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Women In Trade
Business Development Mission
to
Amsterdam and London
September 24 - 29, 1995

U.S. GOVERNMENT REPRESENTATIVES

THE WHITE HOUSE

Alexis Herman
Assistant to the President and
Director of Public Liaison

Barbara Woolley
Liaison for Women's Issues
Office of Public Liaison

DEPARTMENT OF COMMERCE

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Director
Office of Export Promotion

David Bowie
Deputy Director
Office of Export Promotion

Loretta Allison
Project Manager
Office of Export Promotion

Telephone:	202-482-4501
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Mailing Address:	Herbert C. Hoover Building, Room 2003 Washington, DC 20230

"Women in Trade"
Business Development Mis
to
Amsterdam and London
September 24-29, 199!

Advanced Rubber Concepts, Inc. — **Conductive Rubber Keypads**, **Elastomer Connectors**
P.O. Box 489 Highway 77 South
Pauls Valley, OK 73075
Tel: 800-654-3662 or (312) 357-1612 Fax: (405) 238-3029
Sheila A. Smith, President
Member, National Association of Women Business Owners
Stuart Polwart, U.K. Rep.

Aegir Systems — **Computer Engineering & Consulting**
2051 N. Solar Drive, Suite 200
Oxnard, CA 93030
Tel: 805-485-4888 Fax: 805-485-4235
Ella Williams, President
Member, National Association of Women Business Owners

APB Associates — **Custom Gift Boxes**
#80 Slate Creek Road
HCR 2, Box 252
La Honda, CA 94020
Tel: 415-949-0339 Fax: Same
Ann E. von Thaden, President
Member, National Association of Women Business Owners

Creative Juices (Purple Pantry) — **Sparkling Juices**
625 2nd Street
Suite 408
San Francisco, CA 94107
Tel: 415-979-0866 Fax: 415-543-1023
Lori Foster, President
Toni Sterling, Co-Owner Tel: 415-454-9511

Dary Rees Corporation — **Tableware**
20725 NE 16th Avenue #24
North Miami Beach, FL 33179
Tel: 305-655-1975 Fax: 305-655-2064
Dary Rees, President

D & H Electronic Systems, Inc.
P. O. Box 377
11521 Lebanon Road
Mt. Juliet, TN 37122-0377
Tel: 615-754-5692 Fax: 615-758-3890
Glenda J. Binkley, President
Member, National Association of Women Business Owners

Security Systems
Institutional, Commercial, Industrial, Alarm Systems

Diana's California Cookies
P.O. Box 3373
Laguna Hills, CA. 92654
Tel: 714-830-7273 Fax: 714-768-7711
Diana Todaro, President

Cookies & Cookie Bars, Private Branded

Domain Inc.
51 Morgan Drive
Norwood, MA 02062
Tel: 617-769-9130 Fax: 617-769-3580
Judy George, Chairman and C.E.O.
Marcia Gorfinkle, Special Projects Coordinator

Furniture

EDI Solutions (Now: St Pauls Software)
1450 Energy Park Dr., Suite 127
St. Paul, MN 55108
Tel: 612-603-4400 Fax: 612-858-1150
Dee Thibodeau, President

Electronic Data Interchange Translation Software and Support Services

Engineered Demolition Inc.
3231 Slag Court North
Minneapolis, MN 55427
Tel: 612-591-0641 Fax: 612-591-1267
Anna Chong, President
Member, National Association of Women Business Owners

Demolition Company

Executive Security & Engineering Technologies, Inc.
900 2nd Street, N.E., Suite 112
Washington, D.C. 20002
Tel: 202-898-1900 Fax: 202-898-0025
Margo Briggs, President

Telecommunications/Systems Engineering

Fostermation, Inc.
200 Valleyview Drive
P.O. Box 1290
Meadville, PA 16335

Metal Components From Wire

Tel: 814-336-6211 Fax: 814-333-1297
Catherine R. Foster, President

Integrated Environmental Solutions, Inc. — **Environmental Consulting Services**
105-C East Evans Street
West Chester, PA 19380
Tel: 610-692-4200 Fax: 610-692-8489
L. Sherrerd Steele, Vice President

International Product Promotions USA Inc. — **Export Management Company**
600 W. Mechanics Street, Suite 125
Independence, MO 64050
Tel: 816-252-0300 Fax: 816-252-0660
Cheryl Cooley, President
Helen Grier

Johnson Security Bureau, Inc. — **State-Of-The-Art Security for Office Buildings, Airports, Medical Facilities & Residential Developments.**
1020 Grand Concourse
Bronx, NY 10451
Tel: 718-681-4330 Fax: 718-681-6957
Dorothy C. Johnson, President
Member, National Association of Women Business Owners
Charles Johnson, Chief Operating Officer

Masha Manufacturing — **Southwestern Sterling Silver Jewelry**
3014 Central S.E.
Albuquerque, New Mexico 87106
Tel: 505-256-9600
Sabiha Quraishi, Vice President
Mashallah Quraishi, President

McBride & Associates — **Computer hardware, software and Related Services**
5555 McLeod Road N.E.
Albuquerque, NM 87109
Tel: 505-837-7500 Fax: 505-837-7701
Theresa McBride, President
Max Robbins, V.P. Complex Systems

PDQ Personnel Services, Inc. — **Personnel Recruitment Firm**
5900 Wilshire Blvd., Suite 400
Los Angeles, CA 90036
Tel: 213-938-3933 Fax: 213-938-2715
Patty DeDominic, CEO
Immediate Past President, National Association of Women Business Owners (NAWBO)
Gene Sensir, Consultant

Sherikon, Inc.
14500 Avion Parkway, Suite 200
Chantilly, VA 22021
Tel: 703-803-7000 Fax: 703-803-3730
Lee Ann Standish, Vice President

Health Care-
Management Services

STI - Standard Technology, Inc.
6116 Executive Boulevard, Seventh Floor
Rockville, MD 20852
Tel: 301-770-2800 Fax: 301-770-8560
Kathryn C. Turner, Chairperson & CEO
Member, President's Export Council
Member, National Association of Women Business Owners
Alfred Walker, Exec. V.P

Information Systems
Telecommunications
Management Consulting

T.L.I. International Corp.
680 N. Lake Shore Drive
Suite 1220
Chicago, IL 60611
Tel: 312-944-7800 Fax: 312-944-7674
Lyric Hughes, President
Founder, Organization of Women in International Trade (OWIT)
James Liebling, General Consul

Translations & Interpretation
Cultural Sensitivity Training
Public Relations

Video & Electronic Systems, Inc.
211 McLaws Circle, Suite 2
Williamsburg, VA 23185
Tel: 804-564-0660
Joan French-Phoenix, President

Notebook & Personal Computers
Telecommunications

Women in Trade
Business Development Mission
to
Mexico City and Monterrey
April 22-25, 1996

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E-mail:	First Name_Last Name@ita.doc.gov e.g. Bob_Smith@ita.doc.gov

Women in Trade
Business Development Mission
to
Mexico City and Monterrey
April 22-25, 1996

PARTICIPATION LIST

Alignment Strategies, Inc. 9812 Falls Road Suite 114 - 284 Potomac, MD 20854 **Caryliss R. Weaver, V.P. Operations** Tel: (301) 299-0066 Fax: (301) 299-0069	**Consulting firm specializing in business assessments**
Artcraft of Santa Maria 3203 Lightning St. #219 Santa Maria, CA 93455 **Teresa Venegas, President and CEO** **Salvador Enriquez** Tel: (805) 925-5934 Fax: (805) 928-7395	**Paints aircraft**
C & S Paving Inc. 786 Ruby Street Marietta, GA 30066 **Carolyn Stradley, President** Tel: (770) 422-9124 Fax: (770) 425-6244	**Heavy equipment for roads, bridges, etc., asphalt contractor**
Computer Services 1603 S. Michigan Avenue Suite 110 Chicago, Il 60616 **Caroline Sanchez Crozier, CEO** Tel: (312) 360-1100 Fax: (312) 360-0324	**Interactive tool-based, multimedia, educational software**
D & H Electronics P.O. Box 377 11521 Lebanon Rd. Mt. Juliet, TN 37122-0377 **Glenda J. Binkley, President** Tel: (615) 754-5692 Fax: (615) 758-3890	**Security systems institutional, commercial, industrial, alarm systems**

Executive Security & Engineering Technolgies, Inc. 900 2nd Street, N.E. Suite 112 Washington, D.C. 20002 **Margo H. Briggs, President/CEO** Tel: (202) 898-1900 Fax: (202) 898-0115	**Security, telecommunications, and automation solutions**
Fostermation, Inc. P.O. Box 1290 200 Valleyview Drive Meadville, PA 16335 **Catherine Foster, President** Tel: (814) 336-6211 Fax: (814) 333-1297	**Wire components in diameters .015- .250 (Mexico City Only)**
Hill Slater Inc. 45 N. Station Plaza, Suite LL100 Great Neck, NY 11021 **Gina Slater Parker, Vice President** Tel: (516) 773-7779 Fax: (516) 773-7729	**Engineering and support services**
Kearney Consulting 221 W. 2nd Street Little Rock, AR 72201 **Janetta Kearney, CEO** Tel: (501) 371-9991 Fax: (501) 371-9129	**Provide services to companies requiring legal, contractual, etc. analysis or info**
Lone Mountain Group **Metroplex** 4669 North 65th Street Scottsdale, AR 85251s **Marianne Spraggins, Vice President** Tel: (602) 970-4344 Fax: (602) 944-3155	**Airport concessionaire** **Railroad design**
Myriam Hutchinson Interior Design, Inc. 2201 Lake Street Suite 102 Lake Charles, LA 70601 **Myriam Hutchinson , President** Tel: (318) 439-5338 Fax: (318) 439-5343	**Professional healthcare designer of user friendly cost effective facilities**
Peace Light - Cemeteries Aglow Inc. PO Box #55/300 North Main Street Mitchell, SD 57301 **Sherri D Kayser, CEO** **Diann Plamp, President** Tel: (605) 996-3722 Fax: (605) 996-5915	**Low maintenance solar-lighted memorial**
Racing Services, Inc. 1111 Westrac Dr. Suite 100 Fargo, ND 58103 **Susan Bala, President** Tel: (701) 235-1288 Fax: (701) 235-4159	**Licensed simulcast system & service provider**

STRATCO, Inc.
4601 College Blvd. Suite 300
Leawood, KN 66211
S. Diane Graham, President
Tel: (913) 338-2559 Fax: (913) 338-0003

Engineering and technology company

T.I.Y.M Publishing Co., Inc.
1489 Chain Bridge Rd #200
Mclean, VA 22101
Angela Zavala, President
Tel:(703) 734-1632 Fax: (703) 356-0787

Hispanic Yearbook (Mexico City Only)

* **Video & Electronics Systems, Inc.**
1500 Massachusetts Avenue, N.W., Suite 34
Washington, D.C. 20005
Joan French-Phoenix, President
Mary Walker, Vice President
Tel: (202) 833-3450 Fax: (202) 331-7822

Notebook, personal computers, telecommunications

Williams Adley & Company
1300 Eye St., N.W., Suite 260 E
Washington, DC 20005
Janice Ogletree, Consultant Contract Administrator
Tel: (202) 371-1397 Fax: (202) 371-9161

Financial services

Women in Trade
Business Devlopment Mission
to
Mexico City and Monterrey
April 22-25, 1996

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9812 Falls Road
Suite 114 - 284
Potomac, MD 20854
~~**Vanessa J. Weaver, Ph. D., Pres./CEO**~~ Didn't attend
Caryliss R. Weaver, V.P. Operations
Tel: (301) 299-0066 Fax: (301) 299-0069

Consulting firm specializing in business assessments

Artcraft of Santa Maria
3203 Lightning St. #219
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Teresa Venegas President and CEO
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Paints aircraft

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786 Ruby Street
Marietta, GA 30066
Ms. Carolyn Stradley, President
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Heavy equipment for roads, bridges, etc., asphalt contractor

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* **Kearney Consulting** P.O. Box 1008 Little Rock, AR 72203 **Janetta Kearney, CEO** Tel: (501) 371-9991 Fax: (501) 374-3872	**Provide services to companies requiring legal, contractual, etc. analysis or info**
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Williams Adley & Company 1300 Eye St., N.W., Suite 260 E Washington, DC 20005 **Janice Ogletree, Consultant Contract Administrator** Tel: (202) 371-1397 Fax: (202) 371-9161	**Financial services**

U.S. DEPARTMENT OF COMMERCE
International Trade Administration

U.S. DEPARTMENT OF COMMERCE · INTERNATIONAL TRADE ADMINISTRATION

DEPARTMENT OF COMMERCE
UNITED STATES OF AMERICA

"Women in Trade" Business Development Mission to Mexico City And Monterrey April 22-25, 1996

FACT SHEET

Since Mexico is our third most important market for U.S. products, we decided it should be the place to have our second "Women in Trade" Business Development Mission. This Mission is a public-private partnership event scheduled in cooperation with the Women in International Trade organization and the National Association of Women Business Owners. (Note: You do not have to be a member of either of these organizations to participate in this Mission). Through this partnership these groups will acquire the expertise to organize and manage their own missions using the Department of Commerce's Certified Trade Mission Program.

What is a Trade Mission?

A trade mission is a promotional vehicle used to assist U.S. manufacturers to meet with potential agents, buyers, distributors, representatives, and/or possible joint venture partners for the purpose of making a sales presentation. The meetings between you and prospective customers will hopefully result in future orders. In addition, they should provide an appraisal and discussion of the marketability of your products or services in that country.

What Does a Firm Get for its Money?

The mission participants meet individually with local business contacts who have expressed an interest in your firm's products. These meetings will be arranged in advance by our Foreign Commercial Service officers in Mexico on the basis of your specific interests and brochures you provide us. This information will be used to draw potential customers. This service is only one of the many you will receive as a member of the trade mission. Other services include general and country-specific briefings, marketing advice, logistical and other administrative support, and receptions for foreign officials, business leaders, and the press.

This program is designed to introduce your company and its products or services to contacts in countries that you may not be able to reach on your own. This mission has been conceived, in particular, to help women owned or managed firms, and other women in international marketing position to market goods and services where they are not currently exporting and/or to help to increase their market share.

The White House Director of Public Liaison, Ms. Alexis Herman, Assistant to the President, will lead the "Women in Trade" Business Development Mission.

Itinerary

Sunday:	Arrive in Mexico City Hotel: To be announced later
p.m.:	Ice-breaker reception
Monday a.m.:	Embassy briefing
p.m.:	Individual company meetings
Tuesday a.m. & p.m:	Individual meetings
Wednesday a.m.:	Depart for airport Arrive in Monterrey Hotel: To be announced later
p.m.:	Embassy briefing
Thursday a.m.& p.m.:	Individual company meetings
Friday	Mission members are free to leave

Best Prospects

The "Women in Trade" Business Development Mission will include, but is not limited to, the following products and associated services:

Auto Parts & Accessories
Telecommunication Equipment
Pollution Control Equipment
Electrical Power Generating & Distribution Equipment
Computer, Peripherals Equipment and Services
Chemical and Petrochemical Industry Machinery
Electronic Components
Apparel
Laboratory Scientific Instruments

The following information should answer some of the questions you might have about participating in the "Women in Trade" Business Development Mission:

1. The fee for participating is $2,300 which does not cover air fare or the cost of hotel accommodations. Total cost of the trade mission (including participation fee, hotel, food, and airfare) is estimated to be about $5,000.

2. All hotel accommodations will be booked by the American Embassy. These bookings are usually made in better hotels at moderate prices. Hotel names will be passed on to you as they are known.

3. Participants will be responsible for making their travel arrangements to Mexico City. We will let you know the flight number to reserve from Mexico City to Monterrey (after we have completely firmed our schedule). Other travel will be taken in buses or cabs to keep the group members together.

4. After the Department receives your Participation Agreement, check, and your Overseas Business Interest Questionnaire, we will fax the information to our Foreign Service Posts. The Posts will inform us of your products or services sales potential. If the Posts, upon researching your merchandise or service, find that your merchandise or service is not suitable for sales (due to extreme competition, lack of interest, or other obstacle) or if they feel they will not be able to help you to accomplish your goals, they will suggest that your company <u>not</u> participate. Should the Posts decide that your products or services are not saleable in Mexico, you will receive a full refund. This system is unique in that it keeps you from wasting your valuable time and money.

5. In order to facilitate the movement of samples it may be necessary to obtain a Carnet. A Carnet is a document which is shown to local Customs officials upon arrival in a country, which allows the samples to enter the country duty free. It is suggested that you contact Ms. Vivian Ferello, U.S. Council of International Business, 1212 Avenue of the Americas, New York, New York 10036. Telephone (212) 354-4480 to obtain a Carnet.

6. We recommend that you arrive in Mexico City any time on April 24 since we plan to sponsor an ice breaker reception to become aquainted with the group, introduce the Department of Commerce and overseas personnel, and hand out relative information. **Attendance at this ice breaker reception is not mandatory.**

7. An extensive promotional campaign will be implemented in the Mexico to generate maximum market interest in the Mission. All business appointments will be suited to each company's individual business objectives.

8. We will conduct a briefing on doing business in Mexico that will include marketing requirements and business practices given by legal, financial, government, and industry experts.

9. During the mission, an itinerary and a list of appointments will be provided to each participant. We will set up one-on-one meetings with prospective customers for your goods and services. We expect your company to be available for each appointment and to be on time.

Participation in the "Women in Trade" Business Development Mission is limited to 20 companies. To reserve space for this exemplary trade mission, please send me your Participation Agreement, your filled-out Overseas Business Interest Questionnaire, and your check for $2,300 made out to the "U.S. Department of Commerce".

It is imperative, that we know what companies are participating in this event by April 1. This will give the Posts enough time to research your product(s) or service(s), decide its marketability in the country, and still have enough time to make appointments with qualified customers and key prospects for your goods and services.

Loretta Allison, Project Manager
U.S. Department of Commerce
Room 2003
Washington, D.C. 20230
Tel: 202-482-5479 Fax: 202-482-1999

WOMEN-IN-TRADE BUSINESS DEVELOPMENT MISSIONS

In early 1995, the Department of Commerce's Office of Export Promotion Coordination (OEPC) recognized that women owned businesses were the fastest growing segment of the economy. Upon doing some research, OEPC found that women owned companies employed more people than the Fortune 500 companies, but that only about 14 percent of these companies were exporting. Seeking to increase the number of women owned companies in the Global Marketplace, OEPC developed the concept of the **"Women-In-Trade Business Development Missions."**

OEPC's concept included having White House leadership of these missions as a means of demonstrating the Administration's commitment to both increasing exports, and to the financial empowerment of women owned companies. After presenting the concept to, and receiving approval to proceed from, the late Secretary of Commerce Ron Brown, OEPC approached Alexis Herman, Director of the White House Office of Public Liaison to lead the first **Women-In-Trade Business Development Mission** to Amsterdam and London in September 1995. Ms. Herman, after receiving approval from the Chief of Staff and President Clinton, agreed to shoulder this responsibility.

Working with the National Association of Women Business Owners, the National Federation of Black Women Business Owners, the Organization of Women In International Trade, and other women's business groups, OEPC recruited 22 companies for the inaugural mission to Amsterdam and London. As a bonus, OEPC arranged for the mission to be taped for an episode of the Working Woman TV show, thus ensuring national and international publicity for the mission participants, as well as for the **Women-In-Trade Business Development Mission** concept.

A second mission to Mexico City and Monterrey, Mexico was arranged for April 1996, with Alexis Herman again shouldering the mantle of leadership. This mission had 17 participants, including 4 from the first mission.

Companies participating in both missions were generally small, represented a variety of products and services, and lacked any significant export experience. When these two missions were over almost all of the participants had either received orders for business or were working on proposals for orders. Both missions continue to garner positive press as well a positive feeling for the Administration and the Commerce Department within women's business groups.

A third **Women-In-Trade Business Development Mission** is scheduled to begin on February 16, 1997 in Milan, Italy with a further stop in Paris, France. There are 13 companies participating in this mission, including 3 from the previous two missions. Alexis Herman was again scheduled to lead this mission, however, her nomination to be the Secretary of Labor meant that she could not participate.

At each city visited, each participant is provided with as many as 8 individual business appointments per day, the selection of foreign businesses met being determined by the mission participant's objectives, e.g. finding an agent or distributor, direct sales, finding a joint venture partner, etc. Each firm pays a participation fee to cover the cost of organizing and running the mission, as well as paying their own direct travel costs.

Mission participants are all reviewed by the U.S. Commercial Service in the city to be visited for market potential. Those with market potential are then invited to join the mission on a first come-first served basis until the mission has filled up available slots-which are usually 15-20 maximum.

UNITED STATES DEPARTMENT OF COMMERCE
International Trade Administration
Washington, D.C. 20230

"Women in Trade"
Business Development Mission

The Department of Commerce is sponsoring a "Women in Trade" Business Development Mission to **Mexico City and Monterrey, Mexico, April 22-25, 1996**. This mission will focus on women owned and managed businesses.

Mexico is our third leading trading partner. The Mexican economy is recovering, and there are plenty of opportunities for U.S. firms with new products and services in virtually all product categories. This mission is an excellent way to make inroads to Mexico's $44 billion market for U.S. exports.

The mission will help American companies find direct sales customers, agents and distributors, licensees and joint venture partners. One-on-one appointments will be made for your company to put you in touch with pre-screened business contacts. Small and medium sized companies should find this mission an excellent business opportunity.

The "Women in Trade" Business Development Mission to Mexico is a follow-on to our Amsterdam and London event last September that was extremely successful. Many repeat companies are expected. We will be able to accommodate about 20 firms and will take participants on a first-come first-served basis, so please reserve your spot right away.

Ms. Alexis Herman, Assistant to President Clinton and Director of the White House Office of Public Liaison, will lead the Mission.

The deadline for participation is March 29, 1996. For additional information, please contact:

Loretta Allison, Project Manager
Telephone: **(202) 482-5479**
Email: **Loretta_Allison@ita.doc.gov**

John Gulisano, Project Officer
Telephone: **(202) 482-3845**
Email: **John_Gulisano@ita.doc.gov**

Office of Export Promotion Coordination
U.S. Department of Commerce, Room 2003, Washington, D.C. 20230
Fax (202) 482-1999

Name: ____

Company: ____

Address: ____

Telephone: ____________________ Fax: ____________________

U.S. Department of Commerce
International Trade Administration

CONDITIONS OF PARTICIPATION

I.Trade and Seminar Missions defined

Trade Missions: Overseas events planned, organized and led by Department of Commerce officers which bring groups of U.S. business persons into contact with potential foreign buyers, agents, distributors, licensees, franchisees or joint-venture partners.
Seminar Missions: Overseas events planned and organized by the Department of Commerce which promote the sale of sophisticated products or services through technical seminars presented by participants to potential foreign buyers, agents, distributors, licensees, franchises or joint-venture partners, and chaired by an industry expert or Commerce official.

II. Criteria

Firms that participate in a Trade or Seminar Mission must use the Mission to promote only products or services which in the judgement of the Department meet one of the following criteria:

A. Manufactured or produced in the United States.
B. If manufactured or produced outside of the United States, the product or service must be marketed under the name of a U.S. firm and have U.S. content representing at least 51 percent of the value of the finished good or service.

Each representative must be a director, officer or employee of the participating company or of the Export Management Company designated by the participant. Spouses are not to accompany Mission members except when the spouse is an active member of the participating firm.

III. Within the limits of available resources, as determined by the U.S. Department of Commerce, the Department agrees to:

A. Select a **product or service category and an overseas itinerary** which offer potential for export development. Selection will be based upon market research and consultation with the U.S. and Foreign Commercial Service posts in the countries selected to be visited and with key trade associations and companies in the industry to be promoted.

B. Provide to each Mission member available **market research** relevant to the products and services to be promoted for all countries to be visited.

C. Where appropriate, or upon request, conduct a **general briefing** for Mission members prior to departure from the United States regarding economic conditions in the countries to be visited. If a briefing in the United States is not practicable, the briefing will be held at the first overseas stop on the Mission's itinerary. An in-depth briefing by U.S. Commercial Officers at U.S. and Foreign Commercial Service posts will be conducted in each country visited.

D. Arrange a schedule of business **appointments** with key prospects for the goods or services of Mission members.

E. Provide **information** for distribution overseas describing the Mission participants, their companies, goods or services and, where appropriate, their marketing objectives. Where appropriate, this material will be in the language of the country visited.

F. Provide a Mission headquarters in each foreign location, as necessary, where individual business appointments can be scheduled and other Mission business transacted.

G. Host official **receptions** and/or other hospitality events, where appropriate, at or in conjunction with the U.S. and Foreign Commercial Service posts to provide Mission members with the opportunity to meet key local government officials and business leaders.

H. Provide **transportation schedules** for members to book appropriate flights.

I. Obtain confirmed hotel reservations for Mission members in advance of each stop.

J. Provide clerical staff and interpreters as needed to assist Mission members. Each post's commercial staff will provide administrative and logistical **support** as needed by the Mission or arrange for outside logistical support.

K. Provide a U.S. Government official or appropriate private sector representative having extensive knowledge of the Mission theme to serve as **Mission Director** (Seminar Chairperson in the case of Seminar Mission).

L. Provide a qualified Department of Commerce officer to coordinate logistics and administration.

For Seminar Mission only the Department agrees, in addition to the above, to:

M. Provide a seminar location, including simultaneous translation equipment, if available, interpreters, and audiovisual equipment, as necessary.

IV. The Participant agrees to:

A. Make a **financial contribution** to the U.S. Department of Commerce in an amount to be established for the Mission for use in funding all services provided to the Participant as described in Section III, paragraphs A thru M, including market development, operating and hospitality costs of the Mission, and other international trade promotional activities. A signed **Participation Agreement** (Form ITA-4008) is to be submitted with the contribution.

B. Furnish detailed descriptive company and product/service information sufficiently in advance of the mission to allow for compilation and/or printing, and advance distribution.

C. Obtain information from the Department's Bureau of Export Administration, and/or from other licensing agencies, e.g. Nuclear Regulatory Commission, Department of Energy, and Office of Munitions Control, U.S. Department of State, as to whether existing **laws or regulations** might impede or prevent the Participant from marketing its products or services or releasing U.S.-origin technical data in any of the countries to be visited by the Mission. If problems arise in obtaining this information, the Department will provide such assistance or facilitation as may be necessary and appropriate.

D. Promote its individual business interests, e.g. direct sales, licensing agreements, or agent/distributors arrangements.

E. Participate in scheduled briefings by the Department of Commerce and other agencies including the U.S. and Foreign Commercial Service posts.

F. Keep all business appointments which have been arranged and adhere to the Mission program and its complete itinerary.

G. Contribute information for the Mission report and provide the results achieved on the **Exhibitor and Mission Member Report Form** (ITA-4075P) or successor document. If the participant requests particular information to be treated confidentially, the Department of Commerce will honor the request to the extent possible under applicable law.

H. Travel between the United States and abroad on **U.S. flag carriers**, whenever practicable.

I. **Pay** representative's travel, hotel and daily living expenses.

J. Obtain entry permit **visas** and/or other **travel documentation** where necessary prior to the Mission's departure from the U.S.

K. Participants' representatives travel at their own **risk** and should be covered by adequate insurance. The company, on behalf of itself and any of its officers, employees or agents, agrees to save the U.S. Government **harmless** from liability for any illness, injury, loss of life, or damage or loss of property occasioned by or connected with participation in the Mission.

L. **For Trade Missions only**, the Participant agrees to provide at its expense a **qualified, decision-making company executive** who will represent the participant in all Mission activities. This representative shall be authorized to discuss product lines or services, to give price quotations on various bases, as appropriate, and to negotiate sales and related arrangements. The representative should be designated at the earliest possible date and his or her name furnished to the Department of Commerce. The representative must carry a valid passport and be a director, officer or employee of the participating U.S. company, a subsidiary, or an Export Management Company designated by the Participant. If a participant has an agent or distributor in a country visited by the Mission, the agent or distributor may accompany the representative on appointments.

M. **For Seminar Missions only,** the Participant agrees to provide at its expense a **qualified, decision-making company executive** who will represent the participant in all Mission activities and present in each city visited a state-of-the-art or problem-solving **paper** that is not oriented to any particular company. The paper should be of a type that tends to demonstrate some aspect of the expertise, unique capabilities or activities of U.S. industry. A copy of the seminar presentation paper and all other documentation must be submitted a designated number of days before Mission departure for review and approval by the Seminar Chairperson and to ensure lead time for printing mission materials and interpreter review time. The Participant's representative must carry a valid passport and be a director, officer or employee of the participating company, a subsidiary, or an Export Management Company designated by the Participant.

V. Other Conditions

A. If, for any reason, the participating company cancels its participation, its financial contribution will not be refunded unless written notice of cancellation is received by the Department of Commerce at least 60 days before the departure of the Mission. The Department, at its sole discretion, and upon its determination that it would be consistent with the proper operation of its missions program, may allow a partial or full refund of the financial contribution.

B. The Department may cancel a Mission or the participation of any company at any time. In the event of such cancellation, any contribution made will be refunded.

C. It is understood that all applications for participation in Missions are subject to approval by the Department of Commerce.

Participant's Checklist

"Women in Trade"
Business Development Mission
Mexico City and Monterrey
April 22-25, 1996

To confirm your participation in the "Women in Trade" Business Development Mission to Monterrey and Mexico City, please submit the following documents as soon as possible:

1. Participation Agreement (ITA-4008P): Complete and sign the agreement.

2. Contribution Fee: Please make your check for $2,300 payable to the "U.S. Department of Commerce".

3. Marketing Data Form (ITA-466P): To receive the best results from this mission, fill out as complete as possible. We will forward a copy to each stop.

4. Brochures or Literature on your Company: We need 50 copies (25 copies to be sent to each stop) of your company's brochure or other literature. Please include any photographs and/or publicity items useful for promoting your company's products or services.

5. Participant's Biographies: Please include photographs and biographies of all participants from your company. These will be included in the trade mission brochure.

Please send all information to:

Ms. Loretta Allison
International Trade Specialist
U.S. Department of Commerce
Room 2003
Washington, D.C. 20230

OMB No. 0625-0147
Expires 11-30-96

FORM ITA-4008P (REV. 9-93)

EVENT ID 96000989

U.S. DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION

PARTICIPATION AGREEMENT

C-283197

This report is authorized by law (15 U.S.C. 1512 et seq., 15 U.S.C. 171 et.seq.) While you are not required to respond, no agreement may be concluded for your company's participation in a U.S. Department of Commerce-scheduled promotional event unless a completed Participation Agreement form has been received. Public reporting burden for this collection of information is estimated to be 20 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to Reports Clearance Officer, International Trade Administration, Room 4001, U.S. Department of Commerce, Washington, DC 20230 and to the Office of Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0625-0147), Washington, DC 20503.

1. Name of Promotional Event

"Women in Trade" Business Dev. Mission

2. Date and Site of Promotional Event

April 22-25, 1996

3. Participating Company's Name, Address, Telephone and Fax Number(s):

4. Contact Name(s):

5. Participant is:
☐ New-to-Export ☐ New-to-Market ☐ Old-to-Market

6. Numbers of Employees
☐ 1-49 ☐ 50-99 ☐ 100-249
☐ 250-499 ☐ 500-999 ☐ 1,000+

7. Annual Sales
☐ Under $1 million ☐ $1-$5 million
☐ $6-50 million ☐ $51-$75 million ☐ Over $75 million

8. Address, Telephone and Fax Number(s) of Participant's Representative in Country of Trade Event, if applicable.

9. Financial contribution for participation $ ____________ enclosed.
Make check payable to U.S. Department of Commerce, ITA

10. Participant's Certification of Agreement. "I have read, understand and agree to abide by the terms of the enclosed "Conditions of Participation", which are made a part of this Agreement.

Participant's Signature ____________ Date ____________

Name and Title ____________

11. Quantity (if applicable)	**Description of Display Items / Products or Services To Be Promoted** (Any changes in display items from those listed below must be reported in writing to the International Trade Administration, U.S. Department of Commerce, for approval.)	Point of Shipment (if applicable)
	ALL OTHER ITEMS (Mockups, printed matter, items with no commercial value, audio-visual equipment for demonstration purposes, consumables not for sale, etc): Estimated: Gross shipping weight ______ Cubic dimension ______ Number of pieces ______	*Indicate if locally stocked*

U.S. Government Use Only

12. UNITS AMOUNT ENCLOSED BALANCE DUE

13. OFFICER'S LAST NAME FIRST I. ORG. CODE

14. APPROVED FOR COMMERCE

Signature ____________ Date ____________

Name, Organization ____________

Make copies of this form and distribute, as required, to: ☐ PRMS; ☐ PARTICIPANT; ☐ ACCOUNTING; ☐ EVENT PLANNING & LOGISTICS; ☐ PROCUREMENT/INDUSTRY OFFICE; ☐ MARKETING/POST COMMERCIAL SECTION; ☐ IO/REGIONAL DIRECTOR.

FORM **ITA-466P**
(Rev. 10-92)

U.S. DEPARTMENT OF COMMERCE
International Trade Administration

MARKETING DATA FORM

1. Name of Exhibition

"Women in Trade" Business Development Mission

2. Name of Company

3. Address in U.S. (Street, City, State, ZIP Code)

Once your exhibition participation has been established, the marketing data herein outlined is urgently needed together with product literature, photos, etc., in order to facilitate timely production of exhibition brochures, directories, personal prospect calls, etc., to bring the finest prospects to your booth. Submit in quadruplicate.

PART 1- MARKETING INFORMATION CONCERNING PARTICIPATING FIRM IN U.S. EXHIBITION

4. Person to contact concerning your participation in the U.S. Exhibition.

NAME: ______________________ TELEPHONE: ______________________

TITLE: ______________________ TELEX NUMBER: ______________________

5. Name of Overseas Representative responsible for marketing firms products in Exhibition country.

NAME OF COMPANY: ______________________ TELEPHONE: ______________________

ADDRESS: ______________________ TELEX NUMBER: ______________________

____

____

OFFICIAL TO CONTACT: ______________________

6. Names and titles of all company representatives who will attend the Exhibition.

U.S. ______________________ OVERSEAS ______________________

______________________ ______________________

______________________ ______________________

7. Products to be promoted at this Exhibition. (List them as you wish them to appear in the Exhibition catalog and other promotional literature. This should include descriptive language and a mention of significant features-not just model numbers and names.)

This report is authorized by law (15 U.S.C. 1512 es seq., 15 U.S.C. 171 et seq.). While you are not required to respond, your cooperation is needed to enable us to assist you in achieving your business objectives.

Public reporting burden for this collection of information is estimated to be 45 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Reports Clearance Officer, International Trade Administration, Room 4001, U.S. Department of Commerce, Washington, D.C. 20230 and to the Office of Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0625-0047), Washington, D.C. 20503.

(continued on reverse)

Item 7 *(continued)*

(If additional space required, use separate sheet)

8. Company background (When founded, position in industry, size, etc.) [25 words or less]

9. List the most **important end-users** for the products and/or services your company will promote at the exhibition. *(Rank in order of importance)*

10. To assist in identifying and promoting attendance at your exhibit of the right people from the above listed end-user industries, indicate job titles of personnel who exercise influence on purchase of products to be exhibited (e.g., Presidents of Firms, Consultants, Engineers, Scientist, Educators, Foremen, Quality Control Engineers, Draftsmen, Production Managers, Purchasing Agents, Foreign Trade Organization Representatives, Ministry Officials, etc.)

11. Objective in Participating *(Check only 3 of the 7 listed objectives, in order of importance 1, 2, 3.)*

	(1)	(2)	(3)
(1) Finding sales representative or distributor	☐	☐	☐
(2) Finding Licensee	☐	☐	☐
(3) Finding joint venture partner	☐	☐	☐
(4) Exposure to new business prospects	☐	☐	☐
(5) Product testing/Market research	☐	☐	☐
(6) Immediate sales	☐	☐	☐
(7) Other *(Specify)* ______	☐	☐	☐

PART II - REQUEST FOR ASSISTANCE IN SECURING FOREIGN REPRESENTATION

(Complete ONLY if you are seeking an agent, distributor, licensee, etc.)

1. Type of business relationship desired:

☐ AGENT ☐ DISTRIBUTOR ☐ LICENSEE

☐ JOINT VENTURE ☐ OTHER

2. (a) Are you seeking representation in the country of the Exhibition? ☐ YES ☐ NO

(b) Are you seeking representation in other countries in the marketing area served by the Exhibition? ☐ YES ☐ NO
If "yes," please indicate below which countries. (A list of the countries comprising the Exhibition marketing area may be obtained from the Project Officer.)

3. If you are currently represented in any of the countries mentioned under Item 2 above, do your representatives know you are seeking new additional representation?

☐ YES ☐ NO

4. Can your request for assistance in locating representation be openly publicized in all of the countries mentioned under Item 2 above?

☐ YES ☐ NO

If "no," please explain circumstances below.

5. Who are your principal U.S. and foreign competitors?

6. State below any specific or special requirements prospective representatives must meet with respect to physical facilities, technical capabilities, financial strength, staff representation of complementary product lines, or other factors.

(If additional space required, please use reverse side of this page)

(continued on reverse)

The New York Times

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March 15, 1997

Herman Aided Participant on Trade Mission

Related Articles
- Coverage of the Cabinet Selection

By MICHAEL WINES

WASHINGTON -- President Clinton's nominee for labor secretary, Alexis Herman, helped secure a seat on a Commerce Department trade mission last year for a company owned by the woman who bought Herman's private consulting firm in 1993, the White House said Friday.

Months later, the buyer, a Maryland doctor named Vanessa Weaver, and her sister each donated $25,000 to the Democratic National Committee.

That seeming confluence of government service, friendship and politics is the latest of several similar episodes that had held up Senate hearings on Herman's nomination for weeks while investigators looked for improprieties.

Friday, a White House spokesman defended the trip and Herman's involvement in it as proper, and said it was unrelated to the Weavers' subsequent political donations.

A Republican spokesman for the Senate Labor Committee said Herman's confirmation hearing, the final step before a Senate vote on her appointment, would proceed as scheduled next Thursday. The spokesman refused to say whether the committee's investigators knew of the trade mission or whether they were looking into its circumstances.

Herman, Clinton's liaison to business and citizen groups at the time, was the senior federal official on the Commerce Department mission. It took representatives of 17 small businesses owned by women to meet potential customers in Mexico last April.

Among the businesses was Alignment Strategies, a suburban Washington company that prepares business assessments. Dr. Weaver is the president of Alignment Strategies. Her sister, Caryliss Weaver, the vice president, represented the company on the Mexican trip.

Trade
Missions
clips

Up Front

ALEXIS HERMAN'S BAGGAGE GROWS HEAVIER

THE NOMINATION OF ALEXIS Herman as Labor Secretary, due for a Mar. 18 Senate hearing, is hitting even heavier weather and may be delayed. Some senators want to scrutinize two overseas trade missions for women business owners that Herman led in 1995 and 1996 for the late Commerce Secretary Ronald Brown. One ex-Commerce official says it was "definitely strange" to tap Herman, a White House aide, to lead the trips--but felt her close tie to Brown was the reason.

The senators are particularly interested in one plane guest on a trip to Mexico: Caryliss Weaver, vice-president of Alignment Strategies, a Potomac (Md.) consulting firm that bought Herman's diversity consultancy, A.M. Herman & Associates, two years earlier for between $50,000 and $100,000. Weaver and her sister, Vanessa, Alignment's owner and president, gave $50,000 to the Democratic National Committee in November. Neither sister would comment. A White House spokesman says although Herman suggested Alignment be invited, "it's ridiculous to assert that was some kind of payoff for buying her business."

Also under scrutiny: meetings her White House office hosted for policymakers, on government time, with women's groups and other special interests. Senators suspect the events were really political--and thus illegal. Clintonites say they weren't.

By Paula Dwyer
EDITED BY LARRY LIGHT

Clinton Aides and a Proposal to Build a Chinese Power Plant

By RICHARD W. STEVENSON

WASHINGTON, March 6 — For American companies eager to crack the vast but frustrating Chinese market, it was a big deal when Commerce Secretary Ronald H. Brown announced on a trade mission to China in 1994 that he had secured an agreement for the Entergy Corporation of New Orleans to help build a $1 billion power plant 250 miles north of Beijing.

"The public sector-private sector partnership envisioned by President Clinton is working well," Mr. Brown said at the time, hailing his department's willingness to use its muscle to pry open opportunities for American business abroad.

But the deal collapsed, unheralded, about six months after Mr. Brown's announcement, yet another victim of the political, economic and cultural difficulties that plague foreign companies trying to obtain a toehold in China.

China never bought the $450 million worth of parts and supplies from the United States that the deal called for, and Entergy never received its 20 percent, or $37.5 million stake, in the power plant, in Datong.

The project has another legacy. Entergy's partner in the project was the Lippo Group, the company controlled by the Riady family of Indonesia, which has been at the center of questions about whether the Clinton Administration traded access and influence over policy for campaign contributions.

Around the time that the Commerce Department was working to win agreement on the deal from the Chinese Government, businesses controlled by the Riadys employed Webster L. Hubbell, the former Associate Attorney General and a close friend of Mr. Clinton.

Mr. Hubbell had left office to face criminal charges that stemmed from the Whitewater investigation. The Whitewater independent counsel is now examining Mr. Hubbell's 1994 income to determine whether his employment by the Riadys and by others with ties to Mr. Clinton were intended to discourage him from cooperating with investigators who were looking into the Clintons' finances.

Mr. Hubbell, who recently completed an 18-month prison sentence, has denied that his employment after leaving the Administration played any role in his dealings with prosecutors during the case. And Mr. Clinton has said he does not think that there was any improper influence on Mr. Hubbell or the White House from the Riadys.

Entergy, which also owns the electric utility that serves Mr. Clinton's home state of Arkansas, has been among the most active American companies in China. It is involved in another power plant in Taishan, in Guangdong Province in southern China, and it is considering other investments.

A spokesman for Entergy, Patrick Sweeney, said the Commerce Department's involvement in the deal had been minimal. He said the company had been ready to sign the formal memorandum of understanding before the trade mission led by Mr. Brown in August 1994, but held the signing ceremony with Chinese officials during the mission because the chairman of Entergy, Edwin A. Lupberger, had signed up to travel with Mr. Brown.

"The trade mission was coincidental," Mr. Sweeney said. "There was nothing that happened because of the trade mission that would not have happened anyway."

Commerce Department officials said the Entergy project had not been high on Mr. Brown's priority list on the trip, which centered on trying to help bigger companies like the Chrysler Corporation and the McDonnell Douglas Corporation.

Putting the hows and whys of an international project under a microscope.

Entergy's involvement in the failed Datong project dates from well before Mr. Hubbell announced his resignation from the Justice Department on March 14, 1994.

Entergy said it signed a nonbinding agreement to work on the project that month, and Commerce Department officials said the nonbinding agreement was reached a month earlier.

A spokesman for the Commerce Department, Jim Desler, said the American Embassy in Beijing had provided some help to Entergy before Mr. Brown's trip. But Mr. Desler said he did not know whether the assistance began before the signing of the nonbinding accord in March 1994.

Mr. Brown died in a plane crash in Bosnia a year ago.

Within months of the signing, the deal went awry. Mr. Sweeney said the main problem was that not enough water was available to cool the plant, causing the project to collapse for engineering reasons. Commerce Department officials said their understanding was that the Chinese authorities did not feel that the deal would be profitable.

"The project is dead," Mr. Sweeney said, "and as far as Entergy is concerned it's dead for good."

The New York Times
FRIDAY, MARCH 7, 1997

... larger cutbacks in later years. Under Clinton's budget, it would increase by $4 billion in 1998-99, then shrink by $1 billion in 2000 then by $10 billion in 2001-02.

Even as Kasich scorned the president's budget, he dodged questions about when congressional Republicans, who control both houses of Congress, would present their version of a balanced-budget plan.

"We'll have an alternative at some point in time," he said, while acknowledging that Republican leaders are wary of taking the lead in proposing a plan because of the political flak they have taken in the past.

"We've done this the last few years and we've got whacked around," he said, referring to Democratic attacks in the last election that contributed to a loss of several Republican House seats.

Senate Budget Committee Chairman Pete Domenici, R-N.M., said backloading the savings to the last two years could lead to "unacceptably high deficits" if the president's policy changes somehow get diverted over the next three years."

"CBO's re-estimates confirm my earlier reservations about the president's budget," Domenici said. "Clearly, there's much construction still required ... and I hope the administration is willing to make the needed changes to achieve a real balanced budget."

Gore defends campaign solicitation calls made from White House By Robert A. Rankin Knight-Ridder Newspapers (KRT) 3/4/97

WASHINGTON In an extraordinary appearance in the White House press room Monday, Vice President Al Gore defended his deep involvement in raising money for 1996 Democratic campaigns, but said he would never again make telephone calls soliciting donations himself.

Gore acknowledged that he had made such phone calls from his White House office "on a few occasions." He emphasized that the president and vice president are specifically exempted from a federal law that prohibit solicitation of campaign donations from the White House or other government buildings.

"I never did anything that I felt was wrong, much less illegal," Gore stressed several times.

The federal law in question the Hatch Act does include the exemption that Gore based his defense upon.

However, Gore's personal solicitation of campaign contributions appears unprecedented, and has been denounced even by Democrats as unseemly.

"Undefendable," Sen. Robert Torricelli, D-N.J., termed it Sunday.

Gore was asked to respond to one unnamed contributor who told The Washington Post he felt like a victim of a "shakedown" by Gore after his telephone solicitation.

"I never, ever said or did anything that would have given rise to a feeling like that on the part of someone who was asked to support our campaign. I never did that and I never would do that," Gore said, repeatedly stressing how proud he is to have helped President Clinton win re-election.

Nevertheless, Gore said in the future he would not make any calls soliciting campaign donations "because it's aroused a great deal of concern and comment and it's not it's not something that I want to continue if it's going to raise this kind of concern."

Even though Gore has been highly visible as vice president, his news conference Monday was highly unusual because it focused on Gore's reputation rather than an administration initiative. The appearance clearly was intended as political damage control. The Tennessee Democrat, who has enjoyed a reputation for integrity during his eight years in the House, eight in the Senate and four as vice president, does not want to see his prospects of winning the presidency in 2000 jeopardized by the spreading controversy over Democratic fund raising.

As the spotlight shifted to Gore, pressure grew for Attorney General Janet Reno to request an independent counsel to investigate the affair.

Reno has said that a preliminary Justice Department inquiry has failed to find sufficient evidence that any senior officials covered by the independent-counsel statute may be implicated in any crime.

Jack Kemp, the Republican vice presidential candidate last year, joined the list Monday of prominent politicians calling for the appointment of an independent counsel.

"In my opinion, only an independent counsel and the Thompson committee can fully explore the I'm going to use the word corruption of political fund raising in America," Kemp told CNN, referring to the Senate investigation being led by Tennessee Republican Fred Thompson.

that the admitted deep involvement in the controversy of both Clinton and Gore warrants an independent counsel even if neither of them did anything illegal.

"She (Reno) keeps saying she needs specific credible evidence of crime by a covered person. That's not true. That's only one basis. The other basis is when the attorney general has personal, financial, or political conflict of interest" compromising her ability to oversee the investigation, diGenova said.

"That was (the basis) used by her in Whitewater," diGenova added, noting that Reno called for a special prosecutor in that controversy simply because the President and Hillary Rodham Clinton were involved at least as witnesses, which created a political conflict of interest for Reno.

"There is enough evidence right now of a conflict of interest (in the Democrats' fund raising) because of the president's and vice president's involvement in this case, as major witnesses if not as subjects of the investigation," diGenova said. "I think that ultimately she's (Reno's) not going to have any choice. This is going to have to happen, because the conflict of interest is a no-brainer at this point."

Gore became a focus of attention when The Washington Post published
a long front-page article Sunday by Bob Woodward detailing the vice president's deep involvement in fund raising over the past two years.

Gore and his team of fund-raisers helped the Democratic National Committee raise $40 million of the $180 million collected by the party in 1995-96, including some $8.74 million raised at 39 events where Gore was the headliner, according to DNC data reported by the Post.

In addition, Gore himself telephoned an unidentified number of potential donors and asked them for contributions, something the previous three vice presidents Dan Quayle, George Bush and Walter Mondale told the Post they never had done.

"I'm proud of what I did," Gore said several times Monday. He said raising money had been essential to Clinton's re-election, and chastised observers who profess shock that presidents and vice presidents must raise money for campaigns.

"I will leave it to you all to determine whether or not that's totally unique or not," Gore said.

The Hatch Act forbids federal employees from soliciting campaign contributions in federal buildings, but it specifically exempts the president and vice president from its provisions regarding political activity. The Hatch Act is intended to insulate official federal business from partisan activity.

Abner Mikva, then-White House counsel, spelled out these legal prohibitions in a nine-page memo to the White House staff on April 27, 1995, to make sure that everyone inside knew the rules before the president's re-election campaign geared up.

"Campaign fund-raising activities of any kind are prohibited in or from government buildings," said the memo addressed to White House staffers. "This means that fund-raising events may not be held in the White House; also, no fund-raising phone calls or mail may emanate from the White House or any other federal building."

Some overtly partisan business not including fund raising can be conducted legally from the White House so long as any costs incurred in doing it are not billed to the taxpayers, Mikva's memo states. Partisan use of White House equipment for long-distance telephone calls, faxes, and computer services, for example, can be legal if the cost is reimbursed by the party or a campaign committee.

Gore said he made only a few fund-raising calls and was always careful to bill them to a credit card from the Democratic National Committee. "I understood there was nothing wrong with that," the vice president said.

Gore also repeatedly stressed that he did not break a federal law that prohibits soliciting of employees who are on government property.

Commerce Secretary announces new selection process for executives attending trade missions By Josh Goldstein Knight-Ridder Newspapers (KRT) 3/4/97

WASHINGTON Commerce Secretary William Daley announced new rules for foreign trade missions Monday, saying that "partisan political considerations" will not used to determine which business executives participate in the trips.

The guidelines, the result of a full review promised by Daley during his Senate confirmation hearings, come in response to concerns by members of Congress and outside groups that the Commerce Department rewarded Democratic campaign donors with seats on trade missions led by the late Secretary Ron Brown.

Nearly 40 percent of the participants on trips led by Brown had economies. "Trade missions open the doors to these markets and opportunities," Daley said.

In addition, the missions are essential at a time when Chancellor Helmut Kohl of Germany and Prime Minister Jean Chretien of Canada have been known to switch roles from heads of state to salesmen as they have led trade missions of their own nationals to seal deals. To de-emphasize trade missions, would be "tantamount to unilateral withdrawal from the global economic competition," Daley said.

The policy was welcomed by Sen. John McCain, R-Ariz., chairman of the Senate Commerce Committee, which oversees the department. During his confirmation hearings earlier this year, Daley told Congress he would place a 30-day moratorium on all trade trips until he had a chance to review the selection process.

"I applaud Secretary Daley for keeping his word to Congress and the American people to attempt to take politics out of the business of the Commerce Department's trade missions," McCain said.

Congress refuses to cut pork from transportation By Mike Dorning Chicago Tribune (KRT)

WASHINGTON The era of Big Government may be over, but Big Pork lives on.

Amid much-publicized rhetoric about the virtues of balanced budgets and limited government, Congress is gearing up quietly for a quintessential exercise in old-fashioned log-rolling: the twice-a-decade reauthorization of the federal highway and surface transportation program.

Perhaps more than $175 billion in federal assistance will be up for grabs, dispensed for highways, bridges and bypasses even environmentally correct bike paths and mass transit systems.

All of which are just the kind of public works projects that ribbon-cutting congressional incumbents long have used to demonstrate to constituents the benefit of their continued presence in Washington. In other words, it's a whole stockyard full of pork.

The anti-spending philosophy of the Republican revolution on Capitol Hill notwithstanding, the prospect has set off a decidedly bipartisan rush.

The House Transportation Committee, which has jurisdiction over the bill, has swelled to become the largest committee in the history of Congress. Its 73 members are one-sixth of the House of Representatives.

That's 19 more members than are found on, for example, the National Security Committee.

"Everybody and their brother, aunt, uncle and sister wants to get on that committee and get their project in there. ... This is where the political rubber meets the road," said Transportation Committee member Rep. Ray LaHood, a Republican from Peoria, Ill.

This year, it appears there will be plenty of tires screeching. There are some collisions, too.

The road-building money is being divvied up just as the balanced budget targets are beginning to pinch funding, thereby squeezing off Congress' tried-and-true method for peacefully resolving conflicts over allocation of highway subsidies: raising the level enough so that even the losers generally come out ahead.

Simultaneously, the extraordinarily ideological Republican class of '94, which just returned from the much toned down 1996 campaign, is newly appreciative of the political value of delivering the goods for the folks back home. Budgetary pressures are closing off other opportunities to do that.

"This is probably going to be the only game in town in terms of going home and making some big announcements," one House staffer said.

Those political realities could turn the usual back-and-forth haggling over transportation funding into, as one Senate aide said, a bitter "zero-sum game."

That game will include simmering conflicts among the country's regions over resource allocations, competition among congressional members for set-aside, line-item, "high priority" projects in their districts, and tussles between road-builders and advocates of rival transportation projects, such as mass transit.

Already, a coalition of 25 mostly Southern states is grousing that it is being shortchanged under the existing surface transportation program. The program is funded by a federal gasoline tax, and each of those states pays more into the program than it receives back in spending. They want a guarantee that each state will receive a minimum 95 percent of its gas tax revenues back.

The mostly Northeastern and Great Plains states that come out well ahead are equally adamant about preserving the allocation in roughly its present form. The Northeast notes that its aging roads and bridges are in greater disrepair, and the lightly populated Plains states point out that they must maintain long stretches of interstate highways.

Illinois has come out ahead, receiving $1.35 in funding for every $1 it has contributed in gasoline taxes since the 1991 passage of the existing allocation system, according to the most recent figures available from the Federal Highway Administration.

Some sign of the depth of feelings among Northeastern representatives came from the response of Rep. Susan Molinari, R-N.Y., to the demands of Southern states, including Texas.

"The extra 6 billion defense dollars that go to Texas, kiss it goodbye," said Molinari, who made the threat despite sharing a place in the inner circle of Republican leadership with Texan Reps. Dick Armey, the House majority leader, and Tom Delay, the Republican whip.

Although the transportation program is funded by a separate trust fund financed by gasoline taxes, the fund balance counts toward the overall deficit. Thus, deficit hawks and the Clinton administration alike are seeking to hold down spending to maintain a surplus. The administration has proposed $175 billion in spending over six years but many in Congress are pushing for much more.

Much of the transportation funding is allocated via a complex formula negotiated by congressional representatives acutely aware of how any adjustment affects their own state and district.

New York Democratic Sen. Daniel Patrick Moynihan, for example, is behind a provision that reimburses states for tolls paid a half-century ago. The justification is those tolls paid for construction of highways that if built later would have been federally funded as interstates.

New York just happens to have a lot of those highways.

Meanwhile, the lawmakers exert their influence even more directly through individual set-aside, "high priority" projects funded separately from the state funding formulas.

Presiding over all of this, at least in the initial drafting stage, is Rep. Bud Shuster, R-Pa., the old-school, pork-barrel chairman of the Transportation Committee.

A natty dresser who flamboyantly favors gold cuff links and tie pins, Shuster is unapologetic about adorning his own central Pennsylvania district in asphalt. The mostly rural district is bisected by a four-lane interstate he championed and, in the 1991 bill, his district received $287 million for 13 projects.

Shuster has been under an ethical cloud since the newspapers Roll Call and the Journal of Commerce exposed his continuing ties with longtime aide Anne Eppard.

Eppard quit Shuster's staff to rake in hundreds of thousands of dollars in consulting fees for lobbying his committee even as she continued to raise money for his campaign.

More recently, a Boston federal grand jury opened an investigation into whether Shuster improperly assisted two campaign contributors in gaining favorable treatment for their businesses in dealings with a major federally funded Massachusetts highway project.

Nonetheless, despite the Democrats' rush to file ethics charges against GOP Speaker Newt Gingrich, not a single member of Congress would sign an ethics complaint against the prominent Republican committee chairman. The eventual complaint came from an outside group, the Ralph Nader-affiliated Congressional Accountability Project.

"Bud keeps lists. He's in the old mode. You scratch my back, I'll scratch yours. You stab my back, I'll stab yours," said one Transportation Committee member.

Supreme Court will not rule on English-only case By Glen Elsasser Chicago Tribune (KRT)

WASHINGTON Citing flaws in an Arizona case, the Supreme Court declined Monday to rule on whether English-only laws violate free speech rights.

Justice Ruth Bader Ginsburg, who delivered the unanimous decision, said the court looked forward, however, to resolving the controversial issue in a separate case now before the Arizona Supreme Court.

During oral arguments in December, the justices had questioned whether the first case should have come to them at all because it had become moot.

The still-unresolved legal controversy focused on Article 27 of the Arizona Constitution, an amendment that was narrowly approved by voters in 1988. The provision, similar to laws in 23 states, including Illinois, recognizes English as the official language and requires its use in "all government functions and actions."

contributed to the Democratic Party, according to the Center for Public Integrity a group that tracks political influence in Washington.

Documents released by the Commerce Department in response to Freedom of Information Act requests suggest that trade missions were used to encourage and reward donors.

Daley, in a news conference Monday, insisted that "there will be no politics allowed in the application process" for private-sector participants in Commerce-led trade missions. The new guidelines require that career appointees or panels with a majority of career employees select the participants in future trips.

Documents show that when Brown was commerce secretary, party donors and insiders tried to parlay their clout into seats on overseas trips.

In September 1994, Phil Verveer a Washington lawyer representing the telecommunications industry wrote to Rob Stein and Jonathan Sallet to suggest a participant in a Ron Brown mission to India. At the time, Stein was the department's chief of staff and Sallet was an assistant to the secretary.

Verveer wrote that William B. Ginsberg CEO of Cellular Communications International Inc. would "be a highly creditable addition to the delegation."

"In addition, Ginsberg was an early financial supporter of the Clinton/Gore campaign and a very generous donor to the party's 1992 election efforts," wrote Verveer.

Ginsberg contributed $25,000 to the Democratic National Committee (DNC) in 1992 and gave the maximum $1,000 to the Clinton/Gore re-election campaign on June 22, 1995.

Ginsberg went on the India trip in January 1995.

In another letter, dated July 14, 1994, former congressman and Democratic party adviser Tony Coelho wrote to Melissa Moss director of the Office of Business Liaison at the Commerce Department to express his appreciation for her "willingness to help in having our Chairman and CEO James A. Harmon invited to participate in the Secretary's trip to China."

Coelho works for the Wall Street investment firm Wertheim, Schroder
& Co.

In his letter, Coelho also said "if you think there is anything more I can or should do to make this happen, including speaking directly to the Secretary, please let me know, as this is very important to me."

Coelho's boss Harmon accompanied Brown on the commerce trade mission to China and Hong Kong in August and September 1994.

The new guidelines were quickly called inadequate by Larry Klayman, chairman and general counsel of the conservative Judicial Watch, a group that has been critical of ethics in the Clinton administration.

Klayman said the guidelines "have more holes than Swiss cheese and should the Clinton administration so choose they provide an opportunity to continue business as usual."

He termed the new policy "part and parcel of the Clinton administration's wide approach to try to deflect criticism about past practices and to focus on future practices." But Klayman said Daley's new policy reflects "at least tacit admissions of wrongdoing in the past."

Under the new guidelines for trade missions, the department will have:

A statement of mission goals

Specific criteria for selecting private-sector participants

An express prohibition against considering political activities

Mandatory broad outreach to potential participants

Daley said, "the final plan reflects a trade mission process governed by objective criteria and conducted according to the high standards the American people expect and deserve."

"Our mission in reviewing trade missions is to look at how to strengthen them and how to go forward without making any judgments on what may or may not have transpired in the past."

Supreme Court will not hear English-only case) By Aaron Epstein Knight-Ridder Newspapers (KRT)

WASHINGTON The explosive national debate over the constitutionality of English-only laws will not be settled by the Supreme Court this year. The justices unanimously ruled Monday that the heralded Arizona case before them was dead on arrival.

Justice Ruth Bader Ginsburg said serious procedural barriers prevented the high court from examining the validity of a 1988 Arizona state constitutional amendment that requires English to be "the language of the ballot, the public schools and all government functions and actions."

The court's action had the legal effect of reviving the amendment, which had been struck down in 1995 by the 9th Circuit of the U.S. Court of Appeals.

The appeals court, citing free-speech guarantees, ruled 6-5 that the amendment was coercive, overly broad, damaging to government efficiency, and unfair to Hispanics and other foreign-born residents of Arizona. It was that decision the Supreme Court set aside Monday.

Now the Arizona Supreme Court will use a different case to decide the validity of the amendment, one of 24 state laws that seek to make English the official language of government.

The Supreme Court signaled its intention to sidestep the constitutional issue during oral arguments last December. None of the nine justices asked a question about the constitutional issue and most of them appeared convinced that there was no longer a live controversy in the case before them.

In a 35-page opinion, Ginsburg cited three major problems.

First, she said, Maria-Kelly Yniguez, a bilingual woman who filed suit to invalidate the amendment, left her state job in 1990 to work for a private hospital, where she is not subject to the English-only restriction. That act was fatal to her case, Ginsburg said.

Second, Arizonans for Official English, which sponsored the amendment, and its chairman, Robert D. Park, were permitted to appeal after the state refused to do so. The justices expressed "grave doubts" that the group and Park had a right to appeal, but they did not resolve the issue.

Third, Ginsburg said, lower federal courts wasted time and resources by failing to ask the Arizona Supreme Court what the amendment means, especially after a 1989 state attorney general's opinion said it permitted state workers to speak languages other than English on the job.

In another important case involving patent law, the court unanimously reaffirmed a 47-year-old legal test for determining how much a new invention must differ from an existing patent in order to escape liability for patent infringement.

The decision was a victory for patent holders and a defeat for producers of new products.

Technological companies in the Silicon Valley area of northern California told the court that current patent law discourages them from investing in new products when an existing patent is similar but not identical.

But Justice Clarence Thomas said the court would stick to the existing "doctrine of equivalents." The doctrine means that a new invention, while not a copy of a patented product, may nonetheless violate patent rights if the differences are slight.

The issue arose in a dispute between two companies over a patented method for removing impurities from dyes.

A jury awarded $3.5 million to the Cincinnati, Ohio-based Hilton Davis Chemical Co., a subsidiary of Freedom Chemical of Philadelphia, which claimed that the Warner-Jenkinson Co. of St. Louis infringed on its patent. A federal appeals court affirmed the judgment by a 7-5 vote.

The justices reversed the lower court and sent the dispute back for additional evidence on another legal issue.

In a Florida case, the Supreme Court let stand a state appeals court decision requiring the City of St. Petersburg to pay William A. Bowen for ordering his apartment house closed for one year after learning it was used for cocaine sales.

Cities in and out of Florida protested that the ruling could curb their power to eliminate public nuisances without having to pay compensation. "Does this mean that government must pay to protect its citizens?" asked Jane Cameron Hayman, a lawyer for the Florida League of Cities.

In a Pennsylvania case, the high court agreed to decide next year when new owners of a company can poll employees to see whether most of them still support a union.

Owners of Allentown Mack Sales and Service, saying a poll supervised by a Catholic priest resulted in a 19-13 vote against the Machinists Union, refused to recognize the union after buying a dealership and repair shop.

But the National Labor Relations Board and a federal appeals court said the company was not entitled to conduct the poll unless it lacked evidence to create "reasonable doubt" of continuing union support.

3/4/97

Gore says he did nothing wrong in soliciting campaign funds By William Neikirk Chicago Tribune (KRT)

WASHINGTON Vice President Al Gore conceded on Monday that he solicited re-election campaign contributions from his White House office, asserting he violated no laws but would never do it again.

''I'm proud of what I did," Gore said at an unusual White House press conference called expressly to fend off allegations that he may have stepped over the line of propriety in aggressively raising funds during the campaign.

''I do not feel like I did anything wrong, much less illegal," he said. ''I am proud to have done everything I possibly could to help support the re-election of this president."

Under fire for a fundraising role that had led some Democrats to label him ''solicitor in chief," the vice president found himself compelled to answer charges suggesting that he may have illegally solicited funds at the White House.

The man President Clinton is grooming as his successor defended himself with forceful language and with no apologies while he sought to avoid being tarnished further by the administration's fundraising controversy.

Acknowledging that ''on a few occasions" he made telephone calls to donors from his White House office, which is just around the corner from the president's, Gore said he paid for them with a Democratic National Committee credit card.

The federal Hatch Act, which prohibits federal employees from raising campaign funds on federal property, including the White House, exempts the president and vice president, he said.

The vice president said that his lawyer advised him that the practice was completely legal and that no case has ever been decided by a court's ruling it was a violation.

Yet, he said, he won't do it again ''because it's aroused a great deal of concern and comment. It's not something that I want to continue if it's going to raise this kind of concern. ... If I had realized in advance that this would cause such concern, then I wouldn't have done it in the first place."

Even some Democrats on Capitol Hill had questioned Gore's enthusiastic role as a fundraiser for the Clinton-Gore ticket. And when a former Clinton aide, George Stephanopoulos, said Sunday that the vice president had made calls from the White House, the political criticism drew more intense.

A Washington Post story in Sunday's editions described a vice president who approached his fund-raising role with gusto, on occasion bringing complaints from some donors that he was heavy-handed and his requests amounted to a virtual shakedown.

The vice president said ''this was not an accurate impression" and declared that ''most all of the money for the campaign that I am given credit for raising came in the form of traditional events where I was the main speaker at fundraising events."

Was he ''solicitor in chief?" ''I have never heard such a phrase," he said. ''I never heard such a phrase until I read it in the paper."

Gore conceded that he had asked individuals for specific amounts of money when seeking donations and that on occasion it made him uncomfortable, but he added that ''if you believe in what you're doing ... then you do that."

The vice president said that while he asked wealthy private donors for money, he never solicited campaign contributions from a federal employee, which would have been a violation of the law.

Gore said he began his telephone calls to contributors from the White House in December 1995. ''There were a few other sessions during which I made calls in the spring of 1996," he said. He didn't give a total number of calls.

The vice president's fund-raising activities also have been questioned in another case, when he attended a fundraiser in California at a Buddhist temple that has since come under scrutiny by investigators. He declined to go into that matter at his press conference, saying that he has fully answered questions about it.

His White House calls raised even more questions about fund raising for the Clinton-Gore re-election effort after disclosures that Clinton invited wealthy donors to a series of White House coffees and overnight stays in the Lincoln Bedroom.

Clinton said that neither the coffees nor overnight stays violated federal law because no solicitations for money were made.

Former White House Counsel Abner Mikva and his associate, Cheryl Mills, wrote a memorandum for White House officials on April 27, 1995 outlining the law and rules governing campaign activity by federal employees.

It pointed out that soliciting funds on federal property was illegal.

''This means that fundraising events may not be held in the White House; also, no fundraising phone calls or mail may emanate from the White House or any other federal building," the mem[illegible]

Contacted in Chicago, Mikva said his memo was intended to [illegible] to federal employees, but not the president and vice president. He agreed that they are exempt from the Hatch Act and probably can within the law raise money from the White House. But, he added, ''I don't know. I never checked it out."

Gore said that the intent of federal laws governing fundraising ''was to prevent a supervisor from talking to a federal employee and saying, 'We want you to contribute money.' I have never done that. Secondly, I have never asked anyone who was on federal property on in the White House for a campaign contribution."

The vice president fended off questions whether the disclosures of his role in fundraising would hurt him if he decides to run for president in 2000. He said he hasn't set up a campaign structure or a political action committee. ''I'm not focused on a political campaign in the future," he said. ''We're not there yet."

As Clinton did when his role in fundraising activities was questioned, Gore called for passage of campaign finance reform legislation, which is in trouble on Capitol Hill. He noted that he introduced a bill when he was in Congress to provide for complete public financing of campaigns.

''I still favor that legislation, but it didn't pass," he said. ''There's probably even less support for it now."

As a result, he said, candidates are forced to live with a system in which they must seek contributions from private donors and have fundraisers in order to win elections.

Commerce secretary issues policy intended to keep politics out of junkets By Frank James Chicago Tribune (KRT) 3/4/97

WASHINGTON Trying to lift his department beyond charges that the Clinton administration has used overseas trade missions to reward campaign contributors, Commerce Secretary William Daley on Wednesday unveiled a new policy meant to keep politics out of the selection process for such trips.

Among the biggest changes, Daley announced a ban on choosing executives for trade missions on the basis of referrals from ''political organizations," such as the Democratic National Committee.

''There will be no politics allowed in the participation process," Daley said. ''The policy contains an explicit prohibition of any consideration of partisan political activity, including any contributions."

Daley also promised that the new process would be so open and completely documented that observers outside the department could be assured that every private-sector participant was chosen for reasons having nothing to do with politics.

''The key issue is transparency," said David Rothkopf, former deputy Commerce undersecretary for international trade, now at Kissinger Associates in New York. ''To the degree that it is understood from the outset that the selection process is an open book reviewable at anytime for anybody, it will discourage any behavior that might fall into the gray area."

The move appeared an attempt to put more distance between the department and the Democratic National Committee. The committee has been involved in a controversy over its fundraising.

The Commerce Department-committee link became an issue soon after Ron Brown, who had headed the committee during President Clinton's first presidential campaign, was named Commerce secretary. Brown was killed in a plane crash in Bosnia last year while on a trade mission.

A number of people Brown knew at the committee joined him at the Commerce Department, including a political appointee who chose businesspeople for the missions. That official is no longer at the department.

The trade missions had come under attack early in the administration from congressional Republicans and others who accused the Commerce Department of playing favorites.

By last year, the trips had fallen into such disrepute that the department found many of the invited senior executives, typically chief executive officers, declining to participate, according to a former department official who asked not to be named.

''They were having a hard time getting CEOs to go," the former official said. ''Why go and have somebody say you gave money? You're tainted."

Daley said that continuing the trade missions is vital to the fortunes of U.S. companies and workers as they compete in global markets for new export business, especially in Asia and Latin America's emerging

Commerce revises mission guidelines

By Warren P. Strobel
and Lorraine Woellert
THE WASHINGTON TIMES

Commerce Secretary William Daley yesterday unveiled new guidelines designed to keep politics out of the department's international trade missions.

The new policy, which takes effect immediately, forbids political organizations or those with a record of past political donations to play a role in deciding which businessman goes on the high-profile, and often lucrative, trips.

It was the second time in four days that new rules were announced in an attempt by the Clinton administration and the Democratic Party to put the fund-raising scandal behind them.

On Friday, the Democratic National Committee announced new regulations designed to prevent a recurrence of past fund-raising abuses and announced it was returning an additional $1.5 million in questionable donations.

Mr. Daley said in a statement the new Commerce Department policy "expressly puts partisan political considerations off limits in the trade mission process." He had pledged during his January confirmation hearings to conduct a 30-day review of how the department selects participants in its trade missions.

Under the late Ron Brown and his successor as commerce secretary, Mickey Kantor, aircraft seats on the tours, which were meant to clinch foreign contracts and expand U.S. exports, often were reserved for big Democratic donors.

The Boston Globe reported last month that four companies invited on the two trade missions led by Mr. Kantor gave the Democratic Party one-shot contributions of $100,000 or more just before or after the trips. Mr. Kantor insisted the trips and the contributions were entirely unrelated.

Former DNC General Chairman Donald Fowler has acknowledged sending a letter to Mr. Kantor urging him to reserve a seat on an overseas trade mission for a Florida businesswoman who had given almost $40,000 to the Democrats in the previous 30 months.

Under the new policy, such referrals and any documents with references to an applicant's past contributions or political work are to be "returned to sender."

Corporate executives applauded the Daley announcement, saying any steps to shelter the trade-mission system from the threatening storm of criticism would be good for U.S. business.

"This is all going to be a tragedy in terms of the United States if officials can't take and lead missions," said Dennis Bakke, president of AES Corp. in Arlington.

"I think [trade missions] are threatened because of the allegations," said John Castellani, executive vice president at Tenneco Inc., an international industrial company based in Greenwich, Conn. "Not only is it a legitimate role of government, but it's one where we have been behind our foreign competitors for years and years."

As for fixing the system, executives who've participated in trade missions said they haven't seen a need for major improvements.

"It was not a perk; we were looking for help," Mr. Bakke said. "We got a lot of help from those trips."

In the case of AES, one of the largest U.S.-owned overseas producers of electric power, using objective criteria for picking trip participants probably would not hurt irs chances to attend future trade missions.

"For us it's a moot point," Mr. Bakke said. "Some of these stories have been trying to connect trips with political contributions, but for us it was irrelevant."

TRADE MISSION RULES

Commerce Secretary William Daley yesterday unveiled a new policy governing trade missions, including more public oversight. Among the guidelines:

- Corporate participants will be selected in an "objective and transparent" process that will look at a company's relevance to the particular trip and its expertise with the country being visited.
- Companies must certify they have no business with Commerce that might present an apparent conflict of interest.
- Commerce officials will consider a diversity of company size, type, location and demographics when selecting corporate participants for a trip.
- Potential participants must apply in writing to attend a trade mission.
- Corporate nominations or endorsements from third parties, such as trade groups and government officials, will be made a part of the mission's public file.
- Referrals from political organizations won't be considered during the selection process and will be returned to the sender.
- Any documents, including applications, that refer to political contributions or affiliations will be returned.
- The final selection will be made by a panel of Commerce officials and reviewed by a five-person board.

Source: U.S. Department of Commerce

But using such criteria for selecting participants could discriminate against smaller companies with less international experience.

"There'll be a lot of little guys who might be looking for business who might never get on a trip," Mr. Bakke said.

The Washington Times
TUESDAY, MARCH 4, 1997

this year, Mujica says, and he says he is optimistic it will win passage now.

But the pending federal bill, like the disputed Arizona measure, would be mostly symbolic. Both sidestep the controversy over bilingual education in the schools and bilingual ballots.

The Arizona measures says those are federal mandates and therefore, unaffected by the state initiative. Meanwhile, the Congressional sponsors of the federal measure did not include a repeal of bilingual education or bilingual ballots.

For its part, the Supreme Court said it was bypassing the chance to rule squarely on Arizona's measure because it did not know exactly what it meant.

The initiative was drawn up by a retired immigration agent named Robert D. Park with the hope, he said, of stopping the ``move toward official bilingualism." Approved by 50.5 percent of the voters in 1988, the initiative says English is the official language of the state and the language of ``all government functions and actions."

The state attorney general interpreted the measure to mean only that official state documents would be printed in English.

However, the lawsuit filed by a Latino state employee said the measure barred her from speaking to Spanish-speaking people who came to her office seeking help.

Maria-Kelly Yniquez said she wanted to write letters involving medical malpractice claims in Spanish and she sought an order declaring her right to do so.

Based on her claim, U.S. District Judge Paul Rosenblatt in Phoenix struck down the entire measure as unconstitutional. Then-Gov. Rose Mofford chose not to appeal.

Nonetheless, the 9th Circuit court took up the case and split along liberal and conservative lines. Judge Stephen Reinhardt, speaking for the liberal majority, said the Arizona law violated the ``the American tradition of tolerance" toward immigrants. Judge Alex Kozinski, in dissent, said the liberals want to give ``bureaucrats the right to turn every policy disagreement into a federal lawsuit."

Always cautious and a stickler for proper procedures, Ginsburg said the judge in Phoenix and the 9th Circuit court should have deferred to the Arizona courts so they could rule first on whether the initiative even applied to workers such as Yniquez.

It ``might have saved the parties years of litigation had those courts give more respectful consideration" to the state's attorney general's view of the matter, she said in the case of Arizonans for Official English vs. Arizona, 95-974.

Arizona Attorney General Grant Woods praised the decision and agreed the Arizona courts should now decide the meaning of the 1988 initiative.

Commerce Department to Ban Politics From Trade Missions (Washn) By Art Pine (c) 1997, Los Angeles Times

3/4/97

WASHINGTON The Commerce Department announced new rules Monday designed to prevent abuses of its overseas trade missions, amid charges that key Clinton administration officials have favored political contributors in deciding which business executives go on such trips.

The new regulations specifically prohibit any consideration of a company's political contributions in selecting the companies whose executives will take part in such missions. They also set up procedures designed to insulate the entire process from political pressures.

Commerce Secretary William M. Daley, who had promised to clean up the system when he took office a month ago, pledged flatly that ``there will be no politics allowed" in the new process. He also lifted the 30-day moratorium he had imposed on such trips in February.

At the same time, however, Daley refused to say whether the system had been abused in the past. He insisted repeatedly that a monthlong review he conducted before drafting the new rules ``was about ... going forward" and did not delve into past practices.

He also defended Vice President Al Gore, the target of recent newspaper reports about his role in soliciting political contributions, as a man with especially high integrity.

But Daley conceded that ``the system" of campaign financing ``has gotten totally out of whack at a presidential, Senate, congressional, local level the cost of these elections all the way down to aldermen, councilmen ... all the way back up to the president."

The new regulations fulfill one of the two promises that Daley made to the Senate Commerce Committee last December when it considered his nomination to the secretary's post.

The controversy over the trade missions emerged after allegations that the late Secretary Ronald Brown, who died in a plane crash in Croatia last April while on such a trip, had politicized export-promotion program.

Daley's other pledge was to cut 100 of the department's appointees by the end of this year.

The secretary said he believed he could accomplish much of the cutback through normal attrition. Commerce Department officials say about 50 of those job slots already are vacant and many more are likely to be vacated as employees retire or move elsewhere.

The department has been sponsoring trade missions for years, inviting corporate executives to fly on government planes often accompanied by the Commerce secretary or another high official to help them do business overseas.

Critics contend, however, that in recent years the program favored those companies or executives who had or soon were about to make contributions to the Clinton campaign or to the Democratic National Committee.

Here are the major elements of the rules Daley made public Monday:

From now on, selection of corporate participants in department trade missions will be made by a panel comprising three career officials not political appointees and reviewed by a five-member board that includes both career lawyers and senior appointed officials.

The panel will be insulated from pressures from the political parties and from information about a company's political activities. Panel members will be barred from considering politics in making their choices.

The department will develop a detailed plan for each trip, outlining the goal of the particular mission and setting ``objective, written criteria" for the kinds of companies and executives that would best fit the mission's objectives.

The entire process from the mission statement and list of participants to a summary of what was accomplished will be made public following each trip. The department also will ask participants to pay their share of air fare and other costs.

Claims of Racism Arise in Army's Sexual Misconduct Case (Washn) By Paul Richter (c) 1997, Los Angeles Times

WASHINGTON The investigations into sexual misconduct in the Army have taken an unexpected turn over a second anguishing issue: race.

Black leaders in Maryland are objecting that all 13 men facing charges in the scandal at Aberdeen Proving Ground are black, while the great majority of their accusers are white women. And they contend that black men also have been disproportionately accused in the Army cases pending elsewhere around the United States, although no official racial breakdowns are available to corroborate this.

The highest-profile sexual misconduct case, concerning Army Sgt. Maj. Gene C. McKinney the most senior enlisted man in the service does involve a white woman's accusations against a black man.

``This raises the old images of black men and white women that we just don't need in this day and age," said Janice E. Grant, of the Harford County, Md., National Association for the Advancement of Colored People, who has called for a civilian probe into the matter. ``The numbers here just don't add up."

The allegations of racism are likely to further complicate the Army's efforts to resolve the sexual harassment investigations in a way that is politically, as well as legally, satisfactory. Top Army officials have vowed to make every effort to show that the institution has ``zero tolerance" for misconduct against women, who now make up 20 percent of recruits.

The race issue is likely to be raised in some of the specific Aberdeen cases, say Army sources. Some of the men accused of sexual misconduct there believe the Army has overlooked similar infractions by white men.

Army officials Monday denied all suggestions that their actions were influenced by race. They said the charges against the accused were based on the Army's interviews with nearly 1,000 women stationed at Aberdeen, as well as the allegations of other women who telephoned an Army hotline set up to handle complaints of sexual misconduct in the service.

``The only thing the Army targets are enemy soldiers," said one Army officer.

Although a large share of the Army's noncommissioned officers are black, and while the Aberdeen ordnance school has a particularly large share of black NCOs, the fact that all the accused men at Aberdeen are black does appear to be disproportionate.

About 30 percent of enlisted soldiers, and more than one-third of

Commerce Dept. plan promises to keep politics out of trade trips

By Martin Crutsinger
The Associated Press

The Commerce Department, accused of using foreign trade missions as political paybacks, unveiled a revamped process Monday for selecting the business leaders who go on such trips.

Commerce Secretary William Daley pledged the new procedures will make sure politics doesn't play a role in the missions.

"The new policy expressly puts partisan political considerations off-limits in the trade mission process," Daley said in announcing the rules at a news conference.

Since the Clinton administration came into office in 1993, the Commerce Department has conducted frequent, high-profile missions to emerging markets around the world. The stated object of the trips to Russia, China, South Africa, Venezuela and other nations: To boost American business interests by giving 20 to 40 American business executives a chance to meet foreign leaders, sign deals and make contacts. The missions were first led by Commerce Secretary Ron Brown, then by his successor, Mickey Kantor.

The 17 pages of guidelines prohibit consideration of an applicant's past political contributions or political activities. They also establish a selection process that will have a panel make final decisions on who goes on

By Mike Theiler, Reuters

Daley: Imposed moratorium on trade missions to develop new procedures.

the choicest trips. Career Commerce employees will have a voting majority over political appointees.

"From this time forward, we will have in place a fully transparent process where relevant documents will be available on the public record," Daley said. "The final plan reflects a trade mission process governed by objective criteria and conducted according to the high standards the American people expect."

But Judicial Watch, a conservative public interest law group that successfully sued to obtain 30,000 pages of records on the missions, says Daley's guidelines don't go far enough.

The group says political appointees could still pressure career employees to make sure donors are included and that there is no appeal process for companies that lose out in the selection process.

AP

Brown: Had denied playing politics

"These guidelines are an improvement over basically having no guidelines," said Judicial Watch Chairman Larry Klayman, but "are more cosmetic than real."

During the tenure of Brown, a past chairman of the Democratic National Committee, there were accusations that the selection process was used as a way to pay back wealthy Democratic contributors.

Brown, who died last April while leading a trade mission to Bosnia, denied the accusations, insisting the selection process was based on merit.

Daley didn't answer questions about whether his review had uncovered any evidence of wrongdoing, saying the purpose was to focus on ways to improve procedures.

Federal officials must not solicit on federal property

A seldom-enforced 1948 law is at the heart of the controversy over Vice President Gore's aggressive fund-raising efforts from the White House.

The law prohibits federal officials from soliciting or accepting contributions on federal property. Gore, in a news conference Monday, vigorously denied violating any laws in raising money for the Democratic National Committee.

Gore said he had made a "few calls" from his office to potential donors. He said his legal counsel "advises me that there is no controlling legal authority or case that says that there was any violation of the law whatsoever."

Republicans on Capitol Hill immediately attacked Gore's conduct as illegal.

The question of fund-raising at the White House has come up before, in the term of President Jimmy Carter. The Justice Department, in a narrow legal opinion, said the prohibitions against fund-raising did not apply to the president's private residence.

In that 1979 opinion, the Justice Department's office of legal counsel reviewed allegations that Carter had solicited contributions from 20 donors in the family dining room of the White House.

The law says it is unlawful for federal officials to solicit or accept funds "in any room or building occupied in the discharge of official duties."

However, the Justice Department said the private residence and "rooms used for personal entertaining where there is a history of such use" should not be regarded as an area "occupied in the discharge of official duties."

Gore did some fund-raising out of his office. All told, he raised about $40 million by soliciting funds and attending fund-raising events.

Most of it was "soft money," supposed to be used for party building and thus not subject to certain limits on contributions.

In the past, the Justice Department has concluded the law does not apply to soft money solicitation, only to donations made to candidates in federal campaigns.

By Edward T. Pound

USA TODAY
TUESDAY, MARCH 4, 1997

The Washington Post
TUESDAY, MARCH 4, 1997

Commerce Chief Issues Rules to Separate Politics, Trade Missions

By Paul Blustein
Washington Post Staff Writer

Commerce Secretary William Daley, seeking to end allegations of department favoritism toward Democratic donors, unveiled a plan yesterday to revamp the method of selecting business executives for government trade missions.

Under the new rules, which give career department bureaucrats a formal role in choosing participants for the overseas missions, "there will be no politics allowed in the selection process," Daley said at a press conference.

The announcement by Daley, a scion of Chicago's powerful political family, marked one of the first public steps in his promised crusade to ensure that the department rids itself of partisan political taint.

At his Senate confirmation hearing in late January, Daley vowed to suspend trade missions for 30 days and study the procedures governing them for possible changes.

By acknowledging that the procedures need a significant overhaul, Daley may be giving ammunition to the Clinton administration's critics, who assert that the Commerce Department became a hotbed of partisan activity under the stewardship of the late Ronald H. Brown, a former chairman of the Democratic National Committee.

Brown's zeal for taking groups of corporate chieftains abroad on export promotion trips, though widely praised by the business community, drew allegations that seats on his plane were often used to reward or attract contributions to the Democrats.

Under Brown's tenure, the procedures for choosing companies to go on trade missions were never laid out in explicit detail. Department trade experts forwarded long lists of candidates based on a variety of criteria, including the likelihood of winning an export contract. After vetting by the legal department, final selection was usually made by Brown and a handful of trusted lieutenants, some of whom had worked for him at the Democratic National Committee.

Daley rejected suggestions that his announcement should be construed as an admission of prior wrongdoing by the department.

"This was about going forward, not looking back," he said of his study, repeatedly asserting that he had not examined how participants were selected on prior trade missions.

But tacitly conceding that the allegations have badly wounded the department, he said he was acting because "there have been questions raised" about whether partisanship played a role in the selection process for missions.

Daley defended such missions as essential to helping U.S. companies stay competitive in the face of other countries' export promotion activities, and he said the new policy "fulfills the needs of the business community . . . while also maintaining the integrity of the Commerce Department."

Accordingly, he said, "I am fully confident that the Commerce Department can resume trade missions."

Under the 17 pages of guidelines, any information pertaining to the political affiliation or contributions of a company or executive would be excluded from consideration by department officials as they prepare lists of participants for trade missions.

Moreover, for trade missions led by the commerce secretary or other senior department officials, the initial selection of participants would be made by a group of at least three department officials, and final approval would be made by a group of five—each panel including a majority of career officials.

Finally, Daley said, the whole process will be "fully transparent . . . where relevant documents will be available on the public record," a measure department officials said would strongly discourage any partisan hanky-panky.

The move was derided as "cosmetic" by one of the department's severest critics, Larry Klayman of Judicial Watch Inc., a watchdog group.

"It's obviously an improvement over what existed," Klayman said, but he questioned whether career officials could exercise truly independent judgment if political appointees were also present on the selection panels.

New Guidelines Set for Trade Missions Abroad

By DAVID E. SANGER

WASHINGTON, March 3 — President Clinton's new Commerce Secretary, William M. Daley, today overhauled the rules governing American trade missions abroad, trying to insure that companies that donate heavily to political campaigns would get no special help from the Government in breaking into foreign markets.

The new rules require that the Commerce Department publish a description of each trade mission well in advance and that it select companies to participate only if they can "contribute to the goals and objectives of the mission." But they stop short of barring large contributors from participating in the missions, a focal point of the Clinton Administration's use of "commercial diplomacy" to press the cause of American companies seeking business abroad.

In announcing the new rules, Mr. Daley, who took office just a month ago, said he had neither sought nor uncovered any evidence of wrongdoing in the selection of the business executives who had accompanied Commerce Secretary Ronald H. Brown on his many trips abroad. Those trips have been the subject of considerable scrutiny and criticism on Capitol Hill, though there has never been any evidence that Mr. Brown included executives chiefly because they were donors. Before his death last April, in a plane crash during a trip to Bosnia, Mr. Brown often responded to those critics by arguing that many of the executives had given heavily to both Democrats and Republicans.

"My role is not to look back and judge," Mr. Daley said in an interview in his office today. "But the bottom line is that we have gotten the message: These missions are important, and we knew we had to take steps to assure everyone that they are not political."

Mr. Daley said that if an official of the Democratic National Committee or any other political party forwarded the name of a company or executive who sought to be included on the trade missions, "their letter would be sent back with a polite note saying thanks, but that has nothing to do with the trip."

The atmospherics of the trips also seem certain to change. The new rules stipulate that there "is a strong presumption in favor of using commercial aircraft for all trade missions." Mr. Brown deliberately used Air Force jets as often as possible, declaring that, in trade as in diplomacy, symbolism counted for a lot.

"There is no question," Mr. Brown said a few months before he died, "that when that plane lands on runways around the world bearing the letters 'The United States of America,' and I come down the steps with a string of C.E.O.'s behind me, it conveys the power of this nation to turn commerce into the infrastructure of democracy."

Today Mr. Daley said "there are other ways to send the same message, but the Commerce Secretary may not arrive in the same style."

Redefining relations between businesses and the Commerce Department.

In fact, since his confirmation by the Senate last month, Mr. Daley has taken steps to assure Congress that he would separate politics and trade issues. He suspended all trade missions — many of which are led by division heads within Commerce — pending the review that resulted in the rules announced today. He said today that he had canceled subscriptions to political newsletters like "The Hotline," which provide polling data and other political intelligence.

But in his announcement today, he made clear that lobbying foreign governments on behalf of American companies was at the core of the Commerce Department's mission, and he planned to keep it that way. He noted, for example, that Chancellor Helmut Kohl of Germany recently took German business leaders through Southeast Asia and Japan, and emerged with large contracts.

"We cannot — and we will not — unilaterally withdraw in a world in which our economic competitors are using all the tools at their disposal to pursue market opportunities aggressively for their companies," he said in a statement today.

Exactly how Mr. Brown chose executives to participate in trade missions in the past has been something of a mystery, and the subject of at least one court action by a conservative group that has sought reams of records from Commerce files.

Former and current Commerce Department officials have said that initial lists were compiled by the department's International Trade Administration. That division runs the "Advocacy Center," known informally within the Commerce Department as the "war room," where officials monitor the status of large projects around the world — to build dams or nuclear power plants or car factories — in which American companies are competing for business. Ambassadors, State Department officials, and on rare occasions the President are brought in to argue in favor of giving the business to American interests.

Typically, the list drawn up by the officials who monitor projects was forwarded to Secretary Brown's office. The final selection was made by Mr. Brown and his staff.

Under the new system described today by Mr. Daley, the Commerce Department's selection criteria will be "clear, objective and transparent." Companies will have to apply for inclusion, and will be selected first by a committee of officials that include a number of career appointees. The recommendations will be reviewed by a five-person board that includes a lawyer from the department's general counsel's office and other career officials.

The New York Times

TUESDAY, MARCH 4, 1997

The Washington Times
TUESDAY, JANUARY 28, 1997

Nominee linked to fund-raising efforts

Herman's Commerce liaison duties may have violated Hatch Act ban

John Podesta
Vilma
Cutler

By George Archibald
THE WASHINGTON TIMES

1 Alexis M. Herman, President Clinton's nominee to be labor secretary, was at the center of foreign trade missions organized by the late Commerce Secretary Ronald H. Brown and linked to Democratic fund-raising operations.

Miss Herman, as head of the White House Office of Public Liaison, lined up briefings with Mr. Clinton and Vice President Al Gore for corporate executives tapped for trade missions, according to court-ordered testimony by James Hackney, Mr. Brown's counsel at the Commerce Department.

2 Many of the same executives and top officials of their corporations were later brought back to the White House for private fund-raising coffees with Mr. Clinton and Mr. Gore, organized by Miss Herman's office and the DNC's finance staff, according to White House documents released Friday following Mr. Hackney's Jan. 21 testimony.

Joe Karpinski, spokesman for the Senate Labor and Human Resources Committee, said it may be "a few weeks" before a hearing on the Herman nomination is scheduled. "We'd like to have one as soon as possible, but they dumped this material on us Friday and we're still evaluating it."

> *"Every once in a while, as we were trying to identify who was interested in participating on the mission, someone might have said, 'Oh, this is a Democrat.'"*
>
> *—James Hackney*

Republican aides say the committee needs time to search documents to see what turns up on the nominee. They also want to send a message to the White House that Miss Herman will face tough questioning on her role in the Democratic fund-raising operation and her possible violation of the Hatch Act.

In his five-hour deposition, Mr. Hackney acknowledged that affiliation with the Democratic Party was a factor in selecting corporate participants in Mr. Brown's trade missions.

"Every once in a while, as we were trying to identify who was interested in participating on the mission, someone might have said, 'Oh, this is a Democrat.' It was part of the identification," Mr. Hackney said. "It was not a criteria for selection. ... I don't think we gave Democratic contributors any preference."

4 Miss Herman "kept in touch with the business community to discuss what their concerns were, what they were thinking," he said. "She brought them in for meetings at the White House to talk to the president."

3 Prior to administration trade missions to China, Hong Kong, Russia, Latin America, South Africa, and other countries, Miss Herman and Commerce officials "arranged for businesses that were going on a particular mission to be briefed by the White House or to see the president before the mission got under way," Mr. Hackney said.

1 The briefings included presidential aides and officials from the National Security Council, Commerce Department, U.S. Export-Import Bank and Pentagon, he said. Briefings with the president and vice president usually included Mr. Brown, Secretary of State Warren Christopher, Secretary of Defense William Perry, and the chairman of the Joint Chiefs of Staff, he said.

Miss Herman did not respond to a request for comment yesterday. Before joining the administration in 1993, she was Mr. Brown's deputy when he was Democratic National Committee chairman.

Miss Herman also played a key role in the career of Melissa Moss, Mr. Brown's director of business liaison and chief trade mission organizer at Commerce. Miss Moss, the DNC's finance director under Mr. Brown, testified in a deposition Oct. 10 that she was interviewed by Miss Herman before Mr. Brown formally offered her the DNC post in 1990.

Mr. Hackney, who was Mr. Brown's closest friend and adviser at Commerce, conceded that the secretary mixed political activities with his official duties and attended Democratic fund-raising events "in and out of Washington."

"The White House would call and ask the Cabinet secretary to attend the fund-raising event and, if it was in his schedule, go ahead and do it," Mr. Hackney testified. He said Mr. Brown's secretary listed Democratic fund-raising events on the secretary's official daily schedules.

Mr. Hackney's testimony was released by Judicial Watch, a legal ethics watchdog group, which has charged in a federal lawsuit that the administration is covering up a scheme to sell government backing for commercial ventures abroad in exchange for corporate contributions to the Democratic Party.

• *Brian Blomquist contributed to this report.*

Politics and Alexis Herman

Alexis Herman's White House handlers ought to be advising her to buckle her seat belt. The Labor Secretary nominee is definitely going to be in for a bumpy confirmation ride.

At issue when Miss Herman faces the Senate Labor and Human Resources Committee will be her role in what seems to be an ever-broadening Clinton campaign-finance scandal. It seems, according to a sworn deposition by James Hackney, Ron Brown's Commerce Department counsel, that Miss Herman was involved in setting up White House briefings — with anyone and everyone from the president to then-Secretary of State Warren Christopher to Mr. Brown to the chairman of the Joint Chiefs of Staff — for corporate executives who were going on U.S trade missions. OK. But — and this is what's raising eyebrows, on and off Capitol Hill — she also worked with finance staff from the Democratic National Committee, where she worked for Mr. Brown before taking her White House job, to bring many of the same executives and others from their companies back to the White House for some of the now-infamous 103 "coffees" with Bill Clinton, Al Gore, Hillary Clinton or Tipper Gore. The White House vehemently insists that those "coffees" were not fundraising events; but both the Los Angeles Times and the Boston Globe reported this week that most of those attending made large donations within days of the meetings — donations that added up to $27 million. What really went on, and what was Miss Herman's role in it?

And precisely what, furthermore, was Miss Herman's role in *campaign* outreach from the White House to minority groups? According to a report produced by Miss Herman herself, for example, the outreach plan she designed included "An electronic fax network . . . established at the White House to distribute daily talking points, calendars of upcoming events, stump speeches, descriptions of major legislative victories, agency accomplishments and other materials of potential interest to recipients. . . . Over 1,000 key African Americans are currently included on this network, and others will be added in the coming months. These materials are also being supplied to the DNC to include in their monthly newsletter and to supply members of the 'quick response teams' they are setting up."

Various Senate and House committees will be investigating the issue of the Clinton administration's apparent casualness about — if not outright flouting of — campaign-finance law. But those investigations, like the FBI investigation now being conducted, will be going long after the Herman issue is settled. The larger issue of pervasively illegal or improper conduct in the Clinton White House can't be permitted to overshadow the Senate's important task of deciding whether Alexis Herman is fit to be Labor Secretary.

What the Labor and Human Resources Committee needs to determine is this: Did Miss Herman's participation in setting up and hosting the coffees — whether they were fund-raisers or just political events — run afoul of the Hatch Act, which forbids government appointees to politick on government time? Did the fax network described in Miss Herman's outreach report comport with the ban on using government equipment for politicking? Was her close involvement in the conduct of Mr. Clinton's reelection campaign proper, even if it wasn't illegal?

A close examination of Miss Herman's activities at the Democratic National Committee and at the White House is surely in order — and Republicans on the committee have made it plain (not least by postponing setting a date for her hearing) that that's what they have in mind.

The Washington Times
WEDNESDAY, JANUARY 29, 1997

Group Is Seeking Access to DNC, White House Data

Coverup Alleged in Lawsuit On Commerce Dept. Missions

By Toni Locy
Washington Post Staff Writer

A federal judge is considering whether to allow a conservative watchdog group to subpoena records from the White House and the Democratic National Committee regarding trade missions sponsored by the Commerce Department when the late Ronald H. Brown was secretary.

The group, Judicial Watch Inc., yesterday told the judge that it also wants to question 35 current and former top government officials, including Alexis M. Herman, the director of the White House Office of Public Liaison, who is President Clinton's nominee to be secretary of labor.

Judicial Watch wants access to the White House's computer system, known as "Big Brother," and to DNC records to determine whether there were communications among the White House, the Commerce Department and the Democratic Party about whether big donors should go on the trade missions.

Attorney Larry Klayman, the founder of Judicial Watch, wants to depose people he believes have information about the trade missions or a coverup he alleges occurred when he tried to get documents from the Commerce Department. They include several people who do not work for the government: Brown's son, Michael, and Little Rock lawyer John Tisdale. They also include many current and former officials, such as associate White House counsel Stephen Neuwirth; David J. Rothkopf, a former commerce deputy undersecretary; and former commerce secretary Mickey Kantor.

"We still need . . . to follow the leads to get information," Klayman told U.S. District Judge Royce C. Lamberth. "This is perhaps the biggest scandal . . . we have seen in not just this administration but potentially with all administrations in the last 100 years. We are getting down to selling government services, government commodities for cash."

Lamberth must decide whether Klayman can seek "third-party subpoenas" from people and organizations outside of his original lawsuit, which named the Commerce Department as the alleged culprit.

During the hearing, Klayman listed several suspicious instances where current and former Commerce officials initially said they had no records dealing with trade missions being sought by Judicial Watch's 1994 Freedom of Information Act request, only to admit later that they had such records.

Assistant U.S. Attorney Bruce R. Hegyi opposed the widening of discovery in the civil FOIA lawsuit, arguing that it was going legally beyond its boundaries. "It strikes me that there's a line that needs to be drawn [in this case]," Hegyi said. "After 17 depositions, I think we've reached a point where the line might be drawn."

But Hegyi got nowhere with his argument that Klayman should not be allowed to pursue his case because he has been abusive with witnesses in other depositions. Lamberth attacked Hegyi, accusing the government lawyer of being abusive and acting "totally improperly" by "coaching" a witness on how to answer Klayman's questions in one deposition.

Hegyi was slapped with sanctions earlier in the case because he walked out of a deposition in protest over Klayman's tactics. "You didn't learn anything," Lamberth said.

Justice Task Force Adds to Subpoenas In Donor Probe

Reuter

A Justice Department task force has issued subpoenas to more than 40 people and businesses in its probe of alleged illegal foreign campaign contributions to Democrats, party sources said yesterday.

The subpoenas, issued through a federal grand jury, were first reported in USA Today, which said it based its information on a "confidential" Democratic Party document it obtained that was prepared by Democratic National Committee general counsel Joseph Sandler. Sandler had asked DNC employees to search their files thoroughly and not alter any documents.

Democratic sources confirmed that subpoenas had been issued.

Earlier subpoenas were issued for records at the White House and President Clinton's legal defense fund.

The newspaper said that among those subpoenaed were John Huang, a naturalized American of Chinese descent who was a Commerce Department official before becoming a top Democratic Party fund-raiser, and John Berry of Little Rock, a longtime friend of Clinton's.

Berry told USA Today that he never raised funds from foreign corporations or individuals.

Huang is at the center of investigations by a 25-agent FBI task force and congressional committees into several million dollars in contributions he solicited, much of it from Asian Americans or from foreign individuals or corporations.

He is a former executive of the Lippo Group, a financial conglomerate based in Indonesia.

It is illegal for non-Americans to make political contributions in most cases unless people are legal residents of this country.

After a furor broke during the presidential campaign about improper contributions, the DNC voluntarily returned money it deemed inappropriate or illegal.

DNC spokeswoman Amy Weiss Tobe refused comment. "We don't comment on subpoenas. We are cooperating with any and all aspects in investigations," she said.

The Washington Post
TUESDAY, FEBRUARY 4, 1997

The Washington T[imes]
TUESDAY, FEBRUARY 4,

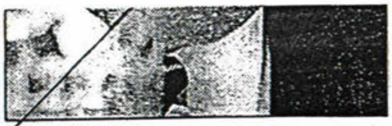
nessmen. Mr. Shuster is chairman of the House Transportation and Infrastructure Committee, giving him strong influence over the amount of federal money Massachusetts gets for the nearly $8 billion construction project known as the "Big Dig."

The Globe based its report on unidentified sources, who said the grand jury subpoenas were delivered several weeks ago to the Central Artery project office and the Massachusetts Port Authority.

The subpoenas reportedly ask for all correspondence the agencies have had with Mr. Shuster and his former top aide, Ann Eppard, now a Washington lobbyist.

The Boston subpoenas are part of a larger U.S. Justice Department investigation of Mr. Shuster and Miss Eppard, the newspaper said.

Congressional Accountability Project, a Ralph Nader-affiliated public interest group, called last year for the Justice Department to investigate Mr. Shuster's activities.



Rep. Bud Shuster

The Boston businessmen are Richard Goldberg, owner of Park 'N Fly, a parking company, and Nicholas J. Contos, owner of the No Name Restaurant, according to the newspaper.

Federal campaign finance reports show that Mr. Goldberg contributed $6,000 to Mr. Shuster's campaign between 1991 and 1993, and that Mr. Contos contributed $4,500 between 1991 and 1995.

Mr. Shuster, Miss Eppard and Mr. Contos didn't return phone calls seeking comment, the newspaper said. Mr. Goldberg, through a lawyer, declined to comment.

Judge rebukes government lawyer

Blasts effort to prevent questioning of Commerce official

By George Archibald
THE WASHINGTON TIMES

A federal judge lambasted a Justice Department lawyer yesterday for abusive conduct and interference in a private group's search for evidence that administration trade missions were sold for large political contributions.

U.S. District Judge Royce C. Lamberth scolded Assistant U.S. Attorney Bruce Hegyi for "totally scandalous" behavior in trying to prevent the group's questioning of a Commerce Department lawyer about the adequacy of her document production in the fund-raising probe.

The judge rejected the Justice Department lawyer's objections to further subpoenas for pre-trial questioning of officials by Larry Klayman, general counsel of Judicial Watch, who has accused the administration of a cover-up.

"Every time he turns up a rock, he finds something, so why are you telling me I can't let him turn up another rock?" the judge told Mr. Hegyi during a status hearing in Judicial Watch's Freedom of Information Act lawsuit against the Commerce Department.

The judge said he would rule later on the group's request to subpoena 37 additional administration and Democratic Party officials, including Alexis Herman, President Clinton's nominee to be labor secretary, who coordinated White House briefings for corporate executives invited to participate in foreign trade missions with Commerce Secretary Ronald H. Brown before he died.

Mr. Klayman described Miss Herman as "one of the oldest and closest friends of former Secretary Ron Brown" and said "she chose Melissa Moss, who organized the trade missions. ... We want to ask her what was her interaction between the White House, President and Mrs. Clinton, and these trade missions."

Miss Herman, as director of the White House's office of public liaison, organized more than 100 fund-raising "coffee klatches" for the president that included many of the executives and firms that participated in the Commerce Department trade missions.

The legal group also asked Judge Lamberth to authorize subpoenas for political donor information stored on a White House computerized database called "Big Brother" and for testimony from officials of the Democratic National Committee.

Mr. Brown was chairman of the DNC before he became commerce secretary in 1993. Miss Herman was deputy DNC chairman and Melissa Moss, who organized Commerce trade missions for Mr. Brown, was the DNC's finance director.

So far in the 2½-year-old case, Judicial Watch has found that the DNC offered seats on Commerce's overseas trade missions, starting in 1993, to corporate executives who donated $100,000 or more a year as a DNC "managing trustee."

But despite close ties of Mr. Brown and his top aides to the DNC, Mr. Klayman told the judge yesterday that the Commerce Department still has not provided any communications with Democratic officials or other documentary evidence of a DNC link to Commerce trade activities.

Even copies of department documents found in former trade official John Huang's DNC files, after he left Commerce to become a DNC fund raiser in 1995, were not produced by the government in response to court orders in the lawsuit, Mr. Klayman said.

Mr. Klayman told the judge he wanted to subpoena Robert Atkins, a former career official of Commerce's International Trade Administration, who said in a sworn affidavit that he saw hundreds of documents on White House and DNC letterheads en route to a shredding unit at ITA.

"He said that there was such wholesale shredding that the shredder broke several times," Mr. Klayman said. "There were White House and DNC documents. He saw the letterhead."

Just say no to Alexis M. Herman

By Larry Klayman

There is an old tradition in European parliamentary systems. When a government minister presides over illegality in his ministry, he or she must take responsibility and resign. This at least preserves the appearance of legitimacy in the government.

America, the land of innovation, has came up with an alarming new tradition in recent years, as presidents, cabinet officers, political appointees, congressmen, judges and other functionaries rarely accept responsibility for misdeeds which occur on their watch, but instead obfuscate and deny the truth, blame others and hardly ever step down.

The trend has lately continued with the nomination to Secretary of Labor of Alexis M. Herman, who has not even been confirmed, yet is already implicated in illegality. Somehow, there already appears to be a public perception —reinforced by some in the media —that despite her involvement in the Clinton campaign finance scandal, she already has acquired an entitlement to the post, particularly since she is a woman and is black. This has been strategically but cynically reinforced by President Clinton's press secretary, Mike McCurry, who suggested some racial motivation in Senate Majority Leader Trent Lott's legitimate inquiries into Ms. Herman's involvement in the now infamous White House coffees with Democratic Party fundraisers and "fatcat" donors.

Ms. Herman was director of the White House Office of Public Liaison which set up and coordinated these coffees. Indeed, in a recent deposition, my group, Judicial Watch, the public interest watchdog which uncovered the Clinton/Huang campaign finance scandal, learned that Ms. Herman arranged for similar "briefings" for donors who were taken on Department of Commerce trade missions in exchange for large contributions to the Democratic Party and the '96 Clinton-Gore campaign. There is no real dispute that she is at the core of the illegal use of White House and Commerce Department resources — all taxpayer funded —which enticed donors to fill the campaign coffers which helped reelect Mr. Clinton, making her nomination possible.

In recent days, Ms. Herman and White House spokesmen have typically attempted to explain away her involvement in the obvious, by conveniently saying that she was "out of town" on the day of the coffee attended by the President, banking executive, DNC fundraisers, and Treasury Department officials and regulators (including Treasury Secretary Robert Rubin and Comptroller of the Currency Eugene Ludwig) on the "hallowed ground" of the White House. They add that she did know of this coffee, which even the president has admitted was illegal. Notwithstanding its implausibility, this sorry excuse misses the point. The hard and uncontroverted fact is that Ms. Herman's office was responsible for setting up not only this fundraising event, but all of the other coffees, many of which she did attend. In short, the wrongs occurred on her watch and Ms. Herman must, at a minimum, accept responsibility as the director of the Office of Public Liaison.

To permit Ms. Herman to now be confirmed would be wrong, and further the moral and ethical slide so evident in Washington over the last several years. The test to serve as a cabinet secretary, or for that matter in any public capacity, is not only whether one can avoid being indicted for allegations of wrongdoing — a theme used successfully thus far by the President himself —but whether the official is beyond reproach. For there is no entitlement to any post, and the public's perception that our government is honest is the foundation upon which it retains legitimacy with each successive generation.

In recent years, American government has lost its legitimacy, and the public has grown cynical and uncaring about basic values. To confirm Alexis M. Herman to the post of Secretary of Labor — given what we now know about her activities — would perpetuate the current decline of our system of governance and reinforce the lack of "values" which both political parties professed to care so much about during the '96 elections.

Larry Klayman is the chairman and general counsel of Judicial Watch, Inc.

The Washington Times
FRIDAY, FEBRUARY 21, 1997

Business Daily

:ople Who Choose To Succeed"

Wednesday, March 26, 1997 Los Angeles, California Volume 13, No. 244 ©1997 $1.00

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NATIONAL ISSUE

HERMAN TIED TO ALL TRADE TRIPS

Labor Nominee Set Up Briefings, Brown Aide Says

By Paul Sperry
Investor's Business Daily

When Ron Brown left his post as chairman of the Democratic National Committee in '93 to become head of the Commerce Department, he took several fund-raisers with him.

Brown tapped DNC finance chief Melissa Moss to head Commerce's Office of Business Liaison. He made DNC executive Rob Stein his chief of staff and Melanie Long his special assistant.

Brown didn't stop there. He named Melinda Yee a senio[r ad]viser and John Huang deputy assistant secretary. Both led Asian fund-raising in California during the DNC's '92 campaign.

The DNC alumni all had a role in Commerce's foreign trade missions — trips that critics charge were illegally used to raise cash for President Clinton's re-election campaign.

But one alumna — Alexis Herman, Brown's closest aide and protege at the DNC — didn't follow him to Commerce. She instead took a top White House post.

That didn't stop Herman, though, from staying in close touch with Brown and her former DNC colleagues at Commerce.

> "In order to reach our very aggressive goal of $40 million this year, it would be helpful if we could coordinate the following activities (including) official delegation trips abroad."
>
> *Democratic National Committee memo, 1994*

As director of White House public liaison, she was in charge of "outreach" to the business community. That duty included working directly with Brown's office and Moss' Office of Business Liaison on the controversial trade missions.

As Clinton's pending nominee for Labor secretary, Herman has done a good job of distancing herself from the Commerce activity. She breezed through her confirmation hearing in five hours last week, despite questions about her role in Democratic Party fund-raising.

Two Republicans asked Herman whether executives who went on Commerce trade missions were picked because they were big Democratic donors. Herman said only that she led two trade missions for businesswomen — in October '95 and April '96 — and didn't even know their politics, let alone their giving habits.

"To this day, I can't tell you who was a Republican and who was a Democrat on those trade missions," she said.

But Herman is a political pro, critics point out. She served as Brown's chief of staff at the DNC from '89 to '91. And her role in the Commerce junkets wasn't limited to just two trips. She helped arrange briefings for several others. The White House denies that Herman was involved.

In fact, she worked on "all of them," including a '94 China trip that's coming under increasing scrutiny, according to a deposition from Brown's top adviser at Commerce, James Hackney.

Hackney, who left Commerce in '95, was subpoenaed by U.S. District Judge Royce Lamberth to testify in a civil case brought by Judicial Watch Inc. The public-interest law firm is suing Commerce for trade mission documents that the agency refused to release despite Freedom of Information Act requests.

Judicial Watch charges that spots on trade trips were sold to fat-cat Democratic donors.

Continued on Page A36

LEADERS & SUCCESS

Campbell Soup's Johnson:

Always 'Raising The Bar' To Keep Firm Up To Potential

By Marilyn Much
Investor's Business Daily

It's show time. And Campbell

"People want a boss who can show them business can be fun," said Johnson, who thinks his peers are often too serious. "If we can laugh at ourselves,

"Many times in the past few years, we've said we've done it," he said. "But I say, we have to raise the bar; we have to go at it again. The aim is to be the

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NATIONAL ISSUE: Herman Tied To All Trade Trips

Continued from Page A1

In his testimony Jan. 21, Hackney said he routinely called Herman to arrange White House briefings for U.S. business executives going on the trips.

"We arranged for businesses that were going on a particular trade mission to be briefed by the White House or to see the president before the mission got under way ... or to see the vice president," Hackney said.

Which trade missions?

"All of them," Hackney said.

In fact, Herman shepherded the executives through the briefings.

"She brought them in for meetings at the White House to talk to the president about their concerns and their issues," Hackney said.

The briefings were held one or two days before the mission, Hackney said. Meeting the executives along with Clinton and Brown at each briefing were Vice President Al Gore, then-Secretary of State Warren Christopher, then-Secretary of Defense William Perry, then-National Security Adviser Anthony Lake and his deputy, Sandy Berger, who now has Lake's job. Other officials also attended.

Hackney, who attended the briefings, said administration officials mainly just discussed the country where the executives were heading so that they had "a sense of what they were getting into."

Brown's trade missions did produce a reported $20 billion in overseas contracts. But documents show there was more to the trips than just generating business. Raising campaign cash was also a goal.

■ One '94 DNC memo to the White House reads: "In order to reach our very aggressive goal of $40 million this year, it would be helpful if we could coordinate the following activities: ... 4. official delegation trips abroad."

■ Another memo, found among former Clinton aide Harold Ickes' subpoenaed files, lists perks awarded to DNC managing trustees. "Annual trade missions" is fifth from the top. A managing trustee is a donor who gives $100,000 or more a year.

■ Also, a DNC brochure obtained by the Chicago Sun-Times in '95 lists events big donors qualify for. Again, the trade junkets show up: "Managing trustees are invited to participate in foreign trade missions, which affords opportunities to join party leaders in meeting with business leaders abroad."

Though DNC officials went on trade missions, the party never financed any of them. Commerce did — with tax money.

Herman has denied that political giving was a factor in picking who got to go on the trips. Hackney, who served on Brown's 10-member committee that picked trip participants, also denied any political favoritism, adding that donor data "would have been irrelevant."

But the executives knew that political money talked — according to their letters to Brown and other Commerce officials and their notes of meetings with those officials.

■ One executive made no bones about why he should get to go on a trip to India. In a September '94 letter to Stein, Brown's chief of staff, the executive's lawyer stressed his client "was an early financial supporter of the Clinton-Gore campaign and a very generous donor to the party's 1992 election effort."

■ Another executive angling for a seat on the India trip wrote a letter to Commerce's Moss. "You can be assured of our continued support of the Democratic National Committee," he said.

■ After a businesswoman was picked to go on a '94 trip to Russia, she wrote Brown to thank him. "I look forward to repaying the generosity of the Department of Commerce in the months ahead," she said. "Melissa (Moss) and I are keeping in touch about the latter."

Of all the trips, the August '94 junket to China looks the most suspicious. Brown took a delegation of 24 executives there on Commerce's plane. DNC records show that 15 of them gave to the Democrats either on their own or through their firms.

One firm was Entergy Corp., which owns Arkansas Power & Light. A June '94 memo from Entergy business manager Chris Brown records a meeting with Commerce official Jude Kearney.

"Met with Jude Kearney regarding Secretary Brown's upcoming trip to China. Indicated competitive nature of being selected to ride on the plane with the Secretary," Chris Brown wrote. "Also indicated that politics of the situation were important and he as a political appointee would push those that were politically connected."

Kearney, a former Clinton staffer in Arkansas, denies making such comments.

Executives weren't the only ones who thought donations were a criterion for winning a seat on Brown's trips. Apparently so did some White House officials.

In a '94 memo to Commerce's Office of Business Liaison, White House aide Reta Lewis recommended a Washington lawyer, Gerald McGowan, for trips to Indonesia and India. In the first paragraph, she noted he's a "fellow Clinton classmate, early Clinton campaign supporter and DNC managing trustee."

Charles Lewis of the liberal Center for Public Integrity says he's troubled by such documents. He said they "support the notion that favorable treatment was given to friends of Ron Brown, Bill Clinton and the Democratic Party."

Herman's office coordinated with OBL on the White House briefings. "Those were the two points of contact," Hackney testified.

"And Alexis Herman was in charge from the White House end?" Judicial Watch Counsel Larry Klayman asked during the deposition.

"Yes," Hackney replied.

Company Index

EMBARGOED

STATEMENT OF POLICY

GOVERNING

DEPARTMENT OF COMMERCE OVERSEAS TRADE MISSIONS

Our Nation's continued economic prosperity depends upon our ability to compete effectively in the global marketplace. Exports support 11.5 million jobs and have fueled one-third of our total economic growth since 1993, creating 1.4 million new jobs. These jobs pay more, provide higher benefits, and are more productive than jobs in U.S. companies that do not export.

Despite these impressive successes, we have only begun to capture the export opportunities open to American business. Fully ninety-six percent of the potential consumers of our goods and services are outside our country's borders. The World Bank estimates that $2 trillion worth of infrastructure projects must be built in the emerging markets of Asia and Latin America over the next decade just to maintain present rates of growth. The Administration's goal is to continue the rapid growth in export-supported jobs by increasing U.S. exports to $1.2 trillion -- double the amount in 1992 -- by the year 2000.

Moreover, although ensuring America's economic strength is critically important, it is not the only reason for export promotion. As President Clinton said in his State of the Union address last month, trade "is about more than economics. By expanding trade, we can advance the cause of freedom and democracy around the world." International trade helps ensure political stability in foreign nations, promote better international understanding, and improve bilateral relations through the interchange of products, ideas and culture.

Government by itself cannot accomplish any of these goals. Our economy's great strength is that it is not guided by central directives but rather by the individual business decisions of hundreds of thousands of entrepreneurs in every corner of our country.

But government has an important role to play in assisting American companies that seek to compete in the international arena. Other nations are aggressive advocates on behalf of their businesses. For example:

- Our principal economic competitors -- France, the United Kingdom, Germany, Japan, and Canada -- spend up to ten times as much as the United States on export promotion and dedicate up to ten times more staff in relative terms.

- Heads of state and/or ministers from France, Canada, the United Kingdom, Germany, and other nations frequently lead trade missions to promote their countries' firms in overseas markets. Recently, for example, Chancellor Kohl traveled to the Phillippines, Indonesia, and Japan accompanied by a large delegation of German business leaders. While in the Philippines, German firms signed several agreements, including a $600 million power plant contract awarded to Siemens. Prime Minister Chretien led a group of Canadian businessmen, politicians, and trade officials on a mission to India that resulted in approximately $2.5 billion in contracts.

- United States firms lost 100 of 200 overseas contract competitions monitored in recent years at least in part because of the political and economic pressure brought to bear by other governments. These contracts, worth approximately $25 billion, represent a small fraction of the total number of projects awarded during this period.

We cannot -- and we will not -- unilaterally withdraw in a world in which our economic competitors are using all the tools at their disposal to pursue market opportunities aggressively for their companies. We will continue to work with American business in a public-private partnership where the resources of the Commerce Department, and the rest of the federal government, help our companies compete for -- and win -- the business opportunities that represent the largest potential source of high-paying jobs in the next century.

One important component of this public-private partnership is the overseas trade mission program conducted by the Department of Commerce. These missions are designed to open markets, identify and secure export and investment opportunities for American businesses, and showcase American products, technology and know-how around the world. They directly assist exporters in taking advantage of market opportunities; support U.S. companies seeking to enter newly opened markets or expand in existing markets; and further U.S. commercial policy objectives.

Trade missions are an essential element of a broad-based public policy designed to increase job opportunities for all Americans. They are not private rewards for the individuals and companies that participate in them. However, these missions can succeed only if the American people are confident that they in fact serve the public interest.

That is why, upon my confirmation as Secretary of Commerce, I ordered a thirty-day deferral of all trade missions and a thorough, top-to-bottom review of the procedures, rules and criteria that govern these missions. We solicited advice from members of Congress, representatives of the business community, and our state and local partners in export promotion.

The result of this process is the first comprehensive written policy governing Department of Commerce trade missions. This policy sets forth objective guidelines to ensure that all decisions regarding trade missions are based upon appropriate criteria related to the underlying public policy, not impermissible considerations irrelevant to the goals of the Commerce Department. These standards ensure that the trade mission process will be transparent, with relevant documentation available to the public without delay, so that all interested parties will be able to see for themselves that the Department's trade missions are conducted according to the high standards that the American people expect and deserve.

1. <u>Scope of this Policy</u>

The Department of Commerce engages in a variety of trade promotion activities. This policy applies to departmental trade missions, which are missions involving travel to foreign countries by Commerce Department employees and private sector participants in which Commerce Department officials recruit participants from the business community and determine which companies may participate.

Covered trade missions include:

- Overseas missions led by the Secretary of Commerce or other Department officials, where the delegation is selected by the Commerce Department.

- Missions to foreign government or privately organized trade fairs or expositions, including organized "U.S. Pavilions," where the United States delegation is selected by the Commerce Department.

- U.S. delegations to commercially-oriented international meetings (e.g., the U.S. business delegation to the annual Muenster Conference), where the delegation is selected by the Commerce Department.

The criteria and procedures set forth in this document will apply to all such trade missions.

Of course, many trade missions and international meetings are not organized by the Commerce Department. Members of Congress, other federal agencies, state and local governments, foreign governments and private sector organizations often lead trade missions and host international meetings. The Commerce Department -- particularly officers of the Commercial Service -- frequently provides assistance to these efforts. This policy will apply to such missions only if Commerce Department personnel play a role in the selection of the participants in those missions and international meetings, in order to ensure that the selection of participants is subject to the rigorous standards that govern Commerce Department missions. (To the extent the Department assists in the recruitment -- but not the selection -- of private sector participants for a mission led by another entity, it shall, to the extent practicable in the circumstances, adhere to the procedures set forth in section 3.B., below.)

A number of export promotion events involve travel to the United States by potential international buyers of American goods or services. For example, the Commerce Department often helps private sector trade show organizers to promote their U.S.-based shows globally and to recruit participants around the world. This policy does not apply to these promotion and recruitment activities abroad; such activities shall be the responsibility of the Senior Commercial Service Officer in the foreign country. The Department selects which trade shows can participate based on an extensive application process, including outreach to private sector organizers through a Federal Register notice that sets forth objective selection criteria and describes the selection process (see Attachment A). Partisan political activities (including political contributions) are entirely irrelevant to the selection process.

The Department also organizes "reverse trade missions" in which foreign buyers come to the United States to meet with particular sellers of goods or services. In all such situations, the recruitment of foreign buyers (and any selection decisions) shall be the responsibility of a career Commercial Service officer in the foreign country. The decision whether to organize such a mission, and the selection of the United States sellers participating in the mission, shall be made in accordance with the standards set forth in Sections 2 and 3, below. The costs of such missions shall be recovered in accordance with the standards set forth in Section 4, and a post-mission report shall be prepared for such missions.

2. Trade Mission Authorization Process

Trade missions may be undertaken for a variety of purposes:

- Commercial missions, which seek to produce export sales of U.S. goods and services in the near term. These missions may include a broad range of U.S. companies or may be focused on assisting small and mid-sized businesses or minority businesses, which may be less familiar with the export process. Our National Export Strategy has adopted the policy of concentrating our resources on Big Emerging Markets, our large trading partners, and particular sectors that hold the greatest promise of increased U.S. exports, and we focus commercial missions on those targets.

- Market-access missions, which seek to create market and investment opportunities through the removal of barriers to trade and investment. Market entry for U.S. businesses that have been closed out of such opportunities is another goal of these missions.

- Policy missions, which seek to advance U.S. bilateral or multilateral objectives across a range of issues with the objective of enhancing overall bilateral or multilateral economic and political relations. This category includes missions designed to promote political stability in a foreign country or region by fostering U.S. investment and trade.

- Combined missions, embodying aspects of two or more of the above types.

Every trade mission undertaken by the Department of Commerce represents a commitment of scarce government resources. It is therefore essential that every proposed mission be scrutinized closely to ensure that it is consistent with our overall export promotion strategy and that it is in fact likely to further those export goals.

For these reasons, all proposed trade missions must undergo the following authorization process.

A. Mission Statement

A mission statement will be prepared for every proposed trade mission before the mission is approved and scheduled, and before any recruitment of private sector participants may begin. The mission statement will describe the proposed mission and explain how the particular mission will further Departmental objectives and is an appropriate use of Departmental resources. The mission statement will be publicly available following approval of the mission pursuant to the process described below.

Each mission statement shall include:

- A description of the proposed mission. A factual summary of the proposed mission -- countries/cities to be visited, industries/product areas to be included, and timing. It will include a statement on the planned composition of the mission, including information on potential public and private sector participants.

- The commercial setting for the mission. A discussion of the available market research and/or other materials that provide an indication of the commercial potential for U.S. business in the countries to be visited or markets targeted by the mission. Major competitors' positions and practices in the market (if known) will be summarized, including reference to new or existing bilateral and multilateral trade agreements that impact the competitive position of U.S. business in the market.

- Goals for the mission. This section will summarize the goals for the mission, define how these goals fit into our overall export promotion strategy, and explain why the mission will be an appropriate use of Departmental resources. It may include both commercial promotion and/or commercial policy goals for the mission, as appropriate.

- Scenario for the mission. The scenario or plan for the mission will outline the events and activities planned for the mission, and will explain how these events and activities relate to the mission's goals. It will include a summary of the results expected from the mission.

- Criteria for participant selection. The factors to be considered in reflecting private sector participants (See Section 3.A. below).

- Time frame for applications. The period during which interested parties may file applications.

A model mission statement is attached as Attachment B.

Mission statements may vary, depending upon the type of mission under consideration. The mission statement for a routine trade promotional event, without participation by senior Department officials (the Secretary, Under Secretaries and Assistant Secretaries), may contain only several paragraphs outlining the major points discussed above, while the statement for a mission to be led by a senior Department official with participation by senior corporate executives should cover the points in more detail, providing a rationale, as appropriate, for both trade promotion and commercial policy considerations that justifies the involvement of senior Department and business leaders.

The preparation of the mission statement is the responsibility of the project officer assigned to the mission by the Department. For most missions, the project officer will be the Department official with direct responsibility for organizing, recruiting and leading the mission. For missions led by a senior Department official, this role may be assumed by a member of that individual's staff or by a team of staff members.

B. Mission Approval

The mission statement must be reviewed and approved by the head of the Commerce Department operating unit sponsoring the mission (this responsibility may be delegated for missions that will not be led by senior Departmental officials). It then will be forwarded to the International Trade Administration's Trade Events Board for docketing on the Department's consolidated schedule of overseas trade events.

For missions sponsored by ITA, the Trade Events Board ("TEB") will review and approve the mission statement and coordinate and oversee the scheduling of such missions.

For missions sponsored by other operating units (e.g., the Office of the Secretary, NTIA, MBDA, BXA), the TEB will provide advice regarding mission scheduling and objectives during meetings in which the relevant bureaus may participate. Although the head of the particular operating unit will review and approve mission statements, the TEB may disapprove the allocation of ITA resources (including Commercial Service resources at posts) to any mission that does not in its view justify such resources or conflicts with other Commerce-led initiatives.

C. Mission Design

Approval of the mission statement does not mark the end of the process of designing a mission. Shaping the mission to account for changed circumstances and other new developments will continue until the mission is concluded.

For routine missions (those that are trade promotional in nature and not led by a senior Department official), the primary source for developing the design will be project officer working with the Commercial Service and/or Embassy staff in the countries to be visited. When the proposals for mission activities are received, the project officer will review them and, in conjunction with the Commercial Service and/or Embassy staff overseas, develop a schedule of events for the mission.

For most missions of this type, the central element of the mission program for private sector participants is a series of one-on-one appointments for each private sector participant with potential commercial partners. The schedule also typically will include briefings by appropriate Commercial Service Officers and other Embassy officials, sessions with host country commercial organizations (chambers of commerce, etc.), and, possibly, site visits. For government officials, the focus of the mission is often bilateral/multilateral government-to-government meetings to discuss substantive issues.

Development of the design for more complex missions, especially those with a significant trade policy component and/or participation by senior Department officials, will typically begin with the project officer and/or mission team in Washington. However, the planning process will include substantial input from the Commercial Service/Embassy staff before the schedule is set. Whenever appropriate, a series of one-on-one meetings with potential commercial partners will be scheduled for each private sector participant.

The design for Secretarial missions is the responsibility of the mission team established for the mission. The mission team will be made up of both career and noncareer officials from all relevant Commerce units, including the Office of the Secretary. For example, the mission team for a Secretarial or Presidential Business Development Mission typically would include relevant ITA geographic and industry experts, representatives of the Advocacy Center and, as appropriate, the Trade Compliance Center, the Commercial Service, and the Secretary's Office of Business Liaison. Representatives of other Commerce units, such as MBDA, NTIA, BXA and NOAA would be added as appropriate.

The mission team will also coordinate with appropriate non-Commerce agencies (Ex-Im Bank, OPIC, TDA, etc.) and, through the Embassy, with the host governments. Scheduled activities for this type of mission are likely to include meetings with counterpart foreign officials and sessions with local American and foreign business leaders, as well as one-on-one meetings for the private sector participants with appropriate local business leaders whenever possible. Additional activities will vary from mission to mission, but can include contract signings witnessed by senior Commerce officials, site visits to local businesses or developmental projects, meetings with the press and other media representatives, speeches, networking lunches or receptions, etc. All of these activities are designed to further the goals of the mission, and to provide support for U.S. business activities in the market.

Requests for specific activities during the mission received from private-sector mission participants may be accepted if they are appropriate to the purpose of the mission, and can be accommodated with the mission's schedule. These requests can range from specific foreign businesses with which the mission's private sector participants wish to meet to suggestions for attendance or participation by the senior Department participants in contract signings or other specific company-oriented events.

3. Recruitment and Selection of Private-Sector Participants

The process for recruiting and selecting private-sector participants in trade missions must be clear, objective, and transparent. Companies and individuals must be recruited and selected for participation in Commerce-led trade missions on the basis of objective, written criteria and in accordance with the mission statement. We must scrupulously avoid any perception of favoritism or impropriety.

The criteria developed for each mission will be published in advance, incorporated in the mission statement, and rigidly adhered to throughout the selection process. Our goal is simple, but important: we will ensure that, in every case, there is a demonstrably legitimate business purpose for the inclusion of each private-sector participant that is consistent in every respect with the mission statement for the particular mission.

A. Participation Criteria

The project officer and/or mission team will be responsible for developing mission-specific criteria for the selection of private-sector participants. These criteria, which will be set forth in the mission statement, shall be based upon the following factors to the extent they are relevant to the purpose of the mission:

- Scope, nature and desired outcome of the mission as described in the mission statement
- Relevance of a company's business line to the plan for the mission
- Size of the mission (number of available slots)
- Past, present and prospective business activity in the countries to be visited
- Expressed interest in participation
- Diversity of company size, type, location, demographics and traditional under-representation in business
- Expertise and technical skills
- Other considerations relevant to the purpose of the mission as described in the mission statement.

Each applicant will be required to:

- certify that the export of the products and services it is seeking to sell is not prohibited by BXA

- certify that it has no pending business before the Department that might present the appearance of a conflict of interest

- identify any pending litigation (and administrative proceedings) involving the Department

- sign and submit an agreement stating that it and its affiliates (1) have not and will not engage in the bribery of foreign officials, and (2) maintain and enforce a policy that prohibits the bribery of foreign officials.

Other criteria will depend on the purpose of the mission. For example, as a general matter, companies attempting to market goods and services on Commerce-led missions must certify that these goods and services will be either (a) manufactured or produced in the United States; or (b) if manufactured or produced outside of the United States, be marketed under the name of a U.S. firm and have U.S. content representing at least 51 percent of the value of the finished good or service. In some cases, however, the requirement of at least 51 percent U.S. content may be unduly rigid. The emergence of the global marketplace has made it more and more convenient -- and in some cases necessary -- for firms bidding on overseas projects to incorporate local content into their bids, and to consider alternative sources of components and sub-assemblies. The Department's Advocacy Guidelines, which are now being implemented by all Federal agencies through the Trade Promotion Coordinating Committee, permit official government support where the 51 percent test is not satisfied if promotion of the goods or services is consistent with the national interest. This national interest exception to the 51% rule should also be available in the trade mission context.

If, on the other hand, the mission's purpose is to promote U.S. investment in and trade with the foreign country in order to promote political stability, then the participation criteria will focus on the likelihood of/interest in direct investment in host countries and related considerations, such as whether an applicant would be likely to form joint ventures with the emerging entrepreneurial class in the host countries.

The participation criteria for each mission will clearly state that an applicant's partisan political activities (including political contributions) are entirely irrelevant to the selection process.

B. Recruitment of Private-Sector Participants

The Department will utilize a comprehensive recruitment process designed to reach as many potential private-sector participants as far in advance of the proposed trade mission as is feasible.

Potential participants will be notified of each trade mission through the following means:

- publishing a summary of the mission statement in the Federal Register (if time permits)
- posting a summary of the mission statement on the Internet, through our various Home Pages, the National Trade Data Bank and Stat-USA
- distributing the mission statement, brochures and other information (including press releases) to some or all of the following, as appropriate --
    - national trade associations, such the U.S. Chamber of Commerce, the National Federation of Independent Businesses, and the National Association of Manufacturers, and relevant trade associations (depending upon the nature of the mission);
    - individual company data bases (via broadcast fax);
    - trade publications, including the Commerce Business Daily, the Journal of Commerce, Commerce's Business America, and other sectoral publications;
    - other government agencies (through the Trade Promotion Coordinating Committee),
    - Commerce Department Bureaus, field offices and U.S. Export Assistance Centers, and affiliates such as the District Export Councils; and
    - particular companies that fit the participation criteria.

C. Application Process

Potential mission participants must submit a completed application in order to be eligible to participate in a trade mission. The mission statement will specify the time period for filing applications.

Third parties, such as trade associations and government officials, may nominate or endorse potential applicants, but companies that are nominated or endorsed must themselves submit an application in order to be eligible for participation. All submissions from third parties will be included in the applicant's file (including a written record of any verbal comments) and will be considered only to the extent they provide information relevant to the selection criteria.

Referrals from political organizations will not be considered in the selection process. Any such referrals will be excluded from the potential participant's decision file, routed away from individuals who are part of the selection process for the mission, and returned to the sender. The return correspondence will make clear that political affiliation, activities or contributions are simply not relevant to the selection process.

Similarly, any documents, including an application, containing references to political contributions or other partisan political activities will be excluded from the potential participant's decision file, routed away from individuals who are part of the selection process for the mission, and returned to the sender. The return correspondence will make clear that political affiliation, activities or contributions are simply not relevant to the process, and invite the resubmission of the material without the references to partisan political activities.

D. Selection of Participants

Companies that emerge from the recruitment and application process will be evaluated for their ability to contribute to the goals and objectives of the mission according to the announced selection criteria. This evaluation will be based solely on the material contained in the applicant's file.

For missions not led by senior Department officials, selections will be made by the project officer in consultation with the relevant overseas Commercial Service office.

For Secretarial trade missions, and those led by other senior Commerce Department officials (Under Secretaries and Assistant Secretaries), private-sector participants will be selected in a new two-tiered selection process. Initial decisions will be made by a group comprised of a minimum of three Commerce Department officials drawn from the following pool: the project officer or mission team leader, Department experts from the relevant industry and country sectors, the career Commercial Service Senior Commercial Officer based in the countries to be visited, and the Office of Business Liaison. The recommendations of this group will be reviewed and adopted or disapproved by a five-person review board consisting of the Chief Financial Officer and Assistant Secretary for Administration, an Assistant Secretary from the relevant Commerce operating unit, a senior career lawyer in the Office of General Counsel, a senior ITA career official, and the Director of the Office of Business Liaison.

Participants on missions led by senior Commerce Department officials will be reviewed to ensure that all representations and certifications in the application are accurate and reliable. These steps may include review by other government agencies where appropriate.

E. Records

A trade mission file will be maintained for each authorized trade mission. That file will contain the mission statement; a summary of the means used to recruit private-sector participants; and, for missions led by senior Department officials, a separate dossier for each applicant containing the application and any other written information used in the decisional process concerning the applicant's qualifications (including a written summary of any verbal information received during the application process); and a record of the decisional process. Documentation as to how the recruitment criteria have been satisfied may be either in the form of information in the file for each prospective participant, or notations on a chart covering all candidates being considered.

Compilation of these files will be the responsibility of the project officer/mission team. All files will be maintained in the relevant Commerce Department bureau.

Following the completion of the trip, the trade mission file will be made available to the public (commercially-sensitive information provided by applicants that would be protected against disclosure under the Freedom of Information Act, and other types of information exempt from disclosure, will be redacted from the publicly-available files).

4. Mission Costs

The guiding principle with respect to cost is a simple one: the cost of each mission should be kept as low as possible. Commerce Department employees should participate only when their presence is necessary and appropriate to the mission's objectives, and travel and related expenses should be minimized wherever possible.

Government-wide regulations generally require that all costs incurred directly by the Department on behalf of trade mission participants must be recovered in full from the participants. Except in the most extraordinary circumstances all expenses personal to the participant, such as lodging, meals, airfare, or telecommunications facilities, are paid directly by the participant. Other types of expenses that further the mission of the Department or an agency within the Department (for example, the costs associated with the policy-related aspects of a mission) may be paid from appropriated funds available to that agency.

A. Budget Development

Once a trade mission is approved, a detailed cost estimate will be prepared so that fees can be set at a level that will cover the mission's costs. This step will be completed as early in the planning process as possible in order to ensure an accurate determination of fees prior to the recruitment of participants. For Secretarial trade missions, and those led by other high ranking Commerce Department officials (Under Secretaries and Assistant Secretaries), proposed budgets must be reviewed and approved by the Chief Financial Officer and Assistant Secretary for Administration. Following approval, any significant modification of the budget must be authorized by the Chief Financial Officer and Assistant Secretary for Administration. Each operating unit shall establish a similar internal control system for the budgets of missions authorized by that unit that are led by other Commerce Department employees.

Where projected costs deemed essential to a successful mission would exceed projected revenues (from participation fees) by ten percent or more, the mission will be reviewed to determine whether the likely benefit to the Department's mission outweighs the cost factors associated with it. For non-secretarial missions, the head of the Commerce Department operating unit will conduct this review in conjunction with the ITA Trade Events Board. For Secretarial missions, the mission team will conduct this review in conjunction with the Trade Events Board.

B. Selecting the Method of Transportation

There is a strong presumption in favor of using commercial aircraft for all trade missions. This presumption may be overcome only if (1) security concerns necessitate the use of charter or government aircraft; or (2) the use of commercial aircraft would result in substantial inconvenience to participants that would jeopardize the success of the mission. The use of other than commercial aircraft in any trade mission must be authorized by the Chief Financial Officer and Assistant Secretary for Administration.

5. Post-Mission Reports

A Post-Mission Report must be filed within a month of the conclusion of the mission. The project officer/mission team is responsible for the preparation of the report, with input as appropriate obtained from Commercial Service and other Embassy officers in countries visited. The report will include a review of the activities undertaken during the mission, including unclassified summaries of meetings with foreign government officials, and an analysis of the results of the mission against the goals for the mission set forth in the mission statement.

Private sector mission participants will be requested to complete a mission evaluation form at the conclusion of the mission which will indicate commercial objectives achieved during the mission (any "business proprietary" information provided by participants that would be exempt from public dissemination under the FOIA, and any other information protected against disclosure, will remain confidential). In addition, the participants will be requested to provide updated information on the results they achieved from the mission as appropriate. A sample evaluation form is attached as Attachment C.

The post-mission report will consist of:

- A description of the mission, including a schedule and a summary of the activities undertaken during the mission;
- an analysis of the accomplishments of the mission in comparison to the goals for the mission set forth in the mission statement; and
- a summary of the mission evaluation forms completed by private sector mission participants.

The following will be included as attachments to the post-mission report:

- the mission statement;
- a list of mission participants;
- the fiscal plan or budget for the mission;
- copies of press releases and press reports concerning the mission..

The post-mission report will be included in the mission file and will be available to the public (appropriate protection will be afforded to any commercially-sensitive information supplied by private-sector participants in the mission that would be protected against disclosure under the Freedom of Information Act as well as to other information exempt from disclosure).

Judicial Watch, Inc.

FOR IMMEDIATE RELEASE
February 18, 1997

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The Judicial Watch Newsletter
February 18, 1997

ALEXIS HERMAN BROKERED RON BROWN'S SOLICITATION TO JAPAN FOR MALL SHOPPING MAGNATE

Exclusive: Facts Contradict Statements by Magnate's Lawyer.
How Will They Testify Under Oath?
Senate Wants to Know: Why Did Developer Pay Herman $500,000?

By Andy Thibault
Chief Investigator, Judicial Watch

Labor Secretary Designee Alexis Herman -- who has a track record of trading favors with her late mentor, Commerce Secretary Ron Brown -- personally asked Mr. Brown to write a controversial solicitation for her client to Japan's minister of international trade and industry.

The client, Herbert Miller, gave Ms. Herman ownership interest worth as much as $500,000 in a real estate development for which she invested no money.

On March 29, 1996, Mr. Brown wrote a letter to Japan's minister asking him to help Mr. Miller's company, American Malls International. "I am writing to you on behalf of American Malls International (AMI) to let you know of AMI's interest in the Japanese market ... and to request the support of the government of Japan in furthering the progress of a very promising project."

Sources familiar with Ms. Herman's finances told The Judicial Watch Newsletter that in early 1996 Mr. Brown needed a sensitive political favor from Ms. Herman. By that time, Ms. Herman had become the unofficial conduit for information between President Clinton and first lady Hillary Rodham Clinton, while holding the official title of Director of the Office of Public Liaison.

"She asked Ron to write the letter," said a source privy to the deal. "It was the classic quid pro quo; these people don't do anything for nothing."

Ms. Herman worked for Mr. Brown at the Democratic National Committee before running the day-to-day operations for the 1992 Clinton transition team.

Through her contacts with the administration of former Washington, D.C. Mayor Sharon Pratt Kelly, Ms. Herman helped set up one of Mr. Brown's most profitable business ventures, for the pension management firm PEBSCO. The company won exclusive rights to manage the District of Columbia's $100 million pension fund.

PEBSCO and Mr. Brown initially shared the contract with Copeland Associates Inc. When the partners were under pressure to trim high commissions and administrative costs, Ms. Herman served as a

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mediator. Copeland was eased out of the picture, but Ms. Herman helped the firm land business with other major cities. She listed compensation of more than $5,000 from Copeland on her financial disclosure form.

When Mr. Brown sold his share in Capital/PEBSCO in 1993, it was valued at $500,000 to $1 million.

The lawyer for the mall magnate Miller, Jonathan Schraub, told *The Wall Street Journal's* Paul Gigot last week: "There is absolutely, positively, no truth to any allegation that Alexis Herman had anything to do with Japan and Miller, or with getting a letter from Ron Brown."

Mr. Gigot suggested that the denials be repeated under oath for the Senate.

Sources said Ms. Herman is likely to stick with her story, depending on how Miller handles the pressure.

"It all depends," one source said, "on whether Miller is willing to lie under oath. Alexis would have gone to him to take credit for it. The value of her partnership is fluid; one way to enhance the value was with the Japan letter."

For more information on Judicial Watch or to arrange an interview with Mr. Larry Klayman, Chairman of Judicial Watch, please contact Cliff Johnson of Craig Shirley & Associates at (703) 739-5920 or (800) 536-5920.

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