

AREAS OF RESPONSIBILITY FOR DEPUTY CHIEF OF STAFF

JOHN PODESTA

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THE WHITE HOUSE
WASHINGTON

November 24, 1998

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: CHARLES F. C. RUFF 
COUNSEL TO THE PRESIDENT

DANIEL MARCUS 
SENIOR COUNSEL TO THE WHITE HOUSE COUNSEL

SUBJECT: CONTACTS WITH AGENCIES

This memorandum reiterates White House policies on contacts between White House Staff and federal agencies. Please review these policies and become familiar with them. A "quick reference" guide summarizing this memorandum is attached for your convenience. Do not hesitate to call the Counsel's Office if you have any questions.

BASIC PRINCIPLES

Some contacts between White House staff and federal agencies are permitted, and some are prohibited. Unless you are certain that a particular contact is permissible, consult with the Counsel's Office before making the contact. In general, the starting points for deciding whether a contact is appropriate will be:

- the type of agency involved (executive branch or independent), and
- the subject matter of the contact (policy or legislation, investigation or enforcement action, contract or grant, or rulemaking).

I. CONTACTS WITH EXECUTIVE BRANCH AGENCIES

Which agencies are covered by this section?

The principal Executive Branch agencies are the Cabinet Departments:

- The Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, the Treasury, and Veterans Affairs. Regulatory agencies within these Departments -- e.g., FDA, OSHA, the Surface Transportation Board, and the Comptroller of the Currency -- are also covered.

Executive Branch agencies also include the Environmental Protection Agency, the Small Business Administration, the Equal Employment Opportunity Commission, and the Social Security Administration.

Boards and commissions are generally considered Executive Branch agencies if their members are appointed, and removable without cause, by the President.

As discussed in Section II, separate policies apply to contacts with so-called "independent" agencies, such as the FCC, the FTC, the CFTC, and the SEC.

Policy, legislation and administrative matters

General Rule: White House staff may communicate with Executive Branch agencies about policy, legislation or administrative matters.

Special Rule for DOJ: Because policy, legislative and administrative issues at the Department of Justice may touch upon law enforcement or other litigation-related matters pending at the Department, you should advise the Counsel's Office before you commence communications with DOJ on **any** subject, including policy matters. Once our office has agreed that your contact with DOJ on a particular subject is appropriate, you need not later inform us of subsequent communications on the **same** matter.

Special Rule for the IRS: Because of the sensitive investigation and enforcement powers of the IRS, and the confidential personal information the IRS handles, it is White House policy that **no member of the White House Staff should have any communication of any type with the IRS without prior approval of the Counsel**, except on their own tax matters. Note that any communication about tax policy or legislation normally can be directed to the Assistant Secretary of the Treasury for Tax Policy rather than the IRS.

Investigations, enforcement actions and adjudications

White House staff should **not** contact Executive Branch agencies concerning investigations, enforcement actions, or adjudications. This prohibition means White House staff should not ask an agency even for a status report about a pending matter of this type, or ask an agency official to meet with a private party or Member of Congress to discuss such a pending matter.

-- "Investigations" are matters related to investigating or reviewing potential or actual administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.

-- "Enforcement actions" are matters related to pursuing administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.

-- "Adjudications" are matters decided at an administrative or judicial hearing, or other proceeding, in which a department or agency determines the rights of particular individuals or entities. **Licensing decisions should be treated as adjudications.**

While there may be rare, special circumstances when it is appropriate for the White House to communicate with an agency about a pending investigation, enforcement action, or adjudication, only the Counsel's Office should undertake such communications. In the case of the Justice Department, any such communication must be initiated by the White House Counsel, the Deputy Counsels, or the Senior Counsel. There may be other matters in which the White House is participating directly (for example, civil litigation involving the Freedom of Information Act or other EOP decisions). The Counsel's Office will advise on a case-by-case basis regarding appropriate contacts in these types of matters.

Outside inquiries: If you receive a written or oral inquiry or request from an outside party -- including a Member of Congress -- concerning an investigation, enforcement action, or adjudication pending at an Executive Branch agency, **contact the Counsel's Office for guidance on how to proceed.** Normally, it will be appropriate to cite general White House policy against contacts on such matters, and to suggest that any inquiries concerning the pending matter be made directly to the relevant agency, if appropriate.

Contacts from agencies: By the same token, if anyone at any Executive Branch agency contacts you about any pending investigation, enforcement action, or adjudication (other than a routine background check), you should promptly advise the Counsel's Office, which will determine how to proceed and will report back to you as appropriate.

Contracts and grants

Many if not most government contracts and grants are awarded by Executive Branch agencies on the basis of competition or objective criteria specified by statute or regulation. In such cases, the rule of **no contact** described above for investigations, enforcement actions, and adjudications applies. Pure status inquiries may be permissible, but you should check first with the Counsel's Office.

In other cases, an Executive Branch agency may have discretion to determine the recipient of a grant on the basis of policy choices. In such cases, White House staff who wish to contact an agency about the grant should seek advice from the Counsel's Office as to whether the contact is appropriate.

In no event, however, should a White House staff member contact an Executive Branch agency about a contract or grant matter in which the staff member (or a relative, friend, or business associate of the staff member) has a personal financial interest.

Rulemaking matters

1. Status checks are generally permitted: White House staff may contact Executive Branch agencies regarding a pending rulemaking matter if the purpose of the communication is not to influence the outcome of a pending rulemaking proceeding (e.g., a status inquiry). You should state at the outset of the contact that you do not wish to influence the merits or the timing of the agency's decision, but merely are seeking information on its status.

2. Other contacts must be cleared in advance with your supervisor: If the purpose of the contact is to influence the outcome of a pending rulemaking, White House staff should, **prior to making the contact**, (a) obtain approval from the Assistant or Deputy Assistant to the President who is their principal supervisor, and (b) coordinate the contact with the Administrator of OIRA, who will advise on the appropriateness of the contact.

3. No "passing on" oral comments from outsiders: Input from the public -- that is, persons not employed by the Executive Branch, Congress, or the federal judiciary -- must be submitted in writing if it is to be incorporated into the rulemaking process. Thus, White House staff should not communicate non-written comments **from the public** to agencies, OIRA or anyone else involved in the rulemaking process. White House staff should forward oral comments **from Members of Congress or other federal employees** to the Administrator of OIRA.

If anyone other than a federal employee asks to meet with you regarding a pending rulemaking, or if you are considering organizing an outreach meeting with the public on a policy initiative that involves a pending rulemaking, you should **coordinate with the Administrator of OIRA and with the Counsel's office**. They will determine whether the meeting can occur and whether it must be made part of the administrative record.

4. Forward written comments from outsiders: You should forward any written communications from the public, or Members of Congress or other federal employees, on pending rulemaking to the relevant department or agency for inclusion in the public docket. A copy of any such written communications should also be forwarded to the Administrator of OIRA.

II. CONTACTS WITH INDEPENDENT AGENCIES

Which agencies are covered by this section?

Congress has created a number of so-called independent agencies. These agencies are called "independent" because of the quasi-judicial powers they have been delegated by Congress, and because commissioners or board members are removable by the President only for specific "cause."

The principal independent agencies are the Federal Communications Commission, the Federal Trade Commission, and the Securities and Exchange Commission. Other independent agencies include:

Commodity Futures Trading Comm.
Consumer Product Safety Comm.
Federal Deposit Insurance Comm.
Federal Election Comm.
Federal Reserve Board

National Credit Union Administration
National Labor Relations Board
National Transportation Safety Board
Occupational Safety and Health Review Comm.
United States International Trade Comm.

Investigations, enforcement actions, adjudications, contracts and grants

White House staff should **not** contact any independent agency concerning a pending investigation, enforcement, action or adjudication. The same rule applies to contracts and grants.

Refer any inquiries concerning an investigation, enforcement action, adjudication, contract, or grant at an independent agency to the Counsel's Office.

While there may be rare, special circumstances when it is appropriate to communicate with an independent agency about an investigation, enforcement action, contract, or grant, **only the Counsel's Office may undertake such communications.**

Rulemaking proceedings

Congress has assigned certain rulemaking jurisdiction to independent agencies such as the FCC and the SEC. White House staff should **not** communicate with independent agencies about rulemaking matters without specific, advance approval from the Counsel's Office. Even checks are not permitted without advance approval.

Refer any inquiries concerning rulemaking by an independent agency to the Counsel's Office.

Policy, legislation, and administrative matters

Any other communications with independent agencies, including discussions of policy or legislation, should be approved in advance by the Counsel's Office to ensure that the communication is appropriate and that no special rules apply. (Advance approval can be provided for categories of contacts.) The sole exception to this policy is communication on routine administrative matters (e.g., obtaining an address or phone number, or requesting publicly available documents).

WHITE HOUSE CONTACTS POLICY: A QUICK SUMMARY

CONTACTS WITH EXECUTIVE BRANCH AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact executive branch agency about policy, legislation or administrative matter	Yes (except for IRS)--but advise Counsel's Office before contact with DOJ	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)
Contact executive branch agency about investigation, enforcement action, adjudication, contract or grant	NO	Seek guidance from the Counsel's Office. Refer written or oral inquiries about such matters to the Counsel's Office.
Contact executive branch agency about a rulemaking for purpose of influencing outcome of a rulemaking proceeding.	YES (except for IRS), IF prior approval of White House supervisor and the Administrator of OIRA. But do not "pass on" comments from outsiders, except when outsider comments are in writing. Send such written comments to the relevant agency for inclusion in the public docket, with a copy to OIRA. Coordinate meetings with outsiders about pending rulemaking through OIRA and White House Counsel. And advise Counsel's Office before contact with DOJ.	Obtain prior approval of the Assistant or the Deputy Assistant to the President who supervises you, and the Administrator of OIRA. NOTE: White House staff may not forward to agencies non-written comments from members of the public on rulemaking matters. Written comments should be forwarded to Administrator of OIRA.
Contact executive branch solely for status report on pending rulemaking proceeding.	YES (except for IRS)	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)

CONTACTS WITH INDEPENDENT AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact independent agency about investigation, enforcement action, adjudication, contract or grant	NO	Refer any inquiries about such matters to the Counsel's Office.
Contact independent agency about rulemaking matter	NO	Refer any inquiries about such matters to the Counsel's Office
Contact independent agency about policy, legislation or administrative matter	NO, unless approved in advance by White House Counsel's Office	Consult with White House Counsel's Office before any such contact. (Sole exception is routine administrative matters -- e.g. obtaining public documents or phone nos.)

Executive Branch Agencies

Department of Agriculture
 Department of Commerce
 Department of Defense
 Department of Education
 Department of Energy
 Department of Health and Human Services
 Department of Housing and Urban Development
 Department of Interior
 Department of Justice
 Department of Labor
 Department of State
 Department of Transportation
 Department of Treasury
 Department of Veterans Affairs
 Equal Employment Opportunity Commission
 Environmental Protection Agency
 Small Business Administration
 Social Security Administration

Independent Agencies

Federal Communications Commission
 Federal Trade Commission
 Securities and Exchange Commission
 Commodity Futures Trading Commission
 Consumer Products Safety Commission
 Federal Deposit Insurance Corporation
 Federal Election Commission
 Federal Maritime Commission
 Federal Reserve Board
 National Credit Union Administration
 National Labor Relations Board
 National Transportation Safety Board
 Nuclear Regulatory Commission
 Occupational Safety & Health Review Comm.
 U.S. International Trade Commission

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

DH

THE WHITE HOUSE
WASHINGTON

April 22, 1994

MEMORANDUM FOR ALL WHITE HOUSE STAFF

OFFICE OF THE VICE PRESIDENT STAFF
OFFICE OF POLICY DEVELOPMENT STAFF

FROM:

DAVID WATKINS *D. Watkins*
ASSISTANT TO THE PRESIDENT FOR
MANAGEMENT AND ADMINISTRATION

SUBJECT:

Policies and Procedures for Use of the White House
Tennis and Basketball Courts

With the onset of Spring and nice weather approaching, we would like to outline the following procedures for using the White House tennis and basketball courts.

TENNIS COURT

- Tennis court times are Monday through Friday from 5:00 p.m. until dark and Saturday and Sunday from 10:00 a.m. until 1:00 p.m.
- Senior White House Staff may request a court time through the Office of Management and Administration Monday through Friday at 456-2861 or fax to 456-1655.
- A lottery will be held each Wednesday for White House Office (WHO), Office of the Vice President (OVP) and Office of Policy Development (OPD) staff to randomly select names for the following Saturday and Sunday. Please submit an index card with your name, title and phone extension to OEOP 145 by Wednesday at 12:00 p.m.
- Please provide the date and time you wish to play on the request or index card. We suggest that you provide alternate times in case your preference has been previously reserved.
- Reservations will be confirmed by telephone and you will be notified at least four hours in advance if it is necessary to reschedule.

BASKETBALL COURT

- WHO, OVP and OPD staff may reserve the half-court basketball court Monday through Friday from 5:00 p.m. until dark and Saturday and Sunday from 8:00 a.m. until 1:00 p.m. Please call the Office of Management and Administration at 456-2861 to reserve a time.

The tennis and basketball courts may not be used when there are events on the South Lawn or during Presidential arrivals and departures.

All staff and guests using the tennis or basketball courts must enter through the Southwest Gate. When all members of the group have arrived, the Officer at the Southwest gate will provide access to the courts. **All guests must be accompanied by a blue passholder.**

If you have any questions about the tennis and basketball court policies, please contact the Office of Management and Administration at 456-2861.

THE WHITE HOUSE

WASHINGTON

96 MAY 20 P2:00

May 20, 1996

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: EVELYN S. LIEBERMAN
DEPUTY CHIEF OF STAFF

SUBJECT: ATTENDANCE AT 1996 OLYMPIC EVENTS

The attached memo from Chief of Staff Leon Panetta outlines the policies and guidelines regarding attendance at Olympic events. Although the memo was originally distributed to the heads of executive branch departments and agencies, the same rules apply to White House staff.

If you have any questions or concerns regarding invitations or tickets to the 1996 Olympic Games, please contact Kathleen Whalen, Associate Counsel to the President, at extension 66229.

Thank you for your cooperation.

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

THE WHITE HOUSE

WASHINGTON

May 9, 1996

MEMORANDUM FOR CABINET MEMBERS AND AGENCY HEADS

FROM: LEON E. PANETTA
CHIEF OF STAFF



SUBJECT: Attendance at Olympic Events

Many of you; and some of your staff, are likely to be invited to attend events and functions at the Olympics this summer. Very few events will require official attendance by anyone in the Administration. In light of the very limited need for the presence of any Cabinet officials in Atlanta during the games, your attendance should be cleared with the White House prior to your departure. To insure a consistent approach throughout the executive branch, we are providing this memorandum outlining appropriate responses.

Support of the President's or Vice President's Attendance at the Olympic Games

Certain employees will be required to attend Olympic events with the President and Vice President or may be invited by the President or Vice President to be part of the "official delegation." Provided that their attendance is necessary to support the President or Vice President's participation in the events or they are members of the official delegation, such employees may attend Olympic events free of charge.

Participation in the Conduct of an Event

Certain employees will be required to be present at a sporting or other event at the Olympics due to the nature of their responsibilities. For instance, it will be necessary for federal law enforcement personnel to be present to support state and local law enforcement personnel in insuring compliance with laws, in preventing terrorist incidents, and in other law enforcement activities. Attendance at an event under these circumstances is appropriate. However, such individuals should be engaged in official activities and not merely observing the games.

Tickets to Sporting Events

As you know, the standards of ethical conduct prohibit a federal employee from accepting a gift, including a ticket to a sporting event, that exceeds \$20 in value from a prohibited source or which is given because of the employee's official position. An exception is recognized for gifts based on a personal relationship. Thus, under the gift rules you are prohibited from accepting a ticket to a sporting event where the value of the ticket exceeds

\$20, unless the ticket has been provided to you by a relative or close personal friend. Please note that the close personal friend or relative should have paid for the ticket personally, as opposed to the friend's or relative's employer. Additionally, the rules permit you to accept a ticket for which you pay the "donor" the fair market value of a ticket. You also may accept a gift that has been offered as a result of your spouse's business or employment activities. As always, you may not solicit a gift from anyone.

Because an appearance of preferential treatment may be created by attendance at certain events where tickets are no longer available to the public, you must receive approval from me, through Kitty Higgins, before you purchase tickets other than through the process available to the general public. (Tickets for certain events are still available to the general public, and you may purchase tickets to those events under the ordinary process available to the public.)

Invitations to Receptions and Similar Events

If you are in Atlanta or any other Olympic venue, either on business or for personal reasons, you may be asked to attend a reception, cocktail party, or other similar event. Such invitations should be treated like other invitations you receive throughout the year. In other words, your ethics official will need to determine whether the invitation to the particular event may properly be accepted under the gift rules.

* * *

As always, your first point of contact on invitations and gifts is your agency ethics official. If they have questions about the application of this policy to a particular situation, I would encourage them to contact Kathleen Whalen, Associate Counsel to the President, at 456-6229.

cc: Agency General Counsels

THE WHITE HOUSE

WASHINGTON

May 9, 1996

MEMORANDUM FOR CABINET MEMBERS AND AGENCY HEADS

FROM: LEON E. PANETTA
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cc: Agency General Counsels

DEPARTMENTS AND AGENCY HEADS
04/15/96

MEMBERS OF THE CABINET

5-10-96

The Honorable Warren Christopher
Secretary of State
Washington, D.C. 20520

The Honorable Robert E. Rubin
Secretary of the Treasury
Washington, D.C. 20220

The Honorable William J. Perry
Secretary of Defense
Washington, D.C. 20301

→ The Honorable Togo Dennis West, Jr.
Secretary of the Army
Washington, D.C. 20310

→ The Honorable John H. Dalton
Secretary of the Navy
Washington, D.C. 20350

→ The Honorable Sheila E. Widnall
Secretary of the Air Force
Washington, D.C. 20330

The Honorable Janet Reno
Attorney General
Washington, D.C. 20530

The Honorable Bruce Babbitt
Secretary of the Interior
Washington, D.C. 20240

The Honorable Daniel R. Glickman
Secretary of Agriculture
Washington, D.C. 20250

The Honorable Michael Kantor
Secretary of Commerce
Washington, D.C. 20230

The Honorable Robert B. Reich
Secretary of Labor
Washington, D.C. 20210

- REC
- REC
- SEC
- BEOC
- Br 2m
- O P C
- PTC

The Honorable Donna E. Shalala
Secretary of Health and
Human Services
Washington, D.C. 20201

The Honorable Henry G. Cisneros
Secretary of Housing and
Urban Development
Washington, D.C. 20410

The Honorable Federico Peña
Secretary of Transportation
Washington, D.C. 20590

The Honorable Hazel Rollins O'Leary
Secretary of Energy
Washington, D.C. 20585

The Honorable Richard W. Riley
Secretary of Education
Washington, D.C. 20202

The Honorable Jesse Brown
Secretary of Veterans Affairs
Washington, D.C. 20420

* * * * *

✓ All

AGENCY HEADS

The Honorable Thomasina V. Rogers
Chair
Administrative Conference
of the United States
2120 L Street, N.W.
Washington, D.C. 20037

The Honorable William F. Winter
Chair
Advisory Commission on
Intergovernmental Relations
Suite 450
800 K Street, N.W.
Washington, D.C. 20575

The Honorable Cathryn B. Slater
Chair
Advisory Council on
Historic Preservation
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

✓ The Honorable J. Brian Atwood
Administrator
Agency for International Development
Washington, D.C. 20523

Chair
American Battle Monuments Commission
Washington, D.C. 20314

? The Honorable Norman R. Augustine
Chair of the Board of Governors
American National Red Cross
Washington, D.C. 20006

? President and Chair
Amtrak
60 Massachusetts Avenue, N.E.
Washington, D.C. 20002

The Honorable Jesse L. White, Jr.
Federal Co-Chair
Appalachian Regional Commission
1666 Connecticut Avenue, N.W.
Washington, D.C. 20009

Chairperson
Architectural and Transportation
Barriers Compliance Board
1331 F Street, N.W.
Washington, D.C. 20004-1111

✓ The Honorable John W. Carlin
Archivist of the United States
Washington, D.C. 20408

Director
Armed Forces Retirement Home
Washington, D.C. 20315

✓ The Honorable John M. Deutch
Director of Central Intelligence
Washington, D.C. 20505

The Honorable Mary Frances Berry
Chairperson
Commission on Civil Rights
Washington, D.C. 20425

The Honorable J. Carter Brown
Chair
Commission of Fine Arts
Suite 312, Pension Building
Judiciary Square
5th and F Streets, N.W.
Washington, D.C. 20001

Chair
Committee for Purchase from People
Who Are Blind or Severely Disabled
Suite 1107, Crystal Square 5
1755 Jefferson Davis Highway
Arlington, Virginia 22202

Acting Chair
Commodity Futures Trading Commission
Three Lafayette Center
1155 21st Street, N.W.
Washington, D.C. 20581

~~The Honorable Charles A. Bowsher
The Comptroller General
of the United States
Washington, D.C. 20548~~

The Honorable Ann Brown
Chair
Consumer Product Safety Commission
4330 East-West Highway
Bethesda, Maryland 20814

✓ The Honorable Harris Wofford
Chief Executive Officer
Corporation for National
and Community Service
Eighth Floor
1201 New York Avenue, N.W.
Washington, D.C. 20525

The Honorable John T. Conway
Chair
Defense Nuclear Facilities Safety Board
Suite 700
625 Indiana Avenue, N.W.
Washington, D.C. 20004

✓ The Honorable Carol M. Browner
Administrator
Environmental Protection Agency
Washington, D.C. 20460

✓ The Honorable Gilbert F. Casellas
Chair
Equal Employment Opportunity Commission
Washington, D.C. 20507

Acting President of the Export-Import
Bank of the United States
Washington, D.C. 20571

The Honorable Marsha P. Martin
Chair of the Farm Credit
Administration Board
Farm Credit Administration
1501 Farm Credit Drive
McLean, Virginia 22102-5090

The Honorable Reed E. Hundt
Chair
Federal Communications Commission
Washington, D.C. 20554

Acting Chairperson
Federal Council on the Aging
330 Independence Avenue, S.W.
Washington, D.C. 20201

The Honorable Ricki R. Tigert
Chairperson
Federal Deposit Insurance Corporation
550 17th Street, N.W.
Washington, D.C. 20429

Lee Ann Elliott
The Honorable ~~Danny L. McDonald~~
Chair
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

~~(NOTE: Serves thru 12/31/95)~~

The Honorable James Lee Witt
Director
Federal Emergency Management Agency
500 C Street, S.W.
Washington, D.C. 20472

✓ The Honorable Elizabeth Anne Moler
Chair
Federal Energy Regulatory Commission
Department of Energy
825 North Capitol Street, N.E.
Washington, D.C. 20426

The Honorable Bruce Morrison
Chairperson
Federal Housing Finance Board
1777 F Street, N.W.
Washington, D.C. 20006

The Honorable Phyllis Nichamoff Segal
Chair
Federal Labor Relations Authority
Room 410
607 14th Street, N.W.
Washington, D.C. 20424-0001

The Honorable Harold Jennings Creel
Chair
Federal Maritime Commission
Washington, D.C. 20573

The Honorable John Calhoun Wells
Director
Federal Mediation and
Conciliation Service
Washington, D.C. 20427

The Honorable Mary Lucille Jordan
Chair
Federal Mine Safety and
Health Review Commission
1730 K Street, N.W.
Washington, D.C. 20006

~~The Honorable Alan Greenspan
Chair
Board of Governors of the
Federal Reserve System
Washington, D.C. 20551~~

The Honorable James H. Atkins
Chair
Federal Retirement Thrift
Investment Board
1250 H Street, N.W.
Washington, D.C. 20005

The Honorable Robert Pitofsky
Chair
Federal Trade Commission
Washington, D.C. 20580

The Honorable Delissa A. Ridgway
Chair
Foreign Claims Settlement Commission
of the United States
Washington, D.C. 20579

✓ The Honorable David J. Barram
Acting Administrator
of General Services
Washington, D.C. 20405

The Honorable Diane B. Frankel
Director
Institute of Museum Services
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20506

~~The Honorable James H. Billington
Librarian of Congress
Washington, D.C. 20540~~

The Honorable Benjamin L. Erdreich
Chair
Merit Systems Protection Board
1120 Vermont Avenue, N.W.
Washington, D.C. 20419

The Honorable Frank Press
President
National Academy of Sciences
Washington, D.C. 20418

The Honorable Daniel S. Goldin
Administrator
✓ National Aeronautics and
Space Administration
Washington, D.C. 20546

The Honorable Harvey Gantt
Chair
National Capital Planning Commission
801 Pennsylvania Avenue, N.W.
Washington, D.C. 20576

The Honorable Anthony P. Carnevale
Chair
National Commission for Employment
Policy
1522 K Street, N.W.
Washington, D.C. 20005

The Honorable Jeanne Hurley Simon
Chair
National Commission on Libraries
and Information Science
Suite 820
1110 Vermont Avenue, N.W.
Washington, D.C. 20005-3122

The Honorable Marca Bristo
Chairperson
National Council on Disability
800 Independence Avenue, S.W.
Washington, D.C. 20591

The Honorable Norman E. D'Amours
Chair
National Credit Union Administration Board
1775 Duke Street
Alexandria, Virginia 22314-3428

✓ The Honorable Jane Alexander
Chairperson
National Endowment for the Arts
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20506

✓ The Honorable Sheldon Hackney
Chairperson
National Endowment for the Humanities
1100 Pennsylvania Avenue, N.W.
Washington, D.C. 20506

The Honorable William B. Gould IV
Chair
National Labor Relations Board
Washington, D.C. 20570

The Honorable Magdalena Jacobsen
Chair
National Mediation Board
1301 K Street, N.W.
Washington, D.C. 20572

(NOTE: Serves thru 06/30/95)

The Honorable Neal F. Lane
Director
National Science Foundation
~~Washington, D.C. 20550~~

4201 Wilson Boulevard
Suite 1201
Arlington, Virginia 22230

The Honorable James E. Hall
Chair
National Transportation Safety Board
Washington, D.C. 20594

The Honorable Shirley Ann Jackson
Chair
Nuclear Regulatory Commission
Washington, D.C. 20555

The Honorable Stuart E. Weisberg
Chair
Occupational Safety and
Health Review Commission
Room 923
One Lafayette Centre
1120 20th Street, N.W.
Washington, D.C. 20036-3419

✓ The Honorable James B. King
Director
Office of Personnel Management
1900 E Street, N.W.
Washington, D.C. 20415

The Honorable Kathleen Day Koch
Special Counsel
Office of the Special Counsel
1730 M Street, N.W.
Washington, D.C. 20036-4505

The Honorable Stephen D. Potts
Director
Office of Government Ethics
1201 New York Avenue, N.W.
Washington, D.C. 20003-3917

The Honorable Ruth R. Harkin
President
Overseas Private Investment Corporation
Washington, D.C. 20527

✓ The Honorable Mark D. Gearan
Director of the Peace Corps
Washington, D.C. 20526

✓ Executive Director
Pension Benefit Guaranty Corporation
1200 K Street, N.W.
Washington, D.C. 20005-4026

Secretary
Panama Canal Commission
Suite 1050
1825 I Street, N.W.
Washington, D.C. 20006

The Honorable Edward Jay Gleiman
Chair
Postal Rate Commission
Washington, D.C. 20268

~~The Honorable Michael DiMario
Public Printer
Washington, D.C. 20401~~

The Honorable Glen L. Bower
Chair
Railroad Retirement Board
844 Rush Street
Chicago, Illinois 60611

The Honorable Arthur Levitt, Jr.
Chair
Securities and Exchange Commission
Washington, D.C. 20549

✓ The Honorable Gil Coronado
Director of Selective Service
1515 Wilson Boulevard
Arlington, Virginia 22209-2425

✓ The Honorable Philip Lader
Administrator
Small Business Administration
Washington, D.C. 20416

Secretary
Smithsonian Institution
Washington, D.C. 20560

✓ The Honorable Shirley S. Chater
Commissioner
Social Security Administration
6401 Security Boulevard
Baltimore, Maryland 21235

The Honorable Craven H. Crowell, Jr.
Chair
Board of Directors
Tennessee Valley Authority
Washington, D.C. 20444

✓ The Honorable John David Holum
Director
United States Arms Control
and Disarmament Agency
Washington, D.C. 20451

The Honorable Miles Lerman
Chairperson
United States Holocaust
Memorial Council
100 Raoul Wallenberg Place, S.W.
Washington, D.C. 20024

✓ The Honorable Joseph D. Duffey
Director
United States Information Agency
Washington, D.C. 20547

The Honorable Chester Crocker
Chair
United States Institute of Peace
Suite 700
1550 M Street, N.W.
Washington, D.C. 20005

The Honorable Peter S. Watson
Chair
United States International
Trade Commission
Washington, D.C. 20436

The Honorable Richard P. Conaboy
Chair
United States Sentencing Commission
Suite 2-500
One Columbus Circle, N.E.
Washington, D.C. 20002-8002

* * * * *

EXECUTIVE OFFICE OF THE PRESIDENT

- ✓ The Honorable Al Gore, Jr.
The Vice President
Washington, D.C. 20501
- ✓ The Honorable Joseph E. Stiglitz
Chair
Council of Economic Advisers
Washington, D.C. 20506
- ✓ The Honorable Kathleen A. McGinty
Chair
Council on Environmental Quality
Washington, D.C. 20503
- ✓ The Honorable Nancy Soderberg
Staff Director
National Security Council
Washington, D.C. 20500
- ✓ The Honorable Franklin S. Reeder
Director
Office of Administration
Washington, D.C. 20500
- ✓ The Honorable Alice Rivlin
Director
Office of Management and Budget
Washington, D.C. 20503
- ✓ The Honorable John Howard Gibbons
Director
Office of Science and Technology Policy
Washington, D.C. 20500
- ✓ The Honorable Charlene Barshefsky
Acting United States Trade Representative
Washington, D.C. 20506

✓ All

✓ The Honorable Barry R. McCaffrey
Director of National Drug
Control Policy
750 17th Street, N.W.
Washington, D.C. 20500

✓ The Honorable Thomas S. Foley
Chair
President's Foreign Intelligence
Advisory Board
Washington, D.C. 20500

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THE WHITE HOUSE

WASHINGTON

March 30, 1999

MEMORANDUM FOR WHITE HOUSE STAFF

'99 APR 2 AM 8:53

FROM:

CHARLES F.C. RUFF
COUNSEL TO THE PRESIDENT

SUBJECT:

CONTACTS WITH AGENCIES -- A REMINDER

The question of when and how it is appropriate for White House staff to contact Executive Branch or independent agencies about pending matters is an important and sensitive one, as is the question of how White House staff should deal with pending rulemaking proceedings. We have developed a set of rules and guidelines, summarized in the attached Memorandum circulated last November, that everyone must observe.

I want to emphasize two points in particular, because they have been the subject of some recent misunderstandings. First, we treat the Justice Department -- because of the sensitivity of its law enforcement functions -- differently from other Cabinet departments. Of course, you should not contact the Justice Department on pending investigations, prosecutions and civil litigation matters, or on the awarding of grants, but should direct any questions you have on these matters to the White House Counsel's office. Even on policy, legislative, and administrative issues involving the Department of Justice, however, you should check first with the Counsel's office, since such issues often touch on law enforcement or litigation matters. In short, where DOJ is involved, talk to the Counsel's office first.

Second, remember that the exclusive vehicle for participation by the Executive Office of the President in agency rulemaking proceedings is the Office of Information and Regulatory Affairs (OIRA), which is part of OMB. If you get a written communication from a member of the public about a pending rulemaking proceeding, you should forward it to the department or agency and to OIRA. You should not pass on to OIRA or to a department or agency any oral comments from members of the public. If anyone other than a federal employee asks to meet with you about a pending rulemaking proceeding, you must discuss with OIRA and the Counsel's office whether the meeting is appropriate and whether it must be made part of the rulemaking record.

Please review the enclosed Memorandum again and keep it for reference purposes. Do not hesitate to contact Dan Marcus, Cheryl Mills, or me if you have any questions.

THE WHITE HOUSE
WASHINGTON

November 24, 1998

MEMORANDUM FOR WHITE HOUSE STAFF

FROM:

CHARLES F. C. RUFF
COUNSEL TO THE PRESIDENT

DANIEL MARCUS
SENIOR COUNSEL TO THE WHITE HOUSE COUNSEL

SUBJECT:

CONTACTS WITH AGENCIES

This memorandum reiterates White House policies on contacts between White House Staff and federal agencies. Please review these policies and become familiar with them. A "quick reference" guide summarizing this memorandum is attached for your convenience. Do not hesitate to call the Counsel's Office if you have any questions.

BASIC PRINCIPLES

Some contacts between White House staff and federal agencies are permitted, and some are prohibited. Unless you are certain that a particular contact is permissible, consult with the Counsel's Office before making the contact. In general, the starting points for deciding whether a contact is appropriate will be:

- the type of agency involved (executive branch or independent), and
- the subject matter of the contact (policy or legislation, investigation or enforcement action, contract or grant, or rulemaking).

I. CONTACTS WITH EXECUTIVE BRANCH AGENCIES

Which agencies are covered by this section?

The principal Executive Branch agencies are the Cabinet Departments:

- The Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, the Treasury, and Veterans Affairs. Regulatory agencies within these Departments -- e.g., FDA, OSHA, the Surface Transportation Board, and the Comptroller of the Currency -- are also covered.

Executive Branch agencies also include the Environmental Protection Agency, the Small Business Administration, the Equal Employment Opportunity Commission, and the Social Security Administration.

Boards and commissions are generally considered Executive Branch agencies if their members are appointed, and removable without cause, by the President.

As discussed in Section II, separate policies apply to contacts with so-called "independent" agencies, such as the FCC, the FTC, the CFTC, and the SEC.

Policy, legislation and administrative matters

General Rule: White House staff may communicate with Executive Branch agencies about policy, legislation or administrative matters.

Special Rule for DOJ: Because policy, legislative and administrative issues at the Department of Justice may touch upon law enforcement or other litigation-related matters pending at the Department, you should advise the Counsel's Office before you commence communications with DOJ on **any** subject, including policy matters. Once our office has agreed that your contact with DOJ on a particular subject is appropriate, you need not later inform us of subsequent communications on the **same** matter.

Special Rule for the IRS: Because of the sensitive investigation and enforcement powers of the IRS, and the confidential personal information the IRS handles, it is White House policy that **no member of the White House Staff should have any communication of any type with the IRS without prior approval of the Counsel**, except on their own tax matters. Note that any communication about tax policy or legislation normally can be directed to the Assistant Secretary of the Treasury for Tax Policy rather than the IRS.

Investigations, enforcement actions and adjudications

White House staff should **not** contact Executive Branch agencies concerning investigations, enforcement actions, or adjudications. This prohibition means White House staff should not ask an agency even for a status report about a pending matter of this type, or ask an agency official to meet with a private party or Member of Congress to discuss such a pending matter.

-- "Investigations" are matters related to investigating or reviewing potential or actual administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.

-- "Enforcement actions" are matters related to pursuing administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.

-- "Adjudications" are matters decided at an administrative or judicial hearing, or other proceeding, in which a department or agency determines the rights of particular individuals or entities. **Licensing decisions should be treated as adjudications.**

While there may be rare, special circumstances when it is appropriate for the White House to communicate with an agency about a pending investigation, enforcement action, or adjudication, only the Counsel's Office should undertake such communications. In the case of the Justice Department, any such communication must be initiated by the White House Counsel, the Deputy Counsels, or the Senior Counsel. There may be other matters in which the White House is participating directly (for example, civil litigation involving the Freedom of Information Act or other EOP decisions). The Counsel's Office will advise on a case-by-case basis regarding appropriate contacts in these types of matters.

Outside inquiries: If you receive a written or oral inquiry or request from an outside party -- including a Member of Congress -- concerning an investigation, enforcement action, or adjudication pending at an Executive Branch agency, **contact the Counsel's Office for guidance on how to proceed.** Normally, it will be appropriate to cite general White House policy against contacts on such matters, and to suggest that any inquiries concerning the pending matter be made directly to the relevant agency, if appropriate.

Contacts from agencies: By the same token, if anyone at any Executive Branch agency contacts you about any pending investigation, enforcement action, or adjudication (other than a routine background check), you should promptly advise the Counsel's Office, which will determine how to proceed and will report back to you as appropriate.

Contracts and grants

Many if not most government contracts and grants are awarded by Executive Branch agencies on the basis of competition or objective criteria specified by statute or regulation. In such cases, the rule of **no contact** described above for investigations, enforcement actions, and adjudications applies. Pure status inquiries may be permissible, but you should check first with the Counsel's Office.

In other cases, an Executive Branch agency may have discretion to determine the recipient of a grant on the basis of policy choices. In such cases, White House staff who wish to contact an agency about the grant should seek advice from the Counsel's Office as to whether the contact is appropriate.

In no event, however, should a White House staff member contact an Executive Branch agency about a contract or grant matter in which the staff member (or a relative, friend, or business associate of the staff member) has a personal financial interest.

Rulemaking matters

1. Status checks are generally permitted: White House staff may contact Executive Branch agencies regarding a pending rulemaking matter if the purpose of the communication is not to influence the outcome of a pending rulemaking proceeding (e.g., a status inquiry). You should state at the outset of the contact that you do not wish to influence the merits or the timing of the agency's decision, but merely are seeking information on its status.

2. Other contacts must be cleared in advance with your supervisor: If the purpose of the contact is to influence the outcome of a pending rulemaking, White House staff should, **prior to making the contact**, (a) obtain approval from the Assistant or Deputy Assistant to the President who is their principal supervisor, and (b) coordinate the contact with the Administrator of OIRA, who will advise on the appropriateness of the contact.

3. No "passing on" oral comments from outsiders: Input from the public -- that is, persons not employed by the Executive Branch, Congress, or the federal judiciary -- must be submitted in writing if it is to be incorporated into the rulemaking process. Thus, White House staff should not communicate non-written comments **from the public** to agencies, OIRA or anyone else involved in the rulemaking process. White House staff should forward oral comments **from Members of Congress or other federal employees** to the Administrator of OIRA.

If anyone other than a federal employee asks to meet with you regarding a pending rulemaking, or if you are considering organizing an outreach meeting with the public on a policy initiative that involves a pending rulemaking, you should **coordinate with the Administrator of OIRA and with the Counsel's office**. They will determine whether the meeting can occur and whether it must be made part of the administrative record.

4. Forward written comments from outsiders: You should forward any written communications from the public, or Members of Congress or other federal employees, on pending rulemaking to the relevant department or agency for inclusion in the public docket. A copy of any such written communications should also be forwarded to the Administrator of OIRA.

II. CONTACTS WITH INDEPENDENT AGENCIES

Which agencies are covered by this section?

Congress has created a number of so-called independent agencies. These agencies are called "independent" because of the quasi-judicial powers they have been delegated by Congress, and because commissioners or board members are removable by the President only for specific "cause."

The principal independent agencies are the Federal Communications Commission, the Federal Trade Commission, and the Securities and Exchange Commission. Other independent agencies include:

Commodity Futures Trading Comm.
Consumer Product Safety Comm.
Federal Deposit Insurance Comm.
Federal Election Comm.
Federal Reserve Board

National Credit Union Administration
National Labor Relations Board
National Transportation Safety Board
Occupational Safety and Health Review Comm.
United States International Trade Comm.

Investigations, enforcement actions, adjudications, contracts and grants

White House staff should **not** contact any independent agency concerning a pending investigation, enforcement, action or adjudication. The same rule applies to contracts and grants.

Refer any inquiries concerning an investigation, enforcement action, adjudication, contract, or grant at an independent agency to the Counsel's Office.

While there may be rare, special circumstances when it is appropriate to communicate with an independent agency about an investigation, enforcement action, contract, or grant, **only the Counsel's Office may undertake such communications.**

Rulemaking proceedings

Congress has assigned certain rulemaking jurisdiction to independent agencies such as the FCC and the SEC. White House staff should **not** communicate with independent agencies about rulemaking matters without specific, advance approval from the Counsel's Office. Even checks are not permitted without advance approval.

Refer any inquiries concerning rulemaking by an independent agency to the Counsel's Office.

Policy, legislation, and administrative matters

Any other communications with independent agencies, including discussions of policy or legislation, should be approved in advance by the Counsel's Office to ensure that the communication is appropriate and that no special rules apply. (Advance approval can be provided for categories of contacts.) The sole exception to this policy is communication on routine administrative matters (e.g., obtaining an address or phone number, or requesting publicly available documents).

WHITE HOUSE CONTACTS POLICY: A QUICK SUMMARY

CONTACTS WITH EXECUTIVE BRANCH AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact executive branch agency about policy, legislation or administrative matter	Yes (except for IRS)—but advise Counsel's Office before contact with DOJ	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)
Contact executive branch agency about investigation, enforcement action, adjudication, contract or grant	NO	Seek guidance from the Counsel's Office. Refer written or oral inquiries about such matters to the Counsel's Office.
Contact executive branch agency about a rulemaking for purpose of influencing outcome of a rulemaking proceeding.	YES (except for IRS), IF prior approval of White House supervisor and the Administrator of OIRA. But do not "pass on" comments from outsiders, except when outsider comments are in writing. Send such written comments to the relevant agency for inclusion in the public docket, with a copy to OIRA. Coordinate meetings with outsiders about pending rulemaking through OIRA and White House Counsel. And advise Counsel's Office before contact with DOJ.	Obtain prior approval of the Assistant or the Deputy Assistant to the President who supervises you, and the Administrator of OIRA. NOTE: White House staff may not forward to agencies non-written comments from members of the public on rulemaking matters. Written comments should be forwarded to Administrator of OIRA.
Contact executive branch solely for status report on pending rulemaking proceeding.	YES (except for IRS)	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)

CONTACTS WITH INDEPENDENT AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact independent agency about investigation, enforcement action, adjudication, contract or grant	NO	Refer any inquiries about such matters to the Counsel's Office.
Contact independent agency about rulemaking matter	NO	Refer any inquiries about such matters to the Counsel's Office
Contact independent agency about policy, legislation or administrative matter	NO, unless approved in advance by White House Counsel's Office	Consult with White House Counsel's Office before any such contact. (Sole exception is routine administrative matters -- e.g. obtaining public documents or phone nos.)

Executive Branch Agencies

Department of Agriculture
 Department of Commerce
 Department of Defense
 Department of Education
 Department of Energy
 Department of Health and Human Services
 Department of Housing and Urban Development
 Department of Interior
 Department of Justice
 Department of Labor
 Department of State
 Department of Transportation
 Department of Treasury
 Department of Veterans Affairs
 Equal Employment Opportunity Commission
 Environmental Protection Agency
 Small Business Administration
 Social Security Administration

Independent Agencies

Federal Communications Commission
 Federal Trade Commission
 Securities and Exchange Commission
 Commodity Futures Trading Commission
 Consumer Products Safety Commission
 Federal Deposit Insurance Corporation
 Federal Election Commission
 Federal Maritime Commission
 Federal Reserve Board
 National Credit Union Administration
 National Labor Relations Board
 National Transportation Safety Board
 Nuclear Regulatory Commission
 Occupational Safety & Health Review Comm.
 U.S. International Trade Commission

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

THE WHITE HOUSE

WASHINGTON

Don Burkhardt

Date

3/2/98

To:

Tim Saunders

Terry Good

From:

The Staff Secretary

You should make sure all of
your staff is aware of this.

Thanks,

Phin

THE WHITE HOUSE
WASHINGTON

98 MAR 2 PM 12:13

February 27, 1998

MEMORANDUM TO ALL ASSISTANTS & DEPUTY ASSISTANTS TO THE PRESIDENT

FROM:  CHARLES F.C. RUFF

RE: Security Clearance Process

I understand that there may still be some confusion about the security clearance process. For example, some White House employees routinely ask every individual they "wave in" for his or her country of citizenship. However, our policy is **not** to inquire about country of citizenship, if a guest has a social security number. So, let me clarify the procedure.

When clearing a guest into the White House complex, the two-step process for gathering information about the individual is as follows:

1. Request date of birth and social security number.
2. **Only if an individual has no *social security number***, request citizenship and passport number.

Thus, if you are asking visitors to fill out a form for clearance purposes, be careful to make it clear that citizenship and passport information is required only if the visitor has no social security number.

Please make sure that all of your staff are familiar with this procedure. While we want to be certain that individuals visiting the White House are properly identified, we must do so in a way that is not offensive.

Thank you for your attention to this matter.



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THE WHITE HOUSE

WASHINGTON

February 26, 1998

98 FEB 27 PM 3:50

MEMORANDUM FOR EXECUTIVE OFFICE OF PRESIDENT STAFF

FROM:

CHARLES F.C. RUFF
COUNSEL TO THE PRESIDENT

SUBJECT:

The Clinton Legal Expense Trust

This memorandum is in response to inquiries from staff regarding the recent announcement of the establishment of a new legal expense trust for the President and First Lady, the Clinton Legal Expense Trust. Like the prior Trust, the new Trust is not a White House enterprise, but rather is a non-federal entity of which Senator David Pryor is the grantor.

The Trust was created to raise and disburse funds to meet the personal legal expenses being incurred by President and Mrs. Clinton because of legal proceedings commenced after the President took office. As Executive Branch employees, you are not eligible to make contributions to the Trust.

In response to an inquiry from a member of the public seeking information about the Trust, staff should advise the caller as follows:

Thank you for inquiring. The Clinton Legal Expense Trust is a separate entity from the White House; accordingly, the White House does not accept contributions for the Trust. The appropriate place to direct inquiries or contributions: The Clinton Legal Expense Trust Fund, Department 6007, Washington, D.C. 20042-6007 or call (202) 942-5665.

Staff are reminded, pursuant to the Standards of Conduct for Executive Branch Employees, that:

- You may not, under any circumstances, solicit contributions to the Trust;
- You should not provide information about the Trust beyond the information stated in the attached publicly available press release issued by the Trustees.

If you have any questions regarding the Trust and permissible activity by federal employees, please call Cheryl Mills in the Counsel's Office (456-6611).

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

THE CLINTON LEGAL EXPENSE TRUST

- The Trust has been established by former Senator David H. Pryor of Arkansas.
- Contributions will be accepted from individuals who are citizens of the United States, other than employees of the Executive Branch of the Federal Government and lobbyists registered with the Federal Government. Each person must make his or her own contribution.
- Contributions will not be accepted from corporations, labor unions, partnerships, political committees or other entities.
- Individual contributions will be limited to a maximum of \$10,000 per eligible individual per year.
- Contributions are not deductible for federal, state or local income tax purposes.
- Anonymous contributions may not be accepted, and, if any are received, they would be sent to the Department of the Treasury to apply to the national debt.
- Each contributor should provide his or her name and address. Contributors of more than \$200 should also provide their occupation and employer's name.
- Contribution checks should be made out and sent to:

**The Clinton Legal Expense Trust
Department #6007
Washington, D.C. 20042-6007**

- The Trust will make periodic public reports about its activities which will include the names of individuals who have made accepted contributions to the Trust and the amount of each such contribution.

TRUSTEES

**Kenneth G. Bartels * Anthony F. Essaye *
Roger W. Johnson * H. Maurice Mitchell * Renee E. Ring**

TS
PC
Sm
BB
CC

THE WHITE HOUSE
WASHINGTON

'97 DEC 12 AM 9:20

December 11, 1997

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: CHARLES F.C. RUFF
COUNSEL TO THE PRESIDENT

MEREDITH CABE
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Reminder on Ethics Obligations and Holiday Gifts

With the arrival of the holiday season, we want to remind you of your obligations under the ethics rules regarding acceptance of gifts and attendance at holiday functions. These rules are both statutory and regulatory, and it is important that you understand and follow them at all times. Below, please find the answers to the most frequently asked questions.

What is a gift? A gift is anything of value. In addition to the usual tangible items, the definition of "gift" includes: meals, flowers, tickets to events, donations, loans, favors, discounts, travel, lodging, entertainment, or other hospitality.

What should I do when I receive a gift? You may keep any gifts:

- (1) received from family members or relatives,
- (2) which are motivated by a close personal relationship pre-dating your employment by the White House, if the gift is paid for by your friend, and not by his or her company or client. Please note that if you are required to file a financial disclosure form, you will need to report gifts falling within this category which are worth more than \$100 if the total value of gifts received from the same source exceeds \$250 per reporting year.
- (3) which are perishable, like fruit, candy, or flowers. With the approval of your supervisor or of the Counsel's Office, you may place perishable gifts in the reception area of your office to be shared among your co-workers.

If you receive a gift under other circumstances, or if you are unsure whether a gift meets the above criteria, you should:

- (1) Complete a White House Staff Gift Report form (forms may be obtained from the Supply Room or from the White House Gift Unit, OEOB 457); and
- (2) Submit your gift, along with the completed form, to the Gift Unit for appraisal.

- (b) you are attending as a guest of someone other than the sponsor of the event, provided that more than 100 people are expected to attend, and the total face value of the ticket(s) you receive does not exceed \$250.

Is there any type of entertainment fund that our department can use to pay for refreshments for a departmental holiday party? Unfortunately, no. You may, however, collect voluntary contributions from those in the office to provide food and refreshments for a holiday party.

If you have any questions concerning receipt of gifts or attendance at functions during the holidays, please call Meredith Cabe at 6-7984.

THE WHITE HOUSE
WASHINGTON

September 16, 1997

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: CHARLES F. C. RUFF
COUNSEL TO THE PRESIDENT

ROBERT N. WEINER
SENIOR COUNSEL TO THE WHITE HOUSE COUNSEL

SUBJECT: CONTACTS WITH AGENCIES

'97 SEP 17 AM 11:09

This memorandum reiterates White House policies on contacts between White House staff and federal agencies. Please review these policies and become familiar with them. A "quick reference" guide summarizing this memorandum is attached for your convenience. Please call the Counsel's Office if you have any questions.

BASIC PRINCIPLES

Some contacts between White House staff and federal agencies are permitted, and some are prohibited. Unless you are certain that a particular contact is permissible, consult with the Counsel's Office before making the contact. In general, the starting points for deciding whether a contact is appropriate will be:

- the type of agency involved (executive branch or independent), and
- the subject matter of the contact (policy or legislation, investigation or enforcement action, or rulemaking).

I. CONTACTS WITH EXECUTIVE BRANCH AGENCIES

Which agencies are covered by this section?

The principal Executive Branch agencies are the Cabinet Departments:

- the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Justice, Labor, State, Transportation, the Treasury, and Veteran's Affairs.

Executive Branch agencies also include the Environmental Protection Agency, the Small Business Administration, the Surface Transportation Board, and the Equal Employment Opportunity Commission.

Boards and commissions are generally considered Executive Branch agencies if their members are appointed, and removable without cause, by the President.

As discussed in Section II, separate policies apply to contacts with so-called "independent" agencies, such as the FCC, the FTC and the SEC.

Policy, legislation and administrative matters

General Rules: White House staff may communicate with Executive Branch agencies about policy, legislation or administrative matters.

Special Rules for DOJ: Because policy, legislative and administrative issues at the Department of Justice may touch upon law enforcement or other litigation-related matters pending at the Department, you should advise the Counsel's Office before you commence communications with DOJ on any subject, including policy matters. Once you have informed our office about your contact with DOJ on a particular subject, you need not later inform us of communications on the same matter.

Special Rules for the IRS: Because of the sensitive investigative and enforcement powers of the IRS, and the confidential personal information the IRS handles, it is White House policy that **no member of the White House staff should have any communication of any type with the IRS without prior approval of the Counsel**, except on their own tax matters. Note that any communication about tax policy or legislation normally can be directed to the Assistant Secretary of the Treasury for Tax Policy.

Investigations, enforcement actions and adjudications

White House staff should **not** contact Executive Branch agencies concerning investigations, enforcement actions, or adjudications. This prohibition means White House staff should not ask an agency even for a status report about a pending matter of this type, or ask an agency official to meet with a private party or Member of Congress to discuss such a pending matter.

- "Investigations" are matters related to investigating or reviewing potential or actual administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.
- "Enforcement actions" are matters related to pursuing administrative, criminal, or civil charges for alleged violations of law or regulations by specific individuals or entities.
- "Adjudications" are matters decided at an administrative or judicial hearing, or other proceeding, in which a department or agency determines the rights of particular individuals or entities. Licensing decisions should be treated as adjudications.

While there may be rare, special circumstances when it is appropriate for the White House to communicate with an agency about a pending investigation, enforcement action, or adjudication, only Counsel's Office should undertake such communications. In the case of the Justice Department, any such communication must be initiated by the White House Counsel, the Deputy Counsels, or the Senior Counsel. There may be other matters in which the White House is participating directly (for example, civil litigation involving the Freedom of Information Act or other EOP decisions). The Counsel's Office will advise on a case by case basis regarding appropriate contacts in these types of matters.

Outside inquiries: If you receive a written or oral inquiry or request from an outside party -- including a Member of Congress -- concerning an investigation, enforcement action, or adjudication pending at an Executive Branch agency, **contact the Counsel's Office for guidance on how to**

proceed. Normally, it will be appropriate to cite general White House policy against contacts on such matters, and to suggest that any inquiries concerning the pending matter be made directly to the relevant agency, if appropriate.

Contacts from agencies: By the same token, if anyone at any Executive Branch agency contacts you about any pending investigation, enforcement action, or adjudication (other than a routine background check), **you should promptly advise the Counsel's Office**, which will determine how to proceed and will report back to you as appropriate.

Rulemaking matters

1. **Status checks are generally permitted:** White House staff may contact Executive Branch agencies regarding a pending rulemaking matter if the purpose of the communication is not to influence the outcome of a pending rulemaking proceeding (e.g., a status inquiry). You should state at the outset of the contact that you do not wish to influence the merits or the timing of the agency's decision, but merely are seeking information on its status.
2. **Other contacts must be cleared in advance with your supervisors:** If the purpose of the contact is to influence the outcome of a pending rulemaking, White House staff should, prior to making the contact, (a) obtain approval from the Assistant or Deputy Assistant to the President who is their principal supervisor, and (b) coordinate the contact with the Administrator of OIRA, who will advise on the appropriateness of the contact.
3. **No "passing on" oral comments from outsiders:** Input from the public -- that is, persons not employed by the Executive Branch, Congress or the federal judiciary -- must be submitted in writing if it is to be incorporated into the rulemaking process. Thus, White House staff should not communicate non-written comments **from the public** to agencies, OIRA or anyone else involved in the rulemaking process. White House staff should forward non-written comments **from Members of Congress or other federal employees** to the Administrator of OIRA.

If anyone other than a federal employee asks to meet with you regarding a pending rulemaking, or if you are considering organizing an outreach meeting with the public on a policy initiative that involves a pending rulemaking, you should **coordinate with the Administrator of OIRA and with this office**. They will determine whether the meeting can occur and whether it must be made part of the administrative record.

4. **Forward written comments from outsiders:** You should forward any written communications from the public, or Members of Congress or other federal employees, on pending rulemaking to the relevant department or agency for inclusion in the public docket. A copy of any such written communications should also be forwarded to the Administrator of OIRA.

II. CONTACTS WITH INDEPENDENT AGENCIES

Which agencies are covered by this section?

Congress has created a number of so-called independent agencies. These agencies are called "independent" because of the rulemaking and enforcement jurisdiction they have been delegated by Congress, and because the principal officials are removable by the President only for specific

“cause.”

The principal independent agencies are the Federal Communications Commission, the Federal Trade Commission, and the Securities and Exchange Commission.

Other independent agencies include:

Commodity Futures Trading Comm.	National Credit Union Administration
Consumer Product Safety Comm.	National Labor Relations Board
Federal Deposit Insurance Comm.	National Transportation Safety Board
Federal Election Comm.	Nuclear Regulatory Comm.
Federal Maritime Comm.	Occupational Safety and Health Review Comm.
Federal Reserve Board	United States International Trade Comm.

Investigations, enforcement actions or adjudications

White House staff should **not** contact any independent agency concerning a pending investigation, enforcement action or adjudication.

Refer any inquiries concerning an investigation, enforcement action or adjudication at an independent agency to the Counsel's Office.

While there may be rare, special circumstances when it is appropriate to communicate with an independent agency about an investigation, enforcement action or adjudication, **only the Counsel's Office may undertake such communications.**

Rulemaking proceedings

Congress has assigned certain rulemaking jurisdiction to independent agencies such as the FCC, the FTC and the SEC. White House staff should **not** communicate with independent agencies about rulemaking matters without specific advance, approval from the Counsel's Office. Status checks are not permitted without advance approval.

Refer any inquiries concerning rulemaking by an independent agency to the Counsel's Office.

Policy, legislation and administrative matters

Any other communications with independent agencies, including discussions of policy or legislation, should be **approved in advance by the Counsel's Office** to ensure that the communication is appropriate and that no special rules apply. (Advance approval can be provided for categories of contacts.) The sole exception to this policy is communication on routine administrative matters (e.g., obtaining an address or phone number, or requesting publicly available documents).

WHITE HOUSE CONTACTS POLICY: A QUICK SUMMARY

CONTACTS WITH EXECUTIVE BRANCH AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact executive branch agency about policy, legislation or administrative matter	YES (except for IRS) – but advise Counsel's Office before contact with DOJ	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)
Contact executive branch agency about investigation, enforcement action or adjudication	NO	Seek guidance from the Counsel's Office. Refer written or oral inquiries about such matters to the Counsel's Office.
Contact executive branch agency about a rulemaking for purpose of influencing outcome of a rulemaking proceeding.	YES (except for IRS), IF prior approval of White House supervisor and the Administrator of OIRA. But do not "pass on" comments from outsiders, except when outsider comments are in writing. Send such written comments to the relevant agency for inclusion in the public docket, with a copy to OIRA. Coordinate meetings with outsiders about pending rulemaking through OIRA and White House Counsel. And advise Counsel's Office before contact with DOJ.	Obtain prior approval of the Assistant or the Deputy Assistant to the President who supervises you, and the Administrator of OIRA. NOTE: White House staff may not forward to agencies non-written comments from members of the public on rulemaking matters. Written comments should be forwarded to Administrator of OIRA.
Contact executive branch agency solely for status report on pending rulemaking proceeding.	YES (except for IRS)	No need to consult with Counsel's Office prior to contact (but advise Counsel's Office before contact with DOJ)

CONTACTS WITH INDEPENDENT AGENCIES

TYPE OF CONTACT	GENERALLY PERMITTED?	STEPS TO TAKE
Contact independent agency about investigation, enforcement action or adjudication	NO	Refer any inquiries about such matters to the Counsel's Office
Contact independent agency about rulemaking matter	NO	Refer any inquiries about such matters to the Counsel's Office.
Contact independent agency about policy, legislation or administrative matter	NO, unless approved in advance by White House Counsel's Office	Consult with White House Counsel's Office before any such contact. (Sole exception is routine administrative matters -- e.g. obtaining public documents or phone nos.)

Executive Branch Agencies

Department of Agriculture
 Department of Commerce
 Department of Defense
 Department of Education
 Department of Energy
 Department of Health and Human Services
 Department of Housing and Urban Development
 Department of Interior
 Department of Justice
 Department of Labor
 Department of State
 Department of Transportation
 Department of the Treasury
 Department of Veterans Affairs
 Equal Employment Opportunity Commission
 Environmental Protection Agency
 Small Business Administration
 Surface Transportation Board

Independent Agencies

Federal Communications Commission
 Federal Trade Commission
 Securities and Exchange Commission
 Commodities Futures Trading Commission
 Consume Products Safety Commission
 Federal Deposit Insurance Corporation
 Federal Election Commission
 Federal Maritime Commission
 Federal Reserve Board
 National Credit Union Administration
 National Labor Relations Board
 National Transportation Safety Board
 Nuclear Regulatory Commission
 Occupational Safety & Health Rev. Comm.
 U.S. International Trade Commission

2501 Porter Street, NW, Apt. 310
Washington, D.C. 20008

June 7, 1997

Mr. Phil Caplan
Deputy Assistant to the President and
Deputy Staff Secretary
The White House
Washington, D.C. 20500

Dear Phil:

Hope this letter finds you well. It was great bumping into you during my last visit to The White House. Since our conversation I have graduated from law school and started studying for the bar examination. Although I cannot begin working until September, I am excited about the opportunity of returning to the Administration.

As we discussed, enclosed please find a copy of my resume. I am hoping to secure a position where I can combine my legal and business education with my government and political experience. My dream job is a position that combines law, policy and politics. I appreciate your offer to keep your ears open and pass my resume along.

Thank you for taking the time to help. If I can provide you with additional information please do not hesitate to contact me at (202) 966-1676.

Sincerely,



Dawn M. Friedkin

Enclosure

DAWN M. FRIEDKIN

2501 Porter Street, N.W., Apt. 310
Washington, DC 20008
(202) 966-1676

LEGAL EXPERIENCE

Jacob Burns Community Legal Clinics, Washington, DC

January 1997 - May 1997

Student Attorney, Small Business Clinic

- Advised for-profit and non-profit businesses on choosing the appropriate legal entity and the related tax consequences.
- Advised non-profit businesses on federal and state tax exemption matters and prepared related tax documents.
- Drafted articles of incorporation, bylaws, and shareholder agreements for corporations.
- Drafted articles of organization and operating agreements for limited liability companies.
- Researched federal and state government programs as potential funding sources for clients' businesses.
- Performed trademark searches.

Clinton/Gore '96, Washington, DC

June 1996 - March 1997

Law Clerk, Legal Department

- Conducted legal research and drafted memoranda on matters including administrative, civil rights, constitutional, contract, copyright, election, and employment law.
- Drafted sections of Campaign's responses to FEC Matters Under Review.
- Assisted with Campaign's FEC compliance filings.
- Drafted Campaign's personnel, volunteer and intern manuals.
- Assisted with document review and production for FEC post-election audit requests.

Jacob Burns Community Legal Clinics, Washington, DC

January 1996 - May 1996

Student Attorney, Administrative Advocacy Clinic

- Represented indigent and elderly clients in administrative hearings.
- Researched and wrote briefs analyzing clients' Social Security disability claims.
- Drafted and executed wills.
- Conducted client interviews.

Superior Court of the District of Columbia, Washington, DC

September 1995 - December 1995

Law Intern, The Honorable Ellen Segal Huvelle

- Conducted legal research and drafted orders to address ripe motions.
- Analyzed matters including civil rights, tort, and discovery issues.
- Attended in-court proceedings.

U.S. Department of Justice, Washington, DC

May 1995 - August 1995

Law Intern, Civil Division, Federal Programs Branch

- Researched and wrote legal memoranda analyzing matters including constitutional issues and attorney ethics.
- Researched employment discrimination, Medicare, and Medicaid issues.
- Participated in client meetings and attended in-court proceedings.

Law Intern, Office of the Associate Attorney General, Violence Against Women Office

- Drafted memoranda and talking points for the Attorney General on implementing the Violence Against Women Act.
- Drafted strategic plan and briefing materials for the Attorney General's Advisory Council on Violence Against Women.

GOVERNMENT AND POLITICAL EXPERIENCE

The White House, Washington, DC

January 1993 - August 1994

Special Assistant to the President for Intergovernmental Affairs

- Wrote weekly memorandum to the President summarizing the Administration's intergovernmental activities.
- Collaborated with state and local elected officials to implement strategies to pass key legislation.
- Served as principal White House liaison to cabinet agencies' intergovernmental affairs offices.
- Managed department responsible for all correspondence from the President to state and local elected officials.

Associate Director of Scheduling for the President and Director of Special Projects

- Coordinated the President's long-range schedule.
- Wrote weekly memoranda to the President outlining long-range scheduling options.
- Wrote briefing memoranda and personally briefed the President for his weekly meetings with official visitors.
- Managed scheduling correspondence department responsible for responding to all invitations on behalf of the President.

GOVERNMENT AND POLITICAL EXPERIENCE (continued)

- 1992 Presidential Transition**, Little Rock, AR November 1992 - January 1993
Special Assistant to the Assistant Director of Transition
- Assisted in managing the daily and long-range schedules of the President-elect.
 - Developed, implemented, and managed tracking system to review all invitations received for the President-elect.
 - Developed, implemented, and managed correspondence system to respond to all invitations for the President-elect.
- Clinton/Gore '92**, Little Rock AR August 1992 - November 1992
Special Assistant to the Chief of Staff for Hillary Rodham Clinton
- Researched and wrote daily briefings for Mrs. Clinton analyzing state and local politics and selected court cases.
 - Assisted Chief of Staff in managing 18 person staff.
- American Israel Public Affairs Committee (AIPAC)**, Washington, DC January 1991 - August 1992
National Convention Coordinator
- Planned and executed all AIPAC events at the 1992 national political conventions.
- Political Research Assistant*
- Researched and wrote briefs for lay leaders and staff analyzing presidential, congressional, and gubernatorial races.
- Twilegar for U.S. Senate**, Boise, ID July 1990 - November 1990
Campaign Assistant
- Assisted campaign manager in implementing all facets of campaign strategy including press, GOTV, and fundraising.

BOARD POSITIONS AND VOLUNTEER ACTIVITIES

- Western Reserve Academy**, Hudson, OH September 1996 - present
Member, Board of Visitors
- Advise Board of Trustees on matters including the operation, curriculum, and marketing of secondary school.
- Habitat for Humanity**, Washington, DC September 1995 - present
Volunteer
- Spend weekends building homes for underprivileged families.
- Miriam's Soup Kitchen**, Washington, DC September 1994 - present
Volunteer
- Spend free mornings serving meals to homeless people.

EDUCATION AND RELATED ACTIVITIES

- The George Washington University Law School**, Washington, DC May 1997
Juris Doctor
- Competitor, Giles Rich Intellectual Property Moot Court Competition
 - Treasurer, Equal Justice Foundation
- Tulane University, A.B. Freeman School of Business**, New Orleans, LA May 1990
Bachelor of Science in Management (concentration in marketing and international business)
- Chair, Community Action Council of Tulane University Students Marketing and Management Committee
 - Chair, Alpha Epsilon Phi Sorority Standards Board
 - Campus Liaison, American Israel Public Affairs Committee (AIPAC)
 - Reporter, Tulane *Hullabaloo*
- Institut Superior Des Affaires, Group HEC**, Jouy-en-Josas, France Summer 1989
Completed courses in international marketing and international business

Dawn M. Friedkin
2501 Porter Street, Apt. 310
Washington, D.C. 20008



Mr. Phil Caplan
Deputy Assistant to the President and
Deputy Staff Secretary
The White House
Washington, D.C. 20500



THE WHITE HOUSE
WASHINGTON

June 4, 1997

MEMORANDUM FOR STAFF

FROM: SYLVIA MATHEWS *Smats*
JOHN PODESTA *John Podesta*
DEPUTY CHIEFS OF STAFF

SUBJECT: FOLLOW-UP FOR PRESIDENTIAL EVENTS

With the guidance we received from the Assistants to the President and their deputies in a recent 8:30 a.m. Monday meeting, we are sending out this memo explaining the procedures for preparing notes of appreciation after all Presidential events.

All offices should designate a staff contact for event follow-up. That individual will be responsible for providing the Correspondence Department with the names and addresses of individuals who should receive thank-you notes. The information should be supplied on a disk in Word Perfect and in the format described on the attached set of instructions, accompanied by talking points or proposed language. The language should be appropriate to the particular event and may address actions that the President hopes the recipient will take following the event.

This information should be provided to Jan Vranich or Debbie Bird in Room 94 within three days of the conclusion of an event or trip. Each office is responsible for appropriate follow-up for each Presidential event.

Sample formats for thank you letters and participant lists are attached for your convenience, along with the instructions for properly preparing the disks. If you have any questions regarding these procedures, please contact Jan or Debbie at 6-5460.

The President places great importance on events and meetings with constituents. We appreciate your help in making these occasions successful from start to finish.

To: The Office of the Director
Correspondence Department
Room 94, OEOB

From:

Date:

Subject: Follow-up Correspondence from ____ Trip/____ Meeting on
____, 199_, in _____

Please prepare letters for each of the individuals on the
attached disk, in the form of the attached letter.

The letter is:

- ____ An approved draft
- ____ A modification of an approved draft
- ____ A new proposed text

Comments: _____

[Date]

[name]
[street address]
[city, state, zip]

Dear [salutation]:

Thank you for joining me [at the White House] for the recent [describe event]. Your participation meant a great deal to me.

[Optional: provide substantive paragraph regarding event/issue]

I am grateful for your perspective and look forward to your continued involvement.

Sincerely,

SAMPLE LETTER

Thank you very much for appearing at the Celebration of Service during the Presidents' Summit for America's Future. The weekend was a wonderful affirmation of our nation's commitment to citizen service, and your performance was one of the highlights of Sunday's celebration.

I'm glad you could be there and share in this most special event. We were able to bring together businesses and non-profits, religious and civil leaders, and citizens from all 50 states and from 140 cities and villages, all to instill a new sense of duty as Americans and a new determination to carry the ethic of service into our daily lives. We have, I hope, engaged America's young people in the spirit of voluntarism, so that they will take leading roles in shaping their own futures and gain the sense of citizenship that will build a better country for decades to come.

Thanks again. Hillary joins me in sending best wishes.

EXAMPLE:

John{END FIELD}
Mr. John Smith
1000 Main Street, N.W.
Austin, Texas 77023{END FIELD}
{END RECORD}
Richard{END FIELD}
Mr. Richard O'Donnell
Suite 335
125 Northwest 31st Street
Atlanta, Georgia 30303{END FIELD}
{END RECORD}
Jim{END FIELD}
Mr. James Johnson
33rd Floor
124 Third Street, S.W.
Washington, D.C. 20202{END FIELD}
{END RECORD}
Linda{END FIELD}
Ms. Linda Sullivan
Apartment 1031
Renwick Apartments
1053 Swansea Avenue, North
Miami, Florida 33590{END FIELD}
{END RECORD}
Eileen{END FIELD}
The Honorable Eileen Upperman
Mayor of Fort Washington
Fort Washington, Maryland 21075{END FIELD}
{END RECORD}
Reverend Crable{END FIELD}
The Reverend Lynn Crable
125 Holly Drive
Edgewater, Maryland 21037{END FIELD}
{END RECORD}
Dr. Baer{END FIELD}
Chris Baer, M.D.
1389 Sleepy Hollow Drive
Alexandria, Virginia 22102{END FIELD}
{END RECORD}

PLEASE REMEMBER IF YOU FAIL TO PERFORM A SPELL CHECK
ON YOUR ENTRIES – WE WILL NOT BE ABLE TO RUN YOUR
LETTERS

INSTRUCTIONS FOR CUTTING A FILE IN WORDPERFECT

Start on Blank Screen--no formats needed

Type the salutation, press F9

Type the inside address, press F9 (no carriage return before next step)

Type shift F9, choose 2 (end record)

Go to the next name and address and repeat until done

- **Do not use any spaces after salutation and zip code or letter will not merge properly.**

PRESIDENTIAL JOBS:

- **President Clinton uses first name salutation -- unless Doctor or Reverend.**

For doctors, use John Smith, M.D. or Ph.D., etc. Salutation would be Dear Dr. Smith.

For reverends, pastors, etc. use The Reverend John Smith and Dear Reverend Smith.

- **For any elected official, use The Honorable John Smith (excluding city or county officials). Mayors are The Honorable.**
- **Always spell out states.**
- **For Washington, D.C. and N.E., N.W., etc., use periods as shown.**
- **Suite numbers or apartment numbers go on line before street addresses.**
- **If using a Post Office Box Number (spell out "post office"), you do not need the street address.**
- **Always perform a spell check on your entries before sending them to us.**

THE WHITE HOUSE
WASHINGTON

May 9, 1997

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MEMORANDUM FOR EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: Charles F.C. Ruff
Counsel to the President

'97 MAY 13 PM 3:34

SUBJECT: Presidential Records

The Presidential Records Act, 44 U.S.C. §§ 2201-07, imposes certain requirements regarding Presidential documents. This Guidance will first summarize the White House policies regarding the statute, and then discuss them in more detail.

Summary of White House Policies Regarding the Presidential Records Act

- The purpose of the Presidential Records Act is to document the performance of the President's constitutional, statutory and ceremonial duties.
- To accomplish this purpose, the Act requires the preservation of all original Presidential records. You do not have to keep identical copies.
- You need not keep "nonrecord" materials, such as notes for your own use, rough drafts not circulated to others, or call and visitor logs.
- You should file Presidential Records -- those pertaining to the performance of the President's duties -- separately from your personal records.
- When you leave the White House, send the Office of Records Management all original Presidential Records you have.
- Unless they have been publicly released, you may not take copies of Presidential Records when you leave, without permission from Counsel's Office.
- If you have any questions whether particular documents are Presidential Records, contact Robert Weiner in Counsel's Office (6-6297).
- This Guidance addresses your obligations under the Presidential Records Act. In addition, the White House has received subpoenas and document requests. You must preserve all materials that are covered by such subpoenas or requests.

GUIDELINES FOR THE PRESIDENTIAL RECORDS ACT

I. What are Presidential Records?

Presidential Records must meet two tests:

1. They must be **created** or **received** by the President, his immediate staff, or others in the EOP whose job is to advise and assist the President, and
2. They must relate to or directly affect the performance of the President's constitutional, statutory, ceremonial or other official duties.

II. What units in the EOP generate Presidential Records?

Records of the following units which meet the two tests above are Presidential Records:

White House Office	Council of Economic Advisors
National Security Council	President's Intelligence Oversight Board
Office of Policy Development	President's Foreign Intelligence Board
National Economic Council	

Records of the Office of the Vice President are treated in the same manner as Presidential Records. Records of other units in the Executive Office of the President are not Presidential Records, but may be subject to the Federal Records Act if they were created or received by employees of the agency and reflect the agency's activities or otherwise contain information of value.

III. What types or forms of records are included as Presidential Records?

A Presidential Record may be in any physical form, including: "books, correspondence, memorandums, documents, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, films, and motion pictures, including, but not limited to, audio, audio-visual, or other electronic or mechanical recordings." E-mails and documents existing only on computer are also included.

IV. What materials are not Presidential Records?

The following are not Presidential Records:

1. Personal records.
2. Nonrecord materials.
3. Official records of an agency.
4. Stocks of publications and stationery.
5. Extra copies of documents produced only for convenience or reference, when the copies are clearly identified as such.

V. What are “personal records?”

Personal records have a “purely private or nonpublic character” and do not relate to or affect the President’s official duties. Personal records may include:

1. Diaries, journals, and the like if they are not prepared, used or circulated for government business.
2. Materials gathered by a staff member before joining government service, if not used for government business.
3. Materials relating solely to the staff member’s private affairs, such as financial records, insurance forms, and outside professional associations.
4. Personal photographs.
5. Materials relating to the election of others to federal, state, or local office, which have no relation or direct effect on the performance of the President’s official duties.

VI. Are political documents Presidential Records?

Under the statute, materials regarding the political activities of the President and his staff which do not relate to or directly affect the performance of the President’s official duties are not Presidential Records. Neither are materials relating exclusively to the President’s own election. Because it sometimes can be difficult to judge which documents fall into these categories, you should consult the Office of White House Counsel regarding the records you may remove.

VII. What are “nonrecord materials?”

The following types of materials may not be Presidential Records:

1. Preliminary drafts not circulated to persons besides the authors.
2. Preliminary drafts, work sheets, and notes if they are reflected in the final product and they do not document the development or implementation of policy.
3. Shorthand and other notes once they are transcribed or converted to formal documents which are verified for accuracy and completeness.
4. Scratch pads, visitor and call logs, and similar nonsubstantive documents.

VIII. What are your obligations regarding the creation of Presidential Records?

The Presidential Records Act requires that staff members adequately document the performance of the President’s constitutional, statutory, and ceremonial duties. The decision whether to memorialize information rests in the first instance with each staff member.

IX. How should you maintain Presidential Records?

Maintain Presidential Records in organized files. Label and keep personal records separate from Presidential Records, and do not make personal records available to other staff for official business.

If your office has both Presidential and Federal Records, keep them separate. You may have to disclose Federal Records under the Freedom of Information Act. Presidential Records are not subject to such disclosure.

X. Can you destroy Presidential Records?

No. Presidential Records are the property of the United States, and may be disposed of only in accordance with procedures established by the Archivist.

One narrow exception: If your office receives certain recurring types of papers, including form letter public mail, unsolicited public mail not reviewed or answered by anyone in the White House, anonymous public mail, or enclosures in public mail, the White House Records Management Office will provide guidance regarding when you may dispose of those materials. Consult that Office before disposing of any such records.

XI. What happens to Presidential Records?

During his term, the President retains custody and control of Presidential Records.

At the end of the Administration, Presidential Records go to the Archives. Some will become subject to disclosure five years later. The President can restrict public access to certain documents, such as classified materials, documents related to appointments to federal office, or trade secrets, for up to 12 years. The materials then become publicly available as limited by any constitutional or other privilege.

XII. What can you take with you when you leave the EOP?

You may not take Presidential Records with you at the end of your employment. You also may not take copies of Presidential Records unless the records have been publicly released, or you have received permission from Counsel's Office. You may not remove classified documents from your office at any time without complying with the rules applicable to those materials. You may take political documents only with the approval of Counsel when you leave the EOP. You may also take personal records with you.

When a staff member leaves the White House or the EOP, he or she must deliver all Presidential Records to the White House Records Management Office (or leave the records in his or her office). NSC staff should provide their records to the NSC Records Management Office.

XIII. Who should you ask about the Presidential Records Act?

If you have questions regarding the coverage or interpretation of the Act, call **Robert Weiner** in the Office of White House Counsel (6-6297). Direct your questions about records maintenance and disposition of files to the White House Office of Records Management (or, for the Office of the Vice President, to the Vice President's records management staff, and for the NSC, the NSC Records Management Office).

THE WHITE HOUSE
WASHINGTON

March 18, 1997

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MEMORANDUM TO WHITE HOUSE STAFF

FROM: NANCY HERNREICH *NH*
DEPUTY ASSISTANT TO THE PRESIDENT
AND DIRECTOR OF OVAL OFFICE OPERATIONS

SUBJECT: RADIO ADDRESS POLICY

It has come to my attention that many staff members may not be aware of the guidelines for bringing guests to the President's Saturday morning Radio Address. Please review the following policy.

Spaces in the Radio Address may be reserved on the following priority basis:

1. Personal friends of the President visiting from out of town;
2. Photo opportunities that can not be scheduled during the regular work week;
3. Permanent White House staff and their **immediate** families;
4. Cabinet Secretaries and Appointees and their **immediate** families.

All requests should be sent to Rebecca Cameron either by mail (1FL, WW), fax (x66703) or e-mail at least **two weeks** prior to the date requested. No one will be permitted without reservations. Staff should notify their guests that the Radio Addresses are subject to cancellation at the last minute. Staff requesting that family members attend the Radio Address **must** accompany them to the address.

We hope these guidelines will help to maintain this unique experience for you and your family, while at the same time preserving the President's time. Thank you for your cooperation.

THE WHITE HOUSE

WASHINGTON

January 21, 1997

MEMORANDUM FOR ALL EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: ERSKINE BOWLES
CHIEF OF STAFF 

SUBJECT: Clearance of Guests for Meetings and Events
in the Executive Residence, Vice President's Residence,
and White House Complex

There are tens of thousands of people who attend meetings and events each year at the White House and the Vice President's Residence. While it is important to keep the lines of communication open to as many people as possible, we must also remember that any guests that we invite to attend such events reflect upon this President, the Vice President, the First Lady and Mrs. Gore. Therefore, the utmost care should be exercised when issuing invitations to official or political events at those locations.

Although the names of visitors to the White House and Vice President's Residence are run through the various criminal databases by the United States Secret Service (USSS), and we appropriately have relied on the thoroughness of their screening process, the Secret Service only screens for individuals who may pose a physical threat to one of the principals. The USSS does not make determinations on the suitability and/or appropriateness of someone entering the complex or meeting with the President or Vice President.

Therefore, to ensure that an appropriate level of scrutiny is given of invitees who are likely to come into contact with one of the principals, the following procedures will be put in place effective immediately:

- All guests to the complex must provide their Social Security number. Providing a Social Security number will help the USSS to identify quickly guests who may have the same or similar name as others.
- Whenever possible, lists of names should be submitted to the Social Office and/or the coordinating office no later than one week prior to a meeting or an event with one of the principals to allow for proper review by the USSS. Since many events are necessarily scheduled on short notice, all departments should fully cooperate with coordinating offices to provide lists of attendees expeditiously so proper review can take place.

- Offices should not clear or escort individuals into an event for which they are not the host.
- Lists of attendees of all large events on the South Lawn must be carefully reviewed, although it would be impossible personally to vouch for all participants - - as is the case of large bill signing ceremonies, State Arrival Ceremonies, etc. For those events, department heads should pay particular attention to those who are most likely to come into contact with a principal.
- For all non-National Security Council related events that include a foreign national (other than lawful, permanent residents), the NSC Executive Secretary must be notified at least three days in advance of the identity of any foreign national scheduled to participate in an event with any of the principals.

As a reminder, all foreign visitors to the White House Complex must be escorted at all times while in the complex. You must identify foreign attendees on WAVES requests and the USSS will ask you to meet such guests at the gate and remain with them until they depart the buildings.

In addition, with regard to Democratic National Committee (DNC) finance events, the DNC has instituted new procedures for vetting the names on the lists they submit for such events.

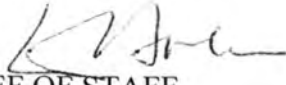
Because I realize that these additional steps will place an even greater burden on you and your staff, I have asked John Podesta to provide you with as much individual guidance as possible on any questions you may have.

THE WHITE HOUSE

WASHINGTON

February 12, 1997

MEMORANDUM FOR MEMBERS OF THE CABINET
SENIOR WHITE HOUSE STAFF
EOP AGENCY HEADS

FROM: ERSKINE BOWLES 
WHITE HOUSE CHIEF OF STAFF

SUBJECT: White House Mission Requests

Commercial airline accommodations generally shall be used as the most economical means to conduct official travel. In appropriate cases, military aircraft may be used for official White House support missions. Situations in which commercial flight accommodations are not available or those in which commercial travel is inappropriate for the mission, fall into this category.

Use of DoD Aircraft

White House directed use of Department of Defense (DoD)¹ aircraft on a non-reimbursable basis is limited to the following types of missions:

1. White House Support Missions
 - a. Direct support of the President, Vice President and First Family;
 - b. Immediate White House activities; and
 - c. Presidential Missions - missions which, due to special interest on the part of the President, are performed at his specific direction.²

Approval of Agency requests for Presidential Mission status will generally be limited only to missions led by Cabinet-level officials. Absent extenuating circumstances, Agency requests for Presidential Mission status for sub-Cabinet officials will not be considered.

¹Unless specifically stated, this memorandum and attachment does not apply to the Department of Defense. This policy memorandum establishes controls for the use by other agencies of aircraft owned, controlled, and operated by the DoD.

²Requests based solely on "the general furtherance of on-going Presidential initiatives" do not automatically qualify as "Presidentially directed missions." The fact that the President concurs with a prospective trip by a Cabinet member or his/her representative -- as distinct from directing the trip to be made -- does not make it a White House mission (for which reimbursement is not required). Requests that are not specifically covered by criteria set forth in this memorandum require the President's specific direction to receive Presidential Mission designation.

2. Official Support Missions for:

- a. Secretary of State;
- b. Attorney General;
- c. Director of the Federal Bureau of Investigation;
- d. Director of Central Intelligence.

Pursuant to applicable statutes and policies, one of the following criteria -- in addition to the unavailability of the requesting agency's assets for the mission -- must be met in order for the White House to direct the use of military aircraft on a non-reimbursable basis for these officials. Travel must be:

- a. defense-related;
- b. In direct support of the President,³ the Vice President or First Family;
- c. specifically directed by the President; or,
- d. required to meet national security concerns (e.g., a threat exists, 24-hour secure communications required).⁴

Presidential, Vice-Presidential, and Heads of State airlift missions, in addition to use for classified military exercises, receive first priority for the use of DoD aircraft, including HMX-1 helicopters.⁵ When HMX-1 assets are not committed to these priority missions, their use is determined pursuant to applicable DoD statutes and policies without White House involvement.

For all other travel by Cabinet and government officials, the Economy Act, 31 U.S.C. § 1535, authorizes DoD to provide transportation to another government agency provided all of the following conditions are met:

- a. travel is in the national interest;
- b. there is full reimbursement to DoD;
- c. use of resources does not detract from the national defense; and,
- d. transportation cannot be provided as conveniently or cost effectively by a commercial enterprise.

³Official international travel by the Secretary of State always is considered to be in direct support of the President.

⁴Unofficial travel on military aircraft in accordance with the President's February 10, 1993 Memorandum is permitted if a threat exists or 24-hour secure communications are required, provided that travellers reimburse for fixed-wing aircraft at full commercial economy class rate and for helicopter aircraft on a prorated fare based on the hourly operating cost and total passengers.

⁵Military helicopter support may be used when the press pool requires simultaneous movement with the President and no other means of transportation is available. Press organizations are billed their pro rata fare based on the helicopter hourly operating cost and total passengers.

Review of Requests

The Chief of Staff,⁶ or his designee, will evaluate all Executive Office of the President (EOP) and other agency requests for White House directed use of military aircraft. Requests that meet the criteria will be granted White House mission status. All other requests shall be referred to the Office of the Executive Secretariat of the Secretary of Defense for consideration in accordance with appropriate statutes, regulations and policies.

The Chief of Staff, or his designee, will notify the Director of the White House Military Office (WHMO) once a mission is approved; the Director then will direct DoD to carry out the mission. DoD will schedule and operate White House missions only when directed to do so by the WHMO, Airlift Operations Office.

The Airlift Operations Office is the White House point of contact for all aircraft planning and scheduling. They may be contacted at any time for inquiries regarding aircraft availability and assist with advance mission planning. Airlift Operations is located in room 405 OEOB, and may be reached at (202) 757-1263 or by fax at (202) 638-1578. During non-business hours, an Airlift Operations representative may be reached through the White House Signal Switchboard at (202) 757-5000.

Attached are procedures to ensure that the appropriate approvals are obtained and that DoD resources are efficiently used. This memorandum supersedes memoranda entitled "White House Mission Requests," July 30, 1993; "Supplemental Guidance Re: White House Mission Requests," August 11, 1993; and White House Chief of Staff Memoranda, "White House Mission Requests," May 31, 1994; "White House Mission Requests," September 16, 1994; and "Addendum to September 16, 1994 White House Mission Requests Memorandum," June 16, 1995.

REFERENCES: Executive Memorandum, "Restricted Use of Government Aircraft," February 10, 1993; Counsel to the President Memorandum, "Use of Government Aircraft for Official Business," July 30, 1993.

⁶In instances where the Chief of Staff seeks to use military aircraft, approval by the White House Counsel or Deputy Counsel is required.

WHITE HOUSE MISSION REQUEST PROCEDURES

I. REQUESTS FROM CABINET OFFICERS, WHITE HOUSE STAFF, SENIOR ADMINISTRATION OFFICERS, AND CONGRESSIONAL REQUESTS.

All requests for White House missions by the above mentioned officials require the approval of the Chief of Staff, or his designee. Requests for White House directed travel by Cabinet Secretaries (except the Secretary of State and the Attorney General), shall be forwarded in writing to the Assistant to the President for Cabinet Affairs (Cabinet Secretary). The Cabinet Secretary will forward those requests that meet the criteria for White House mission status to the Assistant to the President for Management and Administration. Approval of Agency requests for Presidential Mission status will generally be limited only to missions led by Cabinet-level officials. Absent extenuating circumstances, Agency requests for Presidential Mission status for sub-Cabinet officials will not be considered.

White House Staff, Senior Administration Officers, and Congressional requests shall be forwarded in writing directly to the Assistant to the President for Management and Administration.

The Assistant to the President for Management and Administration then will forward all requests that meet the criteria for White House mission status to the Chief of Staff, or his designee.

After coordinating with the White House Counsel (or his designee), the Chief of Staff (or his designee) will notify the requesting party or agency of his decision as to whether the proposed travel meets the criteria for a White House mission for which DoD resources may be used.

II. DEPARTMENT OF STATE REQUESTS (Includes Delegations and Foreign Dignitaries)

The Secretary of State is authorized to use government aircraft on a non-reimbursable basis for overseas official travel and domestic travel related specifically to an international diplomatic mission. All proposed missions that State Department officials determine warrant consideration for Presidential Mission status, including travel by the Secretary of State, shall be forwarded in writing to the Assistant to the President for National Security Affairs. The National Security Advisor will forward these requests with a recommendation to the Assistant to the President for Management and Administration who, in turn, will forward the requests (with recommendation) to the Chief of Staff or his designee. The Chief of Staff, or his designee, will notify WHMO and NSC of the decision.

Requests based solely on "the general furtherance of on-going Presidential initiatives" do not automatically qualify as Presidential Missions. Requests not specifically covered by criteria set forth in this memorandum require the President's specific direction to receive Presidential Mission designation.

Unless specifically directed by the President, other Department of State requests may be sent directly to the Office of the Executive Secretariat at DoD.

III. REQUESTS FROM THE ATTORNEY GENERAL, THE DIRECTOR OF THE FBI, AND THE DIRECTOR OF THE CIA.

Requests for White House directed travel on DoD aircraft by the Attorney General, the Director of the FBI, or the Director of the CIA shall be forwarded in writing to the Assistant to the President for Management and Administration. The Assistant to the President for Management and Administration will forward requests that meet the criteria for White House mission status to the Chief of Staff or his designee. After coordinating with the White House Counsel (or his designee), the Chief of Staff (or his designee) will notify the requesting official of his decision as to whether the proposed travel meets the criteria for which DoD resources may be used.

IV. GENERAL INFORMATION

Every effort should be made to submit requests as early as possible and when feasible, not later than 72 hours before the proposed travel. Requests should contain the following information:

- a. purpose of the trip;
- b. travel dates;
- c. type of aircraft requested;
- d. number of passengers and name of primary (principal) passenger;
- e. a proposed flight itinerary; and,
- f. statement outlining reasons that agency assets or commercial aircraft accommodations are not reasonably available or appropriate for the mission.

A copy of the request must be forwarded to the Director of the White House Airlift Operations Office to ensure aircraft availability and permit ample time for mission planning.

V. REIMBURSEMENT RATES

Travel on government aircraft, except White House missions, must be reimbursed at "Government Non-DoD" rates as follows:

<u>AIRCRAFT TYPE</u>	<u># OF PASSENGERS</u>	<u>RATE/HOUR*</u>
C-137 B/C (Boeing 707)	50-63	\$9,916
C-9 (DC-9)	42	\$6,048
C-20 B/H (Gulfstream III)	12**	\$3,348

* FY 97 Government non-DoD rates

** 10 passengers for overseas missions

Notes:

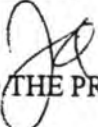
- Government non-DoD use rates are subject to and will change in subsequent fiscal years.
- The above numbers are for general planning only. The number of seats available for a mission is restricted by distance and airport.
- Should a mission require the use of another (unlisted) aircraft, that aircraft's hourly operating cost will be used to determine the appropriate reimbursement.
- Agencies are charged a minimum of two flight-hours per day for each full day an aircraft is deployed on the agency's mission.
- In-flight meal and beverage service is not included in the hourly rate of the aircraft. These charges must be paid by each passenger. Passengers will be billed following each trip whether or not meals are actually consumed.
- Availability of these aircraft is dependent on numerous factors, including maintenance, missions already in progress, and higher priority taskings (e.g., Air Force One or Air Force Two).

THE WHITE HOUSE

WASHINGTON

December 19, 1996

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: JACK QUINN 
COUNSEL TO THE PRESIDENT

DAWN CHIRWA 
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Reminder on Ethics Obligations and Holiday Gifts

With the arrival of the holiday season, we want to remind you of your obligations under the ethics rules regarding acceptance of gifts and attendance at holiday functions. These rules are both statutory and regulatory, and it is important that you understand and follow them at all times. Below, please find the answers to the most frequently asked questions.

What is a gift? A gift is anything of value. In addition to the usual tangible items, a gift includes meals, flowers, tickets to events, donations, loans, favors, discounts, travel, lodging, entertainment, or other hospitality.

What should I do when I receive a gift? You may keep any gifts:

- (1) received from family members or relatives.
- (2) which are motivated by a close personal relationship pre-dating your employment by the White House, and if the gift is paid for by your friend, not by his or her company or client. Please note that if you are required to file a financial disclosure form, you will need to report gifts falling within this category which are worth more than \$100 if the total value of gifts received from the same source exceeds \$250 per reporting year.
- (3) which are perishable items such as fruit, candy, or flowers. These gifts should be placed in the reception area of your office to be shared with your co-workers.

If you receive a gift under other circumstances, you should:

- (1) Complete a White House Staff Gift Report form. The forms may be obtained from the Supply Room or the White House Gift Unit, located in OEOB Room 457; and,
- (2) Submit your gift to the Gift Unit for appraisal with the completed form.

Will I get to keep the gift I submitted to the Gift Unit? Yes, if one of the following is true:

- (1) The appraised value of the gift is worth \$20 or less;
- (2) It is clear that the gift is motivated by your spouse's business relationships and is not enhanced by your official status; or,

- (3) You pay the donor the gift's market value.

May I give my boss a gift? The answer is yes only if one of the following is true:

- (1) The gift is an item other than cash worth \$10 or less;
- (2) The gift is food and refreshments to be shared in the office among several employees;
- (3) The gift is personal hospitality provided at a residence which is of a type and value customarily provided by the employee to personal friends (e.g. an employee can invite his or her boss to a Christmas party at home); or
- (4) The gift is given in connection with the receipt of personal hospitality if of a type and value customarily given on such occasions (e.g. an employee may bring a bottle of wine to a dinner party at his or her boss' home.)

May my boss give me a gift? Yes, absolutely.

May I give a gift to my co-worker? Yes, so long as your co-worker is not your official supervisor.

May I attend holiday parties? You may attend the following types of functions:

- (1) Parties sponsored by a government agency;
- (2) Parties of a purely personal, social nature, not paid for by a prohibited source;
- (3) You may also attend parties not falling in either of the above categories if they are "widely attended gatherings." Events are widely attended if there are a large number of people invited and many interests and viewpoints are represented. Also, your attendance at such an event must be in the agency's interest. You may attend these functions if one of the following is true:
 - (a) you are attending as a guest of the sponsor of the entire event without regard to the face value of the ticket to the event; or,
 - (b) you are attending as a guest of someone other than the sponsor of the event, provided that more than 100 people are expected to attend the event and the total face value of the ticket(s) you receive to the event does not exceed \$250.

Is there any type of entertainment fund that our department can use for a departmental holiday party?

Unfortunately, no. You may, however, collect voluntary contributions from those in the office to provide food and refreshments for a holiday party.

If you have any questions concerning receipt of gifts or attendance at functions during the holidays, please call Dawn Chirwa in the Counsel's Office at 6-7903.

THE WHITE HOUSE

WASHINGTON

October 11, 1996

96 OCT 16 P4:05

MEMORANDUM FOR ALL WHITE HOUSE STAFF

FROM: JACK QUINN
COUNSEL TO THE PRESIDENT

SUBJECT: Revised Rules for Accepting Invitations to Widely
Attended Gatherings

As you know, regulations govern acceptance of gifts, including invitations to attend "widely attended events." Until recently, federal employees could accept an invitation to a "widely attended gathering" only when invited by the **sponsor** of the event and the agency determined that their attendance was in the interest of the agency. Additionally, the rules permitted an employee to accept free attendance only for the employee and his/her spouse. These rules were recently amended to permit acceptance in certain circumstances of unsolicited invitations offered by a **non-sponsor** to attend widely attended gatherings, and to permit employees to bring guests other than their spouses to these events.

The regulations continue to permit acceptance of invitations to widely attended gatherings from the **sponsor** of the event. And, as of September 19, 1996, employees may accept invitations from **someone other than the sponsor** of a widely attended gathering, provided that:

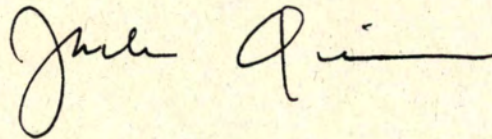
- 1) more than 100 people are expected to attend the event; and
- 2) the face value of the ticket(s) does not exceed \$250.

Regardless of whether the invitation was from a **sponsor** or **non-sponsor**, an employee's attendance still must be in the agency's interest and the event must be widely attended (i.e., there must be a large number of people invited, and many interests and viewpoints must be represented).

The new regulations also permit an employee, whether invited by a **sponsor** or a **non-sponsor**, to bring someone other than a spouse to the event, as long as the guest's ticket is provided by the same person providing the ticket for the employee. However, if the tickets are provided by a **non-sponsor**, the aggregate value of the two tickets cannot exceed \$250; if it does, under the regulations only one free ticket may be accepted. The full value of the second ticket must be paid for personally by the employee or the invitation for the second person must be declined. For

example, if you are offered two tickets valued at \$150 each, you may accept one ticket and either purchase the other ticket for \$150 or not take a guest. You may not pay \$50 to make up the difference in the cost of the two tickets and the \$250 limit.

If you have any questions regarding the changes to the rule or about a particular invitation, please call Dawn Chirwa, Cheryl Mills, or Kathi Whalen at 6-7900.

A handwritten signature in black ink, appearing to read "Jack Quinn". The signature is fluid and cursive, with the first name "Jack" and the last name "Quinn" clearly distinguishable.

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

THE WHITE HOUSE
WASHINGTON

April 27, 1995

MEMORANDUM FOR WHITE HOUSE OFFICE
OFFICE OF POLICY DEVELOPMENT AND
OFFICE OF THE VICE PRESIDENT STAFF

FROM:

ABNER J. MIKVA 
COUNSEL TO THE PRESIDENTCHERYL MILLS 
ASSOCIATE COUNSEL TO PRESIDENTSUBJECT: Presidential Campaign-Related Political Activity

This memorandum provides employees of the White House Office, the Office of Policy Development and the Office of Vice President with guidance regarding Presidential campaign-related political activity.¹ With the President's formal decision to seek re-election, we wanted to review the rules governing campaign activity by federal employees.

I. Governing Principle

Under the Hatch Act Reform Amendments of 1993 (the Act), most employees² paid from appropriations for the Executive Office of the President may engage in political activity: 1) while on duty, 2) while in a federal building, and 3) while using government vehicles, provided that "the costs associated with that activity are not paid for by money derived from the Treasury of the United States." 5 U.S.C. § 7324(b)(1). Activities which incur costs include: faxing, copying, use of computers, and

¹ General guidance regarding permissible political activity by federal employees under the Hatch Act Reform Amendments of 1993 is provided in an October 12, 1994, memorandum from this Office ("Political Activity Guidance"). Please consult the October 12, 1994, memorandum for a comprehensive discussion of the Act and implementing regulations governing political activity.

² Only those Executive Office of the President staff members whose duties continue outside normal duty hours and while away from post may engage in political activity while on duty; all other staff members only may engage in political activity during non-duty hours and while not in a federal building. 5 U.S.C. § 7324(b).

long-distance phone calls.³ It is important that staff members consider this principle in relation to their activities during the President's re-election campaign; it often will help avoid a problem before it arises.⁴

II. Distinguishing Political and Official Activity

Perhaps one of the more difficult aspects of evaluating on-duty conduct is discerning the difference between official and political activity. As a general matter, activity is political if its primary purpose involves the President's role as a candidate for office or as the leader of the Democratic Party (e.g., appearing at party functions, fundraising, campaigning for specific candidates). 6 O.L.C. 214, 217 (1982). Activity is official if it relates to the President's policies, programs or legislative agenda, even if it concerns matters on which opinion is politically divided. Id. Obviously, however, there are gray areas in between these two definitions; if you have questions regarding particular activities, do not hesitate to contact the Counsel's Office for guidance.

III. Prohibitions on Certain Political Activity

While White House staff may engage in political activity, there are still certain restrictions on such conduct. A number of criminal statutes prohibit the use of federal programs, property or employment for political purposes. Violation of these statutes is punishable by imprisonment and a substantial fine. It is therefore imperative that staff observe the prohibitions outlined below.

³ Certain costs are not considered to be borne by the Treasury because they are costs that the government already has incurred for official purposes in the absence of political activity, e.g., office space; employee salaries. 5 C.F.R. § 734.503. But see IV, Section D.

⁴ It is important to understand that for the purposes of this memorandum, the official responsibilities that customarily have been performed by the Political Affairs Office constitute "official" and not "political" activities. Therefore, the restraints cited herein do not in general affect the activities, office maintenance, or other costs undertaken or incurred in the discharge of such responsibilities.

Federal employees, including White House employees, may not:

- (1) use their official authority or influence for the purpose of interfering with or affecting the result of a nomination or an election of any candidate;
- (2) intimidate, threaten, command or coerce any federal employee to engage in or not to engage in any political activity;
- (3) ever knowingly solicit, accept or receive a political contribution from any person, including a subordinate or other federal employee;⁵
- (4) run for the nomination or as a candidate for election to a partisan political office;
- (6) knowingly solicit or discourage the participation in any political activity of any person who has an application for any compensation, grant, contract, ruling, license, permit or certificate pending before the staff member's office; or,
- (7) promise or withhold federal benefits (jobs, grants, contracts) based on political support or nonsupport -- including favoring or penalizing employees or withholding employment to induce someone to make a political contribution or otherwise participate in political activity; or,
- (8) knowingly solicit or discourage the participation in any political activity of any person who is the subject of, or a participant in, an ongoing investigation, audit, or enforcement action being carried out by the employee's office.

IV. Limitations on Campaign Activities By White House Staff

We have set forth below guidelines to ensure that political activity undertaken by White House staff is within the limits prescribed by law and White House policy. While these guidelines will cover many day-to-day situations that arise, the simplest rule to follow is the "common-sense" practice that anything obviously political that involves the use of resources should be done by the campaign, even if doing it here can be "legally" justified.

⁵ The sole exception to this prohibition is for federal labor or employee organizations. Please consult our Office before undertaking any action implicating this exception.

A. Campaign Meetings on Government Property

1. Small meetings involving campaign or political officials and White House staff members may be held in a White House staff member's office, the West Wing or the Old Executive Office Building, or, if it is a luncheon or breakfast meeting, in the White House Mess, provided that such meetings do not interfere with the conduct of Government business. Such gatherings must be organized by White House staff members who are permitted to engage in political activity in a federal building. Government buildings, including White House offices and meeting rooms, should not be used for meetings or events organized by a campaign or political committee.

2. Campaign fundraising activities of any kind are prohibited in or from government buildings. In addition, federal employees are prohibited from soliciting or accepting campaign contributions. This means that fundraising events may not be held in the White House; also, no fundraising phone calls or mail may emanate from the White House or any other federal building.

3. Campaign-sponsored or other political activities (receptions, dinners, meetings, but not fundraisers) may be held in the Executive Residence, provided that the President, First Lady or some other family member attends the event. Similarly, campaign or other political events (other than fundraisers) also may be held at the Vice President's Residence as long as the Vice President, Mrs. Gore, or some other family members attends the event. The costs of such events at either residence must be paid by the proper campaign or political committee.

B. Campaign Contributions by White House Employees

Under 18 U.S.C. § 603, it is a felony for any officer or employee of the government to give a political contribution to his or her "employer or employing authority." At the very least, this provision prohibits employees of the White House Office, the Office of Policy Development, and the Office of the Vice President (including his Senate staff), and quite probably all federal employees, from contributing to the authorized campaign committee of the President.

C. Receipt of Campaign Contributions at the White House

Federal law prohibits the receipt of campaign contributions in federal buildings. Occasionally, contributions intended for a campaign committee may be addressed to the White House and delivered with other mail. Such contributions should be taken to Jim Dorskind in the Correspondence Department in the Old Executive Office Building, Room 94.

There should be no acknowledgement of receipt of a contribution from the White House to the contributor. If a contribution is accompanied by a letter that primarily addresses governmental issues, a response to those issues may be prepared and sent from the White House; however, there should be no reference to the contribution.

D. Use of Leave

1. Some White House staff members, as leave-earning employees, are entitled to specific amounts of annual leave. As discussed below, such leave may be used for political purposes; however, one cannot take an "advance" on annual leave to engage in political activities. Those White House staff members who are not entitled to annual leave (e.g., commissioned officers) may use a ceiling of 15 days of compensatory leave (i.e., the equivalent of vacation time) for political purposes.

2. All White House staff members must perform their official duties for a minimum of 40 hours per week or 80 hours per two-week pay period in order to receive their full federal salary. If a staff member does not complete 40 hours of official duty in any week, the difference between the number of hours completed and 40 hours must be covered by annual leave, leave without pay, official holidays or made up in the second week of that pay period. The difference cannot be made up in a subsequent pay period.

3. White House staff members who complete a minimum of 40 hours of official duty during any full week (Monday-Sunday) may be absent from their official duty station for no more than one weekday (Monday-Friday) solely for the purposes of engaging in political activity without taking annual leave, compensatory leave, or leave without pay. If a staff member desires to be absent for political purposes for more than one weekday in any week, each additional weekday must be covered by annual leave or leave without pay, regardless of the number of official hours worked during that week. In other words, it is not permissible for a staff member to put in 40 hours of official duty in the first three days of the week and then take the remaining two weekdays off for campaigning without using annual leave, compensatory leave, or leave without pay.

4. Sick leave cannot be used to cover an absence from official duty for the purpose of engaging in political activity.

5. White House staff members are permitted to take leave without pay to cover absences from official duties for the purposes of engaging in political activity.

6. Staff members may use only eight hours of compensatory leave for political activity during any 7-day period unless additional leave is approved by Counsel's Office.

7. When annual leave, compensatory leave or leave without pay is used for political purposes:

(a) Staff members must submit a request for leave for political purposes in advance of the leave period to their White House department supervisor for approval.

b) Following approval, the office supervisor should forward the request to the Counsel's Office for approval prior to the leave period.

E. USE OF GOVERNMENT VEHICLES AND MESSENGERS

Generally, government vehicles -- including White House vehicles -- may not be used for political purposes. This means that White House cars may not be used to transport staff members or materials to or from any political committee office, including the President's campaign committee, or event. In addition, White House messengers may not be used to deliver or pick up materials from the DNC or the President's campaign committee. White House vehicles also may not be used to transport staff members or political materials to airports or any other locations if the purpose of the trip is political.

The only exception, excluding official use for compelling security considerations,⁶ is for travel to or from a political event in the following circumstances:

- (1) the White House staff member is the Chief of Staff or an EOP agency head; and,
- (2) the use of the vehicle will occur during the regular work week (Monday through Friday, excluding weekends and holidays); and,
- (3) the political or candidate campaign committee pays for the anticipated cost of the vehicle prior to the travel.

⁶ Compelling security considerations requiring use of a government vehicle include, for example, a recent threat to the life or safety of a staff member or overriding national security concerns. Specific approval must be requested from and provided by the Counsel's Office prior to the use of a government vehicle for compelling security considerations.

Because of the special requirements surrounding departures and arrivals from Andrews Air Force Base, White House vehicles may be used to transport White House staff members to that facility when they are accompanying the President, Vice President, or First Lady on a campaign or political trip. The campaign committee must reimburse the government for the costs of a large rental vehicle for the President or Vice President, as well as for the costs of any other vehicles that are not solely related to the security of the principal traveller (e.g., staff vans).

When the President or Vice President is participating in a campaign or political event in the Washington, D.C., area or other location where White House cars are available for official purposes, White House cars may be used for the Presidential motorcade, with appropriate reimbursement for all vehicles -- including the amount for a large rental vehicle for the President or Vice President -- except those vehicles essential to the security of the President (e.g., Secret Service vehicles).

F. USE OF COMMUNICATIONS SYSTEMS AND COPYING MACHINES

Generally, official White House resources should not be used for campaign purposes. In certain instances where official resources are used for purposes that may be considered campaign-related, there must be prompt reimbursement for the costs incurred by the government. To ensure that White House resources are not used to support campaign activity, White House staff should use only that equipment that has not been paid for from appropriated funds to political activity; if no such equipment is available, the campaign committee should undertake the activity in question.

1. In those limited circumstances in which government communications systems -- telephone, e-mail (which automatically is backed up as a potential presidential record), telegraph, teletype, telecopy or radio -- are used for campaign-related purposes, appropriate reimbursement or payment at the "usual or normal charge," 15 C.F.R. § 100.7(a)(1)(B), must be made by the proper political campaign committee.

2. Because of the need for liaison between limited numbers of White House staff members and various political committees, telephones may be used for local calls. However, White House telephones must not be used, even locally, for regular committee activities such as recruiting volunteers or fundraising.

3. Government credit cards must not be used for campaign-related or other political calls, whether made from inside or outside the White House.

4. Government operators should not be used by staff members to place campaign-related or other political long distance calls.

5. Campaign-related long distance telephone calls made from the White House may be made only if charged to a credit card issued by the proper campaign or political committee (or on telephones installed and maintained by such committees for exclusive use in dealing with campaign or political matters).

6. The incoming WATS System (800 #) should not be used to call into the White House on campaign or political matters.

7. White House Communications Agency (WHCA) facilities provided outside the White House in connection with travel may continue to be used during mixed and wholly political trips. The facilities must be used exclusively for communications relating to trip planning and arrangements and not for direct political purposes such as campaign fundraising and crowd-building.

8. Government copying machines also should not be used to reproduce materials for transmittal to a campaign or political committee.

G. USE OF PHOTOGRAPHS

1. White House photographers may continue to photograph all Presidential, First Lady, and Vice Presidential activities for the purpose of creating an archival record of this Administration. However, as a general rule, photographs taken by White House photographers at political events may not be used for distribution to individuals attending such events or for any other political or campaign purpose.

2. Photographs taken at events in the Executive Residence (other than politically-sponsored events), at West Wing and East Wing meetings, and at non-political events outside the White House may be distributed consistent with regular practices.

3. A campaign or political committee will be expected to provide a photographer at all campaign and political events for which it desires to distribute photographs to the participants. White House photographers will not photograph receiving lines or greetings at campaign or political events, except to the extent necessary for archival purposes.

4. A campaign or political committee may purchase, for its use, photographs taken by White House photographers in those limited circumstances where those photographs provide the only source for a particular picture. All photograph purchase requests from the campaign or political committee must be

directed to the Director of the White House Photo Office. A record of all campaign photo requests will be maintained by the Director of the White House Photo Office, who will be responsible for billing the campaign or political committee for all photo orders on a monthly basis at the normal rate and according to the procedures established by the Government for the purchase of such pictures.

H. CORRESPONDENCE

1. Campaign and political correspondence should not be produced at the White House using White House resources, nor can White House stationery, stamps or related supplies be used in the preparation of such correspondence at another location.

2. As stated earlier, federal law prohibits the receipt of contributions in Federal buildings. Occasionally, contributions intended for a campaign committee may be addressed to the White House and delivered with other mail. Such contributions should be taken to Jim Dorskind in the Correspondence Department in the Old Executive Office Building, Room 94. There should be no acknowledgement of receipt of a contribution from the White House to the contributor. If the contribution is accompanied by a letter that deals primarily with governmental issues, a response dealing with those issues may be prepared and sent from the White House; however, there must be no reference to the contribution.

VI. CONCLUSION

These guidelines are designed to address many of the issues that you may confront during the President's re-election campaign. Staff members are encouraged to contact our Office -- or the Vice President's Counsel for OVP staff -- for guidance if you have any questions about appropriate activity by White House employees.

19 August 1996

96 AUG 19 P5:22

MEMORANDUM TO WHITE HOUSE STAFF

From: Harold Ickes ^{HI}
Kevin O'Keefe ^{KO}

Re: 1996 Democratic National Convention

Attached is a copy of our 1 August 1996 memorandum for White House staff regarding the 1996 National Convention along with the Counsel's office guidance which specifically states that any individual invited by the Re-elect campaign to attend the Convention, or those who wish to travel to Chicago at their own expense, must submit their leave request in writing to their department head and, in turn, to Jodie Torkelson in room 145 OEOB for permission to take annual leave or leave without pay. A copy must also be sent to the Counsel's office.

All staff attending the Convention must submit a leave request form (attached). If you have not submitted a completed and signed Convention leave request form by close of business on Tuesday, your request to take leave may be denied.

Please call Kevin O'Keefe at 6-2896 if you have any questions.

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

August 1, 1996

MEMORANDUM FOR WHITE HOUSE STAFF

From: Harold Ickes *HB*
Re: 1996 Democratic National Convention

The Democratic National Convention will be held in Chicago from August 26 through August 29. This memorandum outlines the White House's policy with respect to the role and attendance of White House staff during the week of the Convention.

The White House must be staffed during the week of the Convention to ensure the conduct of government business. Therefore, only a limited number of members of the staff will be asked by the Campaign to attend the Convention. Other individuals who wish to travel to Chicago for the Convention at their own expense may do so in accord with White House policy and the law, provided that their presence is not required at the White House for official business during that period. All White House staff must follow the procedure outlined below.

First, as discussed in the attached memorandum, dated August 1, 1996, from Jack Quinn, Counsel to the President, White House staff attending the Convention must do so while on vacation leave or an unpaid leave, unless you are traveling in direct support of the President or Vice President or performing official function. Second, individuals either invited to attend the Convention by the Campaign or those who wish to travel to Chicago at their own expense must submit their leave request in writing to their department head, and in turn to the Chief of Staff's Office (a form for which is attached) for permission to take annual leave or vacation. A copy must also be sent to the Counsel's Office. The department head must approve the leave or vacation time in writing, and each department head is instructed to insure that the operation of this or her department can and will continue during the week of August 26.

Assistance in securing housing and air transportation to the Convention for those traveling to Chicago on their own may be obtained by calling the phone numbers and individuals on the memorandum, dated July 16, 1996, from Debra DeLee, CEO of the Convention.

As a point of information for those individuals who may elect to travel to the Convention on their own, obtaining approval for leave to attend the Convention is in no way to suggest that you will be able to obtain credentials for admittance to the Convention Hall. Access to credentials is controlled by the campaign and the Convention, not the White House.

Please contact Kevin O'Keefe at 6-2896 if you have any questions.

CC: Leon Panetta
Evelyn Lieberman
Jack Quinn
Kevin O'Keefe

THE WHITE HOUSE

WASHINGTON

August 1, 1996

MEMORANDUM FOR WHITE HOUSE STAFF

FROM: JACK QUINN 
COUNSEL TO THE PRESIDENT

SUBJECT: CONVENTION-RELATED POLITICAL ACTIVITY

This memorandum outlines the applicable guidelines governing Democratic Convention-related activity on the part of White House staff.

I. General Political Activity Rules in Brief

In addition to performing your official duties, employees of the White House Office, Office of the Vice President, and Office of Policy Development are permitted by the Hatch Act Reform Amendments to engage in political activity during business hours and in a federal building, provided that government resources are not used to assist in that activity. Under the Hatch Act regulations, costs associated with a political activity are not considered paid for by the government provided that the U.S. Treasury is reimbursed within a reasonable period of time. 5 C.F.R. § 734.503.

Additionally, Executive Office of the President (EOP) employees whose duties continue outside normal agency hours and while away from their duty station are permitted to engage in political activity on the same basis as White House Office employees. All other EOP employees (Presidential appointees, non-career SES, Schedule C, and career) only may engage in political activity outside of agency business hours and outside of federal buildings (and of course, they like all others, may not use government resources to support such activity). Employees paid from appropriations for the National Security Council (NSC), however, by law may not engage in political activity.

There are several activities which are prohibited to all federal employees. Federal employees may not personally solicit, accept or receive a political contribution. (A very limited exception applies for certain federal multi-candidate political committees. All employees should consult their agency ethics official prior to any solicitation.) Federal employees also may not intimidate, threaten, command or coerce any employee to engage or not to engage in any political activity. Thus, a political appointee should not direct staff members or subordinates to attend the Convention in support of his or her attendance.

II. Vacation Time & Leaves of Absence

Unless you are travelling with or in direct support of the President or Vice President or are required to perform official functions, you must attend the Convention on your own time. All federal employees, provided they are otherwise permitted to engage in political activity, may use vacation or compensatory time to engage in political activity, including attending the Convention. Using vacation time (annual leave) or compensatory time is considered being "off-duty."

Although the Hatch Act Reform Amendments permit federal employees to take a leave of absence without pay to engage in political activity, political appointees (Senate-confirmed, non-career SES, Schedule Cs, and other Presidential appointees) may not take a leave of absence without pay to engage in campaign activity during the Presidential election cycle. The only exception to this policy for White House staff is for up to five days of leave without pay to participate in Convention-related activities.

As with all leave requests, your supervisor must approve or disapprove your leave based upon the department's work-load. Thus, your ability to take a leave of absence without pay for the week of the Convention is a matter of supervisor discretion.

III. Convention Attendance & Acceptance of Travel Expenses

Convention-related travel by appointees, except as described above, is political; therefore, appropriated funds may not be used to pay these costs. As political appointees who are permitted to engage in political activity, you may accept, consistent with the Standards of Ethical Conduct, gifts of meals, lodgings, transportation and other benefits -- including free attendance at events -- provided it is offered by a political organization in connection with active participation at the Convention or in related campaign activities. Thus, a political committee (e.g., the Convention, the Democratic National Committee, the Campaign) may pay, as appropriate, your Convention travel-related expenses. White House staff, like all political appointees, whose travel is paid for by a political committee other than the Campaign may not engage in any Campaign-related activity at the Convention.

Like other political appointees, you also may pay your own travel expenses to attend the Convention.

IV. Convention Positions

Under the law, federal employees who are permitted to engage in political activity may hold formal positions at the Convention. Thus, you may, for example, be a delegate, a Convention speaker or a member of any of the standing committees. As always, a

political appointee may not use his or her government position or resources for activities related to his or her Convention duties.

V. Outside Earned Income from Convention Positions

Full-time White House whose annual salary exceeds \$28,912 are prohibited from earning outside income. Thus, only full-time presidential appointees whose salaries are less than \$28,912 may be compensated for services they render for the Convention.

VI. Official Events During the Convention

During the week of the Convention, local groups, community organizations and businesses may ask White House officials to engage in non-Convention activities in the Chicago area. While some of these activities might meet the standard for an official event, out of an abundance of caution, these events generally will be treated as political for the purpose of using appropriated funds. Therefore, White House staff should not fly to Chicago at government expense to staff such events; rather, persons already in the area must staff these events.

If you have any questions regarding these guidelines, please call Cheryl Mills or Dawn Chirwa in my office at (202)456-7900.

cc: Agency General Counsels
Designated Agency Ethics Officials

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR MANAGEMENT AND ADMINISTRATION

FROM:

SUBJECT: Convention Leave Request

I plan to attend the Convention from _____ to _____
_____. I have discussed this with my supervisor to
make sure that my office will have enough staff coverage during
this period.

I plan on taking _____ hours of _____
(Annual Leave or Leave Without Pay)

Please review the following if you plan to work at the
Convention while on leave:

1. If you make more than \$28,912 you cannot
accept compensation for convention work.
2. If you make less than \$28,912 and expect
to be paid while at the Convention, you
must contact Cheryl Mills of White House
Counsel's Office at x6-7900 before
beginning outside employment.

If you are taking leave without pay, please read the attached
information on what happens with your benefits while in a leave
without pay status.

Employee signature: _____ Date: _____

SUPERVISOR AUTHORIZATION

I authorize _____ to take leave for the
period outlined above.

Supervisor signature: _____ Date: _____

This memorandum serves as the official document for processing
your leave. Once this form is completed, send to Kelli McClure,
White House Personnel Liaison, Room 145 OEOB to process.

Attachment

cc: White House Counsel's Office



DEBRA DELEE, CEO

MEMORANDUM FOR CHIEFS OF STAFF

From: Debra DeLee, CEO *DD*
Democratic National Convention Committee

RE: The 1996 Democratic National Convention (August 26-30, 1996)

I know there is a lot of excitement surrounding the upcoming Democratic National Convention from Administration staff. I hope this memorandum will help answer many of the questions you may have. The Democratic National Convention is available to assist you with these arrangements regarding housing and travel to Chicago.

Airline Reservations

To inquire about airline information or to make reservations, you may call United Airlines, the Official Carrier for the Democratic National Convention at 1-800-990-3622. To obtain the lowest airfare during Convention Week from Washington, you should use the United Airlines code, which is "562DC." You must use your credit card for all reservations.

Housing Information

For housing assistance, please call the DNCC Housing Office at (312) 336-5120 to request a Housing Application (which will be mailed to you). Please remember, space is limited and available on a first-come, first-served basis. You must provide your credit card with the Housing Application. Director of Convention Housing, Esther Watkins, will be happy to assist you with any questions.

Volunteering for the Convention

The Convention is accepting applications for volunteers to serve as Transportation Drivers and Security Convention Aides. If Agency staff would like to volunteer as a driver, please call Eric Payne at (312) 336-5510; as a Convention Aide, please call Paul Herring at (312) 336-5180. Again, all volunteers are responsible for their own travel and housing costs.

AS A POINT OF CLARIFICATION, HOUSING AND TRANSPORTATION RESERVATIONS DO NOT MEAN YOU WILL BE ISSUED A CREDENTIAL FOR ADMITTANCE TO THE CONVENTION. NO GUARANTEE OF CREDENTIALS CAN BE MADE AT THIS TIME.

August 1, 1996

96 AUG 2 P1:45

MEMORANDUM FOR WHITE HOUSE STAFF

From: Harold Ickes *HI*
Re: 1996 Democratic National Convention

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Please contact Kevin O'Keefe at 6-2896 if you have any questions.

CC: Leon Panetta
Evelyn Lieberman
Jack Quinn
Kevin O'Keefe

CAPLAN, PHILLIP
WHITE HOUSE OFFICE

STAFF SECRETARY

WH

GFL/WW

THE WHITE HOUSE

WASHINGTON

August 1, 1996

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COUNSEL TO THE PRESIDENT

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Designated Agency Ethics Officials

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR MANAGEMENT AND ADMINISTRATION

FROM:

SUBJECT: Convention Leave Request

I plan to attend the Convention from _____ to _____ . I have discussed this with my supervisor to make sure that my office will have enough staff coverage during this period.

I plan on taking _____ hours of _____ .
(Annual Leave or Leave Without Pay)

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2. If you make less than \$28,912 and expect to be paid while at the Convention, you must contact Cheryl Mills of White House Counsel's Office at x6-7900 before beginning outside employment.

If you are taking leave without pay, please read the attached information on what happens with your benefits while in a leave without pay status.

Employee signature: _____ Date: _____

SUPERVISOR AUTHORIZATION

I authorize _____ to take leave for the period outlined above.

Supervisor signature: _____ Date: _____

This memorandum serves as the official document for processing your leave. Once this form is completed, send to Kelli McClure, White House Personnel Liaison, Room 145 OEOB to process.

Attachment

cc: White House Counsel's Office

PC

THE WHITE HOUSE

WASHINGTON
June 21, 1996 96 JUN 25 A 9:32

MEMORANDUM FOR ALL WHITE HOUSE STAFF

FROM: LEON E. PANETTA
CHIEF OF STAFF



SUBJECT: Travel Authorizations, Travel Vouchers and Official and Clinton/Gore '96 Travel

TRAVEL AUTHORIZATIONS

All travel outside the Washington metropolitan area, except personal travel, should be authorized in advance. **This includes travel on Air Force One and the press plane.** As soon as the decision to travel is made, a travel authorization (TA) must be completed and signed by both the traveler and the appropriate office head, and submitted to the travel manager in Room 1, OEOB for processing. A travel authorization is required for travel being paid for by outside organizations. Any travel paid, in whole or in part, by an outside source (official or political), must be reviewed and approved by White House Counsel before it is submitted to me.

In order to provide an adequate amount of time to properly review the travel request, please submit your TA 72 hours prior to the departure date. A traveler may not travel without proper authorization. This includes travelers on Air Force One and the press plane. Travelers incurring costs on unauthorized trips may be held personally responsible for these costs.

OFFICIAL AND CLINTON/GORE '96 TRAVEL

The U.S. government may only pay for official travel; any travel during which you advocate the re-election of the President is not official travel and must be paid for by the Clinton/Gore '96 Re-elect campaign directly (or by reimbursement to the United States Treasury for travel on government aircraft). To ensure that staff are sensitive to these important distinctions in how travel costs must be paid, all travel by Executive Office of the President staff on behalf of Clinton/Gore '96 must first be authorized by Harold Ickes or Janice Enright. **This means that your travel authorization for a political trip on behalf of Clinton/Gore '96, must also be signed by Harold or Janice prior to my review.**

In addition, political travel where another entity is paying, such as Clinton/Gore '96, the Democratic National Committee, the Democratic Senatorial Campaign Committee or the Democratic Congressional Campaign Committee, must be approved by Cheryl Mills. Outside source payment forms for political travel are also available in Room 1.

TRAVEL VOUCHERS

Following any trip, a completed travel voucher signed by the traveler and the appropriate office head and all required receipts must be submitted to the travel manager in Room 1, OEOB for processing. **Vouchers must be completed for all trips on which reimbursement is sought within one week of the trip.**

REVIEW

As a reminder, all travel by Executive Office of the President employees, including official travel on commercial aircraft, on Air Force One, other government aircraft, and the press plane, as well as travel on behalf of Clinton/Gore '96, must be authorized by a travel authorization form which in appropriate circumstances also must be reviewed by White House Counsel and/or Harold Ickes and Janice Enright.

If you have any questions regarding these travel policies, please contact Kim Holmes at x62500.

THE WHITE HOUSE
WASHINGTON

Todd
Phil
Helene
Stearns
Carol.

96 FEB 13 10:26

February 7, 1996

MEMORANDUM FOR ALL EXECUTIVE OFFICE OF THE PRESIDENT STAFF

FROM: LEON E. PANETTA
CHIEF OF STAFF



SUBJECT: Official and Clinton/ Gore '96 Travel

The U.S. Government may only pay for official travel; any travel during which you advocate the re-election of the President is not official travel and must be paid for by Clinton/ Gore '96 Re-elect campaign directly (or by reimbursement to the United States Treasury for travel on government aircraft). To ensure that staff are sensitive to these important distinctions in how travel costs must be paid, all travel by Executive Office of the President staff on behalf of Clinton/ Gore '96 must first be authorized in writing by Harold Ickes or Janice Enright.

As a reminder, all travel by federal employees, including official travel on commercial aircraft on Air Force One or other government aircraft and on trains, as well as travel on behalf of Clinton/ Gore '96, must be pre-authorized in writing on the appropriate government travel authorization forms. If you have any questions about the appropriate travel forms, please contact Kim Holmes in Room 1.

Presidential Scheduling Procedures

All Presidential scheduling requests, including photo opportunities and phone calls, must be coordinated with the Office of Presidential Scheduling. This includes all requests that are within the White House as well as outside.

Schedule Proposals

Schedule proposals should be prepared for all schedule requests. Each such proposal should be prepared, coordinated and forwarded by a senior staff member and sent directly to the Director of Scheduling and Advance, Marcia Hale (Ground Floor - West Wing).

Format: All schedule proposals must follow the format of the attached example.

Deadline: All schedule requests must be submitted in writing to Marcia Hale in the Office of Presidential Scheduling at least one week prior to the proposed event.

Long-Range Scheduling Meetings

Once the Scheduling Office has determined that the proposed event is needed, is presidential in nature, and is congruent with Administration goals or themes, it will then be considered for final approval during the weekly Long-Range Scheduling Meeting which takes place on Friday afternoons. It is during this meeting that various senior staff members provide final input to assure no policy or schedule conflict exists.

Notice of Approval

The Scheduling Office will notify the appropriate office of final approval by way of a memorandum.

Once an event has been confirmed by Marcia, the logistics of the day are managed by the Deputy Scheduling Directors, Stephanie Streett and Anne Walley. Stephanie and Anne rotate days as the attached calendar illustrates. It is imperative that they know of any and all changes that occur in already confirmed events. They are the only ones with the full knowledge of any ramifications caused by changes in the daily schedule.

Notice of Approval (continued)

The Senior Staff member requesting the event will be listed as the contact on the schedule and responsible for coordinating all briefing materials to the Staff Secretary for use by the President. If the Senior Staff member is not personally planning to prepare the briefing it is his/her responsibility to identify a project manager for the event on the schedule proposal.

Exceptions to the Established Procedure

Often the need arises for consideration of a scheduling request immediately. In such a situation, the request should be submitted to Marcia using the standard proposal format. A cover memorandum briefly explaining the urgent need for the event (detailing the reason why the seven day advance request was not possible) should accompany the proposal.

A decision will be made as quickly as possible, the requesting office will be notified soon thereafter.

Daily Scheduling Meeting

The Scheduling Department invites the senior staff to have a representative of their department attend the daily 10:30 am scheduling meeting, OEOB 180. It is necessary that a department representative attend the daily scheduling meeting in order that each department is kept abreast of any scheduled events affecting their department.

Events in the Residence/Grounds

If an event is to be held in the residence or on the grounds, including arrivals and departures, all of the above mentioned scheduling procedures should still be followed. The Scheduling Office will coordinate with the Office of the Social Secretary to determine the availability of the appropriate room(s) and reserve the room(s) once an event is confirmed.

Ann Stock will take the primary responsibility once an event, in the residence or on the grounds, is confirmed by the Scheduling Office. Stephanie and Anne will coordinate with Ann Stock's office and develop the program and details of the event.

Events in the Residence/Grounds

The event requestor is responsible for providing a copy of the guest list, with telephone numbers, to the Scheduling Office and the Office of the Social Secretary as soon as it is compiled. For events with parties larger than ten, it is the responsibility of the Office of the Social Secretary (not the event requestor) to invite the guests, collect RSVPs, compile security clearance information and clear the guests with WAVES.

Other than for the transmittal of the guest list, the event requestor should not contact the Office of the Social Secretary; Stephanie and Anne will be the contact for the event requestor and the liaison to the Office of the Social Secretary.

Advance staff will be provided for events in the residence as needed. However, if the event is open to the press, a press staff person will always be assigned, by the Press Office, to move the pool.

Political Calls for Confirmed Events

Once an event or trip is confirmed, it is the responsibility of the Office of Political Affairs to determine what political calls need to be made. It is also the responsibility of the Office of Political Affairs to coordinate with the appropriate departments to ensure that all the necessary calls are made.

Briefing Materials for the President

The Senior Staff member requesting the event is responsible for the briefing memorandum on the event to be used by the President. The memorandum must be provided to the Staff Secretary by 3:00 pm on the day preceding the event with thirteen copies. The briefings should follow the format of the attached examples.

Talking points should be included, unless the Senior Staff member requesting the event has arranged for a statement or talking points to be provided by the communications department.

Talking points, remarks, statements, etc. must be triple-spaced and in larger type. Talking points, remarks, statements, etc. must be prepared so that paragraphs do not run onto another page; they should not be broken by the end of a page.

Checklist for Presidential Events

- _____ The Presidential Scheduling Office is responsible for all logistical arrangements for any event on the President's schedule. Please coordinate with them from the time your event is approved in order to avoid the need for last-minute modification.
- _____ Stephanie and Anne are responsible for clearing all guests/participants for meetings in the West Wing and Anne Stock is responsible for clearing all guests/participants in the residence and on the grounds for parties larger than ten. Please provide the necessary lists.
- _____ Be sure that the Staff Secretary's Office knows who will be preparing the briefings and/or talking points.
- _____ Prepare and submit briefing paper(s) to the Staff Secretary by 3:00 pm of the preceding day (13 copies).
- _____ Stephanie and Anne will coordinate with the Press/Media Departments regarding coverage. No organization photographer, other than the White House photographer, will be admitted without Stephanie or Anne's knowledge.
- _____ Stephanie and Anne are responsible for coordinating inclement weather sights.
- _____ If guests are planning to bring/present a gift to the President please notify Anne or Stephanie. No one can directly hand a gift to any of the principals without it being x-rayed.
- _____ If name tags, name cards, chairs, notepads, pencils, etc. are needed please indicate on the schedule proposal.
- _____ Seating charts for meetings in the Roosevelt and Cabinet Rooms need to be included with the briefing for the Staff Secretary.
- _____ The Political Affairs Office is responsible for coordinating all political calls.
- _____ Within five (5) days after your event, submit a complete, confirmed list of staff and attenders, identified by title, and actual starting and completion times of event to the President's Diarist, OEOB room 185.

Schedule Proposal

Date:

____ ACCEPT

____ REGRET

____ PENDING

TO: Roy M. Neel
Deputy Chief of Staff

FROM: Christine A. Varney
Secretary to the Cabinet

REQUEST:

PURPOSE:

BACKGROUND:

PREVIOUS PARTICIPATION:

DATE AND TIME:

DURATION:

LOCATION:

PARTICIPANTS:

OUTLINE OF EVENTS:

REMARKS REQUIRED:

MEDIA COVERAGE:

1st LADY'S ATTENDANCE:
VICE PRES. ATTENDANCE:
2nd LADY'S ATTENDANCE:

RECOMMENDED BY:

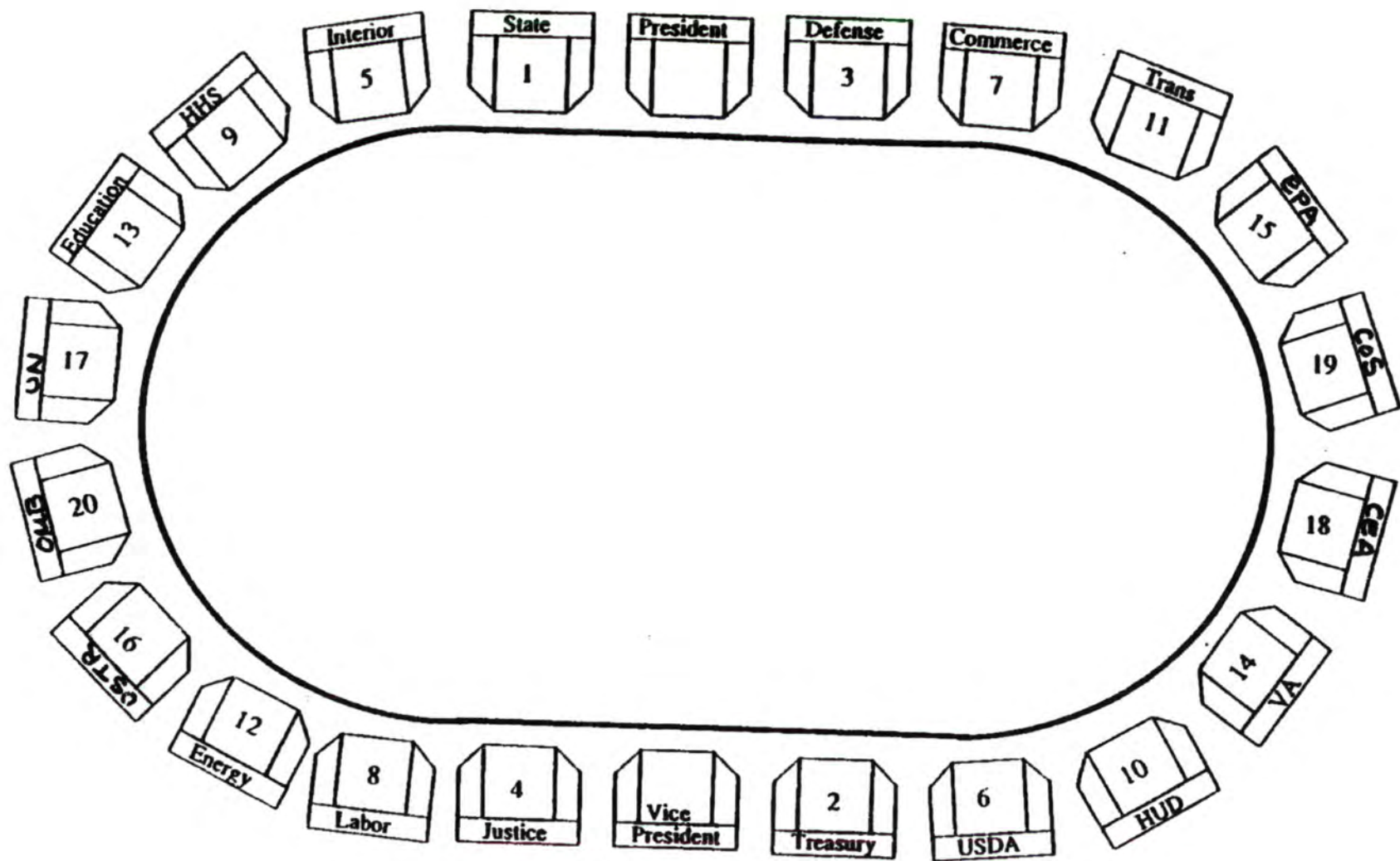
CONTACT:

Schedule Proposal

date ____/____/____

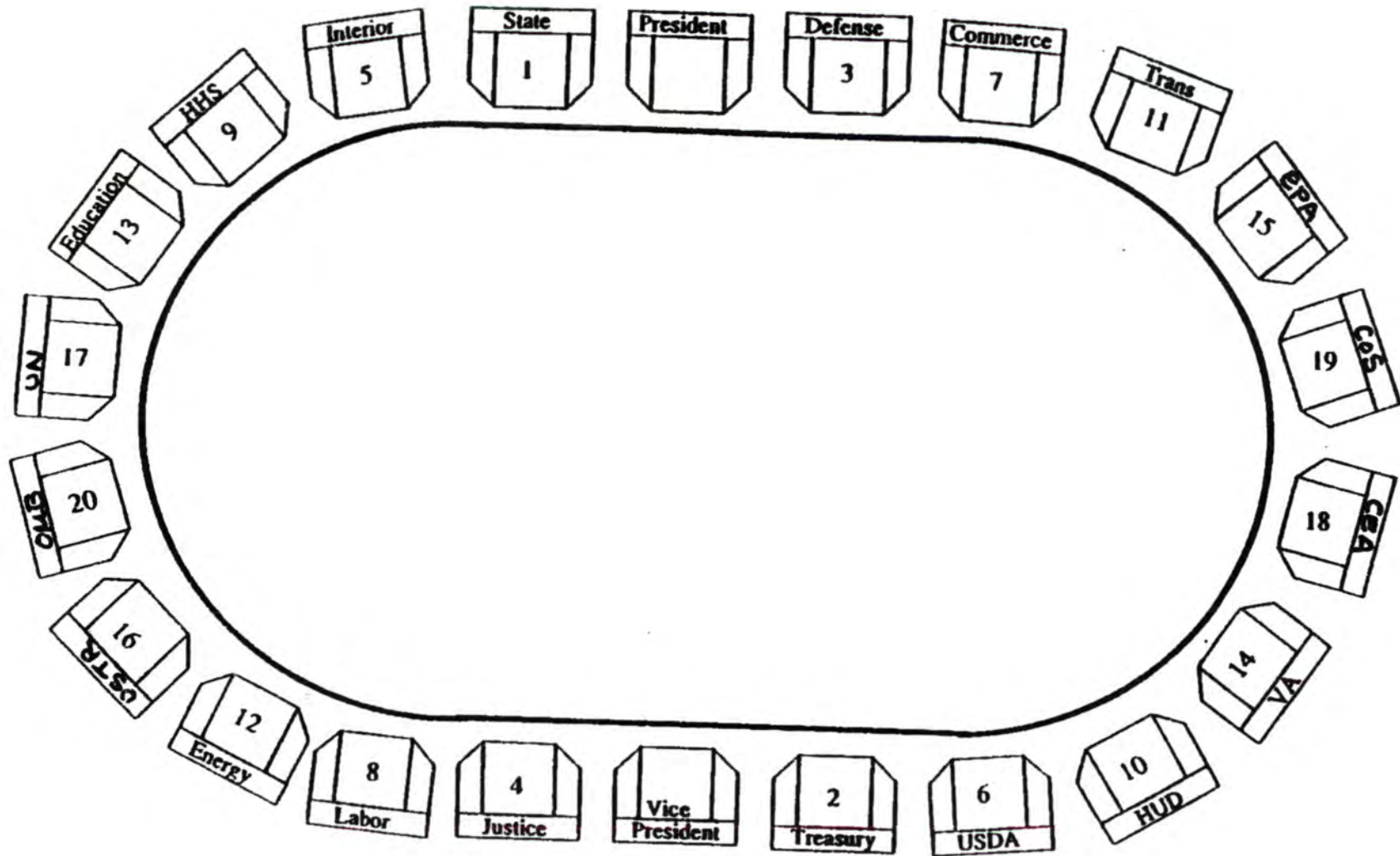
____	ACCEPT	____	REGRET	____	PENDING
TO:	<u>Roy M. Neel</u> Marcia L. Hale Assistant to the President and Director of Scheduling and Advance				
FROM:	(Assistant to the President)				
REQUEST:	(Meeting, briefing, speech, reception, drop-by, etc.)				
PURPOSE:	(Reasons why the President should honor the request; what is the desired outcome?)				
BACKGROUND:	(Additional pertinent information)				
PREVIOUS PARTICIPATION:	(The President's previous participation with this organization or individual)				
DATE AND TIME:	(OPEN if no date is given)				
DURATION:	(Time that the President is committed)				
LOCATION:	(Identify the preferred location in case of inclement weather.)				
PARTICIPANTS:	(Attach list if more than five)				
OUTLINE OF EVENTS:	(Including description of the President's participation)				
REMARKS REQUIRED:	(Major speech, talking points, brief remarks, etc. Who will be preparing the remarks and/or briefings?)				
MEDIA COVERAGE:	(Type of media, photo coverage, if any)				
FIRST LADY'S ATTENDANCE:					
VICE PRESIDENT'S ATTENDANCE:					
SECOND LADY'S ATTENDANCE:					
RECOMMENDED BY:					
CONTACT:	(Host Committee Contact Name, Organization and Telephone Number if working with an outside group)				

CABINET ROOM
22 Chair Arrangement



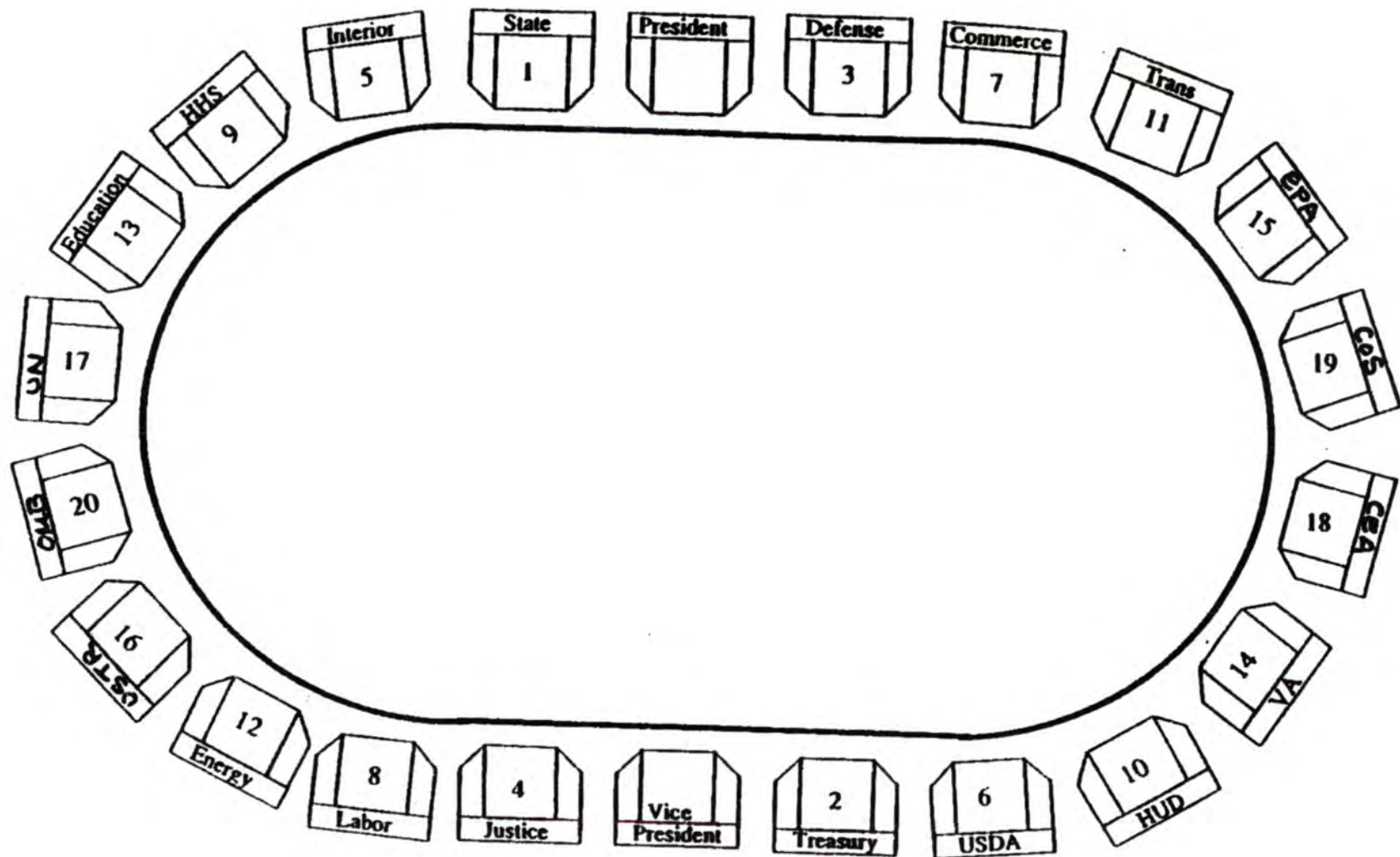
CABINET ROOM

22 Chair Arrangement



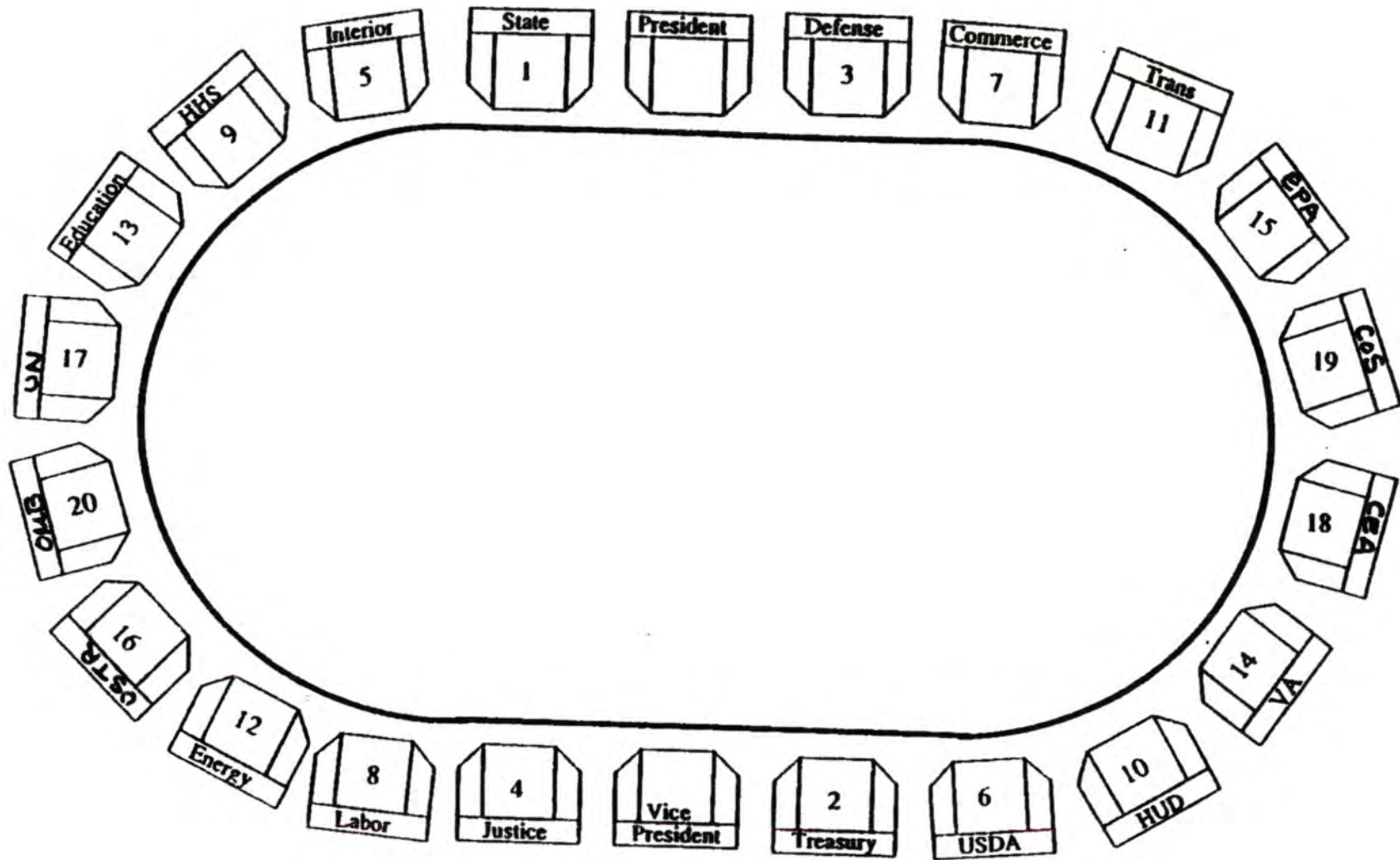
CABINET ROOM

22 Chair Arrangement



CABINET ROOM

22 Chair Arrangement



REQUEST FOR APPOINTMENT PARKING

**THIS FORM MUST BE COMPLETED AND SENT BY FAX
TO EXT. 1655 AT LEAST 2 HOURS IN ADVANCE.
(5:00 p.m. on Friday for Weekend Parking)**

Date _____

Requestor's Name _____

Requestor's Office _____

Phone Extension _____ Room No. _____

Date Parking Needed _____

Name of Driver _____

Make of Car _____

State and License No. _____

Time of Arrival _____

Time of Departure _____

**IT IS YOUR RESPONSIBILITY TO CONTACT
WAVES FOR ALL PASSENGERS ARRIVING IN THE CAR.**

OEOP Conference Rooms/White House Conference Center

Time: _____ To: _____

Name of Individual Hosting Event:		Office/Agency:		
Staff Contact:		Extension No.:	Pager No.:	Room No.:
Type of Event: ☐ Meeting ☐ Reception ☐ Other _____				
Name/Description of Event:				
Number of Outside Guests: _____		In Attendance:		
Total Number of Attendees: _____		☐ President ☐ First Lady ☐ Vice President ☐ Mrs. Gore		
Room(s) Requested: ☐ Roosevelt Room ☐ Rm. 180 ☐ Rm. 472 ☐ Rm. 474 (Indian Treaty Room) ☐ Rm. 476 ☐ Rm. 450 ☐ Rm.459 ☐ Other: _____				
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General Services: ☐ Elevator Service ☐ #4 ☐ #6 ☐ #7 Time Reserved: _____ Floors Reserved: _____ ☐ Podium ☐ Flags				
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Entrance/Gate Preferred: ☐ 17th & G ☐ Pennsylvania Avenue ☐ Southwest Appointments Gate ☐ Northwest Appointments Gate ☐ East Appointments Gate ☐ East Visitors Gate				
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RESPONSE TO GENERAL LETTERS AND BUSINESS CARDS:

Thank you for getting in touch with me during my recent trip to _____. I enjoyed my visit a great deal.

I appreciate your interest in my Administration's efforts to address the challenges facing our nation, and I hope you will stay involved.

RESPONSE TO SUPPORTIVE LETTERS:

Thank you for getting in touch with me during my recent trip to _____. I enjoyed my visit, and your continuing support means a great deal to me.

RESPONSE TO PEOPLE WHO PROVIDED ASSISTANCE (HOTEL, RESTAURANT, CONVENTION CENTER STAFF):

Thank you for your assistance during my recent trip to _____. Your efforts helped make my visit enjoyable and productive, and I am grateful for your support.

I hope to be able to visit _____ again soon.

Executive Office of the President
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Total Number of Attendees: _____		☐ President ☐ First Lady ☐ Vice President ☐ Mrs. Gore	
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