Extent

181 folders, approximately 10,824 pages

Summary

This collections consists of records relating to China, the World Trade Organization (WTO), Ambassador Michael Kantor, and Ambassador Charlene Barshefsky. This collection consists of Congressional or public correspondence, publicly available press reports and press guidance, drafts of proposed legislation, Legislative Referral Memorandum, limited correspondence and e-mail related to negotiations on China’s accession, and accession documents released following 1998 and 1999 bilateral negotiations.

Scope and Content Note

The materials in FOIA 2010-1024-F are a selective body of documents responsive to the topic of the FOIA. Researchers should consult the archivist about related materials. The original request was for all documents relating to China and the World Trade Organization (WTO). Negotiations with the requestor subsequently modifed the request to China, WTO, and records related to United States Trade Representative, Ambassadors Michael Kantor and Charlene Barshefsky. The Clinton Presidential Library does not hold the records of the United States Trade Representative (USTR). Records responsive to the modified request were found in several series detailed below. The majority of open records consist of: Congressional or public correspondence, publicly available press reports and press guidance, drafts of proposed legislation, Legislative Referral Memorandum, limited correspondence and e-mail related to negotiations on China’s accession, and accession documents released following 1998 and 1999 bilateral negotiations. During the Clinton Administration, much of the work of the United States Trade Representative was largely focused on Chinese accession to the WTO. China began the process of joining the General Agreement on Tariffs and Trade (GATT) in 1986. Though not a member,

China was a signatory to the Uruguay Round of GATT in 1994. Following the formation of the WTO, China continued the process of bilateral negotiations with the members of the WTO on trade and services with the goal of acceding to the organization. Under the terms established in Articles I and II of the GATT, each member was to be accorded most favored-nation status (MFN). Though the practice of extending MFN was well established as part of normal trade; beginning in 1934, by statute, the United States generally afforded its trading partners MFN. For China, what followed was a complex history of losing, regaining, and maintaining MFN. However, under GATT, Chinese accession to the WTO was predicated on receiving MFN status; a fact that complicated negotiations late in the accession process. In the United States, MFN was changed by law (P.L. 105-206) in 1998 to Normal Trade Relations (NTR)—often also called Permanent Normal Trade Relations (PNTR). Bilateral negotiations with China on accession to the WTO began in earnest in 1996 and continued in fits-and-starts through the administration. The Clinton administration was a consistent supporter of Chinese accession. Bilateral agreements were finalized in November 1999. However concern among members of Congress regarding China's Human Rights and environmental records prevented quick action on NTR. After a number of committee hearings and discussion, the 106th Congress passed H.R. 4444 on September 19, 2000. President Clinton signed the United States-China Relations Act on October 10, 2000. The act authorized "extension of nondiscriminatory treatment (normal trade relations treatment) to the People's Republic of China" and established "a framework for relations between the United States and the People's Republic of China." After completing bilateral negotiations with additional WTO parties China became a member of the WTO December 11, 2001. Michael Kantor, who many call Mickey, was born in Nashville, TN and received a B.A. in economics and business from Vanderbilt University. He received his J.D. in 1968 from Georgetown University. He was appointed United States Trade Representative (Ambassador) in 1992 and held that position until 1996. From April 12, 1996 to January 21, 1997 he served as United States Secretary of Commerce. He was an advocate of free trade and led discussions that created the WTO. He is currently a partner in the law firm of Mayer Brown. Charlene Barshefky was Deputy United States Trade Representative from 1993-1996. She was appointed United States Trade Representative (Ambassador) in 1997, a role she filled through the end of the Clinton Administration in 2001. She received her B.A. in English and Political Science from University of Wisconsin in 1972 and then her J.D. from Catholic University of America, Columbus School of Law in 1975. She is currently a partner in

the law firm of Wilmer Hale. Charlene Barshefsky was Deputy United States Trade Representative from 1993 to 1997 and United States Trade Representative from 1997 to 2000. This collection notes the efforts of United States Trade Representatives with extending Most Favored Nation (MFN) trade status to China in 1995. The collection also contains press selected by Representative Kantor regarding communications with China in early 1996. Researchers should also consult the Clinton Library website for additional information on this topic. The administration history for the United States Trade Representative contains speeches and testimony from both Representatives Kantor and Barshefsky.

Record Type

Textual

System of Arrangement

Records that are responsive to this FOIA request were found in these collection areas – Clinton Presidential Records: White House Office of Records Management (WHORM) Subject Files; Clinton Presidential Records: WHORM Subject File CF; Clinton Presidential Records: White House Staff and Office Files; Clinton Presidential Records: Automated Records Management System [Email]; 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. In addition, there are WHORM Counsel series. 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. 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 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. The NPR bucket contains email created or received by an individual with a National Performance Review (NPR) White House user account. The OPD bucket contains email created or received by an individual with an Office of Policy Development (OPD) White House user account. The POTUS bucket was designated for email created and received by the President of the United States (POTUS). Please note that President Clinton never used his POTUS White House user account to send the few emails he wrote while in office. 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 Executive Office of the President. ARMS email are arranged by topic, there-under by bucket, and there-under chronologically by creation date. FOIA 2010-1024-F includes WHORM records from these subject codes: CO038 China CO038-02 China, People’s Republic of (Red China) FO003-02 Foreign Affairs: Mutual Security – Foreign Aid.

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) 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.

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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, 2013. Previously restricted materials are added as they are released.

Last Modified Date

2015-07-20

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 2010-1024-F:
Box 1
Clinton Presidential Records: WHORM: Subject File
Category Case Number
CO038 156220SS
CO038-02 122075
Clinton Presidential Records: WHORM: Subject File-CF
Category Case Number

FO003-02 171042SS [1]
FO003-02 171042SS [2]
Clinton Presidential Records: White House Staff and Office Files
Council of Economic Advisors
Copy of M. Hopkins Briefing Book – China [1] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [2] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [3] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [4] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [5] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [6] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [7] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [8] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [9] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [10] [OA/ID CF 2019]
Copy of M. Hopkins Briefing Book – China [11] [OA/ID CF 2019]
Chinn, Menzie
China WTO/PNTR [OA/ID CF 1949]
Coibion, Oliver
China WTO [1] [OA/ID CF 1815B]
China WTO [2] [OA/ID CF 1815B]
Box 2
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Brainard, Lael
China Economic Issues, 1996 [OA/ID CF 1193]
China Policy Framework 1996 [1] [OA/ID CF 1193]
China Policy Framework 1996 [2] [OA/ID CF 1993]
China Policy Framework 1996 [3] [OA/ID CF 1993]
China Policy Framework 1997 [OA/ID CF 1193]
China Relationship 1998 [1] [OA/ID CF 1193]
China Relationship 1998 [2] [OA/ID CF 1193]
China – WTO 1996 [1] [OA/ID CF 1192]
China – WTO 1996 [2] [OA/ID CF 1192]
China – WTO 1996 [3] [OA/ID CF 1192]
China WTO 1997 [1] [OA/ID CF 1193]
China WTO 1997 [2] [OA/ID CF 1193]

Clinton Presidential Records: White House Staff and Office Files (continued)
National Economic Council
Brainard, Lael
China WTO 1998 [OA/ID CF 1193]
China WTO Key Elements [1] [OA/ID CF 1193]
Box 3
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Brainard, Lael
China WTO Key Elements [2] [OA/ID CF 1193]
China WTO Key Elements [3] [OA/ID CF 1193]
WTO – China Roadmap1996 [OA/ID CF 1192]
Lee, Malcolm
China (October to November 1998) [1] [OA/ID CF 1177]
China (October to November 1998) [2] [OA/ID CF 1177]
China (October to November 1998) [3] [OA/ID CF 1177]
China (December 1998 to January 1999) [1] [OA/ID CF 1176]
China (December 1998 to January 1999) [2] [OA/ID CF 1176]
China (December 1998 to January 1999) [3] [OA/ID CF 1176]
China (December 1998 to January 1999) [4] [OA/ID CF 1176]
China (December 1998 to January 1999) [5] [OA/ID CF 1176]
China (December 1998 to January 1999) [6] [OA/ID CF 1176]
China (December 1998 to January 1999) [7] [OA/ID CF 1176]
Box 4
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China (February to March 1999) [1] [OA/ID CF 1176]
China (February to March 1999) [2] [OA/ID CF 1176]
China (February to March 1999) [3] [OA/ID CF 1176]
China (February to March 1999) [4] [OA/ID CF 1176]
China (February to March 1999) [5] [OA/ID CF 1176]
China (February to March 1999) [6] [OA/ID CF 1176]
China (February to March 1999) [7] [OA/ID CF 1176]
China (February to March 1999) [8] [OA/ID CF 1176]
China (February to March 1999) [9] [OA/ID CF 1176]

China (February to March 1999) [10] [OA/ID CF 1176]
China (February to March 1999) [11] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [1] [OA/ID CF 1176]
Box 5
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China (April 1999, Zhu Bilateral) [2] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [3] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [4] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [5] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [6] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [7] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [8] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [9] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [10] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [11] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [12] [OA/ID CF 1176]
China (April 1999, Zhu Bilateral) [13] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [1] [OA/ID CF 1176]
Box 6
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China (April to August 1999, Post Zhu Visit) [2] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [3] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [4] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [5] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [6] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [7] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [8] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [9] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [10] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [11] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [12] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [13] [OA/ID CF 1176]

Box 7
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China (April to August 1999, Post Zhu Visit) [14] [OA/ID CF 1176]
China (April to August 1999, Post Zhu Visit) [15] [OA/ID CF 1176]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [1] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [2] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [3] [OA/ID CF 1177]
Clinton Presidential Records: White House Staff and Office Files (continued)
National Economic Council
Lee, Malcolm
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [4] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [5] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [6] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [7] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [8] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [9] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [10] [OA/ID CF 1177]
Box 8
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [11] [OA/ID CF 1177]
China (September to October 1999 – Jiang Bilateral at APEC, New Zealand) [12]

[OA/ID CF 1177]
China (November 1999 Negotiation) [1] [OA/ID CF 1177]
China (November 1999 Negotiation) [2] [OA/ID CF 1177]
China (November 1999 Negotiation) [3] [OA/ID CF 1177]
China PNTR (2000): China WTO and Trade Agreement Organic Documents [1] [OA/ID CF 1177]
China PNTR (2000): China WTO and Trade Agreement Organic Documents [2] [OA/ID CF 1177]
China PNTR (2000): China WTO and Trade Agreement Organic Documents [3] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [1] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [2] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [3] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [4] [OA/ID CF 1177]
Box 9
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
China PNTR – Levin – Bereuter Discussions [5] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [6] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [7] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [8] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [9] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [10] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [11] [OA/ID CF 1177]
China PNTR – Levin – Bereuter Discussions [12] [OA/ID CF 1177]
[China WTO Documents] [1] [OA/ID CF 1177]
[China WTO Documents] [2] [OA/ID CF 1177]
[China WTO Documents] [3] [OA/ID CF 1177]
[China WTO Documents] [4] [OA/ID CF 1177]
Box 10
Clinton Presidential Records: White House Staff and Office Files
National Economic Council
Lee, Malcolm
[China WTO Documents] [5] [OA/ID CF 1177]
China WTO (June 1998) [1] [OA/ID CF 1176]

China WTO (June 1998) [2] [OA/ID CF 1176]
China WTO (June 1998) [3] [OA/ID CF 1176]
China WTO (June 1998): Audio Visual [1] [OA/ID CF 1176]
China WTO (June 1998): Audio Visual [2] [OA/ID CF 1176]
China WTO – Post Agreement Documents [1] [OA/ID CF 1177]
China WTO – Post Agreement Documents [2] [OA/ID CF 1177]
China WTO – Post Agreement Documents [3] [OA/ID CF 1177]
China WTO – Post Agreement Documents [4] [OA/ID CF 1177]
China WTO – Post Agreement Documents [5] [OA/ID CF 1177]
China WTO – Post Agreement Documents [6] [OA/ID CF 1177]
China WTO – Post Agreement Documents [7] [OA/ID CF 1177]
Tyson, Laura
China WTO [OA/ID CF 718]
National Security Council
Asian Affairs
Jarrett
China – WTO/PNTR 2000 [OA/ID 3138]
Box 11
Clinton Presidential Records: White House Staff and Office Files
National Security Council
Asian Affairs
Smith, Holly
[China] – WTO – 1999 [1] [OA/ID 2970]
[China] – WTO – 1999 [2] [OA/ID 2970]
[China] – WTO – 1999 [3] [OA/ID 2970]
[China] – Zhu Rongji Visit, 1998/1999 [1] [OA/ID 2970]
[China] – Zhu Rongji Visit, 1998/1999 [2] [OA/ID 2970]
[China] – Zhu Rongji Visit, 1998/1999 [3] [OA/ID 2970]
[China] – Zhu Rongji Visit, 1998/1999: [9902043] [1] [OA/ID 2970]
[China] – Zhu Rongji Visit, 1998/1999: [9902043] [2] [OA/ID 2970]
International Economic Affairs
Duncan, John
China – PC Meeting, June 1, 1999 [OA/ID 2862]
China – WTO Accession [Folder 1] [OA/ID 2862]
China – WTO Accession [Folder 2] [1] [OA/ID 2862]
China – WTO Accession [Folder 2] [2] [OA/ID 2862]

Hammonds, Holly
China – WTO [World Trade Organization] [OA/ID 2885]
China – WTO/General Motors [OA/ID 2885]
China – WTO/Motorola [OA/ID 2886]
Box 12
Clinton Presidential Records: White House Staff and Office Files
National Security Council
International Economic Affairs
Hammonds, Holly
U.S. International Trade Commission. Assessment of the Economic Effects on the United States of China's Accession to the WTO, Investigation No. 332-403, August 1999 [OA/ID 2888]
Clinton Presidential Records: Automated Records Management System [Email]
NSC [OA/ID 1200000]
[China, WTO, Barshefsky, Kantor]
[02/22/1999-11/12/1999]
[11/15/1999-12/06/1999]
[12/06/1999-12/08/1999]
[12/16/1999-10/10/2000]
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Cables
Jan 1993-Dec 1994
[China, WTO, Barshefsky, Kantor]
[06/15/1994-12/07/1994] [OA/ID 500000]
[12/09/1994-12/22/1994] [OA/ID 500000]
Clinton Presidential Records: NSC Cable, Email, and Records Management System (continued)
NSC Cables
Jan 1995-Dec 1996
[China, WTO, Barshefsky, Kantor]
[03/07/1995-07/31/1995] [OA/ID 510000]
[07/31/1995-09/19/1995] [OA/ID 510000]
[10/13/1995-03/25/1996] [OA/ID 510000]
Box 13
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Cables

Jan 1995-Dec 1996
[China, WTO, Barshefsky, Kantor]
[04/06/1996-11/18/1996] [OA/ID 510000]
Jan 1997-Dec 1998
[China, WTO, Barshefsky, Kantor]
[01/08/1997-11/26/1997] [OA/ID 520000]
[12/17/1997-11/09/1998] [OA/ID 520000]
Jan 1999-Dec 2000
[China, WTO, Barshefsky, Kantor]
[01/12/1999-08/23/1999] [OA/ID 530000]
[08/27/1999-12/01/1999] [OA/ID 530000]
[12/05/1999-12/05/2000] [OA/ID 530000]
NSC Email
A1-Record (Jan 93-Sept 94)
[China, WTO, Barshefsky, Kantor]
[08/19/1994] [OA/ID 570000]
MSMail-Record (Sept 94-Sept 97)
[China, WTO, Barshefsky, Kantor]
[12/22/1994-1/04/1995] [OA/ID 590000]
MSMail-Non-Record (Sept 94-Sept 97)
[China, WTO, Barshefsky, Kantor]
[12/22/1994-10/30/1995] [OA/ID 605000]
Exchange-Record (Sept 97-Jan 01)
[China, WTO, Barshefsky, Kantor]
[05/06/1998-12/10/1998] [OA/ID 620000]
[12/10/1998-03/29/1999] [OA/ID 620000]
[04/02/1999-10/30/1999] [OA/ID 620000]
Box 14
Clinton Presidential Records: NSC Cable, Email, and Records Management System
NSC Email
Exchange-Record (Sept 97-Jan 01)
[China, WTO, Barshefsky, Kantor]
[10/30/1999-12/07/1999] [OA/ID 620000]
[12/07/1999-01/24/2000] [OA/ID 620000]
[02/12/2000-09/28/2000] [OA/ID 620000]
Exchange-Non-Record (Mar 97-Jan 01)

[China, WTO, Barshefsky, Kantor]
[04/17/1998-12/09/1998] [OA/ID 630000]
[01/22/1999-02/08/2000] [OA/ID 630000]
NSC Records Management System
[China, WTO, Barshefsky, Kantor]
9508031 [OA/ID 612]
9602804 [OA/ID 1098]
9704755 [OA/ID 1630]
9801851 [OA/ID 2022]
9802580 [OA/ID 2028]
9908818 [OA/ID 2763]

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