissemination of political propaganda and any other activity which the person engaging therein believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, persuade, or in any other way influence any agency or official of the Government of the United States or any section of the public within the United States with reference to formulating, adopting, or changing the domestic or foreign policy of the United States or with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party.

IV—FINANCIAL INFORMATION

14. (a) RECEIPTS—MONIES

During this 6 month reporting period, have you received from any foreign principal named in Items 8, 9 and 10 of this statement, or from any other source, for or in the interests of any such foreign principal, any contributions, income or money either as compensation or otherwise? Yes No

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies.³

<i>Date</i>	<i>From Whom</i>	<i>Purpose</i>	<i>Amount</i>
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SEE ATTACHMENT C

Total

(b) RECEIPTS—THINGS OF VALUE

During this 6 month reporting period, have you received any thing of value⁴ other than money from any foreign principal named in Items 8, 9 and 10 of this statement, or from any other source, for or in the interests of any such foreign principal? Yes No

If yes, furnish the following information:

<i>Name of foreign principal</i>	<i>Date received</i>	<i>Description of thing of value</i>	<i>Purpose</i>
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SEE ATTACHMENT D

³A registrant is required to file an Exhibit D if he collects or receives contributions, loans, money, or other things of value for a foreign principal, as part of a fund raising campaign. See Rule 201(e).
⁴Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

15. (a) **DISBURSEMENTS--MONIES**

During this 6 month reporting period, have you

(1) disbursed or expended monies in connection with activity on behalf of any foreign principal named in Items 8, 9 and 10 of this statement? Yes No

(2) transmitted monies to any such foreign principal? Yes No

If yes, set forth below in the required detail and separately for each foreign principal an account of such monies, including monies transmitted, if any, to each foreign principal.

<i>Date</i>	<i>To Whom</i>	<i>Purpose</i>	<i>Amount</i>
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SEE ATTACHMENT E

Total

15. (b) DISBURSEMENTS—THINGS OF VALUE

During this 6 month reporting period, have you disposed of anything of value⁵ other than money in furtherance of or in connection with activities on behalf of any foreign principal named in items 8, 9 and 10 of this statement?

Yes No

If yes, furnish the following information:

<i>Date disposed</i>	<i>Name of person to whom given</i>	<i>On behalf of what foreign principal</i>	<i>Description of thing of value</i>	<i>Purpose</i>
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SEE ATTACHMENT F

(c) DISBURSEMENTS—POLITICAL CONTRIBUTIONS

During this 6 month reporting period, have you from your own funds and on your own behalf either directly or through any other person, made any contributions of money or other things of value⁵ in connection with an election to any political office, or in connection with any primary election, convention, or caucus held to select candidates for political office?

Yes No

If yes, furnish the following information:

<i>Date</i>	<i>Amount or thing of value</i>	<i>Name of political organization</i>	<i>Name of candidate</i>
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SEE ATTACHMENT G

V—POLITICAL PROPAGANDA

(Section 1(j) of the Act defines "political propaganda" as including any oral, visual, graphic, written, pictorial, or other communication or expression by any person (1) which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissensions, or (2) which advocates, advises, instigates, or promotes any racial, social, political, or religious disorder, civil riot, or other conflict involving the use of force or violence in any other American republic or the overthrow of any government or political subdivision of any other American republic by any means involving the use of force or violence.)

16. During this 6 month reporting period, did you prepare, disseminate or cause to be disseminated any political propaganda as defined above? Yes No

IF YES, RESPOND TO THE REMAINING ITEMS IN THIS SECTION V.

17. Identify each such foreign principal.
 Republic of Guatemala
 Republic of Mozambique
 The Estna Center

⁵Things of value include but are not limited to gifts, interest free loans, expense free travel, favored stock purchases, exclusive rights, favored treatment over competitors, "kickbacks," and the like.

18. During this 6 month reporting period, has any foreign principal established a budget or allocated a specified sum of money to finance your activities in preparing or disseminating political propaganda? Yes No

If yes, identify each such foreign principal, specify amount, and indicate for what period of time.

19. During this 6 month reporting period, did your activities in preparing, disseminating or causing the dissemination of political propaganda include the use of any of the following:

- Radio or TV broadcasts
- Magazine or newspaper articles
- Motion picture films
- Letters or telegrams
- Advertising campaigns
- Press releases
- Pamphlets or other publications
- Lectures or speeches

Other (specify) Memos, Draft language for Congress

20. During this 6 month reporting period, did you disseminate or cause to be disseminated political propaganda among any of the following groups:

- Public Officials
- Newspapers
- Libraries
- Legislators
- Editors
- Educational institutions
- Government agencies
- Civic groups or associations
- Nationality groups
- Other (specify) _____

21. What language was used in this political propaganda:

- English
- Other (specify) _____

22. Did you file with the Registration Section, U.S. Department of Justice, two copies of each item of political propaganda material disseminated or caused to be disseminated during this 6 month reporting period? Yes No

23. Did you label each item of such political propaganda material with the statement required by Section 4(b) of the Act? Yes No

24. Did you file with the Registration Section, U.S. Department of Justice, a Dissemination Report for each item of such political propaganda material as required by Rule 401 under the Act? Yes No

VI-EXHIBITS AND ATTACHMENTS

25. EXHIBITS A AND B

(a) Have you filed for each of the newly acquired foreign principals in Item 9 the following:

- Exhibit A⁶ Yes No
- Exhibit B⁷ Yes No

If no, please attach the required exhibit.

(b) Have there been any changes in the Exhibits A and B previously filed for any foreign principal whom you represented during this six month period? Yes No

If yes, have you filed an amendment to these exhibits? Yes No

If no, please attach the required amendment.

⁶The Exhibit A, which is filed on Form CRM-157 (Formerly OBD-67) sets forth the information required to be disclosed concerning each foreign principal.

⁷The Exhibit B, which is filed on Form CRM-155 (Formerly OBD-65) sets forth the information concerning the agreement or understanding between the registrant and the foreign principal.

26. EXHIBIT C

If you have previously filed an Exhibit C⁸, state whether any changes therein have occurred during this 6 month reporting period. Yes No

N/A

If yes, have you filed an amendment to the Exhibit C? Yes No

If no, please attach the required amendment.

27. SHORT FORM REGISTRATION STATEMENT

Have short form registration statements been filed by all of the persons named in Items 5 and 7 of the supplemental statement?

Yes No

N/A

If no, list names of persons who have not filed the required statement.

The undersigned swear(s) or affirm(s) that he has (they have) read the information set forth in this registration statement and the attached exhibits and that he is (they are) familiar with the contents thereof and that such contents are in their entirety true and accurate to the best of his (their) knowledge and belief, except that the undersigned make(s) no representation as to the truth or accuracy of the information contained in attached Short Form Registration Statement, if any, insofar as such information is not within his (their) personal knowledge.

(Type or print name under each signature)

(Both copies of this statement shall be signed and sworn to before a notary public or other person authorized to administer oaths by the agent, if the registrant is an individual, or by a majority of those partners, officers, directors or persons performing similar functions who are in the United States, if the registrant is an organization.)

Bruce P. Cameron

Bruce P. Cameron

Subscribed and sworn to before me at Washington, District of Columbia

this 24th day of October, 19 90

Anthony J. Rosencow

(Signature of notary or other officer)

My Commission Expires July 31, 1995

⁸The Exhibit C, for which no printed form is provided, consists of a true copy of the charter, articles of incorporation, association, constitution, and bylaws of a registrant that is an organization. (A waiver of the requirement to file an Exhibit C may be obtained for good cause upon written application to the Assistant Attorney General, Criminal Division, Internal Security Section, U.S. Department of Justice, Washington, D.C. 20530.)

Bruce P. Cameron, No. 4043
September 28, 1990
III-Activities, #11

ATTACHMENT A

1. The registrant has represented the Republic of Mozambique in connection with foreign assistance legislation pending in Congress that may affect the interests of the principal. This representation included the meetings described in Attachment B, supra.
2. The registrant has represented the Republic of Guatemala in connection with foreign assistance legislation pending in Congress that may affect the interests of the principle. This representation included the meetings described in Attachment B, supra.
3. The registrant has represented since September 15, 1990 the Republic of Nicaragua in connection with foreign assistance legislation pending in Congress that may affect the interests of the principal. This representation included the meetings described in Attachment B, supra.
4. The registrant has represented since September 1, 1990 The Estna Center. in Guatemala in connection with foreign assistance legislation pending in Congress that may affect the interests of the principal. This representation included the meetings described in Attachment B, supra.

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ATTACHMENT B

On behalf of the Republic of Mozambique, Bruce P. Cameron contacted in person and/or by telephone the following individuals to discuss the Foreign Aid Appropriations and Authorization Bills for FY 1991:

3/29/90 Gary Bombardier, office of Rep. Matt McHugh
Randy LeCocq, Department of State
4/2/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
4/6/90 Jim Bond, Senate Appropriations Subcommittee on
Foreign Operations
Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
4/11/90 Randy LeCocq, Department of State
4/16/90 Chris Walker, office of Rep. Mickey Edwards
4/19/90 Steve Morrison, House Foreign Affairs Committee
Subcommittee on Africa
Andy Semmel, office of Sen. Richard Lugar
4/23/90 Chris Walker, office of Rep. Mickey Edwards
Gwen Brown, office of Rep. Julian Dixon
4/24/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
4/25/90 Randy LeCocq, Department of State
5/2/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
5/8/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
5/21/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
5/26/90 Mark Edelman, USAID
6/5/90 Gary Bombardier, office of Rep. Matt McHugh
6/6/90 Gil Kapen, House Foreign Affairs Subcommittee
on Africa
6/13/90 Randy LeCocq, Department of State
6/14/90 Randy LeCocq, Department of State
Michael Marek, office of Rep. David Obey
Gary Bombardier, office of Rep. Matt McHugh
6/21/90 Chris Walker, office of Rep. Mickey Edwards
Gary Bombardier, office of Rep. Matt McHugh
6/22/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Gary Bombardier, office of Rep. Matt McHugh
Ed Long, Sen. Tom Harkin
7/16/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
7/17/90 Randy LeCocq, Department of State

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7/30/90 Randy LeCocq, Department of State
7/31/90 Randy LeCocq, Department of State
8/6/90 Randy LeCocq, Department of State
9/4/90 Randy LeCocq, Department of State
9/7/90 Gary Bombardier, office of Rep. Matt McHugh
Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
9/11/90 Randy LeCocq, Department of State
Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
9/12/90 Jim Bond, Senate Appropriations Subcommittee on
Foreign Operations
9/24/90 Randy LeCocq, Department of State

On behalf of the Republic of Mozambique, Bruce Cameron and
Julienne Wood contacted in person and/or by telephone the following
individuals to discuss the Foreign Aid Appropriations and
Authorization Bills for FY 1991:

4/23/90 Rep. Dante Fascell
4/24/90 Rep. Matt McHugh
Gary Bombardier, office of Rep. Matt McHugh
5/21/90 Jeff Davidow, Department of State
Bob Perito, Department of State
6/7/90 Rep. Dan Burton
Rep. Matt McHugh
Gary Bombardier, office of Rep. Matt McHugh
6/12/90 Gary Bombardier, office of Rep. Matt McHugh
6/26/90 Randy LeCocq, Department of State
Gwen Brown, office of Rep. Julian Dixon
Sen. Harkin
7/11/90 Rep. Les Aspin
7/30/90 Gil Kapen, House Foreign Affairs Subcommittee on
Africa
7/31/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
7/31/90 Rep. Bob McEwan
7/31/90 Rep. Bill Gray
8/1/90 Gil Kapen, House Foreign Affairs Subcommittee on
Africa
8/2/90 Randy LeCocq, Department of State
Ambassador Designate Towson Friedman, Department of State
8/3/90 Gil Kapen, House Foreign Affairs Subcommittee on Africa
8/9/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
8/13/90 Ambassador Melissa Wells
8/14/90 David Mutchler, USAID

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8/15/90 Ambassador Melissa Wells
8/23/90 Mike Metelitis, Department of State
8/25/90 Mike Metelitis, Department of State
9/4/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
9/7/90 Gary Bombardier, office of Rep. Matt McHugh
9/25/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations

On behalf of the Republic of Guatemala, Bruce P. Cameron contacted in person and/or by telephone the following individuals to discuss the Foreign Aid Appropriations and Authorization Bills for 1991:

3/30/90 Deborah McCarthy, Department of State
4/3/90 Deborah McCarthy, Department of State
4/5/90 Steve Goose, office of Rep. Bob Mrazek
Mark Murray, House Appropriations Subcommittee on
Foreign Operations
4/10/90 Ambassador Jim Michel, Department of State
4/19/90 Rep. Bob Mrazek
4/16/90 Chris Walker, office of Rep. Mickey Edwards
4/24/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
5/1/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Jim Bond, Senate Appropriations Subcommittee on
Foreign Operations
5/10/90 Deborah McCarthy, Department of State
6/5/90 Steve Goose, office of Rep. Bob Mrazek
6/13/90 Steve Goose, office of Rep. Bob Mrazek
6/20/90 Steve Goose, office of Rep. Bob Mrazek
7/16/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
7/24/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Jake Dunman, House Foreign Affairs Subcommittee on
Western Hemisphere
Richard Bush, House Foreign Affairs Subcommittee on Asia
8/6/90 Deborah McCarthy, Department of State
Steve Goose, office of Rep. Bob Mrazek
8/9/90 Deborah McCarthy, Department of State
8/10/90 Steve Goose, office of Rep. Bob Mrazek
Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Ed Long, office of Sen. Tom Harkin
9/6/90 Ambassador Jim Michel
9/25/90 Deborah McCarthy, Department of State

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On behalf of the Republic of Guatemala, Bruce P. Cameron and
Julienne Wood contacted in person and/or by telephone the following
individuals to discuss the Foreign Aid Appropriations and
Authorization Bills for 1991:

4/23/90 Rep. Dante Fascell
4/24/90 Rep. Matt McHugh
Mark Murray, office of Rep. David Obey
4/25/90 Rep. Matt McHugh
4/26/90 Rep. David Obey
Mark Murray, office of Rep. David Obey
5/3/90 Rep. Charlie Wilson
5/17/90 Dick McCall, office of Sen. John Kerry
Sen. Richard Lugar
5/22/90 Carl Dutto, USAID
5/24/90 Deborah McCarthy, Department of State
5/30/90 Ambassador Tom Strook, Department of State
Phil Taylor, Department of State
6/4/90 Phil Taylor, Department of State
Rafael Marin, Department of State
6/12/90 Steve Goose, Rep. Bob Mrazek
6/19/90 Ambassador Jim Michel, Department of State
6/27/90 Rep. Bob Mrazek
7/18/90 Steve Goose, Rep. Bob Mrazek
7/19/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
7/31/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
8/7/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Eric Newsom, Senate Appropriations Subcommittee on
Foreign Operations
9/25/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations

On behalf of the Republic of Nicaragua, Bruce P. Cameron
contacted in person and/or by telephone the following individuals
to discuss the Foreign Aid Appropriations and Authorization Bills
for 1991:

9/18/90 Al Cumming, office of Rep. Bob Graham
9/19/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
9/25/90 Tyler Posey, USAID
Charlie Flickner, Senate Committee on Budget
Tim Reiser, Senate Appropriations Subcommittee on

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Foreign Operations
Jim Bond, Senate Appropriations Subcommittee on
Foreign Operations

On behalf of the Republic of Nicaragua, Bruce P. Cameron and
Julienne Wood contacted in person and/or by telephone the following
individuals to discuss the Foreign Aid Appropriations and
Authorization Bills for 1991:

9/25/90 Sen. John McCain
Mark Salter, office of Sen. John McCain
Al Cumming, office of Sen. Bob Graham

On behalf of The Estna Center of Guatemala, Bruce P. Cameron
contacted in person and/or by telephone the following individuals
to discuss the Foreign Aid Appropriations and Authorization Bills
for 1991:

9/6/90 Ambassador Jim Michel
9/7/90 Dick McCall, office of Sen. John Kerry
9/11/90 Julie McGregor, office of Sen. Mark Hatfield
Dick McCall, office of Sen. John Kerry
9/12/90 Dick McCall, office of Sen. John Kerry
9/17/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
9/18/90 Al Cumming, office of Sen. Bob Graham
9/25/90 Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Dick McCall, office Sen. John Kerry

On behalf of The Estna Center of Guatemala, Bruce P. Cameron
and Julienne Wood contacted in person and/or by telephone the
following individuals to discuss the Foreign Aid Appropriations and
Authorization Bills for 1991:

9/13/90 Rep. Joe Moakley
Jim McGovern, office of Rep. Joe Moakley
Ambassador Jim Michel
Deborah McCarthy, Department of State
9/14/90 Dick McCall, office of Sen. John Kerry
Annie Leshar, office of Sen. Barbara Mikulski
Ed Long, office of Sen. Tom Harkin
Tim Reiser, Senate Appropriations Subcommittee on
Foreign Operations
Al Cumming, office of Sen. Bob Graham
Randy Scheunemann, Republican Policy Committee

On behalf of the Government of Mozambique, Bruce Cameron and/or Julienne Wood disseminated to the following people:

- 1) a packet of 5 memos entitled, "Mozambique Improvements", "Political Change in Mozambique", "The War in Mozambique", "Mozambique's Economic Record", and "Other Changes in Mozambique"--Dissemination Report filed with the Department of Justice on March 29, 1990

March 28, 1990

Alan Bowser, office of Rep. William Gray
Tim Reiser, Senate Subcommittee on Foreign Operations

July 18, 1990

Rochelle Stanfield, National Journal

- 2) draft language for the FY 1991 appropriations bill--Dissemination Report filed with the Department of Justice on April 25, 1990

April 17, 1990

Gary Bombardier, office of Rep. Matthew McHugh

April 18, 1990

Gwen Brown, office of Rep. Julian Dixon
Chris Walker, office of Rep. Mickey Edwards

April 19, 1990

Steve Goose, office of Rep. Robert Mrazek

May 4, 1990

Rep. Bill Gray

- 3) 3 versions of draft bill language for the FY 1991 Appropriations bill--Dissemination Report filed with the Department of Justice on June 8, 1990

June 6, 1990

Gil Kapen, office of Rep. Dan Burton

June 7, 1990

Gary Bombardier, office of Rep. Matt McHugh
Steve Goose, office of Rep. Bob Mrazek

- 4) a packet of information on discussions of a multi-party system in Mozambique--Dissemination Report filed with the Department of Justice on June 8, 1990

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June 6, 1990
Rep. Dan Burton
Gil Kapen, office of Rep. Dan Burton

- 5) a "Rough Translation from the Original Portuguese" statement that the RENAMO agreed to talks with the government of Mozambique--Dissemination Report filed with the Department of Justice on June 8, 1990

June 6, 1990
Gil Kapen, office of Rep. Dan Burton
June 7, 1990
Gary Bombardier, office of Rep. Matt McHugh
Steve Goose, office of Rep. Bob Mrazek

- 6) an article published in the National Journal on 8/4/90 entitled, "Lobbyists for the Lowly"--Dissemination Report filed with the Department of Justice on September 5, 1990

8/9/90
Ambassador Ferrao
Tim Reiser, Senate Subcommittee on Foreign Operations
8/13/90
Ambassador Melissa Wells
Dr. Pascoal Mocumbi, Mozambique Minister of Foreign Affairs
Mr. Davane, Mozambique Ministry of Foreign Relations
8/14/90
David Mutchler, Acting Director of AID in Mozambique
8/15/90
Dr. Jose Oscar Monteiro, Mozambique Minister of State Administration
8/16/90
Prakash Ratilal, Business Consultant in Mozambique
Felipe Mata, Mozambique Ministry of Transport and Communications
8/17/90
Merritt Becker, Medicine Sans Frontier
8/20/90
Dr. Gonzalo Antonio Ferrao, Mozambique Ministry of Transport and Communications
8/22/90
Luis Ah-Hoy, Mozambique Ministry of Transport and Communications
Dr. Mario Da Graca Machungo, Prime Minister of Mozambique
8/24/90

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Marcelino Dos Santos, President of the Mozambique
People's Assembly
8/25/90
Gil Kapen, House Subcommittee on Africa
8/31/90
Mozambique President Joaquim Chissano

On behalf of the Government of Guatemala, Bruce Cameron and/or
Julienne Wood disseminated to the following people:

- 1) draft congressional committee report language for 1991
Appropriations for Guatemala--Dissemination Report filed with
the Department of Justice on June 8, 1990

June 6, 1990
Chris Walker, office of Rep. Mickey Edwards
Juan Andrade, State Department
Steve Goose, office of Rep. Bob Mrazek
Mark Murray, House Appropriations Subcommittee on
Foreign Operations

On behalf of The Estna Center of Guatemala, Bruce Cameron
and/or Julienne Wood disseminated to the following people:

- 1) a one-page description of The Estna Center--Dissemination
Report filed with the Department of Justice on September 21,
1990

9/12/90
Jim McGovern, office of Rep. Joe Moakley
Bill Woodward, office of Rep. Gerry Studds

9/13/90
Rep. Joe Moakley (D-MA)

9/14/90
Dick McCall, office of Sen. Kerry
Tim Reiser, Senate Subcommittee on Foreign Operations
Ed Long, office of Sen. Harkin
Annie Leshner, office of Sen. Mikulski
Al Cumming, office of Sen. Graham

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IV-Financial Information, #14 (a)

ATTACHMENT C

DATE FROM WHOM	PURPOSE	AMOUNT
4/2/90 Republic of Guatemala	fees for services rendered for the above named foreign principal	\$15,000.00
6/1/90 Republic of Guatemala	fees for services rendered for the above named foreign principal	\$25,000.00
7/18/90 Republic of Mozambique	fees for services rendered for the above named foreign principal	\$30,000.00
8/23/90 Republic of Guatemala	fees for services rendered for the above named foreign principal	\$ 9,000.00
9/14/90 Republic of Mozambique	fees for services rendered for the above named foreign principal	\$20,000.00
	Total	\$99,000.00

Bruce P. Cameron, No. 4043
September 28, 1990
IV-Financial Information, #14 (b)

ATTACHMENT D

NAME OF FOREIGN PRINCIPAL	DATE RECEIVED	DESCRIPTION OF THING OF VALUE	PURPOSE
Republic of Mozambique	8/90	Airfare to and from Mozambique for Bruce Cameron and Julienne Wood	Business
Republic of Mozambique	8/90	Hotel in Mozambique for three weeks for Bruce Cameron and for two weeks for Julienne Wood	Business

ATTACHMENT E

The following monies were disbursed in connection with activity on behalf of the stated foreign principal.

MOZAMBIQUE:

telephone	\$	364.58
office supplies		184.35
publications		300.50
deliveries		75.37
local travel		161.55
other travel		322.80
wages		6,902.32

TOTAL \$ 8,311.47

GUATEMALA:

telephone	\$	478.21
office supplies		110.61
publications		180.29
deliveries		45.23
local travel		96.93
other travel		437.02
wages		4,141.40

TOTAL \$ 5,489.69

CENTRO ESTNA

telephone	\$	174.24
office supplies		55.31
publications		90.15
deliveries		22.61
local travel		48.46
other travel		0.00
wages		2,070.70
consultants' fees		0.00

TOTAL \$ 2,461.47

Bruce P. Cameron, No. 4043
September 28, 1990
IV-Financial Information, 15 (a)
Page 2

NICARAGUA

telephone	\$	36.46
office supplies		18.44
publications		30.05
deliveries		7.54
local travel		16.16
other travel		0.00
wages		690.23
consultants' fees		0.00
TOTAL	\$	798.88

GRAND TOTAL		\$17,061.51
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Bruce P. Cameron, No. 4043
September 28, 1990
IV-Financial Information, #15 (b)

ATTACHMENT F

DATE	PERSON	ON BEHALF OF WHAT FOREIGN PRINCIPAL	DESCRIPTION OF THING OF VALUE	PURPOSE
9/90	Jim Bond	Republic of Mozambique	Statue	Gift
9/90	Tim Reiser	Republic of Mozambique	Wall Hanging	Gift
9/90	Gary Bombaradier	Republic of Mozambique	Wall Hanging	Gift

Bruce P. Cameron, No. 4043
September 28, 1990
IV-Financial Information, #15 (c)

ATTACHMENT G

DATE	AMOUNT OR THING OF VALUE	NAME OF POLITICAL ORGANIZATION	NAME OF CANDIDATE
4/23/90	\$ 300.00	Friends of Matt McHugh	Rep. Matt McHugh
4/23/90	\$ 200.00	Citizens for Dave Obey Committee	Rep. Dave Obey
4/23/90	\$ 250.00	Fascell Campaign Committee	Rep. Dante Fascell
6/15/90	\$ 100.00	Bob Lawrence	Bob Lawrence
6/26/90	\$ 70.00	Citizens for Tom Harkin	Sen. Tom Harkin
6/27/90	\$ 200.00	People for Bob Mrazek	Rep. Bob Mrazek
7/6/90	\$ 150.00	Harvey Gantt for Senate	Harvey Gantt
7/20/90	\$ 200.00	Bill Gray '90 Committee	Rep. Bill Gray
9/4/90	\$ 200.00	Solarz for Congress	Rep. Steve Solarz
9/18/90	\$ 300.00	Wolpe for Congress	Rep. Howard Wolpe

INTERNAL SECURITY
SECTION
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DANTE B. FASCELL
19TH DISTRICT, FLORIDA

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN

ARMS CONTROL INTERNATIONAL
SECURITY AND SCIENCE SUBCOMMITTEE
CHAIRMAN

SELECT COMMITTEE ON NARCOTICS
ABUSE AND CONTROL
MEMBER

CHARLES R. OREGAN
ADMINISTRATIVE ASSISTANT

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
MEMBER

NORTH ATLANTIC ASSEMBLY
CHAIRMAN
HOUSE DELEGATION

CANADA—UNITED STATES
INTERPARLIAMENTARY GROUP
MEMBER, U.S. DELEGATION

Congress of the United States

House of Representatives

Washington, DC 20515

March 30, 1990

The Honorable George J. Mitchell
Majority Leader
United States Senate
Washington, DC 20510

Dear Senator Mitchell:

I am writing to express my concern with the position you have taken with respect to Title III of H.R. 1465, the proposed Oil Pollution Act of 1989. As you know, that title would implement the 1984 Protocols to the Civil Liability and Fund Conventions (the "Protocols") once they are ratified by the United States, and it contains an important compromise that would allow the continued application of state law in concert with these treaties.

My home state of Florida, which has enacted oil spill legislation of its own, supports the Protocols in the context of this compromise. The compensation system established by these treaties works. They provide world-wide accountability for tanker owners. They establish an international fund that is available for immediate payment up to its limit without an appropriation by the United States Congress. That fund already has experience paying damages and cleanup costs for oil spills worldwide, in all kinds of climates and conditions. These benefits cannot be discarded lightly.

For example, large numbers of foreign flag tankers pass through the Straits of Florida transporting oil between foreign countries. The threat of pollution from these vessels is a very serious concern to the citizens of my state. The failure to ratify the treaties would leave them effectively without recourse in the case of an incident involving these tankers, and U.S. taxpayers would eventually pay for the resulting damages and cleanup costs.

Further, the Protocols are the first in a series of international treaties the United States will require to achieve its marine environmental goals, including enhancing the safety of the tankers moving off our coast. Our failure to ratify the Protocols would deal a crippling blow to these efforts.

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INTEGRAL SECURITY SECTION

The Honorable George J. Mitchell
March 30, 1990
Page 2

As a conferee on Title III of H.R. 1465, I am especially troubled about misunderstandings that apparently exist with respect to important issues that will be germane to the conference. Those are:

-- Neither Title III of the House bill nor the Protocols would preempt the ability of states to require accountability of vessel owners and operators. The imposition of civil and criminal penalties based upon actual fault would in no way be affected. The argument that compensatory damages, particularly when assessed on the basis of strict liability, are intended to promote deterrence is misplaced. They are intended to provide prompt and certain compensation, primarily for cleanup and restoration. In order to accomplish that result, compensation has to be established within insurable limits. Otherwise claimants will suffer from the delay of prolonged litigation, as in the case of the Amoco Cadiz.

-- Federal law already may affect unlimited state liability laws in ways that are not changed by the legislation. To the extent responsibility for uninsurable risks is imposed by state law, the bankruptcy laws of the United States ultimately impose a limit on any such recovery. Further, the legislation does not alter the fundamental relationship between federal and state courts. Cases may be removed from state court under federal law based upon diversity of the parties and the amount in controversy, criteria that will virtually always be met in the case of a major oil spill.

-- With regard to the conclusion that Title III and the Protocols would preempt those state and federal laws from holding a shipowner fully liable where there was gross negligence or willful misconduct within the privity or knowledge of a shipowner, most legal experts agree that the standard of the Civil Liability Convention for breaking the limits of liability would be met in those circumstances.

-- Similarly, the assumption that neither the House nor the Senate bill allows a defense to liability where the spill was caused by the negligence of the Government appears to be inaccurate. Both bills allow a defense to liability for spills caused solely by third parties, even where the party is the government. (H.R. 1465, Sec. 1003(a)(2); S. 686, Sec. 102(b)(1).) Even the State of Maine allows for the waiver of reimbursement to its fund where a license establishes that the occurrence was the result of an act of the federal or state government. Further, holding operators liable for omissions of the federal government does nothing to promote accountability. Only a small number of tanker owners and operators are oil companies, and it would be unfortunate to jeopardize the livelihood of independent companies and their employees on the basis of a third party's potential negligence. We recently passed legislation exempting employees of the federal government from personal liability for their own negligence. It would be fundamentally unfair to transfer that burden to private operators.

The Honorable George J. Mitchell
March 30, 1990
Page 3

-- The Civil Liability Convention does not relieve responsible parties other than the shipowner from liability. Rather, it channels that liability through the shipowner, who may seek contribution from such parties, much in the same manner as if there were joint and several liability and the owner (or his guarantor) has paid the judgement in the manner contemplated by both bills. This regrettable misunderstanding about the liability regime imposed by the Protocols has resulted in considerable confusion. No one responsible for an oil pollution incident is relieved of liability under the treaties.

-- I understand the concern that damages outside the scope of the Protocols somehow might be "supplanted" by the treaties, but the Secretary's letter makes it absolutely clear that is not the case. That is certainly not the intent of Title III. Moreover, the liability of the federal fund imposed by Title III in no way affects the uses of the fund as otherwise authorized by the legislation. There should be little doubt that the Protocols do not speak to, and therefore do not limit, the federal fund and its uses.

-- There is also a continuing misunderstanding about the limits of the Protocols. The treaties provide an adjustment mechanism for the limits that does not require modification of the treaties. The shipowner and international fund limits may be increased periodically under this procedure, once the treaties enter into force, up to a total of three times their original limits. For example, were the Protocols to enter into force for the United States this year, we could immediately request an increase in those limits of over 34% under the formula established by the treaties, and I am confident that the limits would be increased.

In summary, these treaties provide vital and important benefits to the United States without the adverse consequences that many fear. The enactment of our proposals in Title III of H.R. 1465 would set the stage for further action on the treaties by the Senate Foreign Relations Committee. I am prepared to offer the Senate my full support in this effort.

Best personal regards.

Since
INTERNAL SECURITY
SECTION
REGISTRATION UNIT
DANTE PASCELL
Member of Congress

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DBF/TA

cc: The Honorable Claiborne Pell
Chairman
Senate Foreign Relations Committee

The Honorable Walter B. Jones
Chairman
House Merchant Marine and Fisheries Committee

April 3, 1990

The Honorable Walter B. Jones
Chairman, Committee on Merchant
Marine and Fisheries
House of Representatives
Washington, D.C. 20515-3301

Dear Mr. Chairman:

The undersigned represent independently owned, United States flag tanker owners that engage in the carriage of crude oil in the foreign and domestic commerce of the United States. We are writing to express our deep concern about oil spill legislation now pending in the Congress. Specifically, the prospect of unilateral action by the United States that is not consistent with established international rules governing the liability of vessel owners and operators would endanger an already battered U.S.-flag fleet.

The dramatic decline in the promotional programs for the merchant marine that took place in the 1980's together with unfavorable market conditions have forced the industry to become more competitive in order to survive. We have had to eliminate any unnecessary costs and improve productivity. We have also consistently opposed regulatory proposals that would have the effect of discriminating against United States flag operators to the advantage of our foreign flag competition.

In response to the spill from the EXXON VALDEZ last year, the United States Senate passed a new oil spill liability and compensation bill that would radically change the rules for ocean shipping. In a misguided attempt to use a compensation system to punish the oil industry, the Senate bill rejects carefully crafted international treaties, the 1984 Protocols to the Civil Liability and Fund Conventions, which establish uniform liability rules that would be enforceable worldwide with respect to both United States and foreign flag tanker owners.

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Honorable Walter B. Jones
April 3, 1990
Page 2

It goes without saying that the rejection of these treaties for short term domestic political considerations would deal a serious blow to the international environmental objectives of the United States. Just as disturbing, however, is the crippling effect of such action on the United States tanker fleet, particularly the independently owned fleet. The unilateral imposition of new liability rules unprecedented in the history of maritime law anywhere in the world will mean that the U.S. owners of independent tankers will bear the brunt of the application of those laws, and are likely to be replaced by lesser quality foreign flag competitors who can avoid their application through undercapitalized single ship corporations.

We do not produce or own crude oil. A poorly conceived liability regime that attempts through strict liability to assign virtually the entire risk of transporting that oil to the tanker industry is not in the best interests of the United States. Its ultimate effect will simply be to drive responsible corporations, both U.S. and foreign flag, out of the business altogether. The Protocols avoid this undesirable result by structuring an enforceable liability system between the vessel owners and the receivers of the cargo they carry. We urge you to continue to strongly support these treaties in the context of the upcoming conference on the pending oil spill legislation.

The enactment of Title III of H.R. 1465, as approved by the House of Representatives, would implement the Protocols once they are ratified by the United States. The preservation of Title III in the conference report on the oil spill legislation is vital to the United States flag tanker fleet. House Foreign Affairs Committee Chairman Fascell has already stated his strong support of the treaties in the context of Title III. We believe that the Committee on Merchant Marine and Fisheries should reject any oil spill legislation that fails to contain language implementing the Protocols. To bargain away Title III as part of a conference agreement would lead to further major erosion of the U.S. flag independent tanker fleet.

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Honorable Walter B. Jones
April 3, 1990
Page 3

Thank you for your consideration of our views on this important matter.

Sincerely,



R. Du Moulin
Chief Executive
Marine Transport Lines, Inc.



J. Goldstein
Chief Executive
OMI Corporation



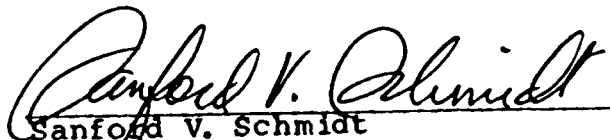
R. Hettena
President
Maritime Overseas Corporation



J.H. Rand
President
Rand and Company, Inc.



Capt. G. J. Thomas
President
Mormac Marine Group, Inc.



Sanford V. Schmidt
President
American Trading Transportation
Company, Inc.

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DANTE B. FASCELL
19TH DISTRICT, FLORIDA

FOREIGN AFFAIRS COMMITTEE
CHAIRMAN

ARMS CONTROL INTERNATIONAL
SECURITY AND SCIENCE SUBCOMMITTEE
CHAIRMAN

SELECT COMMITTEE ON NARCOTICS
ABUSE AND CONTROL
MEMBER

Congress of the United States

House of Representatives

Washington, DC 20515

CHARLES R. O'REGAN
ADMINISTRATIVE ASSISTANT

COMMISSION ON SECURITY AND
COOPERATION IN EUROPE
MEMBER

NORTH ATLANTIC ASSEMBLY
CHAIRMAN
HOUSE DELEGATION

CANADA—UNITED STATES
INTERPARLIAMENTARY GROUP
MEMBER, U.S. DELEGATION

May 16, 1990

The Honorable George J. Mitchell
Majority Leader
United States Senate
Washington, DC 20510

Dear Mr. Majority Leader:

This is in response to your letter dated April 23, 1990, on the subject of the oil pollution protocols now pending in the Senate. As you know, Title III of H.R. 1465, the proposed Oil Pollution Act of 1989, contains provisions that would implement these treaties upon their ratification by the United States. Unfortunately, I was unable to attend the first meeting of the Conference Committee on H.R. 1465 on April 25 because of a previous commitment to attend the inauguration of Mrs. Chamorro. I have reviewed your opening statement, however, and would like to address a few of the points you have raised there.

Let me say at the outset that I am extremely concerned that the tone of this debate should reflect the seriousness of the issues we are considering. A rejection of the 1984 Protocols by the United States means that an international oil spill liability regime will be impossible for the foreseeable future. Former Senator Muskie had supported this effort "to afford higher protection to the coastal victims of all nations," and his specific recommendations for the treaties were eventually realized by our capable negotiators, led by the Coast Guard. (See Letter from Senator Muskie, Chairman of the Senate Subcommittee on Air and Water Pollution, to Secretary of State Rogers (November 17, 1971), reprinted in 3 Journal of Maritime Law and Commerce 428.)

You have now recommended essentially that the Protocols be renegotiated to conform to the operation of our "full federal system," and that this principle be adhered to in negotiating any future international agreements. If by that you mean that the United States should not offer any uniformity to international law, or make any concessions to the vast majority of the countries of the world that have legal systems that differ greatly from our own, then I am afraid that the United States will become increasingly isolated in an extremely competitive world economy. I think Americans would find that prospect deeply troubling.

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Instead, I implore you to approach the upcoming debate in the conference with the spirit of accommodation and understanding that should govern not only relations between the House and Senate, but also relations between the United States and other countries with which we share a common environmental concern. In so doing I ask you to consider the following points:

I. The Protocols do not offer a liability regime that tolerates any behavior short of criminal negligence -- the standard for breaking the liability limits is substantially the same as it is in the Clean Water Act and CERCLA.

In 1972, the Congress passed the Federal Water Pollution Control Act Amendments (commonly referred to as the Clean Water Act) which remain in effect today. This landmark legislation, guided by Senator Muskie, contains strict but limited liability, with unlimited liability for removal costs based "upon willful negligence or willful misconduct within the privity or knowledge of the owner." 33 U.S.C. 1321(f). This standard is also used in the Comprehensive Environmental Recovery, Compensation, and Liability Act ("CERCLA"). 42 U.S.C. 9607(c). Willful misconduct was derived from Article 25 of the Warsaw Convention which governs liability for air carriers. It is now accepted that willful misconduct in that context is the same as an act or omission done with intent to cause such damage, or recklessly and with knowledge that such damage would probably result, since U.S. Courts have consistently held that the two tests are substantially the same. See Pikelis v. Transcontinental & Western Air 187 F.2d 122 (2d Cir.), cert denied 341 U.S. 951 (1951), Tuller v. KLM Royal Dutch Airlines 292 F.2d 775 (D.C. Cir.) cert denied 368 U.S. 921 (1961); Berner v. British Commonwealth Pacific Airlines Ltd., 346 F.2d 532 (2d Cir. 1965); Wing Haug Bank v. Japan Air Lines Co., Ltd., 357 F. Supp 94 (S.D. N.Y. 1973).

The same precedents have been applied to the definition of "willful misconduct" under the Clean Water Act. In Tug Ocean Prince Inc. v. United States 584 F.2d 1151 (2d Cir.) cert denied 440 U.S. 959 (1978), the owner of a tug was found to have engaged in willful misconduct where a barge it was towing struck a charted rock outside the navigation channel in the Hudson River. This test was also recently held applicable to the conduct of the crew in the 1983 Korean Air Lines tragedy. In re Korean Air Lines Disaster of Sept. 1, 1983, 704 F. Supp 1135 (D.D.C. 1988). Subsequently, on August 2, 1989, a jury in Federal court in the District of Columbia found willful misconduct in that case.

Whether the Protocols have retained the concept of privity as reflected in the Clean Water Act and CERCLA is not at all clear. The term "personal" which is contained in the Protocols is derived from longstanding English maritime law, and British decisions are apparently split on whether the conduct of a servant may be attributed to the master under this standard. 1 CARVER'S CARRIAGE BY SEA 224-225 (12th ed. 1971). (BRITISH SHIPPING LAWS, Vol 2) citing The Brabant, 2 Lloyd's Rep. 542 (1965); Riverstone Meat Co. v. Lancashire Shipping Co., A.C. 807 (1961). The fact is that the term "personal" replaced the well understood concept of privity found in U.S. law and earlier treaties, so it is reasonable to assume it means something else.

My purpose here is not to predict the outcome of applying the standards of the Protocols to the EXXON VALDEZ and future cases. Since I have been advised that these issues may be litigated under the provisions of the Clean Water Act, I am very reluctant to make any comments that could be interpreted as taking sides in that controversy. Nonetheless, it is apparent that the liability standards of the Protocols are not alien to U.S. law, and I believe that U.S. courts would interpret them consistently with the results of these cases. If necessary, I am confident we could make this clear through changes to our implementing legislation or additions to its legislative history.

II. The Protocols are not the exclusive remedy for oil pollution damages.

You have concluded that compensation for damages other than "pollution damage" (as defined in the Protocols) under either Federal or State law would somehow be blocked by the Protocols. That is clearly not the case, either as to categories of damages or parties not mentioned in the treaties. See In re: Oil Spill by the "AMOCO CADIZ" off the Coast of France on March 16, 1978, 20 ERC 2041 (N.D. Ill. 1984), holding that the Civil Liability Convention "is not the exclusive remedy to victims of oil pollution damage," and did not bar other tort claims. Secretary of Transportation Skinner has also confirmed this conclusion.

III. The channeling of liability to the owner and the owner's liability under the Protocols are neither unprecedented nor alien to U.S. jurisprudence.

You have stated that channeling directly conflicts with every federal law that deals with liability for discharges of oil or hazardous substances. However, assume for a moment that a Coast Guard cutter, Navy tanker or other public vessel caused an oil spill by wrongfully colliding with a tanker discharging oil at a U.S. port. If a lawsuit were brought in state court against the captain or master of the public vessel, the Federal Employees Liability, Reform and Compensation Act of 1988, overwhelmingly approved with bi-partisan support by the Senate on October 12, 1988, would govern the proceeding. It requires the removal of the case without bond to federal court, where the action is deemed to be an action against the United States as the exclusive remedy for the tort. See 28 U.S.C. 2679.

Furthermore, it is not uncommon for a corporation to enter into agreements with its officers and directors to indemnify and defend them from tort exposure for conduct arising within their scope of employment, so that the corporation and not its employee bears the burden of that exposure. It was this practice that served as the precedent for the language in section 3002 (b) of H.R. 1465.

Even more compelling considerations than those that led the U.S. government and U.S. corporations to protect their employees from individual tort exposure justify the channeling of liability under the treaties.

Foreign crewmembers have neither the resources nor capabilities to defend themselves from tort suits that may be filed in the United States, particularly where the plaintiff does not even have to establish fault on the part of that crewmember. Moreover, in the event of a damage judgement, these defendants will most likely be judgement proof as well. As a result, injured parties will not be able to receive compensation although liability is established. Crewmembers' exposure to civil and criminal penalties, both state and federal, as opposed to civil liability, is a far more effective, responsible, and just approach to ensuring that these individuals are held accountable for their actions.

In the words of one of the most prominent plaintiffs' lawyers in the country, "it is true that revenge and punishment are not parts of compensatory damages." (Monetary Awards Can Soothe the Pain, N.Y. Times, October 8, 1989, Sect. 3 (Business), at 1.) A far more effective approach is to seek civil and, where appropriate, criminal sanctions. For example, the United States is seeking hundreds of millions of dollars in fines and penalties from Exxon, but it has not yet filed a claim for damages arising out of the grounding of the EXXON VALDEZ. The fact is that strict liability laws are designed to provide compensation, not punish persons for their fault. In this regard, Article III paragraph 3 of the Civil Liability Convention, which relieves a shipowner wholly or partially from that claimants' negligence, does not mean that partial negligence results in complete exoneration, as you suggest. I am confident that there is not a court in the United States that would conclude that it does. Moreover, it is not at all clear that this provision would affect recoveries by the Federal government filing as a trustee for environmental claims, even where the Coast Guard is partially responsible.

IV. Failure to ratify the treaties will mean that the taxpayers will bear the burden of spills involving foreign and imported oil.

Nearly half of all of our oil is imported from foreign sources on foreign flag vessels, and the volume of that oil will double by the year 2000. The amount of oil transported by U.S. flag vessels like the EXXON VALDEZ is relatively small and steadily declining. Without treaties, foreign owners of foreign flag vessels can make themselves effectively judgement proof for amounts over the financial responsibility requirements established by domestic legislation. Thus, had the EXXON VALDEZ been a foreign flag tanker, U.S. taxpayers would have probably paid the entire cost of the spill over whatever financial responsibility requirements were imposed by the legislation -- less than \$100 million under the Senate bill. Attempting to remedy this obvious deficiency by transferring this liability to the terminal operators that receive the oil in the United States, as has been suggested by some individuals, will eventually mean U.S. consumers and investors will bear that burden as the costs are passed on by the oil companies. The unfortunate reality of relying exclusively on domestic legislation is that we are legislating for the past, and not for a future in which we depend on foreign oil.

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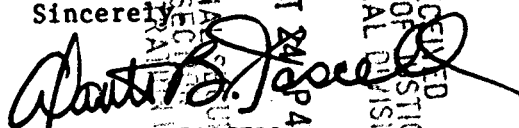
The Honorable George J. Mitchell
May 16, 1990
Page 5

You have stated that only a small portion of tanker traffic moves off the coasts of the United States while not stopping at any United States ports. That is certainly not true for Florida, and I sincerely doubt that it is true for Maine. At least 80,000 barrels a day of Venezuelan crude moves past our shores to Canada. One of Canada's largest oil ports, Saint John, lies approximately 50 miles from the border of Maine. The refinery at Saint John takes in between 125 - 150 thousand barrels of crude oil every day. It is capable of handling tankers far larger than any that can call at any U.S. onshore port, approximately 50 percent larger than the EXXON VALDEZ. Tankers that routinely call on Saint John are well over twice the size of those that call at the Portland Pipe Line Corporation, for example. A spill from these tankers could engulf the entire coast of New England. In this regard, I note that the Portland Pipe Line Corporation, in a carefully researched letter, has endorsed ratification of the Protocols in the context of enacting Title III.

The Protocols provide a higher limit of liability than is provided by the Clean Water Act. The standard for breaching that limitation is substantially the same as it is under that Act. The channeling provisions have ample precedent in United States law. The worldwide system that the Protocols would establish would certainly expand constructively upon U.S. law. What the Protocols do not anticipate is the political stampede to punish the oil companies in the aftermath of the EXXON VALDEZ. We have attempted to address this new reality by a variety of means, and are willing to work with the Senate further in this regard. However, the characterization of the Protocols as a step backwards is neither accurate, nor fair to the negotiators of the treaties in the United States Government, foreign governments and the International Maritime Organization. We have too many important marine environmental initiatives at stake here that could be jeopardized by our failure to appreciate these treaties for what they are.

The House Foreign Affairs Committee has been appointed to the Conference Committee only for the purpose of considering Title III of this legislation. I sincerely look forward to being able to do that in the near future. There are many vital questions that need to be addressed, and I do not pretend to have all the answers. Nonetheless, I am confident that working together, in a spirit of understanding and accomodation, we can find them. My constituents, who are deeply concerned about the beaches and oceans, will demand, and should expect, no less.

Best personal regards.

Sincerely,

DANTE B. FASCELL
Member of Congress

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DBF/TA

cc: The Honorable Walter B. Jones
Chairman
House Merchant Marine and Fisheries Committee



INTERNATIONAL MARITIME ORGANIZATION

SECRETARY-GENERAL

LE SECRETAIRE GENERAL

EL SECRETARIO GENERAL

6 June 1990

Dear Secretary of State,

I have the honour to refer to the "Summit of the Arch" held in Paris in July 1989 and, in particular, to the second part of paragraph 46 of the Summit Declaration which reads:

"We express our concern that national, regional and global capabilities to contain and alleviate the consequences of maritime oil spills be improved. We urge all countries to make better use of the latest monitoring and clean-up technologies. We ask all countries to adhere to and implement fully the international conventions for the prevention of oil pollution of the oceans. We also ask the International Maritime Organization to put forward proposals for further preventive action."

As you may recall, the International Maritime Organization (IMO) has acted promptly in responding to the request that this Organization take further action with respect to the improvement of national and international capabilities to prepare for and respond to marine oil spills and to consider measures to further prevent oil pollution from ships.

As a follow-up to the requests made in paragraph 46 of the Summit Declaration, my predecessor, Mr. C. P. Srivastava, convened a meeting of representatives of the seven major industrial countries and the Commission of the European Communities in September 1989 to discuss ways and means of taking prompt and effective action.

The Rt. Hon. Charles Joseph Clark,
 Secretary of State for External Affairs,
 Department for External Affairs,
 Lester B. Pearson Buildings,
 125 Sussex Drive,
 Ottawa, Ontario K1A 0G2,
 Canada.

INTERNAL SECURITY

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6 June 1990

Pursuant to recommendations made at this meeting, this Organization has decided to convene a diplomatic Conference on International Co-operation on Oil Pollution Preparedness and Response from 19 to 30 November 1990 at the IMO Headquarters, London. The purpose of this Conference is to consider the adoption of an International Convention on Oil Pollution Preparedness and Response. The objective of this new Convention is to enhance national, regional and global capabilities to prepare for and respond to major oil pollution incidents and mitigate their environmental impacts through international co-operation and mutual assistance.

The Conference which is being made possible through the generous financial support of the Governments of Japan and the United States will also consider resolutions and recommendations concerning, inter alia, the expansion of the scope of the aforementioned international Convention to include hazardous and noxious substances, the establishment of oil pollution combating equipment stockpiles in areas particularly at risk, and the development and implementation of an international training programme for oil pollution preparedness and response.

It is further anticipated that the International Maritime Organization, as depositary of this Convention, will be called upon to enhance its capacity to serve all its Member States in exchanging information, promoting research and development and providing advisory and training services in the field of oil pollution preparedness and response.

As you may be aware, IMO has over the years developed a global regulatory framework which seeks to achieve the complete elimination of intentional pollution of the marine environment by oil and other harmful substances and a minimization of accidental pollution of the sea and mitigation of its effects. Pursuant to the aforementioned request of the "Summit of the Arch" for further preventive action, the relevant technical bodies of the Organization are giving active consideration, in particular, to the role of the human element as well as that of tanker design and construction standards in maritime accidents involving pollution taking into account studies currently being undertaken by several Member States.

Recent oil tanker accidents have also highlighted the need for rapid and effective action to be taken in the first instance by the ship's crew to prevent or minimize the amount of oil released into the sea. The Marine Environment Protection Committee of this Organization therefore consider in November of this year an amendment to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), which will require ships of a specified size to carry on board a shipboard oil spill response plan approved by the Administration.

.../

6 June 1990

As you may appreciate, there are a number of ongoing activities carried out by IMO in the field of environmental protection which, I believe, reflect the continuing concern of the Economic Summit Members with global environmental problems requiring global solutions. Such activities currently include for example: prevention of air pollution from ships, quality of fuel oil and the reduction of the use of ozone-depleting chemicals on board ships; identification and protection of particularly sensitive marine and coastal areas; review of existing rules, regulations and practices with respect to the transport of hazardous wastes by sea; and the promotion of the universal application and strict observance of safety and pollution prevention standards.

It is with respect to this need for the encouragement of the widest possible acceptance, implementation and enforcement of international conventions related to marine pollution prevention and control as well as related liability and compensation matters that I would greatly appreciate your continued support.

I trust that this succinct summary will assist your evaluation of the follow-up action taken with respect to paragraph 46 of the Summit Declaration. I should also like to take this opportunity to assure you of my readiness to respond to any environmental concerns which may be expressed at the forthcoming Summit Meeting to be held in Houston, Texas in July 1990 insofar as they relate to the protection of the marine environment.

With highest regards,

Yours sincerely,



W. A. O'NEIL
Secretary-General

INTERNAL SECURITY
SECTION

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✓ UNITED STATES OF AMERICA

The Hon. James A Baker, III,
The Secretary of State,
The Department of State,
2201 C Street, N. W.,
WASHINGTON, D.C. 20520.

Dear Sir
with regard to...

Telex: ITT 440080 secstate;
RCA 248346 stat ur;
WUI 64144 secstate;
TWX 892703 aid wsh.

COMMISSION OF THE EUROPEAN COMMUNITIES

~~Mr.~~ Mr. Jacques Delors,
President,
Commission of the European Communities,
200 Rue de la Loi
1049 Bruxelles (Belgium)

Dear Sir
Your participation...

Telex: 21877 (Belgium)

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INTERNAL SECURITY
SECTION
RECORDS SECTION

June 27, 1990

The Honorable Walter B. Jones
Chairman, Committee on Merchant
Marine and Fisheries
House of Representatives
Washington, D.C. 20515-3301

Dear Mr. Chairman:

I am writing to express my serious concern regarding the outcome of the conference on oil spill legislation now pending in the Congress. The recent incident involving the Mega Borg has reaffirmed my view that an effective compensation and response regime is sorely needed to counter the threat of oil pollution in our coastal waters.

The Mega Borg incident, which occurred in international waters some 57 miles from Galveston, Texas, is a pointed reminder of the importance of ensuring a quick and effective response to an incident involving any tanker, foreign or domestic, carrying oil along our coastal areas, whether that oil is carried by U.S. or foreign tankers or is destined for the United States. In order to insure that response capability, an adequate and timely source of compensation must be established and the Coast Guard must be given the necessary resources to ensure the existence of a Federal response safety net.

With our country's continued dependence on foreign oil, coastal states must have some guarantee of adequate sources of compensation for oil spills from foreign tankers. This guarantee can only be derived by recognition of the need for an international component to provide the necessary jurisdictional benefits and allow coastal states to access adequate compensation sources in a timely manner. Clearly, the sole reliance on litigation against the tanker owner is not enough. In that same regard, an on-budget Federal trust fund, subject to Congressional appropriation, may not be an adequate substitute.

Garry Mauro
Commissioner
General Land Office

Stephen F. Austin Building
1700 North Congress Avenue
Austin, Texas 78701
512-553-5256

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The Honorable Walter B. Jones
Page 2
June 27, 1990

I believe that ratification of the international protocols, as they currently exist, do not fully address the concerns of coastal states. The protocols do, however, recognize the need for an international component to the continuing problem of oil spills in our coastal waters. After reviewing the compromise recently offered by Congressman Studts, I am convinced that it offers a viable framework for establishment of such a system.

Additionally, the Coast Guard must be appropriated additional resources from the Fund to establish and maintain the strike teams required by the legislation. As all of the recent major oil spills have demonstrated, the United States lacks the equipment necessary to respond to a major spill. The moneys in the new "trust" fund -- over \$250 million annually in new user fees -- must be spent for the environmental purposes for which they were collected. We support the efforts of Congressman Tauzin in this regard.

Thank you for the opportunity to present my views on this important subject. Meanwhile, if I can be of any further assistance, please do not hesitate to contact me.

Sincerely,


Garry Mauro
Texas Land Commissioner

GM:BM:BTH

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INTERTANKO

International Association of Independent Tanker Owners

Managing Director: T. Rafgård
Tel.priv. + 47 2 78 48 59

Director T. A. Meyer
Tel.priv. + 47 2 70 33 46

July 24, 1990

The Honorable George Bush
President of the United States
The White House
1600 Pennsylvania Ave., N.W.
Washington, D.C. 20500

Dear Mr. President:

I am writing as the Chairman of INTERTANKO, the International Association of Independent Tanker Owners, to express our grave concern with the oil spill legislation now pending in the Congress, specifically the rejection of international treaties dealing with oil pollution. These treaties are known as the 1984 Protocols to the 1969 Civil Liability Convention and the 1971 Fund Convention, and they are currently pending advice and consent to ratification in the United States Senate. The rejection by a conference committee of provisions necessary to implement the Protocols that were passed by the House of Representatives, however, would appear to doom the chances for U.S. ratification of the Protocols.

The Protocols would establish a worldwide regime that would ensure the availability of funds for both the removal of oil pollution in the marine environment and the prompt compensation of damages incurred from those spills. The members of INTERTANKO, who operate under the flags of the United States and thirty-two other countries, are the principal carriers of oil to the United States. INTERTANKO has been a major supporter of the Protocols during their consideration by the Congress.

These treaties reflected a major policy initiative of the United States when they were negotiated under the auspices of the International Maritime Organization (IMO), and the failure of the United States to ratify them will effectively prevent their entry into force for all nations. The consequences of such action will be threefold. First, the benefits of international rules providing compensation for oil pollution damage to all coastal nations will be lost. Second, the companies that supply the energy needs of the industrialized world will lose the benefit of uniform and predictable liability rules, and international commerce will be adversely affected. Third, the prospects for the successful negotiation of future international accords to address emerging environmental and commercial challenges will be diminished.

The objection of those Senators who opposed the Protocols is that certain state laws would be required to conform to the international rules established by the Protocols. A disturbing

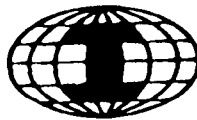
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The Honorable George H. Bush
July 24, 1990
Page 2


feature of the pending legislation is that it would reverse Federal uniformity in the regulation of maritime and foreign commerce that has existed for over two hundred years. Moreover, the rejection of the principle of uniformity inherent in international agreements will impair the ability of the United States to speak with one voice in international affairs, both environmental and economic.

Responsible operators may be forced by this lack of uniformity to discontinue transport of oil to those U.S. coastal states whose laws now reach far beyond their previous application to impose risks that are neither predictable nor insurable. It is simply not possible for independent tanker operators to shoulder strict and unlimited liability for damages caused by oil that they do not own and that may be discharged as the result of events they cannot control. The Protocols would establish a balanced liability system whereby oil interests would share a portion of the risk.

The world's tanker fleet is aging. It is our belief that U.S. approval of the Protocols would provide important incentives for oil companies and traders worldwide to employ tanker tonnage of the highest quality to serve the United States. A shared liability system between tanker owners and cargo interests will ensure that all participants in the transportation of oil contribute to the preservation of a safe and responsible transportation system. Furthermore, the failure to adopt such a system could well have unforeseeable economic consequences for the United States. At the very least, the quality of oil transportation will deteriorate and the price will increase as less responsible operators move into the U.S. trades with older vessels owned by judgment proof companies.

At the economic summit in Houston earlier this month you joined other leaders of the industrialized world in again recognizing that the global nature of environmental problems requires international solutions and in calling for early entry into force of existing IMO conventions. The serious risk of oil pollution to the global environment, the strong support of the Protocols by other industrialized countries and the need for balanced international rules governing foreign commerce make the rejection of the Protocols a matter of the gravest concern. We respectfully urge you to ask the Congress to reconsider its unfortunate action.

Respectfully,


Shigeoyuki Suzuki
Chairman

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THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES

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212-732-4646

VIA FEDERAL EXPRESS

July 25, 1990

The Honorable George J. Mitchell
United States Senate
SR-176 Russell Senate Office Building
Washington, D.C. 20510-1902

Dear Senator Mitchell:

The press has reported your repeated staunch opposition to the 1984 Protocols to the CLC and FUND Conventions dealing with oil pollution. However, you should know that at the June 30 meeting of the Assembly of the Comité Maritime International which represents 52 maritime nations throughout the world including all of the developed nations, a resolution was unanimously adopted urging the ratification of the protocols by all maritime nations, particularly the United States. The resolution reads as follows:

The Comité Maritime International - mindful of the grave and worldwide environmental pollution liability problems brought into sharp focus by the EXXON VALDEZ grounding and other recent oil pollution disasters,

Convinced that the international framework set forth in the 1984 Oil Pollution Protocols is far superior to any unilateral approach to this international environmental problem,

Strongly urges all maritime nations and in particular the United States, which assumed a leading role in the development and negotiation of the 1984 Protocols - to move quickly to ratify the Protocols so that they may enter into force on a truly international basis.

The Honorable
George J. Mitchell

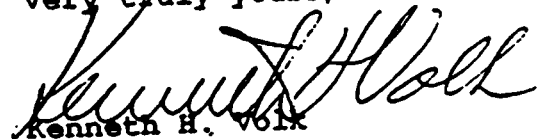
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July 25, 1990

The worldwide shipping community is unanimously opposed to the legislation now being considered by the Congress, the punishing terms of which will undoubtedly have very serious repercussions for our country. It is important to remember that we now import about 50% of our domestic oil requirements and practically all of this is received from seagoing vessels. A combination of the vastly increased cost of oil to be imported under the huge potential liabilities imposed by the pending legislation plus the threat of OPEC price increases could have a devastating adverse effect upon our economy.

Again, the Maritime Law Association of the United States urges the acceptance of the 1984 Protocols. They represent a reasonable approach to oil pollution compensation and control and they provide for prompt payment for damages resulting from oil spills. While the Protocols will undoubtedly also have some effect on the cost of shipping they are nevertheless acceptable to the international shipping community and their underwriters.

Very truly yours,


Kenneth H. Volk

KHV:ajm

- c: President George H.W. Bush
- c: Rep. Walter B. Jones, Chairman
of the Merchant Marine and Fisheries Committee
- c: Rep. Glenn M. Anderson, Chairman
Committee on Public Works and Transportation
- c: Sen. John H. Chafee
Environment and Public Transportation Committee
- c: Transportation Secretary Samuel J. Skinner

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