Extent

11 folders, approximately 379 pages

Summary

This collection consists of records related to the North American Free Trade Agreement (NAFTA) arbitration case brought by Metalclad Corporation against Mexico. The case, filed before the International Centre for Settlement of Investment Disputes (ICSID) was Metalclad Corporation v. United States of Mexico (ARB (AF) 97/1). The collection contains National Security Council cables and emails, as well as Automated Records Management System Email. The records include administrative paperwork, news summaries, and press guidance. The emails also contain guest lists for the 1995 Big Emerging Markets Conference (BEM). Researchers interested in this topic should also see FOIA 2010-0021-F.

Scope and Content Note

The materials in FOIA 2016-0014-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. Researchers interested in this topic should also see FOIA 2010-0021-F. Freedom of Information Act (FOIA) request 2016-0014-F was for records related to the North American Free Trade Agreement (NAFTA) arbitration case brought by Metalclad Corporation against Mexico. The case, filed before the International Centre for Settlement of Investment Disputes (ICSID) was Metalclad Corporation v. United States of Mexico (ARB (AF) 97/1). Metalclad Corporation was a company based in the United States who had purchased the operations of a hazardous materials disposal site in San Luis Potosi, Mexico. With the understanding that they had the appropriate permits and completed applications Metalclad began expanding and investing in its Mexico operations. The government of Mexico intervened, halted operations, and Metalclad sought arbitration through the ICSID claiming violation of several NAFTA articles. Begun in 1997, the case was heard before a judge in 1999 and in August of

2000 the tribunal awarded Metalclad $16.7 million. Mexico announced May 26, 2001 that they intended on making an appeal in Canadian courts. The United States submitted an Article 1128 submission November 9, 1999 but otherwise played a limited role in this case. National Security Council records to be opened include administrative paperwork as well as news summaries. The collection also includes press guidance. Email from the Automated Records Management System widely consist of news summaries concerning Metalclad and Mexico. Email also consists of guest lists for the 1995 Big Emerging Markets Conference (BEM). A Metalclad representative was invited to the 1995 BEM.

Record Type

Textual

System of Arrangement

Records that were responsive to this request were found in these collection areas—Clinton Presidential Records: White House Staff and Office Files; Clinton Presidential Records: Automated Records Management System [Email]; and Clinton Presidential Records: NSC Cable, Email, and Records Management System. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President (EOP). This system maintained unclassified Presidential email. The ARMS database is comprised of six sub-series of email records called "buckets." The buckets generally represent a specific White House office. The buckets are titled: NPR for National Performance Review, OPD for Office of Policy Development, POTUS for President of the United States, WHO for White House Office, CEA for Council of Economic Advisers, and Default for emails not associated with an office. ARMS email are arranged by topic, there-under by bucket, and there-under chronologically by creation date. The OPD bucket contains email created or received by an individual with an Office of Policy Development (OPD) White House user account. The WHO bucket contains email created or received by individual with an Executive Office of the President White House user account not identified as CEA, NPR, or OPD. The CEA bucket contains email created or received by an individual with a Council of Economic Advisors (CEA) White House user account. The Default bucket contains email created or received by unknown or un-

recognized email accounts. Email found within the Default bucket often includes email created or received by offices or individuals outside the EOP. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. Staff and Office files are processed at the folder level, that is, individual documents are not selected and removed from a folder for processing. While this method maintains folder integrity, it frequently results in the incidental processing of documents that are not wholly responsive to the subject area.

Access

Collection is open to all researchers. Access to Clinton Presidential Records is governed by the Presidential Records Act (PRA) (44 U.S.C. Chapter 22, as amended) and the Freedom of Information Act (FOIA) (5 U.S.C. 552, as amended) and therefore records may be restricted in whole or in part in accordance with legal exemptions.

Copyright

Documents in this collection that were prepared by officials of the United States government as part of their official duties are in the public domain. Researchers are advised to consult the copyright law of the United States (17 U.S.C. Chapter 1) which governs the making of photocopies or other reproductions of copyrighted material.

Provenance

Official records of William Jefferson Clinton’s presidency are housed at the Clinton Presidential Library and administered by the National Archives and Records Administration (NARA) under the provisions of the Presidential Records Act (PRA).

Processed by

Staff Archivist, 2015. Previously restricted materials are added as they are released.

Last Modified Date

2016-03-07

Container List

The following is a list of documents and folders processed in response to 2016-0014-F:
Box 1
Clinton Presidential Records: White House Staff and Office Files
National Security Council
International Economic Affairs
Duncan, John
NAFTA—Arbitration, Metalclad Corporation [OA/ID 4025]
Clinton Presidential Records: Automated Records Management System [Email]
OPD [OA/ID 250000]
[Metalclad v Mexico]
[07/28/1994 – 09/07/2000]
WHO [OA/ID 500000]
[Metalclad v Mexico]
[06/06/1995 – 09/01/2000]
CEA [OA/ID 9500000]
[Metalclad v Mexico]
[09/07/2000 – 12/04/2000]
Default [OA/ID 1100000]
[Metalclad v Mexico]
[07/28/1994 – 12/28/2000]
NSC [OA/ID 1200000]
[Metalclad]
[09/22/2000]
Clinton Presidential Records: NSC Cables, Emails, and Records Management System
NSC Cables
Jan 1995-Dec 1996 [OA/ID 510000]

[Metalclad]
[03/23/1995-05/20/1996]
Jan 1997-Dec 1998 [OA/ID 520000]
[Metalclad]
[09/08/1997]
Jan 1999-Dec 2000 [OA/ID 530000]
[Metalclad]
[08/31/2000-11/03/2000]
NSC Email
MSMail-Record (Sept 94-Sept 97) [OA/ID 590000]
[Metalclad]
[10/06/1995-08/26/1996]
Exchange-Non-Record (Mar 97-Jan 01) [OA/ID 630000]
[Metalclad]
[10/14/1997]