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WITHDRAWAL SHEET

Ronald Reagan Library

Collection Name WHITE HOUSE OFFICE OF RECORDS MANAGEMENT

(WHORM): SUBJECT FILE

Withdrawer

DLB 2/18/2010

File Folder

CO018 (500000-574999)

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85015	МЕМО	MEET	N POWELL TO THE ING WITH BERMU SWAN		2	5/2/1988	B1	
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85016	PAPER		S TO BE MADE FO PREMIER SWAN	OR MEETING	1	ND	B1	
		R	4/26/2019	NSC/STATE W	AIVERS	5		
85018	PAPER	BIO			2	5/21/1985	B1 B3	
85019	МЕМО	RE: Y	ON LEDSKY TO CO OUR FOLLOW-ON IER SWAN: MAY	MEETING WITH	1	5/2/1988	B1	
		R	4/26/2019	NSC/STATE W	AIVER	5		
85021	MEMO	RE: FO	ON LEDSKY TO CO DLLOW-ON MEET IER SWAN		1	4/28/1988	B1	
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85022	MEMO	DUPL	ICATE OF #85021		1	4/28/1988	B1	
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The above documents were not referred for declassification review at time of processing

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

B-1 National security classified information [(b)(1) of the FOIA]

B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]

B-3 Release would violate a Federal statute [(b)(3) of the FOIA]

B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
B-6 Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]

B-7 Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]

B-8 Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]

B-9 Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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THE WHITE HOUSE

WASHINGTON

April 22, 1987

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FG 006-12

MEMORANDUM FOR THE HONORABLE J. ROGER MENTZ

Assistant Secretary for Tax Policy

Department of the Treasury

SUBJECT:

Bermuda Tax Treaty

I appreciated receiving your report on your talks with Prime Minister Swan. Our concern is for the Administration to be as responsive as possible to Bermuda's concern in light of the long history of this matter. In that regard, it would be helpful to get back to Swan as soon as possible with Treasury's reaction to the three proposals.

Colin L. Powell

Deputy Assistant to the President for National Security Affairs

NSC# 8702796

NATIONAL SECURITY COUNCIL WASHINGTON, D.C. 20506

April 21, 1987

ACTION

MEMORANDUM FOR COLIN L. POWELL

FROM:

STEPHEN I. DANZANSKY

SUBJECT:

Bermuda Tax Treaty

As a follow-up to your PRG initiative to get some progress on the Bermuda Tax Treaty, Roger Mentz has sent you the attached memorandum (Tab II).

Treasury held a meeting last week with Prime Minister Swan of Bermuda to attempt to ascertain Bermuda's needs in light of the Tax Reform Act. Three proposals are currently on the table. Mentz's note indicates that Treasury will study them and get back to Swan in several weeks, which appears to us and to State to be an unnecessarily long delay.

The attached memorandum from you to Mentz (Tab I) thanks him for his report and urges a speedy response to Swan's inquiry.

RECOMMENDATION:

That you sign the memograndum to Mentz at Tab I.

Approve V

Disapprove ____

Alexander H. Platt

Ty Cobb is on travel.

Attachments

Tab I Memo to Mentz
Tab II Memo from Mentz

Prepared by:



DEPARTMENT OF THE TREASURY WASHINGTON

April 14, 1987

MEMORANDUM FOR COLIN L. POWELL

DEPUTY ASSISTANT TO THE PRESIDENT

FOR NATIONAL SECURITY AFFAIRS

J. Roger Mentz/

Assistant Secretary (Tax Policy)

SUBJECT: Bermuda Tax Treaty

On April 13, I and other representatives of the Treasury Department, along with representatives of State and NSC, met with Premier John Swan of Bermuda, who was accompanied by other representatives of the Bermuda Government and representatives of the Bermuda insurance community, to discuss the status of the negotiated U.S.-Bermuda Income Tax Treaty ("Treaty").

I stated that the Administration would be willing to advocate strongly the ratification of the existing Treaty without limitation on the insurance excise tax benefit. This support would be premised on the fact that the ratification of the treaty serves the national security interest of the United States. position, however, would be taken only if Bermuda continues to desire the Treaty with the United States.

Premier Swan indicated that in addition to the Treaty, Bermuda was concerned about changes made in the 1986 Tax Reform Act that adversely affect some of its insurance companies that underwrite U.S. risks. It was acknowledged that at a minimum any treaty would have to preserve parity between Bermuda and Barbados with respect to the taxation of offshore insurance corporations.

After extensive discussions, it was agreed that the branch profits tax enacted in the Tax Reform Act causes a lack of parity between Bermuda and Barbados only with respect to an insurance company incorporated in one of those jurisdictions which is actually engaged in business in the United States through the conduct of a permanent establishment. In that case, a 5 percent branch profits tax applies to amounts of earnings that are not reinvested in the U.S. if the corporation is incorporated in Barbados, whereas a similarly situated Bermuda corporation would bear a 30 percent branch profits tax. In addition, the income from both Bermuda and Barbados corporations is taxed once under the general U.S. corporate tax and, if distributed to U.S. shareholders (which may be the case with most offshore insurance companies), again upon such a distribution. This is referred to generally as the "triple tax" problem.

I agreed that Treasury would consider the following three proposals for ameliorating the disparate treatment of insurance corporations under the branch tax:

- 1. Issue regulations under section 953(c)(3)(C) of the Code that would treat a foreign corporation (not just a Bermuda or Barbados corporation) as a U.S. corporation if it made the election contemplated by that section; the effect of such regulations would be to exempt related person insurance income of foreign corporations from the branch profits tax;
- In lieu of the above described regulatory approach, accomplish the same result through legislation; and
- Propose legislation that would provide U.S. shareholders with a credit for branch profits tax paid by any foreign corporation.

Treasury has agreed to study all three proposals and to reply to the Premier within several weeks. He has indicated that the parity issue needs improvement before Bermuda is willing to move forward with the Treaty. Each of these suggestions has already been discussed with staff of the tax writing committees and the Joint Tax Committee.

I will have a memorandum for you shortly that articulates the conclusions of our study.

TIME STAMP

NATIONAL SECURITY COUNCIL EXECUTIVE SECRETARIAT STAFFING DOCUMENT

SYSTEM LOG NUMBER: 2796

87 APR 14 P4: 54

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National Security Council The White House

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FROM MENTZ, R

DOCDATE 14 APR 87

DANZANSKY

21 APR 87

PLATT

21 APR 87

KEYWORDS: BERMUDA

TREATIES

SWAN, JOHN

SUBJECT: BERMUDA INCOME TAX TREATY W/ US

ACTION: PREPARE MEMO FOR CARLUCCI DUE: 24 APR 87 STATUS X FILES WH

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DEPARTMENT OF THE TREASURY WASHINGTON

June 10, 1987

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MEMORANDUM FOR GENERAL COLIN L. POWELL

ASSISTANT TO THE PRESIDENT

FOR NATIONAL SECURITY AFFAIRS

FROM:

J. ROGER MENTZ)

ASSISTANT SECRETARY (TAX POLICY)

SUBJECT:

Bermuda Status Report

As I mentioned in our June 4 telephone conversation, on June 3 I met with Premier Swan of Bermuda and various representatives of the Bermuda business community. I apprised Premier Swan of the status of our legislative proposal alleviating the Bermuda triple tax problem. Premier Swan seemed supportive of our efforts. He has directed a group of his representatives to draft Bermuda's reaction to our meeting. His representatives have indicated to my staff that the reaction will be positive and that Bermuda will renew their efforts on the treaty. We should receive their written response by the middle of this week.

I will continue to keep you informed.

NSC#8704451

National Security Council The White House

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SYSTEM LOG	NUMBER:	4451

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☐ Prepare Memo For President	Prepare Me	emo Green to Peterson / Murr
☐ Prepare Memo For Carlucci / F	Powell	te Action
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CONCURRENCES/COMMENTS*	PHONE* to action officer at	ext.
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☐ ☐ Collins	☐ ☐ Mahley	☐ ☐ Sorzano
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☐ ☐ Dean, B.	☐ ☐ Mathews	☐ ☐ Stevens
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RECEIVED 10 JUN 87 19

TO POWELL

FROM MENTZ, J DOCDATE 10 JUN 87

KEYWORDS: BERMUDA

CONGRESSIONAL

TREATIES

SUBJECT: BERMUDA STATUS RPT RE PROPOSAL ALLEVIATING THE BERMUDA TRIPLE TAX

PROBLEM

ACTION: FOR RECORD PURPOSES

DUE:

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THE WHITE HOUSE

WASHINGTON May 2, 1988

MEETING WITH BERMUDA PREMIER JOHN SWAN Tuesday, May 3, 1988

DATE: Oval Office LOCATION:

> 9:45 a.m. - 10:00 a.m. TIME:

COLIN L. POWELL JON FROM:

I. **PURPOSE**

To meet with a good friend of the United States and renew your personal acquaintance; to underscore the strategic importance of our bases in Bermuda; to reiterate your firm commitment to securing ratification of the Bermuda Tax Treaty.

BACKGROUND II.

John Swan, Bermuda's first black Premier and leader of the United Bermuda Party (UBP), is fiscally conservative, politically moderate and a strong friend of the U.S. Relations between Bermuda and the United States are excellent and the Premier has supported us at critical times in the past. However, Swan is under fire at home for his pro-U.S. stance and the Premier is frustrated with his inability to get the United States to move on issues of importance to Bermuda -- ratification of the U.S.-Bermuda Tax Treaty and correction of the so-called "Triple Tax".

Swan has a point. We concluded the Tax Treaty nearly two years ago and it has yet to emerge from the Senate Foreign Relations Committee. The Treaty provides stability in our overall economic relationship and insures Bermuda's cooperation on the provision of important tax and criminal information. We have also committed to fix an inadvertent aspect of the 1986 Tax Reform Act, whereby certain companies in Bermuda find their earnings taxed three times. Secretary Baker has been trying to rectify that problem, through the device known as a "domestic election option" for the companies involved. You wrote to key members of Congress asking for quick ratification of the Treaty and resolution of the Triple Tax problem.

We must get progress on these issues. As you know we occupy 1/10 of Bermuda's scarce land mass rent-free. We are concerned with the possibility of Bermuda modifying

CONFIDENTIAL Declassify on: OADR cc: Vice President Chief of Staff (2)

NSC 8802400

this arrangement should it become independent from the U.K. -- as many expect will happen soon -- and with maintaining our access to the bases. It is doubtful that we will ever have as good a friend in Bermuda as Swan. Educated in the U.S., he shares your conservative principles and, despite charges at home that he cannot deliver on his friendship with this administration, remains strongly pro-U.S. You will want to express our appreciation for Swan's stance and assure him that we remain committed to ratifying the Treaty and correcting the tax problem.

III. PARTICIPANTS

Attached at Tab B.

IV. PRESS PLAN

White House Photographer.

V. SEQUENCE OF EVENTS

Photo op followed by a meeting.

Prepared by: Tyrus W. Cobb

Attachments

Tab A Points to be Made Participants List Tab B Swan Bio

Tab C

-- Good to see such a good friend of the U.S. again.

Understand you were in North Carolina to watch your Bermuda

Regiment being trained. Your impressions?

POINTS TO BE MADE FOR MEETING WITH PREMIER SWAN

- -- Bermuda not only beautiful, but represents example of how integrated society based firmly on capitalist economic principles can prosper.
- -- You know, my daughter Maureen has frequently visited

 Bermuda. She loves it there and has frequently spoken of
 how much she admires you and the people of Bermuda.
- -- Very appreciative of excellent cooperation we have in fighting crime and drug trafficking. Ed Meese is very pleased with our cooperation.
- -- Know you are frustrated with Tax Treaty and correction of Triple Tax. Rest assured I am committed to getting the Treaty ratified and to resolving the tax problem. I reiterated my position to Congress just yesterday.
- -- Thanks for coming, Mr. Premier. I will ask Jim (Baker) and George (Shultz) to press personally to get those issues solved on the Hill.

Authority NSC/State Warvers

My drawapate 4/2/d2019

CONFIDENTIAL

PARTICIPANTS

United States

The President
The Vice President
Secretary Shultz
Secretary Carlucci
Secretary Baker
Howard Baker
Kenneth Duberstein
Colin Powell
James M. Medas, US Consul General, Bermuda
Tyrus W. Cobb, (Notetaker)

Bermuda

Premier John Swan Kenneth Richardson, Secretary to the Bermudian Cabinet

WITHDRAWAL SHEET

Ronald Reagan Library

Withdrawer Collection Name DLB 2/18/2010 WHITE HOUSE OFFICE OF RECORDS MANAGEMENT (WHORM): SUBJECT FILE **FOIA** File Folder S10-306 CO018 (500000-574999) SYSTEMATIC Box Number 45 238 No of Doc Date Restric-ID Document Type tions pages **Document Description** 85018 PAPER 5/21/1985 B1**B**3

The above documents were not referred for declassification review at time of processing Freedom of Information Act - [5 U.S.C. 552(b)]

B-1 National security classified information [(b)(1) of the FOIA]

BIO

- B-2 Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- B-3 Release would violate a Federal statute [(b)(3) of the FOIA]
- B-4 Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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- C. Closed in accordance with restrictions contained in donor's deed of gift.



2400 Add-on

NATIONAL SECURITY COUNCIL WASHINGTON, D.C. 20506

ACTION

April 29, 1988

MEMORANDUM FOR COLIN L. POWELL

FROM:

NELSON C. LEDSKY

SUBJECT:

Briefing Materials for President's Meeting with Bermuda Premier John Swan, Tuesday, May 3rd,

10:45 a.m., Oval Office.

9:45

Attached at Tab I is a memorandum from you to the President providing briefing materials for his meeting with John Swan. will be sending you a separate memo for your session with the Premier. In addition to the normal State participation in the President-Swan meeting, we have recommended that Secretaries Baker and Carlucci be invited -- it would help to have them hear the President's firm commitment to resolving our long-standing problem with ratification of the Tax Treaty and, more recently, correcting the Triple Tax.

Ten Ole an Oll Steve Danzansky, Alison Fortier, Steve Farrar, Lint Brooks and Marybel Batjer concur.

RECOMMENDATION

That you sign and forward the meeting memorandum at Tab I.

Approve	Disapprove	
---------	------------	--

Prepared by: Tur Tyrus W. Cobb

Attachments

Tab I Memorandum for the President

Tab A Points to be made

Tab B Participants List Tab C Swan Bio

CONFIDENTIAL

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National Security Council The White House

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CONFIDENTIAL MINIO

RECORD ID: 8802400 RECEIVED: 29 MAR 88 11

TO: PRESIDENT

UNCLASSIFIED UPON REMOVAL OF CLASSIFIED ENCLOSÜRE(S)

FROM: POWELL

DOC DATE: 02 MAY 88

SOURCE REF:

KEYWORDS: BERMUDA

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PHOTO OP

PERSONS: SWAN, JOHN

SUBJECT: BRIEFING MATERIALS RE PRES MTG PREMIER SWAN 3 MAY

ACTION: NOTED BY PRES DUE DATE: 01 APR 88 STATUS: C

STAFF OFFICER: COBB LOGREF: 8802426 8803048

FILES: WH NSCIF: CODES:

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RECORD ID: 8802400

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Z 88042916 FWD TO PRES FOR INFORMATION

Z 88050218 FOR INFORMATION

X 88050314 NOTED BY PRES

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NATIONAL SECURITY COUNCIL WASHINGTON, D.C., 20506

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INFORMATION

May 2, 1988

Nati Sec Advisor

MEMORANDUM FOR COLIN L. POWELL

FROM:

NELSON C. LEDSKY

SUBJECT:

Your Follow-on Meeting with Premier Swan; Tuesday, May 3, 1988, 10:00-10:10 a.m.

We believe Swan is primarily interested in getting to know you personally. As you know he has very close contacts with this Administration, particularly with Vice President Bush and Secretary Shultz.

If Swan were not such a gentleman he would probably want to express privately his frustration with his inability to secure closure of commitments he has received from this Administration. We believe he will not do that, but he may remind you how helpful he personally has been on critical issues -- supporting our Grenada rescue operation, solidly behind our military presence on the island and, despite public criticism, a refusal to ban possible nuclear weapons deployments there. Very pro-independence, Swan hopes to become the island's first post-independence Premier. Eventually this will happen and we are endeavoring to insure that the current arrangements remain in effect should Bermuda gain independence from the U.K -- unhindered, rent-free access to the bases.

The Premier was in North Carolina last week watching the 600-man Bermuda regiment train at Camp LeJuene and observing a firepower demonstration the Army put on for him at Ft. Bragg. You might ask him for his reactions to that visit.

Bill Cockell, Steve Danzansky and Lint Brooks concur.

Prepared by: Mr Tyrus W. Cobb

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NATIONAL SECURITY COUNCIL WASHINGTON, D.C. 20506

ACTION

April 28, 1988

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MEMORANDUM FOR COLIN L. POWELL

FROM:

NELSON C. LEDSKY

SUBJECT:

Follow-On Meeting with Premier Swan

The Premier has expressed a strong desire to spend a few moments with you on the margins of his meeting with the President. NSC staff strongly supports that request. As you know, Swan has run a drug-free society, has championed U.S. causes (including the Grenada rescue operation), cooperated on criminal investigations and anti-terrorist operations, and brought unity and impressive prosperity to a previously polarized multiracial society. The Premier has quietly complained, however, at the lack of attention we give to his country (and to him personally), wondering aloud if it isn't true that we focus more time and attention on adversaries and problem-causers.

We would recommend that you see him for 10 minutes following the meeting with the President or, alternatively, that you see him separately for 20 minutes.

RECOMMENDATIONS

That you agree to see Premier Swan for 10 minutes following the May 3rd meeting with the President.

Approve	1 cht	Disapprove			
	JON .				

Or, alternatively, that you agree to see Swan for 20 minutes May 2nd or 3rd.

Approve _____ Disapprove _____ Bill Cockell, Steve Danzansky and Lint Brooks concur.

> Prepared by: Tyrus W. Cobb

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CONFIDENTIAL

CONFIDENTIAL ACTION DATA SUMMARY REPORT

RECORD ID: 8803235

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CAO ASSIGNED ACTION REQUIRED

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X 88042908 POWELL APPROVED RECOM

Z 88050214 ADD-ON / FOR INFORMATION

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CONFIDENTIAL NSC/S PROFILE RECORD ID: 8803235 RECEIVED: 28 APR 88 09

TO: POWELL

FROM: COBB

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DOC DATE: 02 MAY 88

SOURCE REF:

KEYWORDS: BERMUDA

LEDSKY

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PERSONS: SWAN, JOHN

SUBJECT: POWELL MTG W/ PREMIER SWAN 3 MAY

ACTION: NOTED BY POWELL DUE DATE: 02 MAY 88 STATUS: C

STAFF OFFICER: COBB LOGREF: 8802400 8802426

FILES: WH NSCIF: CODES:

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FOR ACTION POWELL

FOR CONCURRENCE

FOR INFO COBB LEDSKY

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CONFIDENTIAL



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BY NARADATE 4/24/2007



ACTION

April 28, 1988

MEMORANDUM FOR COLIN L. POWELL

FROM:

NELSON C. LEDSKY ML

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SUBJECT:

Follow-On Meeting with Premier Swan

The Premier has expressed a strong desire to spend a few moments with you on the margins of his meeting with the President. NSC staff strongly supports that request. As you know, Swan has run a drug-free society, has championed U.S. causes (including the Grenada rescue operation), cooperated on criminal investigations and anti-terrorist operations, and brought unity and impressive prosperity to a previously polarized multiracial society. The Premier has quietly complained, however, at the lack of attention we give to his country (and to him personally), wondering aloud if it isn't true that we focus more time and attention on adversaries and problem-causers.

We would recommend that you see him for 10 minutes following the meeting with the President or, alternatively, that you see him separately for 20 minutes.

RECOMMENDATIONS

That	you	agree	to	see	Pre	mier	Swan	for	10	minutes	following	the
May	3rd	meeting	J W	ith	the	Pres:	ident.					

	Approve		Disa	ppro	ove			-	
	alternatively, 2nd or 3rd.	that you	agree	to s	see	Swan	for	20	minutes
Bil	Approve _	Disa ky and	de de		ooks	cond	- cur		

Prepared by: Tyrus W. Cobb

CONFIDENTIAL Declassify: OADR



CONFIDENTIAL ACTION DATA SUMMARY REPORT RECORD ID: 8803235

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 POWELL

UNCLASSIFIED UPON REMOVAL OF CLASSIFIED ENGLOSURE(S) Z 88042812 FOR DECISION

001

ALLINO X 88042908 POWELL APPROVED RECOM

National Security Council The White House

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SEQUENCE TO	R.C. B. B.	DISPOSITION CONCUR.
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		= No further Action
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NSC/S PROFILE

RECORD ID: 8803235 RECEIVED: 28 APR 88 09

TO: POWELL

FROM: COBB

DOC DATE: 28 APR 88

SOURCE REF:

KEYWORDS: BERMUDA

ANSA

PERSONS: SWAN, JOHN

SUBJECT: POWELL MTG W/ PREMIER SWAN 3 MAY

ACTION: POWELL APPROVED RECOM

DUE DATE: 02 MAY 88 STATUS: C

STAFF OFFICER: COBB

LOGREF:

FILES: WH

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CODES:

DOCUMENT DISTRIBUTION

FOR ACTION POWELL

FOR CONCURRENCE

FOR INFO COBB

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COMMENTS:

DISPATCHED BY _____ DATE ____ W/ATTCH: YES NO

OPENED BY: NSAPK

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DOC 1 OF 1

COMMINENTIAL

THE WHITE HOUSE

WASHINGTON

4/15/88

2426 COBB

P. Stevens

MEMORANDUM

TO:

COLIN POWELL

FROM:

FREDERICK J. RYAN, JR.

SUBJECT:

APPROVED PRESIDENTIAL ACTIVITY

MEETING:

Meeting with Bermuda Premier John Swan

DATE:

May 3, 1988

TIME:

10:45 am - during National Security Briefing Time

DURATION:

15 minutes

LOCATION:

Oval Office

BACKUP LOCATION:

REMARKS REQUIRED: NSC will provide

MEDIA COVERAGE: Yes

FIRST LADY

PARTICIPATION: No

NOTE: PROJECT OFFICER, SEE ATTACHED CHECKLIST

> M. Archambault A. Kranowitz

J. Courtemanche

E. Crispen

R. Dawson

F. Donatelli

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NATIONAL SECURITY COUNCIL WASHINGTON, D.C. 20506

MAR 3 1988 EP FOR

March 29, 1988

SCHEDULE PROPOSAL

TO: FRED RYAN, Director Presidential Appointments

and Scheduling

FROM: FROM: SCHOTT STEVENS . Baty

REQUEST: Meeting and Photo op with Bermuda Premier

John Swan

PURPOSE: To provide opportunity for strongly pro-U.S.

Premier to meet with President; To discuss Bermudian concerns regarding U.S. inaction on ratification of Tax Treaty; To review status

of U.S.-Bermuda security relationship.

BACKGROUND: Premier Swan is visiting Fort Bragg and Camp

LeJeune, N.C., where he will observe the Bermuda Regiment which is training with U.S. forces. He is scheduled to come to Washington

for a series of meetings with government

officials and private sector interests. Swan is strongly pro-U.S. -- he endorsed the Grenada rescue operation quickly -- and is regarded as critical in maintaining Bermuda's security relationship to the U.S. (We currently occupy 1/10th of the island rent-free). His popularity remains strong at home although he

is under attack by radical elements who regard him as being too close to the U.S.

PREVIOUS

PARTICIPATION: None

DATE AND TIME: May 2-3, 15 minutes

LOCATION: Oval Office

PARTICIPANTS: The President, Vice President, Secretary

Shultz, Assistant Secretary Ridgway,

Counsel-General James Medas, Tyrus W. Cobb,

NSC: Premier Swan.

OUTLINE OF EVENTS: Photo op in Oval Office, followed by meeting.

REMARKS REQUIRED: NSC will provide.

MEDIA COVERAGE: Full Press coverage

RECOMMENDED BY: NSC/State

OPPOSED BY: None

cc: Tom Griscom