



NATIONAL
ARCHIVES

VIA EMAIL

(LM 2017-016)

May 15, 2017

The Honorable Donald F. McGahn, II
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. McGahn:

In accordance with the requirements of the Presidential Records Act (PRA), as amended, 44 U.S.C. §§2201-2209, this letter constitutes a formal notice from the National Archives and Records Administration (NARA) to the incumbent President of our intent to open Clinton Presidential records in response to the Freedom of Information Act (FOIA) requests listed in Attachment A.

These records, consisting of 74,929 pages, have been reviewed for all applicable FOIA exemptions, resulting in 14,650 pages restricted. NARA is proposing to open the remaining 60,279 pages. A copy of any records proposed for release under this notice will be provided to you upon your request.

We are also concurrently informing former President Clinton's representative, Bruce Lindsey, of our intent to release these records. Pursuant to 44 U.S.C. 2208(a), NARA will release the records 60 working days from the date of this letter, which is August 9, 2017, unless the former or incumbent President requests a one-time extension of an additional 30 working days or asserts a constitutionally based privilege, in accordance with 44 U.S.C. 2208(b)-(d). Please let us know if you are able to complete your review before the expiration of the 60 working day period. Pursuant to 44 U.S.C. 2208(a)(1)(B), we will make this notice available to the public on the NARA website.

If you have any questions relating to this notification, please contact me at (202) 357-5144 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,

A handwritten signature in blue ink that reads "B. John Laster". The signature is written in a cursive style with a large initial "B" and a stylized "L".

B. JOHN LASTER
DIRECTOR
Presidential Materials Division

Enclosure

ATTACHMENT A

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2006-0320-F (segment 2)	Whitewater	50,320	7,626	42,694

The researcher submitted a Freedom of Information Act (FOIA) request for records related to the Whitewater investigation. The Clinton Presidential records proposed for opening consist of Counsel Office's files detailing the reaction to and preparation for multiple rounds of hearings of the House and the Senate as well as two Independent Counsel (Robert Fiske and Kenneth Starr) investigations. The records also include material from the probe requested by Secretary Lloyd Bentsen and overseen by the Office of Government Ethics into the White House/Treasury contacts regarding the initial criminal referrals sent down in 1993. There is material from designated boxes of Doug Band, Lloyd Cutler, Neil Eggleston, Emily Karcher, Bruce Lindsey, Miriam Nemetz, Beth Nolan, and Jane Sherburne. In addition, material was responsive in boxes assigned to Mark Gearan from Communications and Michael Waldman from Speechwriting. Both were detailed to the Counsel's Office to assist with the work generated by these investigations. There is a virtually complete run of Bates S-Series documents which were submitted by the White House to the Senate Committee to investigate Whitewater. The files consist of articles, briefing papers, calendar entries, computer printouts, correspondence, court documents, depositions, document production logs, drafts, candidate financial statements, legislation, letters, meeting notes, memoranda, news clips, payroll information, phone logs, press statements, reports, schedules, subpoenas, tax returns and other forms, and transcripts. Topics covered include the Department of the Treasury, the Independent Counsel statute, James McDougal, Kenneth Starr, Madison Guaranty, the Resolution Trust Corporation, Rose Law Firm, Vincent Foster, Webster Hubbel, and Whitewater Development Corporation.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-0371-F	Elian Gonzalez case	7,697	166	7,531

The researcher submitted a Freedom of Information Act (FOIA) request for records related to the Elian Gonzalez case. The Clinton Presidential records proposed for opening consist of correspondence, memoranda, press guidance, newspaper articles, court filings and opinions, emails, schedules, talking points, questions and answers, and notes. The emails consist of Congressional correspondence regarding representatives' positions on the Gonzalez case. In addition, there are drafts of Statements of Administrative Policy and NSC and White House guidance concerning the Gonzalez matter.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-0978-F	WTO/Taiwan	3,215	1,575	1,640

This researcher submitted a Freedom of Information Act (FOIA) request for materials related to the World Trade Organization and Taiwan / ROC. The Clinton Presidential records proposed for opening

consist of emails between National Security Council (NSC) staffers concerning trade issues with Taiwan and various other States, and numerous unclassified cables between the NSC, the Department of State and the American Institute in Taiwan (AIT). These e-mails and cables concern tariffs, taxes and other trade issues involving agricultural products such as grapes, alcohol, tobacco products, and pork bellies. They also concern manufactured goods such as automobiles and airplanes. Other issues discussed in the cables and e-mails are intellectual property rights, port docking fees and ecological issues such as whale hunting and pollution.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-1010-F	Joint Center for Early Warning Systems	3,564	1,638	1,926

This researcher submitted a Freedom of Information Act (FOIA) request for records of the National Security Council for the year 2000, related to the Russia - U.S. Memorandum of Agreement on the establishment of a Joint Center for Early Warning Systems data exchange & Missile Launch Notification system, and NSC records related to the Joint Data Exchange Center (JDEC) in Moscow. The Clinton Presidential records to be opened consist of memoranda and emails between National Security Council staffers, drafts of the memorandum of agreement of June 2000 and drafts of the memorandum of understanding that further defined the agreement signed in December 2000. Also to be opened are cables, reports and emails concerning the negotiations over the establishment of the physical building in Moscow that would hold the JDEC, press reports and other administrative papers and reports of meetings of NSC staff concerning the Shared Early Warning (SEW) system.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2014-1037-F	China/MFN 1993-1994	833	361	472

The researcher submitted a Freedom of Information Act (FOIA) request for records concerning China's Most Favored Nation (MFN) status renewal in 1993 and 1994. The Clinton Presidential records proposed for opening consist of memoranda, reports, and papers regarding negotiations with both the Chinese and Congress over MFN renewal in 1993 and 1994. These include memoranda to Anthony Lake, Samuel Berger, and President Clinton on this subject, as well as drafts of legislation and responses to Congress concerning that legislation.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2016-0159-F	Nicholas Burns/NSC	8,305	3,233	5,072

The researcher submitted a Freedom of Information Act (FOIA) request for the files of Nicholas Burns, National Security Council (NSC), Russia, Ukraine, and Eurasian (RUE) Affairs Senior Director. The Clinton Presidential records to be opened consist of memoranda discussing assistance to Russia and the Newly Independent States, scheduling and background materials for Russian and Ukrainian state visits, speeches given by President Clinton, Secretary of State Warren Christopher, National Security Advisor Anthony Lake, Deputy Secretary of State Strobe Talbott, and Burns, and

publications/newspaper clippings related to the region. There are also background information and schedules for President Clinton's trips to Vancouver, Tokyo, and Moscow in 1993 and 1994.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0017-F	Jeane L. Dixon	108	0	108

This researcher submitted a Freedom of Information Act (FOIA) request for all records concerning Jeane L Dixon. The Clinton Presidential records proposed for opening consist of email that contain references to Jeane Dixon. The email consists of articles and correspondence sent to White House email accounts from outside accounts. Correspondence contains a recommendation for the Presidential Medal of Freedom from Jeane Dixon in 1994 and 1995. In addition, there is a list that mentions Jeane Dixon as sending holiday greetings in 1995.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0034-F	POTUS meeting with Ibrahim Rugova on 5/29/1998	37	21	16

The researcher submitted a Freedom of Information Act (FOIA) request for records on President Clinton's Oval Office meeting with Kosovo Albanian leader, Ibrahim Rugova, on May 29, 1998. The Clinton Presidential records proposed for opening consist of scheduling proposals for the upcoming meeting, memoranda recommending a meeting, and NSC Records Management System profile sheets and routing slips.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0036-F	Spratly Islands dispute	772	0	772

This researcher submitted a Freedom of Information Act (FOIA) request for unclassified records pertaining to the 1994-1995 territorial dispute between China and the Philippines over the Spratly Islands. The Clinton Presidential records proposed for opening consist of cables and emails concerning press briefings, and the creation of policy briefs for use by the White House in negotiations with Congress over extending Most Favored Nation (MFN) trading status to China. Other topics in these cables and emails include Chinese and Taiwanese entry into the World Trade Organization (WTO). Also proposed for opening is a set of 49 identical letters to members of Congress answering their critique of the administration's handling of perceived Chinese aggression in the South China Sea. In addition, there are USIA Foreign Media Reaction Early Reports concerning the Spratly Islands.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0042-F	Correspondence between the White House and Congressional Black Caucus regarding Rwanda in 1994	6	0	6

This researcher submitted a Freedom of Information Act (FOIA) request for correspondence between the White House and the Congressional Black Caucus (CBC) related to Rwanda and dating from April 7, 1994 to October 31, 1994. The Clinton Presidential records proposed for opening consist of correspondence authored by Kewisi Mfume (CBC Chair) and Donald Payne (Ranking CBC Member) regarding all possible supportive actions to stop the genocide in Rwanda.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0132-F	MV Estonia Ferry Disaster	72	30	42

This researcher submitted a Freedom of Information Act (FOIA) request for records related to the MV Estonia Ferry disaster. The car and passenger ferry MV Estonia sank in the northern Baltic Sea during the early morning hours of September 28th, 1994. Of the 989 people on board that night, only 137 survived. This collection consists of cables about the disaster including offers from the FBI for victim identification services, condolences to the Swedish, and Estonian governments and news reports from Europe about the disaster. Also included in this collection are two emails concerning the routing and editing of a presidential condolence letter to the president of Estonia.

###



VIA EMAIL

(LM 2017-016)

May 15, 2017

Bruce R. Lindsey
William J. Clinton Foundation
1200 President Clinton Avenue
Little Rock, Arkansas 72201

Dear Mr. Lindsey:

In accordance with the requirements of the Presidential Records Act (PRA), as amended, 44 U.S.C. §§2201-2209, this letter constitutes a formal notice from the National Archives and Records Administration (NARA) to you, as former President Clinton's representative, of our intent to open Clinton Presidential records in response to the Freedom of Information Act (FOIA) requests listed in Attachment A.

This material, consisting of 74,929 pages, has been reviewed for all applicable FOIA exemptions, resulting in 14,650 pages restricted in whole or in part. NARA is proposing to open the remaining 60,279 pages. A copy of any records proposed for release under this notice will be provided to you upon your request.

We are also concurrently informing the incumbent President of our intent to release these Clinton Presidential records. Pursuant to 44 U.S.C. 2208(a), NARA will release the records 60 working days from the date of this letter, which is August 9, 2017, unless the former or incumbent President requests a one-time extension of an additional 30 working days or asserts a constitutionally based privilege, in accordance with 44 U.S.C. 2208(b)-(d). Please let us know if you are able to complete your review before the expiration of the 60 working day period. Pursuant to 44 U.S.C. 2208(a)(1)(B), we will make this notice available to the public on the NARA website.

If you have any questions relating to this request, please contact me at (202) 357-5144 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,

A handwritten signature in blue ink that reads "B. John Laster". The signature is written in a cursive style with a large, stylized initial "B".

B. JOHN LASTER
DIRECTOR
Presidential Materials Division

Enclosure

ATTACHMENT A

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2006-0320-F (segment 2)	Whitewater	50,320	7,626	42,694

The researcher submitted a Freedom of Information Act (FOIA) request for records related to the Whitewater investigation. The Clinton Presidential records proposed for opening consist of Counsel Office's files detailing the reaction to and preparation for multiple rounds of hearings of the House and the Senate as well as two Independent Counsel (Robert Fiske and Kenneth Starr) investigations. The records also include material from the probe requested by Secretary Lloyd Bentsen and overseen by the Office of Government Ethics into the White House/Treasury contacts regarding the initial criminal referrals sent down in 1993. There is material from designated boxes of Doug Band, Lloyd Cutler, Neil Eggleston, Emily Karcher, Bruce Lindsey, Miriam Nemetz, Beth Nolan, and Jane Sherburne. In addition, material was responsive in boxes assigned to Mark Gearan from Communications and Michael Waldman from Speechwriting. Both were detailed to the Counsel's Office to assist with the work generated by these investigations. There is a virtually complete run of Bates S-Series documents which were submitted by the White House to the Senate Committee to investigate Whitewater. The files consist of articles, briefing papers, calendar entries, computer printouts, correspondence, court documents, depositions, document production logs, drafts, candidate financial statements, legislation, letters, meeting notes, memoranda, news clips, payroll information, phone logs, press statements, reports, schedules, subpoenas, tax returns and other forms, and transcripts. Topics covered include the Department of the Treasury, the Independent Counsel statute, James McDougal, Kenneth Starr, Madison Guaranty, the Resolution Trust Corporation, Rose Law Firm, Vincent Foster, Webster Hubbel, and Whitewater Development Corporation.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-0371-F	Elian Gonzalez case	7,697	166	7,531

The researcher submitted a Freedom of Information Act (FOIA) request for records related to the Elian Gonzalez case. The Clinton Presidential records proposed for opening consist of correspondence, memoranda, press guidance, newspaper articles, court filings and opinions, emails, schedules, talking points, questions and answers, and notes. The emails consist of Congressional correspondence regarding representatives' positions on the Gonzalez case. In addition, there are drafts of Statements of Administrative Policy and NSC and White House guidance concerning the Gonzalez matter.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-0978-F	WTO/Taiwan	3,215	1,575	1,640

This researcher submitted a Freedom of Information Act (FOIA) request for materials related to the World Trade Organization and Taiwan / ROC. The Clinton Presidential records proposed for opening

consist of emails between National Security Council (NSC) staffers concerning trade issues with Taiwan and various other States, and numerous unclassified cables between the NSC, the Department of State and the American Institute in Taiwan (AIT). These e-mails and cables concern tariffs, taxes and other trade issues involving agricultural products such as grapes, alcohol, tobacco products, and pork bellies. They also concern manufactured goods such as automobiles and airplanes. Other issues discussed in the cables and e-mails are intellectual property rights, port docking fees and ecological issues such as whale hunting and pollution.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2012-1010-F	Joint Center for Early Warning Systems	3,564	1,638	1,926

This researcher submitted a Freedom of Information Act (FOIA) request for records of the National Security Council for the year 2000, related to the Russia - U.S. Memorandum of Agreement on the establishment of a Joint Center for Early Warning Systems data exchange & Missile Launch Notification system, and NSC records related to the Joint Data Exchange Center (JDEC) in Moscow. The Clinton Presidential records to be opened consist of memoranda and emails between National Security Council staffers, drafts of the memorandum of agreement of June 2000 and drafts of the memorandum of understanding that further defined the agreement signed in December 2000. Also to be opened are cables, reports and emails concerning the negotiations over the establishment of the physical building in Moscow that would hold the JDEC, press reports and other administrative papers and reports of meetings of NSC staff concerning the Shared Early Warning (SEW) system.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2014-1037-F	China/MFN 1993-1994	833	361	472

The researcher submitted a Freedom of Information Act (FOIA) request for records concerning China's Most Favored Nation (MFN) status renewal in 1993 and 1994. The Clinton Presidential records proposed for opening consist of memoranda, reports, and papers regarding negotiations with both the Chinese and Congress over MFN renewal in 1993 and 1994. These include memoranda to Anthony Lake, Samuel Berger, and President Clinton on this subject, as well as drafts of legislation and responses to Congress concerning that legislation.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2016-0159-F	Nicholas Burns/NSC	8,305	3,233	5,072

The researcher submitted a Freedom of Information Act (FOIA) request for the files of Nicholas Burns, National Security Council (NSC), Russia, Ukraine, and Eurasian (RUE) Affairs Senior Director. The Clinton Presidential records to be opened consist of memoranda discussing assistance to Russia and the Newly Independent States, scheduling and background materials for Russian and Ukrainian state visits, speeches given by President Clinton, Secretary of State Warren Christopher, National Security Advisor Anthony Lake, Deputy Secretary of State Strobe Talbott, and Burns, and

publications/newspaper clippings related to the region. There are also background information and schedules for President Clinton's trips to Vancouver, Tokyo, and Moscow in 1993 and 1994.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0017-F	Jeane L. Dixon	108	0	108

This researcher submitted a Freedom of Information Act (FOIA) request for all records concerning Jeane L Dixon. The Clinton Presidential records proposed for opening consist of email that contain references to Jeane Dixon. The email consists of articles and correspondence sent to White House email accounts from outside accounts. Correspondence contains a recommendation for the Presidential Medal of Freedom from Jeane Dixon in 1994 and 1995. In addition, there is a list that mentions Jeane Dixon as sending holiday greetings in 1995.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0034-F	POTUS meeting with Ibrahim Rugova on 5/29/1998	37	21	16

The researcher submitted a Freedom of Information Act (FOIA) request for records on President Clinton's Oval Office meeting with Kosovo Albanian leader, Ibrahim Rugova, on May 29, 1998. The Clinton Presidential records proposed for opening consist of scheduling proposals for the upcoming meeting, memoranda recommending a meeting, and NSC Records Management System profile sheets and routing slips.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0036-F	Spratly Islands dispute	772	0	772

This researcher submitted a Freedom of Information Act (FOIA) request for unclassified records pertaining to the 1994-1995 territorial dispute between China and the Philippines over the Spratly Islands. The Clinton Presidential records proposed for opening consist of cables and emails concerning press briefings, and the creation of policy briefs for use by the White House in negotiations with Congress over extending Most Favored Nation (MFN) trading status to China. Other topics in these cables and emails include Chinese and Taiwanese entry into the World Trade Organization (WTO). Also proposed for opening is a set of 49 identical letters to members of Congress answering their critique of the administration's handling of perceived Chinese aggression in the South China Sea. In addition, there are USIA Foreign Media Reaction Early Reports concerning the Spratly Islands.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0042-F	Correspondence between the White House and Congressional Black Caucus regarding Rwanda in 1994	6	0	6

This researcher submitted a Freedom of Information Act (FOIA) request for correspondence between the White House and the Congressional Black Caucus (CBC) related to Rwanda and dating from April 7, 1994 to October 31, 1994. The Clinton Presidential records proposed for opening consist of correspondence authored by Kewisi Mfume (CBC Chair) and Donald Payne (Ranking CBC Member) regarding all possible supportive actions to stop the genocide in Rwanda.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2017-0132-F	MV Estonia Ferry Disaster	72	30	42

This researcher submitted a Freedom of Information Act (FOIA) request for records related to the MV Estonia Ferry disaster. The car and passenger ferry MV Estonia sank in the northern Baltic Sea during the early morning hours of September 28th, 1994. Of the 989 people on board that night, only 137 survived. This collection consists of cables about the disaster including offers from the FBI for victim identification services, condolences to the Swedish, and Estonian governments and news reports from Europe about the disaster. Also included in this collection are two emails concerning the routing and editing of a presidential condolence letter to the president of Estonia.

###