

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Sandra Thurman to Thomas Rosshirt at 13:47:27.00. Subject: Re: AIDS South Africa story. (partial) (1 page)	06/09/1999	P6/b(6)
002. email	Sandra Thurman to Sarah Bianchi and Thomas M. Rosshirt at 12:55:34.00. Subject: FW: (fwd) Gore confronted again on African AIDS drug policy. (partial) (1 page)	06/17/1999	P6/b(6)
003. email	Sandra Thurman to Karen Tramontano at 15:48:04.00. Subject: Re: aids. (partial) (1 page)	06/29/1999	P6/b(6)
004. email	Sandra Thurman to Karen Tramontano at 21:17:52.00. Subject: Re: AIDS Africa - Disregard previous message! (partial) (1 page)	07/08/1999	P6/b(6)
005. email	Sandra Thurman to Karen Tramontano at 11:09:53.00. Subject: Re: AIDS Africa - Disregard previous message! (partial) (1 page)	07/12/1999	P6/b(6)
006. email	Sandra Thurman to Thomas M. Rosshirt and Ron Klain at 21:44:46.00. Subject: AIDS in Africa Roll-Out. (1 page)	07/13/1999	P6/b(6)
007. email	Sandra Thurman to Maria Echaveste and Stephanie S. Street at 12:40:58.00. Subject: Rollout of Africa Report. (1 page)	07/14/1999	P5
008. email	Sandra Thurman to Sarah A. Bianchi at 14:00:36.00. Subject: Re: AIDS in Africa Roll-Out. (1 page)	07/14/1999	P5
009. email	Sandra Thurman to Cheryl S. Bauerle at 15:43:36.00. Subject: Activists Lock Gore Out of His Office. (partial) (1 page)	08/25/1999	P6/b(6)
010. email	Sandra Thurman to Thomas M. Rosshirt at 18:23:03.00. Subject: speech stuff. (partial) (1 page)	01/07/2000	P6/b(6)
011. email	Sandra Thurman to Charles W. Burson at 17:36:47.00. Subject: per our discussion. (3 pages)	07/28/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([From Thurman/ Gore and Africa])
OA/Box Number: 250000

FOLDER TITLE:

[02/19/1999 - 07/28/2000]

Adam Bergfeld
2006-0947-F
ab878

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:14-JUL-1999 12:40:58.00

SUBJECT: Rollout of Africa Report

TO: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Stephanie S. Streett (CN=Stephanie S. Streett/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

CC: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

As you know, the VP's folks want to include the Africa Report and Plan of Action (the Initiative) in his address to the NAACP tomorrow morning.

Because the VP's speech is political, and we want to focus on the substance, I think it would be very helpful if the President could meet privately with a small group of constituents who have worked closely with us in the preparation of this report (including CBC members, religious groups and AIDS groups) in the morning and release the report from here. Then the VP can comment on it during his presentation to the NAACP.

Is there any chance that we could make that happen?

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:14-JUL-1999 14:00:36.00

SUBJECT: Re: AIDS in Africa Roll-Out

TO: Sarah A. Bianchi (CN=Sarah A. Bianchi/O=OVP@OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

----- Forwarded by Sandra Thurman/OPD/EOP on 07/14/99
02:00 PM -----

Ron Klain@OVP

07/14/99 09:29:37 AM

Record Type: Record

To: Sandra Thurman/OPD/EOP@EOP

cc: Thomas M. Rosshirt/Ovp@Ovp, Elizabeth J. Potter/OVP@OVP, Philip
G Dufour/OVP@OVP, Laura M. Quinn/OVP@OVP

Subject: Re: AIDS in Africa Roll-Out

Sandy, I appreciate your point of view. But the VP really needs to take Friday off -- he has not had a down day since God knows when -- and I am afraid about waiting until Monday to do this.

Also, I am not sure that a major WH event to make this announcement makes sense. That seems much more likely to feed protests -- or give protestors a hook for news -- than anything else.

Assuming this is ready to announce on Thursday, why not this: Thursday morning, you bring in the groups, and brief them on the announcement -- indeed, from a technical perspective, you would be making the announcement. Later that day, at the NAACP, the VP would "comment" on the announcement.

In this way, the groups do get the "credit" and the ground floor involvement, before any public statement is made. And the VP does not have to do a major event highlighting this controversy once again. And if people are going to protest him at NAACP, I'd rather have him have something good to say there, rather than just be standing there as a target, knowing that one, two, or three days later, we are going to have a response.

If there are some specific folks the VP should PERSONALLY call and thank for their help during the period, then let's have those calls made on Thursday. But the wisdom of a Gore-led WH event does not make huge sense to me, and the wisdom of continuing to hold an announcement that is ready to go (if it is ready by tomorrow) also does not make sense to me.

I'll call you after my 9:30 mtg.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Thomas M. Rosshirt to Erica J. Barks-Ruggles and Sandra Thurman at 18:28:04. Subject: ACT UP Press Release on VP protest. (partial) (1 page)	06/16/1999	P6/b(6)
002. email	Thomas M. Rosshirt to Sandra Thurman at 09:35:14.00. Subject: what richard sent me. (partial) (1 page)	06/17/1999	P6/b(6)
003. email	Richard Socarides to Sandra Thurman and Minyon Moore at 19:53:09.00. Subject: Re: AIDS drugs/Trade issue -- Africa meeting. (partial) (1 page)	06/23/1999	P6/b(6)
004. email	Richard Socarides to ross and Sandra Thurman at 16:51:21.00. Subject: AIDS and HRC. (1 page)	07/01/1999	P5
005. email attachment	Erica J. Barks-Ruggles to Sandra Thurman, papovich_joseph@ustr.gov, and Thomas M. Rosshirt at 20:26:37.00. Subject: HIV/AIDS q&a - need clearance. (partial) (2 pages)	07/07/1999	P5
006. email	Richard Socarides to Sandra Thurman at 12:26:02.00. Subject: Re: AIDS Africa Initiative -- NAACP speech. (1 page)	07/14/1999	P5
007. email	Maria Echaveste to Sandra Thurman at 12:44:27.00. Subject: Re: Rollout of Africa Report. (partial) (1 page)	07/14/1999	P5
008. email	BigBob411@aol.com to Sandra Thurman at 22:25:14.00. Subject: Re: Rollout. (partial) (1 page)	07/16/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([To Thurman/ Gore and Africa])
OA/Box Number: 250000

FOLDER TITLE:

[05/19/1999 - 05/23/2000]

Adam Bergfeld
2006-0947-F
ab879

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 1-JUL-1999 16:51:21.00

SUBJECT: AIDS and HRC

TO: ross (ross [OMB])

READ:UNKNOWN

TO: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 07/01/99
04:50 PM -----

Matthew L. Bennett@OVP

07/01/99 04:11:26 PM

Record Type: Record

To: Richard Socarides/WHO/EOP@EOP

cc: Michael B. Feldman/OVP@OVP

Subject:AIDS and HRC

Richard:

This is part of an email I just got from Seth Kilbourn, a good friend of mine from college who is a regional political director (West region) for HRC:

How's the VP holding up with these AIDS protests? We got into some trouble for our "defense" of him last week--but calling him baby killer is beyond the pale. We had a meeting with his staff yesterday, which I hope will move things forward, but I am not confident. I know they're concerned about being seen as reactive, but a strong statement on AIDS, both domestic and global issues, would be really useful for everyone concerned (both politically and substantively). Something beyond the South Africa issue itself and much more "big picture". I am always reluctant to mix personal and professional stuff, but consider yourself lobbied. Our letter to the VP is readily available.

Thoughts?

MLB

- Our international programs primarily are aimed at combating heterosexual transmission (the most common means of transmission in the developing world). Programs focus on education, changing high risk behavior, promoting condom use, controlling other sexually transmitted diseases, improving the policy environment to reduce transmission of HIV, conducting research and promoting advocacy, monitoring and evaluation, care and support activities, including community-based orphan care and voluntary counseling and testing programs.
- Although the U.S. is spending \$200 million this year alone on the development of a vaccine, we are a long way from having an effective product. And while new anti-HIV drugs dramatically improve and extend life, they are not a cure. Prevention based on behavior change remains the primary intervention at this time.

(Use only if pressed hard on the South Africa/pharmaceuticals issue)

- We applaud recent efforts by many of Africa's leaders, including those of President Mandela, South Africa's Deputy President Mbeki, Ghana's President Rawlings, Namibia's President Nujoma, and many others to publicize the dangers of HIV/AIDS and the need for a united and concerted effort by communities to prevent its further spread and support those already infected.
- In South Africa, we share a mutual goal with the government to bring better health care to the people of South Africa, including those suffering as a result of HIV/AIDS. We believe this goal can be achieved while promoting effective and adequate patent protections for pharmaceutical products. Our goal is to chart a course that assists in improving access to affordable medicines, while not freezing the financial incentives that fuel continued research and production of new drugs. With a shared commitment to improve health care and provide intellectual property protections we are continuing our efforts to find common ground on our differences.
- That said, we do have concerns with some provisions of South Africa's Medicines Act. The lack of definition in the Act makes it unclear whether it is compliant with TRIPs.
- The U.S. government does not generally support compulsory licensing, but the WTO TRIPs agreement does provide for the practice - a patent holder may be compelled to grant a license, but only on a case-by-case basis, normally only after the proper user of the patent has been unable to obtain a license on a voluntary basis on reasonable commercial terms. This requirement may be waived in a "national emergency" but in the case of an emergency, other conditions apply.
- While we do not believe that compromising IPR protections is the solution to the greater problems, contrary to our general approach, we raise no objection to compulsory licensing and parallel importation of pharmaceuticals by South Africa in response to their situation, as long as it is done in a way that is compliant with TRIPs.

- We continue to assist South Africa in addressing the AIDS crisis through a variety of means, including:
 - 4 a \$10 million five-year program to support the South African government and local NGOs efforts to fight HIV/AIDS.
 - 4 work with the South African National Youth Commission, which has identified HIV/AIDS as a priority activity
 - 4 ongoing discussions in our Binational Commission's Health Working Group on ways to enhance our cooperative efforts to fight AIDS, and
 - 4 expanding available resources through public-private partnerships

Does this represent a change in U.S. policy?

- This position is consistent with U.S. policy.
- It is also responsive to the raging health crisis in South Africa.
- Globally we continue to have concerns about parallel importing both for reasons of safety and efficacy of drugs and for the possibility it presents for patent infringement. That said, this policy is consistent with our position on TRIPs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JUL-1999 12:26:02.00

SUBJECT: Re: AIDS Africa Initiative -- NAACP speech

TO: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 07/14/99
12:25 PM -----

Ron Klain@OVP

07/14/99 12:01:00 PM

Record Type: Record

To: Richard Socarides/WHO/EOP@EOP

cc: Laura M. Quinn/Ovp@Ovp, Eli G. Attie/Ovp@Ovp, Leon S.
Fuerth/Ovp@Ovp

Subject: Re: AIDS Africa Initiative -- NAACP speech

This will certainly be A centerpiece of the VP's speech, although not the only one. I think if we do this in conjunction with something Sandy does back here at the WH (keep in mind, NAACP is a political event for us, and therefore, we cannot legally be making the announcement at that event -- we are just "amplifying" the announcement here), we can do this in a way that gets very high lift.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:14-JUL-1999 12:44:27.00

SUBJECT: Re: Rollout of Africa Report

TO: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP@EOP [OPD])

READ:UNKNOWN

CC: John Podesta (CN=John Podesta/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TEXT:

I'm not sure this tracks what we discussed yesterday in terms of getting the report out before monday but after the \$100 million announcement--and I don't see how we pull a meeting together with the right people---is this what you really want?

Sandra Thurman 07/14/99 12:40:56 PM

Record Type: Record

To: John Podesta/WHO/EOP@EOP, Maria Echaveste/WHO/EOP@EOP,
Stephanie S. Streett/WHO/EOP@EOP

cc: Richard Socarides/WHO/EOP@EOP

Subject:Rollout of Africa Report

As you know, the VP's folks want to include the Africa Report and Plan of Action (the Initiative) in his address to the NAACP tomorrow morning.

Because the VP's speech is political, and we want to focus on the substance, I think it would be very helpful if the President could meet privately with a small group of constituents who have worked closely with us in the preparation of this report (including CBC members, religious groups and AIDS groups) in the morning and release the report from here. Then the VP can comment on it during his presentation to the NAACP.

Is there any chance that we could make that happen?

Thanks.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	To Kenneth Bernard, Richard Samans, Gayle Smith et al. from Lael Brainard Subject: Mike Phillips. (1 page)	07/18/2000	P5

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
NSC ([ExIm Bank and HIV/AIDS])
OA/Box Number: 1200000

FOLDER TITLE:

[07/13/2000-07/18/2000]

Van Zbinden
2006-0947-F
vz1247

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: FEDERAL (NOTES MAIL)

CREATOR: Lael Brainard (CN=Lael Brainard/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:18-JUL-2000 17:48:50.00

SUBJECT: Exactly the wrong story that we are hoping to avoid...

TO: Kenneth W. Bernard (CN=Kenneth W. Bernard/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TO: Richard M. Samans (CN=Richard M. Samans/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

TO: Gayle E. Smith (CN=Gayle E. Smith/OU=NSC/O=EOP@EOP [NSC])
READ:UNKNOWN

TO: Laura L. Efros (CN=Laura L. Efros/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Leon S. Fuerth (CN=Leon S. Fuerth/OU=OVP/O=EOP@EOP [OVP])
READ:UNKNOWN

CC: Sharon H. Yuan (CN=Sharon H. Yuan/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

CC: Patrick M. Dorton (CN=Patrick M. Dorton/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

TEXT:

Patrick--

Do you have a sense whether he is writing for tomorrow? If so, we should try to turn the story around.

----- Forwarded by Lael Brainard/OPD/EOP on 07/18/2000
05:47 PM -----

Patrick M. Dorton
07/18/2000 11:20:14 AM
Record Type: Record

To: Lael Brainard/OPD/EOP@EOP
cc: Sharon H. Yuan/OPD/EOP@EOP
Subject:

Mike Phillips (862-9262) at The Wall Street Journal is doing a story on Ex-Im and financing for U.S. drug companies selling AIDS drugs to Africa. The issue is that these countries would become more indebted. Mike has heard that ExIm was going to announce on Wed., but has now put it off at least in part because others in the Administration may have concerns about the debt issue. He is fishing for anything we have -- internal views, where does this stand, whatever.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. draft	Brief on Ex-Im Bank AIDS/HIV Initiative. (2 pages)	07/17/2000	P5
002. email	To Richard Samans, Thomas Kalil, Daniel Rosen et al. from Lael Brainard. Subject: POTUS Briefing Materials. [partial] (1 page)	07/11/2000	P6/b(6)

COLLECTION:

Clinton Presidential Records
National Security Council
International Economic Affaris (Richard Samans)
OA/Box Number: 3943

FOLDER TITLE:

Okinawa [G-8 Conference]: Health

Van Zbinden
2006-0947-F
vz1228

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

DRAFT

Ex-Im Bank AIDS/HIV Initiative

Issue: Ex-Im Bank proposes to spearhead the financing of a USG HIV/AIDS initiative in Sub Saharan Africa. Chairman Harmon has contacted the IMF directly seeking to lift country debt limits to give room to Ex-Im Bank to offer financing on five-year terms. It is not clear exactly what Ex-Im Bank is planning to finance, but it is likely to be the delivery infrastructure associated with anti-viral drugs. It is also not clear what form this financing would take. Any full assessment of an Ex-Im Bank financing proposal would require, of course, much more information (which has not been forthcoming to date).

Discussion:

We see several serious problems with this proposal, both substantive and procedural.

First, and most importantly, HIV/AIDS is a critically important humanitarian issue. A key factor in addressing the issue will be the overall policy credibility of the Administration. Therefore, any USG initiative in this area needs to be carefully designed and vetted within the Administration. In addition, any USG initiative should address the issue in a centralized and coordinated way to be credible and effective. A prerequisite of any strategy will be a careful USG assessment of the precise HIV/AIDS needs and how best to meet them. A comprehensive approach is likely to include anti-viral drugs, the infrastructure to deliver these drugs, and enhanced education and prevention programs. The Exim proposal is unlikely to include all of these elements.

Second, in addition to interagency coordination, any initiative in this area also requires coordination with other major donors. For instance, the World Bank already has an HIV/AIDS initiative under way and Congress has recently increased USAID appropriations to address this problem. The plans of other major bilateral donors also need to be considered. This should also include, for instance, several pharmaceutical companies that have announced their willingness to participate in such initiatives with reduced price drugs. And of course, careful coordination with the IMF is necessary because of the fragile macroeconomic environment of the affected Sub Saharan countries. Treasury is the agency mandated to address such issues.

Third, as a commercially-oriented export credit agency, Ex-Im Bank is ill-suited to take on this issue in isolation and should not be the primary delivery agent for a USG HIV/AIDS initiative. Such an initiative appears better spearheaded by USAID. State might also play a role with its ESF funds since the President has determined that AIDS is a destabilizing force in Africa. For this reason, a NEC meeting to devise a coordinated USG initiative would seem to be the correct first step in developing any comprehensive USG initiative.

Fourth, Ex-Im Bank resources are primarily priced on commercial terms (Treasury bond rate plus 100 bp). Such highly-priced terms would not seem to address the needs of poor, highly indebted countries suffering from an HIV/AIDS epidemic. Even if Ex-Im Bank sought to use the small amount of concessional money it has available - the tied aid War Chest - it could use the entire War Chest and not make a dent in the problem. Furthermore, tied aid is only 35 -50% concessional depending on whether the country is an LDC or an LLDC, (about 30-45% grant

- 2 -

element equivalent), so even utilizing Ex-Im Bank's most concessional resources, the USG would still be offering 55-70% hard financing for addressing HIV/AIDS. Thus, this proposal may appear to some to look more like export promotion than humanitarian-based aid and could backfire politically and publicly.

Finally, with its limited resources, a USG effort focused through Ex-Im Bank would look embarrassingly inadequate. And using concessional tied aid resources to finance U.S. exports under such an initiative would run counter to over 20 years of USG policy, which is the basis on which the U.S. successfully insists that others countries not distort trade with their own aid programs. The War Chest is needed as leverage to negotiate and to police international agreements to restrict the use of tied aid and to match offers by others that are considered an abuse of these agreements. These resources are also needed to extend trade distortion disciplines in other areas (e.g., to untied aid and market windows) per Treasury Secretary Summers' announced initiative in May.

In summary, for the reasons stated above, Ex-Im Bank is the wrong agency to lead the USG HIV/AIDS initiative.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. draft	Brief on the Ex-Im Bank AIDS/HIV Initiative. (2 pages)	07/17/2000	P5
002. draft	Duplicate of 001. (2 pages)	07/17/2000	P5

COLLECTION:

Clinton Presidential Records
National Security Council
International Health Affaris (Kenneth Bernard)
OA/Box Number: 3646

FOLDER TITLE:

ExIm [Export-Import] Bank -- AIDS Initiative

Van Zbinden
2006-0947-F
vz1229

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

DRAFT

Ex-Im Bank AIDS/HIV Initiative

Issue: Ex-Im Bank proposes to spearhead the financing of a USG HIV/AIDS initiative in Sub Saharan Africa. Chairman Harmon has contacted the IMF directly seeking to lift country debt limits to give room to Ex-Im Bank to offer financing on five-year terms. It is not clear exactly what Ex-Im Bank is planning to finance, but it is likely to be the delivery infrastructure associated with anti-viral drugs. It is also not clear what form this financing would take. Any full assessment of an Ex-Im Bank financing proposal would require, of course, much more information (which has not been forthcoming to date).

Discussion:

We see several serious problems with this proposal, both substantive and procedural.

First, and most importantly, HIV/AIDS is a critically important humanitarian issue. A key factor in addressing the issue will be the overall policy credibility of the Administration. Therefore, any USG initiative in this area needs to be carefully designed and vetted within the Administration. In addition, any USG initiative should address the issue in a centralized and coordinated way to be credible and effective. A prerequisite of any strategy will be a careful USG assessment of the precise HIV/AIDS needs and how best to meet them. A comprehensive approach is likely to include anti-viral drugs, the infrastructure to deliver these drugs, and enhanced education and prevention programs. The Exim proposal is unlikely to include all of these elements.

Second, in addition to interagency coordination, any initiative in this area also requires coordination with other major donors. For instance, the World Bank already has an HIV/AIDS initiative under way and Congress has recently increased USAID appropriations to address this problem. The plans of other major bilateral donors also need to be considered. This should also include, for instance, several pharmaceutical companies that have announced their willingness to participate in such initiatives with reduced price drugs. And of course, careful coordination with the IMF is necessary because of the fragile macroeconomic environment of the affected Sub Saharan countries. Treasury is the agency mandated to address such issues.

Third, as a commercially-oriented export credit agency, Ex-Im Bank is ill-suited to take on this issue in isolation and should not be the primary delivery agent for a USG HIV/AIDS initiative. Such an initiative appears better spearheaded by USAID. State might also play a role with its ESF funds since the President has determined that AIDS is a destabilizing force in Africa. For this reason, a NEC meeting to devise a coordinated USG initiative would seem to be the correct first step in developing any comprehensive USG initiative.

Fourth, Ex-Im Bank resources are primarily priced on commercial terms (Treasury bond rate plus 100 bp). Such highly-priced terms would not seem to address the needs of poor, highly indebted countries suffering from an HIV/AIDS epidemic. Even if Ex-Im Bank sought to use the small amount of concessional money it has available - the tied aid War Chest - it could use the entire War Chest and not make a dent in the problem. Furthermore, tied aid is only 35 -50% concessional depending on whether the country is an LDC or an LLDC, (about 30-45% grant

- 2 -

element equivalent), so even utilizing Ex-Im Bank's most concessional resources, the USG would still be offering 55-70% hard financing for addressing HIV/AIDS. Thus, this proposal may appear to some to look more like export promotion than humanitarian-based aid and could backfire politically and publicly.

Finally, with its limited resources, a USG effort focused through Ex-Im Bank would look embarrassingly inadequate. And using concessional tied aid resources to finance U.S. exports under such an initiative would run counter to over 20 years of USG policy, which is the basis on which the U.S. successfully insists that others countries not distort trade with their own aid programs. The War Chest is needed as leverage to negotiate and to police international agreements to restrict the use of tied aid and to match offers by others that are considered an abuse of these agreements. These resources are also needed to extend trade distortion disciplines in other areas (e.g., to untied aid and market windows) per Treasury Secretary Summers' announced initiative in May.

In summary, for the reasons stated above, Ex-Im Bank is the wrong agency to lead the USG HIV/AIDS initiative.

DRAFT

Ex-Im Bank AIDS/HIV Initiative

Issue: Ex-Im Bank proposes to spearhead the financing of a USG HIV/AIDS initiative in Sub Saharan Africa. Chairman Harmon has contacted the IMF directly seeking to lift country debt limits to give room to Ex-Im Bank to offer financing on five-year terms. It is not clear exactly what Ex-Im Bank is planning to finance, but it is likely to be the delivery infrastructure associated with anti-viral drugs. It is also not clear what form this financing would take. Any full assessment of an Ex-Im Bank financing proposal would require, of course, much more information (which has not been forthcoming to date).

Discussion:

We see several serious problems with this proposal, both substantive and procedural.

First, and most importantly, HIV/AIDS is a critically important humanitarian issue. A key factor in addressing the issue will be the overall policy credibility of the Administration. Therefore, any USG initiative in this area needs to be carefully designed and vetted within the Administration. In addition, any USG initiative should address the issue in a centralized and coordinated way to be credible and effective. A prerequisite of any strategy will be a careful USG assessment of the precise HIV/AIDS needs and how best to meet them. A comprehensive approach is likely to include anti-viral drugs, the infrastructure to deliver these drugs, and enhanced education and prevention programs. The Exim proposal is unlikely to include all of these elements.

Second, in addition to interagency coordination, any initiative in this area also requires coordination with other major donors. For instance, the World Bank already has an HIV/AIDS initiative under way and Congress has recently increased USAID appropriations to address this problem. The plans of other major bilateral donors also need to be considered. This should also include, for instance, several pharmaceutical companies that have announced their willingness to participate in such initiatives with reduced price drugs. And of course, careful coordination with the IMF is necessary because of the fragile macroeconomic environment of the affected Sub Saharan countries. Treasury is the agency mandated to address such issues.

Third, as a commercially-oriented export credit agency, Ex-Im Bank is ill-suited to take on this issue in isolation and should not be the primary delivery agent for a USG HIV/AIDS initiative. Such an initiative appears better spearheaded by USAID. State might also play a role with its ESF funds since the President has determined that AIDS is a destabilizing force in Africa. For this reason, a NEC meeting to devise a coordinated USG initiative would seem to be the correct first step in developing any comprehensive USG initiative.

Fourth, Ex-Im Bank resources are primarily priced on commercial terms (Treasury bond rate plus 100 bp). Such highly-priced terms would not seem to address the needs of poor, highly indebted countries suffering from an HIV/AIDS epidemic. Even if Ex-Im Bank sought to use the small amount of concessional money it has available - the tied aid War Chest - it could use the entire War Chest and not make a dent in the problem. Furthermore, tied aid is only 35 -50% concessional depending on whether the country is an LDC or an LLDC, (about 30-45% grant

- 2 -

element equivalent), so even utilizing Ex-Im Bank's most concessional resources, the USG would still be offering 55-70% hard financing for addressing HIV/AIDS. Thus, this proposal may appear to some to look more like export promotion than humanitarian-based aid and could backfire politically and publicly.

Finally, with its limited resources, a USG effort focused through Ex-Im Bank would look embarrassingly inadequate. And using concessional tied aid resources to finance U.S. exports under such an initiative would run counter to over 20 years of USG policy, which is the basis on which the U.S. successfully insists that others countries not distort trade with their own aid programs. The War Chest is needed as leverage to negotiate and to police international agreements to restrict the use of tied aid and to match offers by others that are considered an abuse of these agreements. These resources are also needed to extend trade distortion disciplines in other areas (e.g., to untied aid and market windows) per Treasury Secretary Summers' announced initiative in May.

In summary, for the reasons stated above, Ex-Im Bank is the wrong agency to lead the USG HIV/AIDS initiative.