

Congress of the United States

Washington, DC 20515

December 5, 2002

The Honorable Colin L. Powell
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520-0001

Dear Secretary Powell,

We write to inquire about John M. Klink, private adviser to the U.S. delegation at the U.N. Second Preparatory Committee Meeting for the Fifth Asian and Pacific Population Conference (APPC) in Bangkok, Thailand. On November 14, we sent a letter expressing our concerns about Mr. Klink's participation on this delegation since he opposed the use of contraceptives to prevent the spread of HIV/AIDS while at the United Nations conference in Cairo in 1994 (*Washington Post*, May 24, 2001).

It is our understanding that Mr. Klink's participation in Bangkok is the latest in a series of UN conferences, including the recent World Summit on Sustainable Development in Johannesburg, South Africa and the UN General Assembly Special Session on Children (UNGASS), where he has served as a private adviser. Specifically, we have heard reports from other international participants in Bangkok, that Mr. Klink was involved in developing the stated U.S. position that the United States is unable to reaffirm the International Conference on Development and Population (ICPD) and that this position was non-negotiable. In light of the controversy that followed, and State Department Spokesman Richard Boucher's statement clarifying U.S. position that there has been no change in policy, we are interested in what is being done to rectify the situation so that Mr. Klink no longer inappropriately represents U.S. government policy.

It is our further understanding that as a private sector adviser, Mr. Klink's role is to present views and advice to the United States government officials on matters under discussion or negotiation among the United States and other Governments. However, it is our understanding that private sector advisers must not speak or negotiate for the U.S. government at any formal or informal meetings with foreign government officials and must comport with these limitations so as not to become subject to the Federal conflict of interest statutes and the Federal ethics regulations applicable to "special government employees" generally.

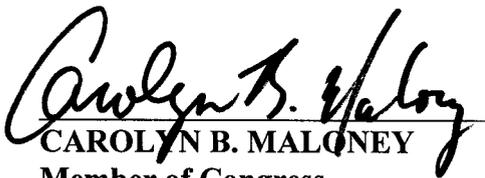
We ask for this clarification because we are concerned that Mr. Klink has spoken publicly on behalf of the U.S. government and has even negotiated issues with various member countries on behalf of the U.S. government. Moreover, we have heard reports that at the Special Session on Children, Mr. Klink consulted with, and was essentially representing the U.S. government in meeting with representatives from different countries, including Iran, Libya, and Sudan.

In light of these concerns, we have a number of questions related to the involvement of Mr. Klink on U.S. delegations and the role of private sector advisers on similar U.S. delegations:

1. Could you please provide a list of MAJOR international meetings, during the Bush Administration, in which the United States has participated and the number of official delegates as well as private sector delegates that served on the US delegations to these meetings?
2. How many US delegations has John Klink served on since the beginning of the Bush Administration and in what capacity?
3. Has the U.S. government provided monetary compensation or travel costs for Mr. Klink's or any other private sector adviser's participation in these delegations?
4. What is the total amount, if any, that the US government has obligated to pay for costs associated with Mr. Klink's participation on each delegation and in total?
5. If the U.S. government does not pay for Mr. Klink's participation on the delegation, who does?
6. Could you explain the current policy about the role of private sector advisers on the U.S. delegations and if it has changed between the Clinton and Bush Administrations?
7. Under the current administration, has the policy by which a private sector adviser must refrain from speaking on behalf of the U.S. government changed? If not, why did it appear that Mr. Klink was representing the views of the U.S. government and what is being done to prevent this from happening again?
8. How are private sector advisers selected?

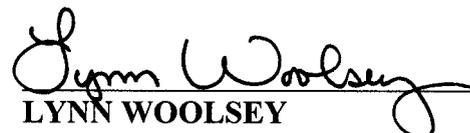
We feel that this information is crucial to understanding the role of outside participants on U.S. foreign policy decisions. We appreciate your response to these questions and look forward to hearing from you.

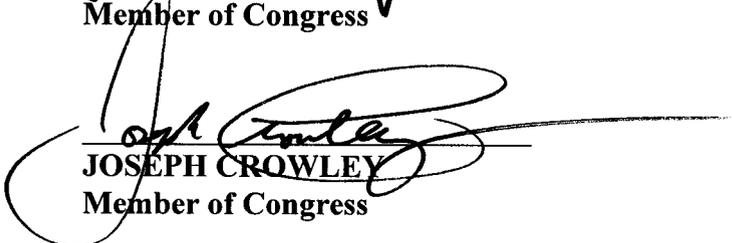
Sincerely,

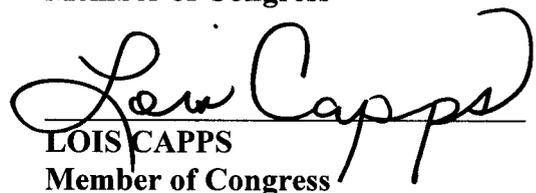

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