Extent

63 folders, approximately 893 pages

Summary

This collection consists of records from the National Security Council’s Records Management System (RMS). Specifically all records related to the Fast Track trade authority granted to the President under the Trade Act of 1974. This collection contains memoranda, correspondence, and briefing papers related to the use of the authority. It also contains memoranda and correspondence related to administration attempts to regain the authority after it expired in 1994. It contains administrative paperwork, emails, and drafts.

Scope and Content Note

The materials in FOIA 2017-0399-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related material. This Freedom of Information Act (FOIA) request was for records from the National Security Council’s, Presidential Records System (PRS)—also referred to as the Records Management System (RMS). Specifically the request was for a subject line search of all records related to the Fast Track trade authority granted to the President under the Trade Act of 1974. This collection contains memoranda, correspondence, and briefing papers related to the use of the authority. It also contains memoranda and correspondence related to administration attempts to regain the authority after it expired in 1994. The collection includes administrative paperwork, emails, and drafts. Fast Track trade authority is the common name for the Trade Promotion Authority (TPA). Trade Promotion Authority was the delegation by the United States Congress of their constitutional authorities to the President. Congress first gave expanded trade agreements authority to the President under the Reciprocal Trade Agreements Act of 1934 (RTAA). Under the RTAA the President was given the authority to reduce tariffs within limits set by Congress. Congress

continued to give limited and specific authorities to the President through the end of the 1963-1967 round of the General Agreement on Tariffs and Trade (GATT). GATT negotiations in 1963-1967 revealed that modern trade discussions were increasingly multilateral trade negotiations. These negotiations often focused on non-tariff barrier rules—rules of trade not related to tariffs—antidumping agreements, customs valuation, import/export quotas, subsidies and the like. In looking toward a way to address this increase in non-tariff negotiations Congress also realized that non-trade policies might have a detrimental impact on foreign trade. Domestic economic forces in 1973-1974 encouraged the Congress to look to any solution that might increase trade and improve the economy. As a result Congress passed the Trade Act of 1974. The Trade Act of 1974 was groundbreaking legislation. It was groundbreaking in part because Congress delegated to the President the authority to negotiate non-tariff trade issues. Congress did however limit the President to negotiations with specific countries or on specific, non-tariff issues. Following negotiation with Congressional advisory committees the President could bring a finalized trade agreement before Congress and get a vote without amendment or filibuster. These fast track authorities, as they came to be called, were renewed a number of times for specific trade negotiations. The final extension of fast track authority was under House Resolution 1876 (Public Law 103-49) that extended the authority of the President to April 16, 1994. This extension was made in an effort close out the negotiations of the Uruguay Round of GATT. Though the Uruguay Round failed to close in April 1994, Congress did not extend the authority. President Clinton’s administration would try in 1994, 1995, 1997 and 1999 to gain a new fast track authority. In 1997, Congress brought a bill to the floor but it failed to pass. Fast Track authority would not again be given to the President until the passage of the Bipartisan Trade Promotion Authority Act of 2002.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in this collection area—Clinton Presidential Records: NSC Cable, Email, and Records Management

Systems.

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, 2018. Previously restricted materials are added as they are released.

Last Modified Date

2018-08-31

Container List

The following is a list of documents and folders processed in response to FOIA 2017-0399-F:
Box 1
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Records Management
[Fast Track]
9301267 [OA/ID 142]
9302010 [OA/ID 145]
9320292 [OA/ID 3916]
9404694 [OA/ID 200]
9405584 [OA/ID 204]
9406043 [OA/ID 478]
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9806581 [OA/ID 2060]
9808279 [OA/ID 2073]
9905291 [OA/ID 2739]
9905275 [OA/ID 2739]