

	memorandum to FBI Washington Field Office on theft and unauthorized disclosure of documents from the U.S. International Trade Commission released under FOIA 1124826-000
F	FBI Form FD-302 Interview of AIPAC Female Employee #1 12/19/1985 released under FOIA 1124826-000
G	FBI Form FD-302 Interview of AIPAC Female Employee #2 12/19/1985 released under FOIA 1124826-000
H	FBI Form FD-302 Interview of AIPAC Male Employee #1 02/13/1986 released under FOIA 1124826-000
I	FBI Form FD-302 Interview of Israeli diplomat 03/07/1986 released under FOIA 1124826-000
J	2/15/1984 <i>Federal Register</i> notice document of Investigation, No. 332-180
K	11/1/1987 US Bromine Alliance Letter to ITC over Data loss" ITC Public file
L	11/29/1987 ITC Letter to the US Bromine Alliance to over Data loss" ITC Public file
M	ITC Public file of organizations participating in Investigation No. 332-180
N	"05/02/1984 Monsanto Letter to ITC over Patents" ITC Public file
O	ISCAP 10/21/2010 Letter to Grant F. Smith about process for declassification and release of <i>Effect of Providing Duty-Free Treatment for Imports from Israel Investigation No. 332-180</i> ISCAP #2010-074

Respectfully submitted
Grant F. Smith,




CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion, was served on counsel for the Plaintiff and Defendants at the address set forth below by regular United States mail, this 10th day of January, 2011.

David H. Shapiro
SWICK & SHAPIRO
1225 Eye Street NW
Suite 1290
Washington, DC 20005
Tel. 202.842.0300
Fax 202.842.1418
email dhshapiro@swickandshapiro.com

Attorney for the Plaintiff

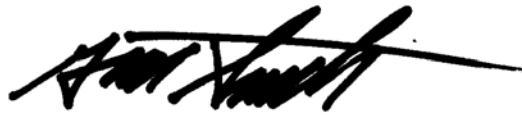
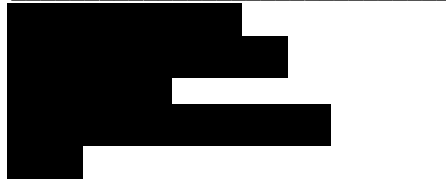
and

Thomas L. McCalley
CARR MALONEY P.C.
2000 L. Street N.W.
Suite 450
Washington, DC 20036
tln@carrmaloney.com

and

Allie M. Wright
CARR MALONEY P.C.
2000 L. Street N.W.
Suite 450
Washington, DC 20036
amw@carrmaloney.com

Grant F. Smith,

A handwritten signature in black ink, appearing to read "Grant F. Smith", written in a cursive style with a long horizontal stroke extending to the right.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

Exhibit A

March 9, 2009

Mr. Grant Smith
Institute for Research
Middle Eastern Policy
Calvert Station
P.O. Box 32041
Washington, D.C. 20007

Dear Mr. Smith:

This letter is USTR's final response to your request for **"the complete report prepared by the International Trade Commission to U.S. Trade Representative William E. Brock in preparation for the U.S.-Israel Free Trade Agreement in 1984"**, under the Freedom of Information Act.

Please be advised that, after a thorough review, it has been determined that the report should not be declassified. The report is classified in its entirety, leaving no segregable portions available for public viewing.

The report is being withheld in full pursuant to 5 U.S.C. §552(b)(1), which pertains to information that is properly classified in the interest of national security pursuant to Executive Order 12958.

Inasmuch as this constitutes a complete grant of your request, I am closing your file in this office.

In the event that you are dissatisfied with USTR's determination, you may appeal such a denial, within thirty (30) days, in writing to:

FOIA Appeals Committee
Office of the United States Trade Representative
1724 F Street, N.W.
Washington, DC 20508

Both the letter and the envelope should be clearly marked: "Freedom of Information Act Appeal". In the event you are dissatisfied with the results of any such appeal, judicial review will thereafter be available to you in the United States District Court for the judicial district in which you reside or have your principal place of business, or in the District of Columbia, where we searched for the records you seek. Should you have any questions, please feel free to contact me or my assistant Jacqueline Caldwell at (202) 395-3419.

Sincerely,



Jacqueline B. Caldwell
FOIA Specialist

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON FIELD OFFICE
WASHINGTON, D.C. 20535
August 6, 1984

UNKNOWN SUBJECTS:
THEFT OF CLASSIFIED DOCUMENTS FROM
THE OFFICES OF
THE UNITED STATES TRADE REPRESENTATIVES:
ESPIONAGE-ISRAEL
PRELIMINARY INQUIRY
(INITIATED JUNE 19, 1984)

~~All markings, notations, and items of information
contained in this communication are classified "SECRET" unless
otherwise noted.~~

OFFICE OF ORIGIN: WASHINGTON FIELD OFFICE

DATE INVESTIGATIVE SUMMARY PREPARED: August 13, 1984

BASIS FOR INVESTIGATION:

Investigation is based upon a complaint received from
[redacted] Associate General Counsel, Office of the
United States Trade Representative (USTR), 600 17th Street, NW,
Washington, D.C. (WDC). This complaint alleges that person(s)
unknown had made available to the government of Israel, a
confidential report published by the International Trade
Commission outlining The Probable Effect of Providing Duty-Free
Treatment of Imports from Israel (332-180).

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INVESTIGATION TO DATE:

On January 25, 1984, the U.S. International Trade
Commission (ITC), WDC, was requested by the USTR to prepare a
report for the President relating to the establishment of a free
trade area with Israel. This report was to be available within
four months. The first "prehearing report" was published April 4,
1984, by ITC. Twenty copies were distributed within ITC to key

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the FBI
and is loaned to your agency; it and its contents are
not to be distributed outside your agency.

~~SECRET~~

~~Classified by: 558
Declassify on: OADR~~

UNKNOWN SUBJECTS

~~SECRET~~

personnel. On May 3, 1984, five more copies were distributed within ITC for senior staff/editorial review and for review by the six ITC Commissioners. On May 16, 1984, 13 more copies called "Action Jacket" copies were distributed within ITC as a device for recording the clearances and comments of the commissioners. On May 31, 1984, 40 copies of the final report were distributed with one copy to the President, 28 copies to USTR, and 11 copies within ITC. One copy of the statistical appendix to the subject report was made available to USTR on May 9, 1984, to assist in the preparation of testimony before Congress. No other copies were available to any other individuals or agencies until May 30, 1984.

On May 21, 1984, a DEPARTMENT OF COMMERCE (DOC) employee was in Jerusalem following the formal U.S.-Israeli negotiations which had been held the week before. This employee met with a [redacted] of the Israeli delegation and an Israeli Embassy official from WDC. [redacted] stated he had received a cable from the Israeli Embassy in WDC and then proceeded to read from this cable what appeared to be a full summary of the report including the conclusions regarding sensitive products.

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On or about May 30, 1984, prior to the USTR distribution of the "final report," a member of the Trade Subcommittee of the Senate Finance Committee notified USTR that after a conversation with an employee of the AIPAC, WDC, this member was left with the impression that AIPAC had a copy of the subject report although they did not offer a copy to this employee. This AIPAC member was familiar with the report's contents and conclusions.

On June 7, 1984, the Israeli trade minister and [redacted] lunched with Ambassador WILLIAM BROCK [redacted] USTR. [redacted] recalled that [redacted] was aware of the contents of the report.

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On June 12 and 13, 1984, information passed to USTR indicated that certain members of Congress could acquire copies of the ITC report through AIPAC.

On June 15, 1984, the USTR general counsel telephoned AIPAC employee [redacted] and inquired if AIPAC had a copy of the USTR report. [redacted] advised they did. [redacted] was asked to return this confidential report and all copies. Subsequently, [redacted] of AIPAC, contacted USTR, to claim no knowledge of the report himself and to disassociate himself from such activities. A copy of the USTR report was subsequently

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UNKNOWN SUBJECTS

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delivered to USTR. Also delivered was a substantial portion of a second copy of the report in an unsorted condition. The full report copy was a copy of the "final report" and had no identifying mark on the outside cover which was clearly stamped confidential. This indicates that this copy was probably made prior to the May 30 delivery to USTR. USTR officials advised the significance of the unauthorized disclosure of the contents of the ITC report is that the bargaining position of the United States was compromised and "Business Confidential" information used in the report was made available to the public. This disclosure also impacts on the effectiveness of the ITC to solicit data from the U.S. business community. No national defense information was utilized in the preparation of the ITC report.

OBJECTIVE:

To identify individual(s) responsible for the unauthorized disclosure of the contents of the ITC report to the government of Israel and employees of AIPAC through interviews of ITC personnel and congressional staff aides.

~~SECRET~~



Exhibit C

Federal Bureau of Investigation

Washington, D.C. 20535

July 31, 2009

MR. GRANT F. SMITH
INSTITUTE FOR RESEARCH: MIDDLE EASTERN POLICY
CALVERT STATION
POST OFFICE BOX 32041
WASHINGTON, DC 20007

Subject: AMERICAN ISRAEL PUBLIC
AFFAIRS COMMITTEE 1984
INVESTIGATION
FOIPA No. 1124826- 000

Dear Mr. Smith:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Deletions have been made to protect information which is exempt from disclosure, with the appropriate exemptions noted on the page next to the excision. In addition, a deleted page information sheet was inserted in the file to indicate where pages were withheld entirely. The exemptions used to withhold information are marked below and explained on the enclosed Form OPCA-16a:

Section 552

Section 552a

- Exemption options for Section 552 and 552a including (b)(1), (b)(2), (b)(3), (b)(4), (b)(5), (b)(6), (b)(7)(A-F), (b)(8), (b)(9), (d)(5), (j)(2), (k)(1-5), and (k)(7).

84 page(s) were reviewed and 82 page(s) are being released.

- Document(s) were located which originated with, or contained information concerning other Government agency(ies) [OGA]. This information has been:
- referred to the OGA for review and direct response to you.
- referred to the OGA for consultation. The FBI will correspond with you regarding this information when the consultation is finished.

You have the right to appeal any denials in this release. Appeals should be directed in writing to the Director, Office of Information Policy, U.S. Department of Justice, 1425 New York Ave., NW, Suite 11050, Washington, D.C. 20530-0001. Your appeal must be received by OIP within sixty (60) days from the date of this letter in order to be considered timely. The envelope and the letter should be clearly marked "Freedom of Information Appeal." Please cite the FOIPA Request Number assigned to your request so that it may be easily identified.

The enclosed material is from the main investigative file(s) in which the subject(s) of your request was the focus of the investigation. Our search located additional references, in files relating to other

individuals, or matters, which may or may not be about your subject(s). Our experience has shown, when ident, references usually contain information similar to the information processed in the main file(s). Because of our significant backlog, we have given priority to processing only the main investigative file(s). If you want the references, you must submit a separate request for them in writing, and they will be reviewed at a later date, as time and resources permit.

See additional information which follows.

Sincerely yours,

A handwritten signature in black ink, appearing to read "David M. Hardy". The signature is written in a cursive style with a large, stylized "D" and "H".

David M. Hardy
Section Chief
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

This constitutes the final release for this request. All responsive documents from file #52B-WF-18153 have been processed.

To minimize costs to both you and the FBI, duplicate copies of the same document were not processed.

No fees are assessed for the first 100 pages of duplication. Therefore, the enclosed documents are being forwarded to you at no charge.

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (h)(2) related solely to the internal personnel rules and practices of an agency;
- (h)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (h)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could be reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could be reasonably expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

Exhibit D

TRANSMIT VIA: AIRTEL

CLASSIFICATION: _____

DATE: 11/15/85

FROM: Director, FBI

✓ TO: SAC, Washington Field (52B-18153)

UNKNOWN SUBJECTS,
THEFT AND UNAUTHORIZED DISCLOSURE
OF DOCUMENTS FROM THE UNITED STATES
INTERNATIONAL TRADE COMMISSION
TGP
OO: WASHINGTON FIELD
BUDED: 12/30/85

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-17-2009 BY 60324 uc baw/dk/sbs

Reference Bureau telephone call to Washington Field Office on 11/15/85.

Enclosed for Washington Field are two copies of a self-explanatory Department of Justice memorandum, with its enclosure, dated 11/1/85, captioned as above.

Washington Field will reopen this matter and expeditiously conduct investigation in accordance with the provisions of Section 52, Manual of Investigative Operations and Guidelines.

On 11/13/85, 724-7137 [redacted] Public Integrity Section, Department of Justice, advised FBIHQ that a meeting is scheduled for Friday, 11/15/85 at 3:15 p.m. in his office to discuss this matter. [redacted] requests that a representative from the FBI attend this meeting. It is anticipated that the complainant, [redacted] will be present and the Washington Field case Agent is to be available to interview [redacted] regarding this case.

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Upon completion of this investigation Washington Field will submit an LHM with copies of pertinent FD-302s attached setting forth all investigation conducted in this matter to the attention of the Fugitive/General Government Crimes Unit, FBIHQ, by COB 12/30/85.

SECRET MATERIAL ATTACHED.

Enclosures (2)

Report and
copy
12/2/85
12/2/85
52B-18153-5
not not
DL

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-17-2009 BY 60324 uc baw/dk/sbs

MEMORANDUM

TO: SAC, WFO (52B-18153) (P)

Date 12/17/85

FROM: SA JOHN HOSINSKI (C-4)

UNSUBS;
THEFT AND UNAUTHORIZED DISCLOSURE OF DOCUMENTS FROM THE U.S.
INTERNATIONAL TRADE COMMISSION
TGP
OO:WFO

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On December 3, 1985 SA [redacted] met with [redacted]

[redacted]
AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE (AIPAC), 500 North
Capitol Street, N.W., Suite 300, Washington, D.C. (202) 638-2256
regarding the receipt by AIPAC of a classified report published
by the U.S. INTERNATIONAL TRADE COMMISSION in June of 1984.

[redacted] advised that he was somewhat familiar with
this incident, but was not in a position to furnish the FBI with
any details regarding the matter. SA [redacted] advised [redacted]
that the FBI needed to know 1. Who at AIPAC had knowledge of this
report being in the possession of AIPAC 2. Who received or
handled this report at AIPAC 3. Who furnished this report to
AIPAC. 4. The current residence for a [redacted] a former
AIPAC employee with knowledge of this report being in the hands
of AIPAC.

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[redacted] stated that [redacted] of AIPAC
should be the person to address these questions and that he would
have [redacted] contacted SA [redacted] at the earliest possible
time.

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Regarding [redacted] stated that she
resigned her position at AIPAC shortly before the birth of her
child and that she is not expected to return.

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Continuous efforts to telephonically [redacted]
[redacted] during the period December 3, 1985 thru December 11, 1985 by
SA [redacted] proved negative.

USTIA
[redacted]
AMERICAN ISRAEL PUBLIC AFFAIRS COMMITTEE
500 NORTH CAPITOL STREET, N.W., SUITE 300
WASHINGTON, D.C. 20001
(202) 638-2256

52B-18153-6
hpl
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WFO 52B-18153

On December December 11, 1985, DEPUTY ASSISTANT DIRECTOR (DAD) PHIL PARKER, INTELLIGENCE DIVISION, FBIHQ, telephonically contacted SA [] regarding captioned matter. DAD PARKER stated to SA [] that this investigation had come to the attention of Director WEBSTER and asked for an explanation of investigation this far. DAD PARKER indicated that this matter would be studied at FBIHQ and WFO would be contacted re further investigation.

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On December 13, 1985, SSA [] advised SA [] that the investigation regarding captioned matter should proceed in the normal investigative procedure.

1-WFO

JAH:erw
(1)

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-20-2009 BY 60324 uc baw/dk/sbs

Date of transcription 1/6/86

1

[redacted]
American Israel Public Affairs Committee (AIPAC), 500 North
Capitol Street, N.W., Suite 300, Washington, D.C. (WDC),
telephone #638-2256 was interviewed by FEDERAL BUREAU OF
INVESTIGATION Special Agents (SAs) [redacted] and
[redacted] regarding a trade report published by
the United States Trade Representatives (USTR) which allegedly
was in the possession of AIPAC in 1984.

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[redacted] was interviewed in the presence of her
Attorney, [redacted] representing the law firm of
DICKSTEIN, SHAPIRO, AND MORIN, 2101 L Street, N.W., WDC,
telephone #828-2236. [redacted] provided the following information:

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[redacted] advised that she has been employed with
AIPAC from January 1982 until present. She advised that in
April of 1984, she received a document from an Israeli Embassy
Official, [redacted] advised that [redacted]
is the [redacted] at the Israeli Embassy. [redacted]
[redacted] described this document as being an International Trade
Commission (ITC) report studying free trade between Israel
and America and the implications resulting from possible
agreements. She stated that the document was 50-80 pages in length and
that she was not aware of the title of this report. She further
advised that this document was marked "confidential".

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Regarding the receipt of this document, [redacted]
stated that [redacted] came to the AIPAC office for a meeting
and prior to the meeting he handed her an envelop which was
unmarked. At that time, she said she was unaware of the contents
of the envelop. She further stated that this meeting was a
conference on the free trade issue between America and Israel
but she advised she cannot recall who else was attending this
meeting.

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Investigation on 12/19/85 at Washington, D.C. File # 52B-18153-7
SAs [redacted]
by [redacted] JAH:rlw Date dictated 12/23/85

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Continuation of FD-302 of [redacted], On 12/19/85, Page 2*

[redacted] stated that [redacted] never discussed the document with her and that he never explained to her how he received it. She stated that after she received the document, she placed the document in her desk and subsequently gave it a cursory examination a short time later before passing it on to [redacted] for AIPAC. She advised that she provided [redacted] with this document approximately one week after she had received it from [redacted]. [redacted] advised that when she gave this document to [redacted] she does not recall any specific instructions she gave to [redacted].

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[redacted] advised that she paid no attention to this document until she received a phone call from the U.S. Trade Representative (USTR) General Counsel [redacted] several weeks later. [redacted] called to ascertain if AIPAC had this trade report in their possession. She further advised that prior to that call she was given a duplicate copy of the report by AIPAC official [redacted]. She advised she had no information as to who duplicated this report but that after AIPAC received a call from [redacted] she then received a call from [redacted] telling her to destroy the duplicate copy of the report. [redacted] advised that she destroyed this duplicate copy by throwing it down the garbage chute at her residence. She stated that the original report was then returned to the U.S. Trade Representatives but that she does not know the identity of the person who returned the report.

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Regarding the availability of the report, [redacted] advised that the document was known to be "floating around town" and that the contents of the report were common knowledge to those interested in these matters.

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[redacted] advised that she could provide no opinion or comments regarding what other officials at AIPAC may have seen the report or in what manner [redacted] obtained the report. It was then requested by her Attorney, [redacted], that if the FBI had any further request of [redacted] that the FBI should contact [redacted] and he would submit any questions to [redacted]. [redacted] otherwise did not wish to furnish any additional information regarding this matter.

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-20-2009 BY 60324 uc baw/dk/sbs

Date of transcription 1/6/86

1

[redacted]
American Israel Public Affairs Committee (AIPAC), 500 North
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telephone #638-2256 was interviewed by FEDERAL BUREAU OF
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[redacted] regarding a trade report published by
the United States Trade Representatives (USTR) which allegedly
was in the possession of AIPAC in 1984.

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[redacted] was interviewed in the presence of her
Attorney, [redacted] representing the law firm of
DICKSTEIN, SHAPIRO, AND MORIN, 2101 L Street, N.W., WDC,
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[redacted] advised that she has been employed with
AIPAC from January 1982 until present. She advised that in
April of 1984, she received a document from an Israeli Embassy
Official, [redacted] advised that [redacted]
is the [redacted] at the Israeli Embassy. [redacted]
[redacted] described this document as being an International Trade
Commission (ITC) report studying free trade between Israel
and America and the implications resulting from possible
agreements. She stated that the document was 50-80 pages in length and
that she was not aware of the title of this report. She further
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stated that [redacted] came to the AIPAC office for a meeting
and prior to the meeting he handed her an envelop which was
unmarked. At that time, she said she was unaware of the contents
of the envelop. She further stated that this meeting was a
conference on the free trade issue between America and Israel
but she advised she cannot recall who else was attending this
meeting.

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Investigation on 12/19/85 at Washington, D.C. File # 52B-18153-7
SAs [redacted]
by [redacted] JAH:rlw Date dictated 12/23/85

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Continuation of FD-302 of [REDACTED]

, On 12/19/85 , Page 2*

[REDACTED] stated that [REDACTED] never discussed the document with her and that he never explained to her how he received it. She stated that after she received the document, she placed the document in her desk and subsequently gave it a cursory examination a short time later before passing it on to [REDACTED] for AIPAC. She advised that she provided [REDACTED] with this document approximately one week after she had received it from [REDACTED]. [REDACTED] advised that when she gave this document to [REDACTED] she does not recall any specific instructions she gave to [REDACTED].

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[REDACTED] advised that she paid no attention to this document until she received a phone call from the U.S. Trade Representative (USTR) General Counsel [REDACTED] several weeks later. [REDACTED] called to ascertain if AIPAC had this trade report in their possession. She further advised that prior to that call she was given a duplicate copy of the report by AIPAC official [REDACTED]. She advised she had no information as to who duplicated this report but that after AIPAC received a call from [REDACTED] she then received a call from [REDACTED] telling her to destroy the duplicate copy of the report. [REDACTED] advised that she destroyed this duplicate copy by throwing it down the garbage chute at her residence. She stated that the original report was then returned to the U.S. Trade Representatives but that she does not know the identity of the person who returned the report.

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Regarding the availability of the report, [REDACTED] advised that the document was known to be "floating around town" and that the contents of the report were common knowledge to those interested in these matters.

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[REDACTED] advised that she could provide no opinion or comments regarding what other officials at AIPAC may have seen the report or in what manner [REDACTED] obtained the report. It was then requested by her Attorney, [REDACTED], that if the FBI had any further request of [REDACTED] that the FBI should contact [REDACTED] and he would submit any questions to [REDACTED]. [REDACTED] otherwise did not wish to furnish any additional information regarding this matter.

FD-302 (REV 3-10-82)

FEDERAL BUREAU OF INVESTIGATION

Date of transcription 3/21/86

[redacted]
American Israel Public Affairs Committee (AIPAC), 500 North
Capitol Street, N.W., Suite 300, Washington, D.C., telephone
(202) 638-2256 was interviewed by Federal Bureau of Investigation
(FBI) Special Agents (SAs) [redacted]

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[redacted] regarding a classified report received by AIPAC in June
of 1984.

[redacted] was interviewed in the presence of his
Attorney, [redacted] representing the law firm of
WILLIAMS & CONNOLLY, the HILL Building, Washington, D.C.,
telephone (202) 331-5000. [redacted] provided the following
information:

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[redacted] advised that he is employed at AIPAC in
the capacity of [redacted] with responsibilities
pertaining to Congressional Relations and for Lobbying on Capitol
Hill. [redacted] advised that he first became aware of the
International Trade Commission (ITC) report being at AIPAC on a
Friday afternoon in the spring of 1984. He stated that on this
occasion [redacted] with AIPAC advised him that
she received a call from the U.S. Trade Representative (USTR)
General Counsel [redacted] asking her whether she or anyone
at AIPAC had this document. [redacted] advised that [redacted]
stated to [redacted] that she had the document and at that point
[redacted] asked that she return it to the USTR. [redacted]
asked [redacted] if it was true that she had this report and she
advised that she did have it. [redacted] subsequently examined
the document to determine if it had any secret classification or
pertained to any United States National Defense matters. [redacted]
[redacted] advised that he and [redacted] went to the office of
[redacted] of AIPAC and informed him of the
incident. [redacted] inquired as to whether [redacted] actually
had the report and if AIPAC had done anything illegal in having
it. [redacted] advised that he stated to [redacted] that it

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Investigation on 2/13/86 at Washington, D.C. File# 52B-18153-13

SAs

By

[redacted] DDR:erw Date dictated 2/14/86

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This document contains neither recommendations nor conclusions of
the FBI. It is the property of the FBI and is loaned to your
agency; it and its contents are not to be distributed outside
your agency.

Continuation of FD-302 of [redacted] On 2/13/86 Page2*

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contained no National Defense information and that AIPAC did not solicit the report. Both [redacted] were satisfied that AIPAC had not acted improperly in possessing the report.

[redacted] immediately called [redacted] at the USTR to make arrangements to return the document. The report was subsequently returned to the USTR by a member of the AIPAC office staff. Prior to returning this document, [redacted] asked to have a duplicate copy of the document made so that the staff of the AIPAC could further examine the report. [redacted] advised that he saw no "secret classifications" on the report and there were no indications that this was a report pertaining to United States National Security. He further believed that AIPAC had not acted improperly or illegally in having this report in its possession and thereafter, asked [redacted] for AIPAC to examine the document regarding the free trade issue between the U.S. and Israel. He stated that [redacted] retained the duplicate copy of the report and that the original report was returned to the USTR. [redacted] advised that he did not consider this report to be especially important and thought that any controversy regarding the report had ended.

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In November of 1985, [redacted] asked [redacted] about the report and she stated to him that it was generally useless and that she had eventually thrown it away.

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Regarding the identity of the individual who provided the report to AIPAC, [redacted] advised that he has no first hand knowledge pertaining to this matter. He did advise that he was told that Israeli Embassy official [redacted] had initially provided the report to a representative of AIPAC. [redacted] further advised that he had no information pertaining to who may have provided the report to [redacted]

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[redacted] stated that it was his understanding that several other industries had copies of this report as well as several people on Capitol Hill and that AIPAC did not consider possessing this report an especially significant matter. [redacted] could otherwise provide no additional information relating to who may have provided the report to [redacted]. He further requested that any future contact of him by the FBI be coordinated through his Attorney, [redacted]

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Exhibit I

FEDERAL BUREAU OF INVESTIGATION

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 04-20-2009 BY 60324 uc baw/dk/sbs

Date of transcription 3/13/86

1

[redacted]
Embassy of Israel, 3514 International Drive, N.W., Washington, D.C. telephone (202) 364-5692 was interviewed by Federal Bureau of Investigation Special Agents [redacted] and [redacted] regarding the receipt of a U.S. International Trade Commission (USITC) report pertaining to free trade between the U.S. and Israel.

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During this interview, [redacted] was accompanied by [redacted] [redacted] for the Embassy of Israel, Washington, D.C.

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[redacted] advised that at some unrecalled time in 1984 he received this USITC report pertaining to free trade between America and Israel. [redacted] advised that he received this document from someone that he would not identify. He indicated that he received this information in his official capacity as a diplomat and that it would be against the principles of diplomatic work to divulge any information pertaining to the identity of the individual who provided him the report. He further advised that it is impossible within the professional ethics of a diplomat to identify individuals who provide certain information to a diplomat.

[redacted] did state that the individual who provided him with the report was not a U.S. Government Official nor was he an employee of the U.S. Government. [redacted] indicated that there were numerous negotiators regarding this free trade issue representing several U.S. Government agencies including the U.S. Trade Representatives, the U.S. Treasury, the U.S. Commerce Commission, the U.S. Department of State, and the U.S. Department of Agriculture. He advised that there were usually one or two principals representing each of these agencies which would attend most negotiations. He further advised that he thinks certain U.S. negotiators wanted the person who provided [redacted] the report to know about certain aspects pertaining to the United States

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Investigation on 3/7/86 at Washington, D.C. File # 52B-18153-12
by SAs [redacted] JAH:cjc Date dictated 3/13/86

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Continuation of FD-302 of 52B-18153; [redacted], On 3/7/86, Page 2

and Israel.

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Regarding the availability of this report, [redacted] advised that the report had been widely circulated among the staff and members of Capitol Hill, as well as among various consultants representing the interest of each agency affected by the free trade issue. He advised that the Government of Israel did not ask to receive the report and stated that when the individual provided him with the report, the transaction was not conducted in a discreet or secretive manner.

[redacted] advised that he furnished the report to an employee at the American Israel Public Affairs Committee (AIPAC) during the Spring or Summer of 1984. He believes he gave the report to either [redacted] or to [redacted]. [redacted] indicated that this report was only part of a package that he provided to AIPAC with other routine information.

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[redacted] advised that he could not recall the specific period of time when he was given the report but stated that the contents of the report were well known by the time he had received it. [redacted] advised that he did not try to conceal the fact that representatives of Israel had this report in their possession. He further stated that he believes that the controversy regarding this report is extremely exaggerated and that in his opinion, the fact that representatives of Israel viewed this report, caused no economic damage to any U.S. business or interest.

FOR FURTHER INFORMATION CONTACT:
Denise T. DiPersio, Esq., Unfair Import
Investigations Division, U.S.
International Trade Commission,
telephone 202/523-0113.

Issued: February 7, 1984.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 84-4141 Filed 2-14-84; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-181]

**Certain Meat Deboning Machines;
Order No. 1**

Pursuant to my authority as Chief
Administrative Law Judge of this
Commission, I hereby designate
Administrative Law Judge John J.
Mathias as Presiding Officer in this
investigation.

The Secretary shall serve a copy of
this order upon all parties of record and
shall publish it in the **Federal Register**.

Issued: February 8, 1984.

Donald K. Duvall,

Chief Administrative Law Judge.

[FR Doc. 84-4142 Filed 2-14-84; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 337-TA-181]

**Certain Meat Deboning Machines;
Investigation**

AGENCY: International Trade
Commission.

ACTION: Institution of investigation
pursuant to 19 U.S.C. 1337.

SUMMARY: Notice is hereby given that a
complaint was filed with the U.S.
International Trade Commission on
January 3, 1984, under section 337 of the
Tariff Act of 1930 (19 U.S.C. 1337), on
behalf of Lever Brothers Co., 390 Park
Avenue, New York, New York 10022;
Protecon B.V., Wim de Korverstraat 43a,
Postbus 9, 5830 44 Boxmeer, Holland;
and Protecon, Inc., P.O. Box 1109, 1126-
88th Place, Kenosha, Wisconsin 53151.
Supplements to the complaint were filed
on January 31, 1984 and February 1,
1984. The complaint as supplemented
alleges unfair methods of competition
and unfair acts in the importation of
certain meat deboning machines into the
United States, or in their sale, by reason
of alleged infringement of claim 1 of U.S.
Letters Patent 4,137,605. The complaint
further alleges that the effect of
tendency of the unfair methods of
competition and unfair acts is to destroy
or substantially injure an efficiently and
economically operated domestic
industry and/or to prevent the

establishment of such and industry in
the United States.

Complainants request the Commission
to institute an investigation and, after a
full investigation, to issue a permanent
exclusion order and a permanent cease
and desist order.

Authority

The authority for institution of this
investigation is contained in section 337
of the Tariff Act of 1930 and in section
210.12 of the Commission's Rules of
Practice and Procedure (19 CFR 210.12).

Scope of Investigation

Having considered the complaint, the
U.S. International Trade Commission, on
February 1, 1984, ordered that—

(1) Pursuant to subsection (b) of
section 337 of the Tariff Act of 1930, an
investigation be instituted to determine
whether there is a violation of
subsection (a) of section 337 in the
unlawful importation of certain meat
deboning machines into the United
States, or in their sale, by reason of
alleged infringement of claim 1 of U.S.
Letters Patent 4,137,605, the effect or
tendency of which is to prevent the
establishment of an efficiently and
economically operated domestic
industry in the United States.

(2) For the purpose of the investigation
so instituted, the following are hereby
named as parties upon which this notice
of investigation shall be served:

(a) The complainants are—

Lever Brothers Co., 390 Park Avenue,
New York, New York 10022
Protecon B.V., Wim de Korverstraat 43a,
Postbus 9, 5830 44 Boxmeer, Holland
Protecon, Inc., P.O. Box 1109, 1126-88th
Place, Kenosha, Wisconsin 53151.

(b) The respondents are the following
companies, alleged to be in violation of
section 337, and are the parties upon
which the complaint is to be served.

Machiefabrieken H.J. Langen & Zonen
B.V. Cuyk, Netherlands
H.J. Langen & Sons, LTD., 2357 Devon
Ave., Elk Grove, Village, Illinois
60607.

(c) Linda L. Moy, Esq., Unfair Import
Investigation Division, U.S.
International Trade Commission, 701 E.
Street NW., Room 126, Washington, D.C.
20436, shall be the Commission
investigative attorney, a party to this
investigation; and

(3) For the investigation so instituted,
Donald K. Duvall, Chief Administrative
Law Judge, U.S. International Trade
Commission, shall designate the
presiding officer. Responses must be
submitted by the named respondents in
accordance with § 210.21 of the
Commission's Rules of Practice and

Procedure (19 CFR 210.21). Pursuant to
§ 201.16(d) and 210.21(a) of the rules,
such responses will be considered by
the Commission if received not later
than 20 days after the date of service of
the complaint. Extensions of time for
submitting a response will not be
granted unless good cause therefor is
shown.

Failure of a respondent to file a timely
response to each allegation in the
complaint and in this notice may be
deemed to constitute a waiver of the
right to appear and contest the
allegations of the complaint and this
notice, and to authorize the presiding
officer and the Commission, without
further notice to the respondent, to find
the facts to be as alleged in the
complaint and this notice and to enter
both an initial determination and a final
determination containing such findings.

The complaint, except for any
confidential information contained
therein, is available for inspection
during official business hours (8:45 a.m.
to 5:15 p.m.) in the Office of the
Secretary, U.S. International Trade
Commission, 701 E Street NW., Room
156, Washington, D.C. 20436, telephone
202-523-0471.

FOR FURTHER INFORMATION CONTACT:

Linda L. Moy, Esq., Unfair Import
Investigations Division, U.S.
International Trade Commission,
telephone 202-523-4693.

Issued: February 6, 1984.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 84-4144 Filed 2-14-84; 8:45 am]

BILLING CODE 7020-02-M

[332-180]

**Probable Economic Effect of Providing
Duty-Free Treatment for Imports From
Israel**

AGENCY: International Trade
Commission.

ACTION: Institution of an investigation
under section 332(g) of the Tariff Act of
1930 (19 U.S.C. 1332(g)) concerning the
probable economic effect of providing
duty-free treatment for imports from
Israel on U.S. industries producing like
or directly competitive articles and on
consumers, at the direction of the
President, and the scheduling of a
hearing in connection therewith.

EFFECTIVE DATE: February 8, 1984.

FOR FURTHER INFORMATION CONTACT:

Mr. Robert Roeder (202-724-1170)—
Agricultural and forest products

Mr. Robert Wallace (202-523-0120)—

Textiles and apparel

Mr. Jim Emanuel (202-523-0334)—

Energy and chemicals

Mr. Robert Ruhlman (202-523-0309)—

Minerals and metals

Mr. Nelson Hogge (202-523-0377)—

Machinery and equipment

Ms. Edith Hagelin (202-724-1746)—

Miscellaneous manufactures

All of the above staff are in the Commission's Office of Industries. For information on legal aspects of the investigation contact Mr. William Gearhart of the Commission's Office of the General Counsel at 202-523-0487.

Background and Scope of Investigation

The Commission instituted the investigation, No. 332-180, following receipt on January 30, 1984, of a request therefor by the President transmitted through the U.S. Trade Representative (USTR). The advice requested would be used in connection with negotiations with the Government of Israel relating to the establishment of a free trade area between the United States and Israel.

The Commission will, as requested by USTR, advise the President with respect to each item in the Tariff Schedules of the United States as to the probable economic effect of providing duty-free treatment for imports from Israel on industries in the United States producing like or directly competitive articles and on consumers.

As requested by USTR, the Commission will conduct this investigation as if the request had been made pursuant to section 131 of the Trade Act of 1974 (19 U.S.C. 2151). The Commission's scheduled completion date for the report is May 30, 1984.

Public Hearing

A public hearing in connection with the investigation will be held in the Commission Hearing Room, 701 E Street NW., Washington, D.C. 20436, beginning at 10:00 a.m., on April 10, 1984, to be continued on April 11, if required. All persons shall have the right to appear by counsel or in person, to present information, and to be heard. Requests to appear at the public hearing should be filed with the Secretary, United States International Trade Commission, 701 E Street NW., Washington, D.C. 20436, not later than noon, April 3, 1984.

Written Submissions

In lieu of or in addition to appearances at the public hearing, interested persons are invited to submit written statements concerning the investigation. Written statements should be received by the close of business on April 3, 1984. Commercial or financial

information which a submitter desires the Commission to treat as confidential must be submitted on separate sheets of paper, each clearly marked "Confidential Business Information" at the top. All submissions requesting confidential treatment must conform with the requirements of § 201.6 of the Commission's Rules of Practice and Procedure (19 CFR 201.6). All written submission, except for confidential business information, will be made available for inspection by interested persons. All submissions should be addressed to the Secretary at the Commission's office in Washington, D.C.

Issued: February 9, 1984.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 84-4146 Filed 2-14-84; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 332-115]

Study of the Effect of the Enlargement of the European Community on U.S. Trade; Termination of Investigation

AGENCY: International Trade Commission.

ACTION: Termination of investigation.

EFFECTIVE DATE: February 10, 1983.

Background

The Commission, on its own motion, instituted the study, effective September 29, 1980, investigation No. 332-116, under section 332(b) of the Tariff Act of 1930 (19 U.S.C. 1332(b)). Notice of the institution of the investigation was published in the Federal Register on October 8, 1980 (47 FR 7350).

Issued: February 8, 1984.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 84-4143 Filed 2-14-84; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. TA-201-52]

Unwrought Copper; Investigation

AGENCY: International Trade Commission.

ACTION: Institution of an investigation under section 201 of the Trade Act of 1974 (19 U.S.C. 2251) and scheduling of a hearing to be held in connection with the investigation.

EFFECTIVE DATE: January 26, 1984.

SUMMARY: Following receipt of a petition filed on January 26, 1984, on behalf of Anaconda Minerals Co.,

Asarco Inc., Copper Range Co., Cyprus Mines Corp., Duval Corp., Inspiration Consolidated Copper Co., Kennecott Corp., Magma Copper Co., Phelps Dodge Corp., Pinto Valley Copper Corp., and Ranchers Exploration and Development Corp., the Commission instituted investigation No. TA-201-52 under section 201 of the Trade Act of 1974 to determine whether black copper, blister copper, and anode copper, provided for in item 612.03 of the Tariff Schedules of the United States (TSUS), or unwrought copper, other than alloyed, provided for in TSUS item 612.06, are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing articles like or directly competitive with the imported articles. The Commission must report its determination to the President by July 26, 1984.

FOR FURTHER INFORMATION CONTACT:

Daniel Leahy, Investigator (202/523-1369), or Vera A. Libeau, Supervisory Investigator (202/523-0368), U.S. International Trade Commission, Washington, D.C. 20436.

SUPPLEMENTARY INFORMATION:

Participation in the Investigation

Persons wishing to participate in this investigation as parties must file an entry of appearance with the Secretary to the Commission, as provided in § 201.11 of the Commission's Rules of Practice and Procedure (19 CFR 201.11), not later than 21 days after the publication of this notice in the Federal Register. Any entry of appearance filed after that date will be referred to the Chairman, who shall determine whether to accept the late entry for good cause shown by the person desiring to file the entry.

Upon the expiration of the period for filing entries of appearance, the Secretary shall prepare a service list containing the names and addresses of all persons, or their representatives, who are parties to the investigation (19 CFR 201.11(d)). Each document filed by a party to this investigation must be served on all other parties to the investigation (as identified by the service list), and a certificate of service must accompany the document. The Secretary will not accept a document for filing without a certificate of service (19 CFR 201.16(c)).

Public Hearing

The Commission will hold a public hearing in connection with this investigation beginning at 10:00 a.m., on May 15, 1984, in the Hearing Room, U.S. International Trade Commission



PREPARED FOR
 ACTION
 No. 84-44
 TO: GC, IND
 and Sec.
 OFFICE OF THE
 SECRETARY
 Intl. Trade Commission

Exhibit K

Ethyl Corporation
 611 Madison Office Building
 1155 15th St., N.W.
 Washington, DC 20005
 Telephone 202-223-4411

November 1, 1985

585901

332-180

INTERNATIONAL TRADE AFFAIRS

DELIVERED BY MESSENGER

Dr. Paula Stern, Chairwoman
 U.S. International Trade Commission
 701 "E" Street, N.W.
 Washington, D.C. 20436

Dear Dr. Stern:

Thank you for meeting with us this morning and for your genuine interest about our concerns relating to the Commission's security procedures for "business confidential" information submitted by the private sector. We very much appreciate your willingness to review the various matters we discussed with you, and particularly those included on the document (copy enclosed) that we left with you and Mr. Goodrich.

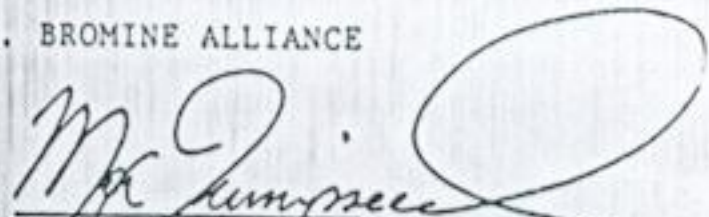
We look forward to your response on how you might be able to describe, characterize, or give us specifically what "business confidential" information, submitted by the U.S. Bromine Alliance, was included in the Commission's confidential report concerning the U.S. - Israel Free Trade Area proposal that was prepared for the U.S. Trade Representative. We are also hopeful you will be able to tell us (as an example on point) what you found within the Commission concerning the disposition of the 15 copies of "business confidential" information we recently submitted in connection with your GSP investigation.

As you review the other items in the enclosed document to see what type of further advice you can furnish to us with respect to the Commission's standard security procedures, we will undertake to draft a proposal (for consideration) on the type of handling we hope the Commission would adopt with respect to future submissions of "business confidential" information from the U.S. Bromine Alliance or the individual member companies of the Alliance. We also plan to review this same subject with the appropriate personnel at the Office of the U.S. Trade Representative.

Thank you again for your warm reception and cooperation.

Sincerely,

U.S. BROMINE ALLIANCE

By: 
 Max Turnipseed

MT:clk
 Enclosure
 cc: U.S. Bromine Alliance Members
 Edward R. Easton, Esquire
 Will E. Leonard, Esquire

RECEIVED
 NOV 11 1985
 11:11 AM

November 1, 1984

Talking Points for Meeting with Dr. Paula Stern,
Chairwoman, U.S. International Trade Commission

1. Persons present.

Max Turnipseed, Spokesman, U.S. Bromine Alliance, accompanied by Will E. Leonard and Edward R. Easton, attorneys, Busby, Rehm and Leonard, P.C.

2. General Topic.

Commission security procedures for confidential business information submitted to the agency.

3. Background.

The U.S. Bromine Alliance supplied very sensitive cost information to the Commission in response to the Commission's requests for confidential business data in connection with its report on a free trade agreement with Israel. The Alliance presumes that these data were quoted in the Commission's confidential report to the USTR, a copy of which was obtained by representatives of the American-Israel Public Affairs Committee.

The Alliance is currently an interested party in the on-going GSP-related investigations Nos. 503(a)-12 and 332-187. The Alliance has also submitted confidential business information to the Commission in connection with these investigations also.

4. Specific inquiries concerning the Commission's procedures for handling confidential business information;

a. When confidential Commission reports are supplied to the President, the Congress, USTR, or the GAO, what procedures are followed in addition to individually numbering the limited copies supplied? Does a contact person with the recipient undertake to insure that no additional copies will be made? Are there agreements to keep the copies of the reports in a secured filing system with "need to know access" at the recipient institution?

b. Does the Commission have a legal obligation to submit information that may be confidential to any other agencies?

c. The Commission's regulations require a signed original and fourteen copies of each document submitted by a party to an investigation. Is there a Commission policy statement identifying those persons who receive each of these copies? Is there a method for controlling additional copies made from the copies submitted? What criteria exist for guidance with respect to whether additional copies are made? Who is designated to know the location of each copy and those persons with access to it?

d. What are the Commission's instructions to its employees concerning the handling of confidential business submissions? Is the staff instructed not to accept writings which have not been declared confidential by the Secretary? What instructions exist concerning information solicited by telephone or in meetings? Does a staff person decide whether notes concerning such

information are to be treated as confidential information or is the staff instructed to consult supervisory personnel in making the decision?

e. How are the Commission's employees made aware of mandatory security procedures? How often does the Office of Administration survey compliance with these instructions?

f. Does the Commission have a training program for instructing its employees on the treatment of submissions from business entities? How often is the program presented? How often are employees required to participate? Would the Commission allow interested business groups to participate in designing future programs?

5. Unlike other administrative agencies such as the Environmental Protection Agency or the Federal Drug Administration, the Commission has not undertaken to notify the submitter of confidential business information when access to such information is sought under the Freedom of Information Act or otherwise. Would the Commission be willing to amend its regulations to notify the submitter when such access was sought?



RECEIVED

OFFICE OF THE SECRETARY
U.S. International Trade Commission

UNITED STATES INTERNATIONAL TRADE COMMISSION

Exhibit L

WASHINGTON, D. C. 20436

November 29, 1984

Mr. Max Turnipseed
U.S. Bromine Alliance
c/o Ethyl Corporation
1155 15th Street, N.W.
Washington, D. C. 20005

Dear Mr. Turnipseed:

This is in reply to your November 1, 1984, letter sent to me following the meeting of the same day relating to the handling of "business confidential" information by the U. S. International Trade Commission. In addition to your observations on our security procedures you have specific inquiries concerning (1) the "business confidential" information submitted by the U. S. Bromine Alliance in connection with the U.S.-Israel free trade study, and (2) the disposition of the 15 copies of "business confidential" information the Alliance submitted in connection with the current GSP investigation. I would like to address these matters separately.

1. You requested us to describe, characterize, or specify what business confidential information submitted by the U.S. Bromine Alliance in your letter of April 27, 1984, was included in the U. S. International Trade Commission's confidential report to the U. S. Trade Representative on investigation No. 332-180, Probable Effect of Providing Duty-Free Treatment for Imports from Israel.

The specific business confidential numbers extracted from the Alliance's letter and shown in the report included: (1) the production cost for bromine, (2) production cost, raw material cost, depreciation, or manufacturing cost, by-product cost, and shipping cost for the compound TBBPA and (3) the length of time that sales of domestic TBBPA could be supplied from inventory.

As we discussed at the November 1 meeting the study is currently classified "confidential" from a national security standpoint by the Office of the U. S. Trade Representative. For your information I am enclosing a copy of the clearance (enclosure 1) we received from that office to allow us to provide you the above characterization of the "business confidential" information submitted by the Alliance.

2. Disposition of "business confidential" information related to investigation nos. 503(a)-12 and 332-187 ("GSP- to Add Products to the List of Eligible Articles for the Generalized System of Preferences") - in this particular case the 15 copies of the Alliance's "business confidential" information was distributed within the U. S. International Trade Commission as listed below. It should be noted that not all of the 15 copies are currently in the Commission's files. Some have already been processed for disposal by burning or shredding.

	<u>Number of Copies</u>
Chairwoman Stern	1
Vice Chairman Liebeler	1
Commissioner Eckes	1
Commissioner Lodwick	1
Commissioner Rohr	1
Energy and Chemicals Division	1
Office of the General Counsel	1
Office of Economics	1
Office of the Secretary	Original and 6 copies
Total: Original and 14 copies.	

I appreciate your comments concerning the Commission's information security procedures and welcome any suggestions you may have. You may be assured that we place a high priority on safeguarding sensitive data and we are currently preparing detailed internal procedures. At this point we can respond to items 4. a., 4. b. and 5 of the discussion paper you left with me on November 1 (enclosure 2).

I hope this information is useful to you and we look forward to the Alliance's participation in future Commission investigations and studies.

Sincerely,


Paula Stern
Chairwoman

Enclosures

cc: Norris Lynch
Xen Mason
Mike Mabile
Lorin Goodrich

76 against, 4 not clear, 23 for

Organizations Lobbying Against the US-Israel Free Trade Agreement in 1984

Abex Corporation
AFL-CIO
AG West Inc.
American Butter Institute
American Dehydrated Onion and Garlic Association
American Farm Bureau
American Fiber Textile Apparel Coalition
American Hoechst Corporation
American Mushroom Institute
American Protective Services
Applewood Orchards
Apricot Producers of California
Arkansas Industrial Development
Axette Farms, Inc.
Belger Cartage Service
Bob Miller Ranch
Byrd Foods, Inc.
California Avocado Commission
California Dried Fig Advisory
California League Food Processors
California Tomato Growers Association
California Tomato Research
California-Arizona Citrus
Casa Lupe, Inc.
Davis Canning Company
Dow Chemical, U.S.A.
Ethyl Corporation
Florida Citrus Mutual
Furman Canning Company
Gangi Bros Packing Co.
Garden Valley Foods
George B. Lagorio Farms
Great Lakes Chemical Corporation
Greater Chicago Food Brokers
Harter Packing Co.
Hastings Island Land Company
Heidrick Farms, Inc.
Hunt-Wesson Foods
King Bearings, Inc.
Langon Associates
Leather Products Coalition

Letica Corporation
California Farm Bureau Federation
Liquid Sugar
Mallet and Sons Trucking Company
McGladdery & Gilton
Monsanto
Monticello Canning Company, Inc.
National Cheese Institute
National Milk Producers Federation
New Jersey Food Processors
Ohio Farm Bureau Federation
Otto Brothers Farms
Pacific Coast Producers
Perrys Olive Warehouse
Radial Warehouse Company
Rominger & Sons, Inc.
Roses, Inc.
Rubber Manufacturers Association Footwear Division
San Jose Chamber of Commerce
South Georgia Plant Growers
Sporting Arms and Ammunition Manufacturers Institute, Inc.
Stephen Investments Inc
Sun Garden Packing Company
Sunkist Growers, Inc.
Transport Associates, Inc.
Tri/Valley Growers
U.S. Bromine Alliance
United Midwest Manufacturing Company
University of California
Victor A. Morris Farms
Warren Hicks & Sons, Inc.
Western Growers Association
Westpoint Pepperell Inc.
Woolf Farming Co.
Zonner Inc.

Unsure

Elscent, Inc.
Manufacturing jewelers & silversmiths of America, Inc.
Solcoor
W. Braun Co.

Organizations Lobbying in favor of the US-Israel Free Trade Agreement in 1984

A.P. Esteve Sales, Inc.
AARJOY, Inc.
Amalgamated Bank.
American Israel Chamber of Commerce and Industry, Inc.
American Israel Public Affairs Committee
Bake-N-Joy Foods
California Olive Growers Association
CMC Finance
Crisafulli Pump Company, Inc.
Dead Sea Bromine Group, Ameribrom
Deitsch Plastic Export Company
First Family of Travel
Gordon Brothers Corp.
H.S. Schnell & Co.
Heritage International Bank¹
Jewish War Veterans of the United States
Kings Super Markets, Inc.
Mast Industries, Inc.
Midbar Imports
Olive Growers Council
Printing Plus Enterprises
The Paul Rogers Company
Wembley Industries, Inc.

¹ <http://www.nytimes.com/1986/03/26/business/heritage-international-bank-reports-earnings-for-year-to-dec-31.html> tiny md startup

Monsanto

Exhibit N

THOMAS L. GOSSAGE
Group Vice President
and Managing Director

MONSANTO INTERNATIONAL
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 894-2524

May 2, 1984

332-180

Secretary Kenneth Mason
United States International Trade Commission
701 E. Street, N.W.
Washington, D.C. 20436

250315

Dear Secretary Mason:

I would like to respond to the inquiry concerning the proposed U.S.-Israeli Free Trade Treaty now under discussion. There are some issues important to Monsanto and the chemical industry that should be considered during the ensuing discussion between the two governments.

- Intellectual Property Rights-Patents: While the protection offered by granted Israeli patents is satisfactory, a procedural flaw in this patent system can be manipulated to deny U.S. innovations' protection for extended periods of time. Monsanto, for example, has had a patent application pending on a product widely patented around the world for well over a decade.

Because a local concern has been able to take advantage of the procedural shortcomings in the Israeli "patent opposition system," the granting of a patent to Monsanto has been blocked. While these proceedings have gone on, the local firm has been producing and exporting Monsanto's proprietary product. Furthermore, it appears that the proceedings will continue beyond what would have been the full term of the patent -- if it had been issued in a reasonable time. Thus, at this point, Monsanto's patent application will be moot. All of these difficulties could be prevented by relatively simple changes in Israel's patent procedure laws.

If the problems inherent in the patent procedure laws are not corrected, the international competitiveness of U.S. high technology industries could be easily undercut. This is especially true in the agricultural chemical and pharmaceutical industries and has significant implications for the growing biotechnology area.

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We will be providing your office with a detailed paper outlining our concerns and possible solutions to problems that arise from Israeli patent procedure laws in the near future.

- Safeguards/Competitive Need Limits: Monsanto supports the establishment of a safeguard system modeled on the effective process developed in the GSP legislation. The need to maintain safeguards is important to ensure that U.S. chemical markets and U.S. manufacturers are not injured by imports. Three fourths of Israel's chemical industry is owned by the government, and it receives substantial export subsidies. The government also subsidizes research and development in the chemical industry. These incentives make Israel a strong competitor in agricultural chemicals and pharmaceuticals -- two areas which require a relatively low amount of capital investment compared to the traditional chemical businesses.

Currently 95% of Israel's chemical exports to the U.S. enter duty free through MFN and GSP privileges. In the decade ahead, Israel will become an increasingly active exporter of these products and may cause some market discontinuities in the U.S. Therefore, a system of safeguards, modeled on the GSP codes, would be extremely important to the chemical industry.

- Trade Distorting Factors and Non-Tariff Barriers: This agreement should also address non-tariff barriers and other trade-distorting practices such as export subsidies. For example, Israel requires importers to place on deposit 15% of the value of the import for one year in a non-interest bearing account. Because of Israel's high rate of inflation, this deposit acts as a 10% tariff on imports. In addition, as stated above, there are several export incentives that give Israeli producers a significant advantage compared to their international competitors.

In general, Monsanto strongly supports our government's efforts to strengthen U.S. international economic relations through bilateral trade and investment treaties with our trading partners. But these agreements should include strong statements on: 1) protection of intellectual property rights, 2) adequate and well-defined safeguard provisions, and 3) reduction and/or elimination of non-tariff barriers, export subsidies and performance requirements.

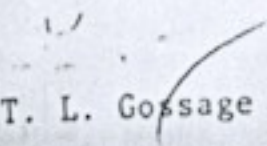
However, our government should also make a distinction between the advanced developing and developed countries with a strong current account position (such as Taiwan, Hong Kong and Japan) and those with severe balance of payments problems (such as Brazil, Mexico, and Argentina). In this regard, the United States should be willing to grant a "realistic" amount of time to obtain a phased-in reduction of tariff, non-tariff barriers, and export incentives with those countries with weak economies -- without sacrificing import safeguards or protection of U.S. property rights.

With those countries with strong current account balances, the United States should be aggressive in obtaining lowered trade barriers, and protection of property rights. For example, Taiwan has a \$6.7 billion trade surplus with the U.S. and an average tariff rate of 30% -- the highest in the region. Taiwan has also resorted to quotas on U.S. imports despite the large U.S. trade deficit with Taiwan. The U.S. also has a \$20 billion trade deficit with Japan, and Japanese non-tariff barriers have been extremely successful in keeping out U.S. goods. The U.S. and Japanese government should work hard "to identify American sources that meet Japanese market requirements while encouraging Japanese procurement officials to purchase these products" -- as was stated in the Joint Communique of the 20th Japan-U.S. Businessmen's Conference.

In addition, we hope U.S. industry representation can continue to play a role in the bilateral negotiations. U.S. industry has a lot riding on these negotiations and our knowledge of the markets and products would be an asset in these discussions.

I hope these remarks prove useful in your discussions.

Yours truly,


T. L. Gossage

Interagency Security Classification Appeals Panel

Exhibit O

MEMBERS

DEPARTMENT OF DEFENSE
Laurence K. Burgess
DEPARTMENT OF JUSTICE
Mark A. Bradley
DEPARTMENT OF STATE
Margaret P. Grafeld
**OFFICE OF THE DIRECTOR OF
NATIONAL INTELLIGENCE**
Corin Stone
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EXECUTIVE SECRETARY

William J. Bosanko,
Director
**INFORMATION SECURITY
OVERSIGHT OFFICE**

October 21, 2010

Mr. Grant F. Smith
Director of Research
Institute for Research: Middle Eastern Policy
Calvert Station
P.O. Box 32041
Washington, DC 20007

Dear Mr. Smith:

Please be advised that on July 19, 2010, the Interagency Security Classification Appeals Panel (ISCAP) received your letter, dated July 15, 2010, lodging an appeal under section 5.3(b)(3) of Executive Order 13526, "Classified National Security Information." Pending our determination that the appeal meets the requirements of the Order and the ISCAP bylaws, your appeal will be placed on the ISCAP docket.

We are providing you with a copy of the ISCAP bylaws and E.O. 13526. If you have any questions regarding your appeal, please contact William C. Carpenter or John F. Bell at (202) 357-5250 and reference ISCAP No. 2010-074.

Sincerely,



WILLIAM J. BOSANKO
Executive Secretary