Extent

1 SRL, 13 assets

Summary

This collection is the second segment of a request for all records related to the Committee on Foreign Investment in the United States (CFIUS). The period requested was for the first year of the Clinton administration. The collection dates from 1992 to 1994, reflecting both the way White House staff organized their records and archival processing. This collection is heavily withdrawn and very few records are available for release under current U.S. law. Open records include email.

Scope and Content Note

The materials in FOIA 2017-0480-F (Segment 2) are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related material. This collection is the second segment of a request for all records related to the Committee on Foreign Investment in the United States (CFIUS). The period requested was for the first year of the Clinton administration. The collection dates from 1993. This collection consists of Clinton administration emails related to the CFIUS. Topics include Executive Order 12860, executive briefing memorandum on economic policy, and administrative issues. The CFIUS was created through Executive Order (E.O.) 11858 in May 1975. That order has since been amended by Executive Orders 12188, 12661, 12860, 13456, and 14083. The executive orders cite as their authority Section 721 of the Defense Production Act of 1950. In 1988, The Exon-Florio Amendment–originally at 50 U.S.C. Appendix 2170 (eliminated in 2015)–amended section 721 of the Defense Production Act. The Exon-Florio Amendment required that all foreign investments in the United States that might have an effect on national security be reviewed. If there was a likelihood that a foreign investment might be detrimental to U.S. national security the President could block that sale. Between 1990 and 2024 the President had only used this authority

to block transactions nine times, none of these were during the Clinton administration. CFIUS reviews more than 300 transactions a year. Typically, no more than approximately 150 of those become official investigations, the majority remain notices. The role of CFIUS has been largely the same since its creation. In addition to its oversight and national security role the committee is responsible for compilation of statistics and data related to foreign investment in the United States and for advising the President on policy related to foreign investment. Though policy and procedure related to foreign direct investment and the CFIUS is readily available, for the majority of its 50 year existence the work of CFIUS has remained relatively obscure. President Ford's Executive Order 11858 noted in section 5 that "Information which has been submitted or received in confidence shall not be publicly disclosed, except to the extent required by law; and such information shall be used by the Committee only for the purpose of carrying out the functions and activities prescribed by this order." Through the Treasury Department, the Committee continues to honor that position noting on the committee web site, "Section 721 of the Defense Production Act of 1950, as amended, mandates confidentiality protections with respect to information filed with the Committee. It prohibits the Committee from publicly disclosing any information filed with the Committee, subject to limited exceptions. Information and documentary material filed with the Committee are also exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552. Consistent with section 721, the Committee does not publicly confirm or deny that a transaction has been notified to CFIUS. If the parties themselves publicly disclose documentary material or information filed with CFIUS, such documentary material or information may subsequently be reflected in the public statements of the Chairperson of CFIUS." Notification and review is a process that depends almost wholly on voluntary notice and the willingness of companies to participate in this review on their own. The hope is that by guaranteeing confidentiality companies will be more likely to participate in the process.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas— Clinton Presidential Records: (SAS) Automated Records Management System [Email] and Clinton Presidential Records: (SAS) Tape Restoration Project [Email]. The Executive Office of the President (EOP) subsystem of the Electronic Records Archive (ERA) contains electronic records created or received by Clinton Administration officials. These records are stored in Search and Access Sets (SAS) that represent their originating computer program. Search strings are used to locate records responsive to FOIA requests, and responsive assets are placed into Search Results Lists (SRLs). Depending on the complexity of the search, there may be multiple SRLs within each SAS. The Automated Records Management System (ARMS) is a database that contains email records of the Executive Office of the President. This system maintained unclassified Presidential email. The Tape Restoration Project (TRP) is a database that contains restored emails from the Automated Records Management System (ARMS) from July 1994 through June of 2000.This system maintained unclassified Presidential email.

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).

Subject Headings

Committee on Foreign Investment in the United States

Processed by

Staff Archivist, 2025. Previously restricted materials are added as they are released.

Last Modified Date

2026-04-01

Container List

The following is a list of Search and Access Sets processed in response to FOIA 2017-0480-F (Segment 2):
Clinton Presidential Records: EOP ERA Search and Access Sets (SAS)
(SAS) Automated Records Management System [Email] contains 13 assets.
SRL_ARMS_CFIUS contains 13 assets.