## Extent

49 folders, approximately 1,282 pages

## Summary

This collection consists of records related to the President’s waiver of the Jackson-Vanik Amendment for Vietnam. The Jackson-Vanik Amendment denies normal trade relations to countries that limit the right of citizens to emigrate. President Clinton granted Vietnam a waiver in 1998 and renewed it 1999 and 2000. This collection contains memoranda, letters, reports, email, and drafts. It also includes letters from organizations, such as the U.S. Chamber of Commerce and the American Legion, and from members of Congress presenting their arguments for or against the waiver. The records also contain the Reports to Congress Concerning the Extension of Waiver Authority for Vietnam for the years 1998 through 2000.

## Scope and Content Note

The materials in FOIA 2014-1060-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. The Jackson-Vanik Amendment, which is part of the Trade Act of 1974, denies normal trade relations to countries that limit the right of their citizens to emigrate or that monetarily punish those seeking to emigrate. The President can waive these requirements for a period of 12 months if he reports to Congress that doing so would promote free emigration within that country and that he has received assurances that the country’s emigration practices will lead to the achievement of the Amendment’s objectives. President Clinton granted Vietnam a waiver in 1998 and renewed it each year until the end of his administration. A number of factors entered into the decision to extend the waiver of the Jackson-Vanik Amendment in the case of Vietnam. American foreign policy goals could be achieved by building the foundation for a bilateral relationship eventually culminating in stricter accountability with respect to POW/MIA issues, relaxation of

emigration laws, more attention to human rights, regional stability, and a dramatic increase in trade with the Vietnamese. Prior to granting a waiver to the Jackson-Vanik Amendment, President Clinton ended the trade embargo in effect for nearly twenty years and promoted free economic exchange between the two countries. Just a year later liaison offices were opened in Hanoi and Washington, and then in April 1997 Douglas “Pete” Peterson became the first U.S. Ambassador to Vietnam. Capping all this activity, the U.S.- Vietnam Bilateral Trade Agreement (BTA) received the seal of approval from both nations in 2000. The Clinton Administration wasted little time in pointing to the BTA as a sign of Vietnam’s willingness to engage in “sweeping economic reform.” Records responsive to this FOIA include memoranda, letters, reports, email and drafts. Several letters to the President arguing against the waiver are included. The American Legion, The National League of Families of American Prisoners and Missing in Southeast Asia, and the American GI Forum of the United States were just a few who objected to the waiver because of Vietnam’s record on POW/MIA accountability. The U.S. Chamber of Commerce and the U.S. based company Pratt & Whitney both wrote in favor of the waiver. Also included is a thank you letter to U.S. Ambassador to Vietnam Douglas Peterson for his help in extending the waiver on July 30, 1998. The Report to Congress Concerning the Extension of Waiver Authority for Vietnam for the years 1998 – 2000 is also included. Additional material responsive to this FOIA came from the WHORM-Subject File-General and took the form of correspondence, notes, memoranda, and executive orders. Letters generally originated with members of Congress and stated in unequivocal terms either their support of or opposition to the waiver of the Jackson-Vanik Amendment. Organizations such as the American GI Forum of the United States, the U.S. Chamber of Commerce, and the American Chamber of Commerce in Vietnam sent in their views on the subject. Executive orders went through many drafts and ended up being entitled “Waiver Under the Trade Act of 1974 With Respect to Vietnam.” The WHORM-Subject File-CF included correspondence, memoranda, notes, reports, and drafts. These records revolved around presidential determinations for the years 1999 and 2000, each of them being several pages long (“Report to the Congress Concerning the Extension of Waiver Authority for Vietnam”) and containing detailed information focusing on improvements in emigration policy. Emphasis is placed on Vietnam’s cooperative attitude in matters pertaining to the departure of individuals wishing to come to the United States. The Vietnamese government opted to loosen restrictions in the instances of the Resettlement Opportunity for Vietnamese Returnees (ROVR) and Orderly Departure

Program (ODP) and allow people to leave the country and reunite with relatives, friends, and American benefactors. White House Staff and Office Files in this case originated with Public Liaison staffers and included lists, fact sheets, faxes, emails, newspaper articles, correspondence, publications and handwritten notes. The substantive portion of the records regarded two briefings dealing with Vietnam trade and Jackson-Vanik trade issues. There were lists of company representatives and administration officials from the Office of Public Liaison, National Economic Council (NEC), and U. S. Trade Representative (USTR) slated to attend these meetings. A fact sheet ("Extension of the Jackson-Vanik Waiver for Vietnam") outlined in great detail why the national interest of the United States was benefit from improved trade relations between the two countries. A succinct two page statement of administration policy explained why most Democrats were opposed to any legislation that would bring to an end the Jackson-Vanik waiver for Vietnam.

**Record Type**

Textual

**System of Arrangement**

Records that are responsive to this FOIA request were found in these collections areas— Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files, Clinton Presidential Records: WHORM Subject Files CF, Clinton Presidential Records: White House Staff and Office Files, and Clinton Presidential Records: NSC Cable, Email, and Records Management Systems. The White House Office of Records Management (WHORM) contains a variety of series created to organize and track documents and correspondence. The WHORM Subject File was compiled by the White House Office of Records Management and is a series of categories designated by a letter/number combination. Staff and Office files were maintained at the folder level by staff members within their individual offices and document all levels of administration activity. WHORM files are processed at the document level; whereas, 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. FOIA

2014-1060-F includes WHORM records from these subject codes: [CO183] [Vietnam, Socialist Republic] [FO003-02] [Mutual Security – Foreign Aid] [FO004-02] [Loans – Funds] [FO004-03] [International Investments] [SP298-23] [Waiver of the Jackson-Vanik Amendment for Vietnam] [SP299-36] [Extension of Jackson-Vanik Waivers for China, Belarus, & Vietnam].

**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).

**Geographic Place**

Vietnam

**Topical Subjects**

Trade Act of 1974 (United States)

**Processed by**

Staff Archivist, 2014. Previously restricted materials are added as they are released.

**Last Modified Date**

2016-07-15

**Container List**

**View all digitized files in the National Archives Catalog (NAC)**

The following is a list of documents and folders processed in response to FOIA 2014-1060-F:
Box 1
Clinton Presidential Records: WHORM: Subject File
Category Case Number
CO183 249760
249761
252894
253727
254423SS
257388SS
257554SS [1]
257554SS [2]
258103SS
258452SS
267852SS
273514SS
FO004-03 251765

273170SS
Clinton Presidential Records: WHORM: Subject File CF
Category Case Number
FO003-02 420681
FO004-02 147663
SP298-23 255123SS
SP299-36 306555SS
Clinton Presidential Records: White House Staff and Office Files
National Security Council
Legal Advisor
Derosa, Mary
Jackson-Vanik (Vietnam) [1] [OA/ID 3507]
Jackson-Vanik (Vietnam) [2] [OA/ID 3507]
Jackson-Vanik (Vietnam) [3] [OA/ID 3507]
Box 2
Jackson-Vanik (Vietnam) [4] [OA/ID 3507]
Jackson-Vanik (Vietnam) [5] [OA/ID 3507]
Public Liaison
Efurd, Laura
Jackson-Vanik/Vietnam Trade [OA/ID 21007]
US – Vietnam Relation [OA/ID 21014]
Matsui, Doris
Jackson-Vanik Waiver [OA/ID 13027]
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Records Management System
[Jackson-Vanik and Vietnam]
9708553 [OA/ID 1660]
9800667 [OA/ID 2013]
9800683 [OA/ID 2013]
9800768 [OA/ID 2014]
9800770 [OA/ID 2014]
9800792 [OA/ID 2014]
9800793 [OA/ID 2014]
9800803 [OA/ID 2014]
9800824 [OA/ID 2014]
9800918 [OA/ID 2015]
9801213 [OA/ID 2017]

9801496 [OA/ID 2019]
9801681 [OA/ID 2021]
9802109 [OA/ID 2024]
9802173 [OA/ID 2025]
9802214 [OA/ID 2025]
9802290 [OA/ID 2026]
Box 3
9803511 [OA/ID 2037]
9803788 [OA/ID 2039]
9805233 [OA/ID 2051]
Clinton Presidential Records: NSC Cable, Email, and Records Management System (continued)
9805457 [OA/ID 2053]
9903865 [OA/ID 3802]
0003555 [OA/ID 4092]